

how products, processes, and systems of engineering biology will affect or can protect the environment.

(h) Department of Health and Human Services

As part of the Initiative, the Secretary of Health and Human Services, as appropriate and consistent with activities of the Department of Health and Human Services in effect on the day before August 9, 2022, shall carry out the following:

- (1) Support research and development to advance the understanding and application of engineering biology for human health.
- (2) Support relevant interdisciplinary research and coordination.
- (3) Support activities necessary to facilitate oversight of relevant emerging biotechnologies.

(Pub. L. 117–167, div. B, title IV, §10406, Aug. 9, 2022, 136 Stat. 1606.)

§ 19136. Rule of construction

Nothing in this subchapter may be construed to require public disclosure of information that is exempt from mandatory disclosure under section 552 of title 5.

(Pub. L. 117–167, div. B, title IV, §10407, Aug. 9, 2022, 136 Stat. 1609.)

SUBCHAPTER V—BROADENING PARTICIPATION IN SCIENCE

PART A—STEM OPPORTUNITIES

§ 19151. Federal research agency policies for caregivers

(a) OSTP guidance

Not later than 12 months after August 9, 2022, the Director, in consultation with the heads of relevant agencies, shall provide guidance to each Federal research agency to establish policies that—

- (1) apply to all—
 - (A) research awards granted by such agency; and
 - (B) principal investigators of such research and their trainees, including postdoctoral researchers and graduate students, who have caregiving responsibilities, including care for a newborn or newly adopted child and care for an immediate family member who has a disability or a serious health condition; and
- (2) provide, to the extent feasible—
 - (A) flexibility in timing for the initiation of approved research awards granted by such agency;
 - (B) no-cost extensions of such research awards;
 - (C) award supplements, as appropriate, to research awards to sustain research activities conducted under such awards; and
 - (D) any other appropriate accommodations at the discretion of the director of each such agency.

(b) Uniformity of guidance

In providing guidance under subsection (a), the Director shall encourage uniformity, to the

extent practicable, and consistency in the policies established pursuant to such guidance across all Federal research agencies.

(c) Establishment of policies

Consistent, to the extent practicable, with the guidance under subsection (a), Federal research agencies shall—

- (1) maintain or develop and implement policies for individuals described in paragraph (1)(B) of such subsection; and
- (2) broadly disseminate in easily accessible formats such policies to current and potential award recipients.

(d) Data on usage

Federal research agencies shall consider—

- (1) collecting data, including demographic data that can be disaggregated by sex, geographic location, and socioeconomic indicators, which may include employment status, occupation, educational attainment, parental education, and income, on the usage of the policies under subsection (c), at both institutions of higher education and Federal laboratories; and
- (2) reporting such data on an annual basis to the Director in such form as required by the Director.

(Pub. L. 117–167, div. B, title V, §10501, Aug. 9, 2022, 136 Stat. 1609.)

§ 19152. Collection and reporting of data on Federal research awards

(a) Collection of data

(1) In general

Each Federal research agency shall collect, as practicable, with respect to all applications for merit-reviewed research and development awards made by such agency, standardized record-level annual information on demographics, primary field, award type, institution type, review rating, budget request, funding outcome, and awarded budget.

(2) Uniformity and standardization

The Director, in consultation with the heads of each Federal research agency, shall establish, and update as necessary, a policy to ensure uniformity and standardization of the data collection required under paragraph (1).

(3) Record-level data

(A) Requirement

Beginning not later than two years after the issuance of the policy under paragraph (2) to Federal research agencies, and on an annual basis thereafter, each Federal research agency shall submit to the National Center for Science and Engineering Statistics record-level data collected under paragraph (1) in the form required by the Director of the National Science Foundation.

(B) Previous data

As part of the first submission under subparagraph (A), each Federal research agency, to the extent practicable, shall also submit comparable record-level data, if it is available to the agency, for the five years preceding the date of such submission, or an

analysis for why such data cannot be provided.

