

gible institution in disciplines and focus areas in subparagraph (B);

(v) an assessment of capacity-building and research infrastructure needs;

(vi) administrative research development support; and

(vii) other activities necessary to build research capacity; and

(D) require that no eligible institution should receive more than \$10,000,000 in any single year of funds made available under this section.

(5) Additional considerations

In making awards under this subsection, the Director may also consider—

(A) the extent to which the applicant will support students from diverse backgrounds, including first-generation undergraduate students;

(B) the geographic and institutional diversity of the applying institutions; and

(C) how the applicants can leverage public-private partnerships and existing partnerships with Federal Research Agencies.

(6) Duplication

The Director shall ensure the awards made under this subsection are complementary and not duplicative of existing programs.

(7) Report

The Director shall submit a report to Congress after the third year of the program that includes—

(A) an assessment of the effectiveness of the program for growing the geographic and institutional diversity of institutions of higher education receiving research awards from the Foundation;

(B) an assessment of the quality, quantity, and geographic and institutional diversity of institutions of higher education conducting Foundation-sponsored research since the establishment of the program in this subsection;

(C) an assessment of the quantity and diversity of undergraduate and graduate students graduating from eligible institutions with STEM degrees; and

(D) statistical summary data on the program, including the geographic and institutional allocation of award funding, the number and diversity of supported graduate and undergraduate students, and how it contributes to capacity building at eligible entities.

(8) Authorization of appropriations

There is authorized to be appropriated to the Director \$150,000,000 for each of the fiscal years 2023 through 2027 to carry out the activities under this subsection.

(c) Partnerships with emerging research institutions

(1) In general

The Director shall establish a five-year pilot program for awards to research partnerships that involve emerging research institutions and may involve institutions classified as very high research activity by the Carnegie Classification of Institutions of Higher Education at the time of application.

(2) Requirements

In carrying out this program, the Director shall—

(A) require that each proposal submitted by a multi-institution collaboration for an award, including those under part G of this subchapter, that exceeds \$1,000,000, as appropriate, specify how the applicants will support substantive, meaningful, sustainable, and mutually beneficial partnerships with one or more emerging research institutions;

(B) require recipients funded under this subsection to direct no less than 35 percent of the total award to one or more emerging research institutions;

(C) require recipients funded under this subsection to report on the partnership activities as part of the annual reporting requirements of the Foundation; and

(D) solicit feedback on the partnership directly from partner emerging research institutions, in such form as the Director deems appropriate.

(3) Capacity building

Funds awarded to emerging research institutions under this subsection may be used to build research capacity, including through support for faculty salaries and training, field and laboratory research experiences for undergraduate and graduate students, and maintenance and repair of research equipment and instrumentation.

(4) Report

The Director shall submit a report to Congress after the third year of the pilot program that includes—

(A) an assessment, drawing on feedback from the research community and other sources of information, of the effectiveness of the pilot program for improving the quality of partnerships with emerging research institutions; and

(B) if deemed effective, a plan for permanent implementation of the pilot program.

(Pub. L. 117-167, div. B, title III, §10325, Aug. 9, 2022, 136 Stat. 1539.)

Editorial Notes

REFERENCES IN TEXT

Section 10621, referred to in subsec. (a)(3)(C)(v), is section 10621 of div. B of Pub. L. 117-167, which enacted sections 3722a and 3722b of Title 15, Commerce and Trade, amended section 3723 of Title 15, and enacted provisions set out as notes under sections 3722a and 3722b of Title 15.

August 9, 2022, referred to in subsec. (a)(3)(G)(ii), (iii), was in the original “the date of enactment” in cl. (ii) and “the enactment of this Act” in cl. (iii), and both instances were translated as meaning the date of enactment of Pub. L. 117-167, which was approved Aug. 9, 2022.

CODIFICATION

Section is comprised of section 10325 of div. B of Pub. L. 117-167. Subsec. (a)(2) of section 10325 of div. B of Pub. L. 117-167 amended section 1862p-9 of this title.