(b) Reporting of data

The Director of the National Science Foundation shall publish statistical summary data, as practicable, collected under this section, disaggregated and cross-tabulated by race, ethnicity, sex, socioeconomic indicators, which may include employment status, occupation, educational attainment, parental education, and income, geographic location, and years since completion of doctoral degree, including in conjunction with the National Science Foundation's report required by section 1885d of this title.

(Pub. L. 117-167, div. B, title V, §10502, Aug. 9, 2022, 136 Stat. 1610.)

§ 19153. Policies for review of Federal research awards

(a) Assessment of policies

Federal research agencies shall regularly assess, and update as necessary, policies, and practices to remove or reduce cultural and institutional barriers limiting the recruitment, retention, and success of groups historically underrepresented in STEM research careers, including policies and practices relevant to the unbiased review of Federal research applications.

(b) Considerations and activities

In carrying out the requirements under subsection (a), Federal research agencies shall—

- (1) review current levels of participation of groups historically underrepresented in STEM in peer-review panels and consider approaches for expanding their participation;
- (2) analyze the data collected under section 19152 of this title, including funding rates of proposals from all groups, including those historically underrepresented in STEM;
- (3) collect and disseminate best practices to remove or reduce cultural and institutional barriers limiting the recruitment, retention, and success of groups historically underrepresented in STEM research careers; and
- (4) implement evidence-based policies and practices to achieve the goals of this section.

(Pub. L. 117-167, div. B, title V, §10503, Aug. 9, 2022, 136 Stat. 1610.)

§ 19154. Collection of data on demographics of faculty

(a) Collection of data

(1) In general

Not later than 5 years after August 9, 2022, and at least every five years thereafter, the Director of the National Science Foundation shall carry out a survey to collect data from award recipients on the demographics of STEM faculty, by broad fields of STEM, at different types of institutions of higher education that receive Federal research funding.

(2) Survey considerations

To the extent practicable, the Director of the National Science Foundation shall survey, by sex, race, socioeconomic indicators, which

may include employment status, occupation, educational attainment, parental education, and income, geographic location, ethnicity, citizenship status, and years since completion of doctoral degree—

- (A) the number and percentage of faculty;
- (B) the number and percentage of faculty at each rank;
- (C) the number and percentage of faculty who are in nontenure-track positions, including teaching and research;
- (D) the number and percentage of faculty who are reviewed for promotion, including tenure, and the percentage of that number who are promoted, including being awarded tenure;
- (E) faculty years in rank;
- (F) the number and percentage of faculty to leave tenure-track positions;
- (G) the number and percentage of faculty hired, by rank; and
- (H) the number and percentage of faculty in leadership positions.

(b) Existing surveys

The Director of the National Science Foundation, may, in modifying or expanding existing Federal surveys of higher education (as necessary)—

- (1) take into account the considerations under subsection (a)(2) by collaborating with statistical centers at other Federal agencies; or
- (2) make an award to an institution of higher education or nonprofit organization (or consortia thereof) to take such considerations into account.

(c) Reporting data

The Director of the National Science Foundation shall publish statistical summary data collected under this section, including as part of the National Science Foundation's report required by section 1885d of this title.

(d) Authorization of appropriations

There are authorized to be appropriated to the Director of the National Science Foundation \$4,000,000 in each of fiscal years 2023 through 2025 to develop and carry out the initial survey required under subsection (a).

(Pub. L. 117-167, div. B, title V, §10504, Aug. 9, 2022, 136 Stat. 1611.)

§ 19155. Cultural and institutional barriers to expanding the academic and Federal STEM workforce

(a) Best practices

(1) Development of guidance

Not later than 12 months after August 9, 2022, the Director, in consultation with the interagency working group on inclusion in STEM and utilizing existing guidance already developed by Federal research agencies where applicable, shall broadly disseminate to entities that receive Federal research funding best practices for—

- (A) conducting periodic climate surveys of STEM departments and divisions, with a particular focus on identifying and addressing any cultural or institutional barriers to