§ 19015. Diversity in tech research

The Director shall make awards, on a competitive basis, to institutions of higher education or

nonprofit organizations (or consortia of such institutions or organizations) to support basic, applied, and use-inspired research that yields a scientific evidence base for improving the design and emergence, development and deployment, and management and ultimate effectiveness of entities involved in technology research, including research related to diversity and inclusion in the technology sector.

(Pub. L. 117–167, div. B, title III, §10326, Aug. 9, 2022, 136 Stat. 1544.)

§ 19016. Chief Diversity Officer of the NSF

(a) Chief Diversity Officer

(1) Appointment

The Director shall appoint a senior agency official within the Office of the Director as a Chief Diversity Officer.

(2) Qualifications

The Chief Diversity Officer shall have significant experience, within the Federal Government and the science community, with diversity- and inclusion-related matters, including—

- (A) civil rights compliance;
- (B) harassment policy, reviews, and investigations;
- (C) equal employment opportunity; and
- (D) disability policy.

(b) Duties

The Chief Diversity Officer is responsible for providing advice on policy, oversight, guidance, and coordination with respect to matters of the Foundation related to diversity and inclusion, including ensuring the geographic diversity of the Foundation programs. Other duties may include—

- (1) establishing and maintaining a strategic plan that publicly states a diversity definition, vision, and goals for the Foundation;
- (2) defining a set of strategic metrics that are—

- (A) directly linked to key organizational priorities and goals;
- (B) actionable; and
- (C) actively used to implement the strategic plan under paragraph (1);

- (3) advising in the establishment of a strategic plan for diverse participation by individuals and institutions of higher education, including community colleges, historically Black colleges and universities, Tribal Colleges or Universities, minority serving institutions, institutions of higher education with an established STEM capacity building program focused on Native Hawaiians or Alaska Natives, and EPSCoR institutions);¹

- (4) advising in the establishment of a strategic plan for outreach to, and recruiting from, untapped locations and underrepresented populations;

- (5) advising on a diversity and inclusion strategy for the Foundation's portfolio of PreK–12 STEM education focused programs and activities, including goals for addressing barriers to participation;

- (6) advising on the application of the Foundation's broader impacts review criterion; and

- (7) performing such additional duties and exercise such powers as the Director may prescribe.

(c) Authorization of appropriations

To carry out this section, there are authorized to be appropriated \$5,000,000 for each of fiscal years 2023 through 2027.

(Pub. L. 117–167, div. B, title III, §10327, Aug. 9, 2022, 136 Stat. 1544.)

§ 19017. Research and dissemination to increase the participation of women and underrepresented minorities in STEM fields

(a) In general

The Director shall make awards on a competitive, merit-reviewed basis, to institutions of higher education or non-profit organizations (or consortia of such institutions or organizations), to enable such entities to increase the participation of women and underrepresented minorities in STEM studies and careers.

(b) Use of funds

An eligible entity that receives an award under this subsection shall use such award funds to carry out one or more of the following activities designed to increase the participation of women or minorities historically underrepresented in STEM, or both:

- (1) Research to analyze the record-level data collected under sections 19152 and 19154 of this title, consistent with policies to ensure the privacy of individuals identifiable by such data.

- (2) Research to study best practices for work-life accommodation.

- (3) Research to study the impact of policies and practices that are implemented or are otherwise consistent with the purposes of this section.

- (4) Mentoring programs that facilitate engagement of STEM professionals with students.

- (5) Research experiences for undergraduate and graduate students in STEM fields.

- (6) Outreach to elementary school and secondary school students to provide opportunities to increase their exposure to STEM fields.

(c) Dissemination activities

The Director shall carry out dissemination activities consistent with the purposes of this section, including—

- (1) collaboration with other Federal research agencies and professional associations to exchange best practices, harmonize work-life accommodation policies and practices, and overcoming common barriers to work-life accommodation; and

- (2) collaboration with institutions of higher education in order to clarify and catalyze the adoption of a coherent and consistent set of work-life accommodation policies and practices.

(d) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2023, 2024, 2025, 2026, and 2027.

¹ So in original. The closing parenthesis probably should not appear.