

(Pub. L. 110–69, title I, §1008, Aug. 9, 2007, 121 Stat. 581; Pub. L. 114–329, title II, §204(a)(2), Jan. 6, 2017, 130 Stat. 2998.)

Editorial Notes

CODIFICATION

Section was enacted as part of the America COMPETES Act, also known as the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Act, and not as part of the National Science and Technology Policy, Organization, and Priorities Act of 1976 which comprises this chapter.

AMENDMENTS

2017—Subsecs. (c), (d). Pub. L. 114–329 redesignated subsec. (d) as (c) and struck out former subsec. (c) which related to annual reports to Congress.

§ 6604. Interagency working group on research regulation

(a) Short title

This section may be cited as the “Research and Development Efficiency Act”.

(b) Findings

Congress makes the following findings:

(1) Scientific and technological advancement have been the largest drivers of economic growth in the last 50 years, with the Federal Government being the largest investor in basic research.

(2) Substantial and increasing administrative burdens and costs in Federal research administration, particularly in the higher education sector where most federally funded research is performed, are eroding funds available to carry out basic scientific research.

(3) Federally funded grants are increasingly competitive, with the Foundation funding only approximately 1 in every 5 grant proposals.

(4) Progress has been made over the last decade in streamlining the pre-award grant application process through the Federal Government’s Grants.gov website.

(5) Post-award administrative costs have increased as Federal research agencies have continued to impose agency-unique compliance and reporting requirements on researchers and research institutions.

(6) Researchers spend as much as 42 percent of their time complying with Federal regulations, including administrative tasks such as applying for grants or meeting reporting requirements.

(c) Sense of Congress

It is the sense of Congress that—

(1) administrative burdens faced by researchers may be reducing the return on investment of federally funded research and development; and

(2) it is a matter of critical importance to United States competitiveness that administrative costs of federally funded research be streamlined so that a higher proportion of federal funding is applied to direct research activities.

(d) Establishment

The Director of the Office of Management and Budget, in coordination with the Office of

Science and Technology Policy, shall establish an interagency working group (referred to in this section as the “Working Group”) for the purpose of reducing administrative burdens on federally funded researchers while protecting the public interest through the transparency of and accountability for federally funded activities.

(e) Responsibilities

(1) In general

The Working Group shall—

(A) regularly review relevant, administration-related regulations imposed on federally funded researchers;

(B) recommend those regulations or processes that may be eliminated, streamlined, or otherwise improved for the purpose described in subsection (d);

(C) recommend ways to minimize the regulatory burden on United States institutions of higher education performing federally funded research while maintaining accountability for federal funding; and

(D) recommend ways to identify and update specific regulations to refocus on performance-based goals rather than on process while achieving the outcome described in subparagraph (C).

(2) Grant review

(A) In general

The Working Group shall—

(i) conduct a comprehensive review of Federal science agency grant proposal documents; and

(ii) develop, to the extent practicable, a simplified, uniform grant format to be used by all Federal science agencies.

(B) Considerations

In developing the uniform grant format, the Working Group shall consider whether to implement—

(i) procedures for preliminary project proposals in advance of peer-review selection;

(ii) increased use of “Just-In-Time” procedures for documentation that does not bear directly on the scientific merit of a proposal;

(iii) simplified initial budget proposals in advance of peer review selection; and

(iv) detailed budget proposals for applicants that peer review selection identifies as likely to be funded.

(3) Centralized researcher profile database

(A) Establishment

The Working Group shall establish, to the extent practicable, a secure, centralized database for investigator biosketches, curriculum vitae, licenses, lists of publications, and other documents considered relevant by the Working Group.

(B) Considerations

In establishing the centralized profile database under subparagraph (A), the Working Group shall consider incorporating existing investigator databases.

(C) Grant proposals

To the extent practicable, all grant proposals shall utilize the centralized investi-

gator profile database established under subparagraph (A).

(D) Requirements

Each investigator shall—

- (i) be responsible for ensuring the investigator's profile is current and accurate; and
- (ii) be assigned a unique identifier linked to the database and accessible to all Federal funding agencies.

(4) Centralized assurances repository

The Working Group shall—

- (A) establish a central repository for all of the assurances required for Federal research grants; and
- (B) provide guidance to institutions of higher education and Federal science agencies on the use of the centralized assurances repository.

(5) Comprehensive review

(A) In general

The Working Group shall—

- (i) conduct a comprehensive review of the mandated progress reports for federally funded research; and
- (ii) develop a strategy to simplify investigator progress reports.

(B) Considerations

In developing the strategy, the Working Group shall consider limiting progress reports to performance outcomes.

(f) Consultation

In carrying out its responsibilities under subsection (e)(1), the Working Group shall consult with academic researchers outside the Federal Government, including—

- (1) federally funded researchers;
- (2) non-federally funded researchers;
- (3) institutions of higher education and their representative associations;
- (4) scientific and engineering disciplinary societies and associations;
- (5) nonprofit research institutions;
- (6) industry, including small businesses;
- (7) federally funded research and development centers; and
- (8) members of the public with a stake in ensuring effectiveness, efficiency, and accountability in the performance of scientific research.

(g) Reports

Not later than 1 year after January 6, 2017, and annually thereafter for 3 years, the Working Group shall submit to the appropriate committees of Congress a report on its responsibilities under this section, including a discussion of the considerations described in paragraphs (2)(B), (3)(B), and (5)(B) of subsection (e) and recommendations made under subsection (e)(1).

(Pub. L. 114-329, title II, §201, Jan. 6, 2017, 130 Stat. 2995.)

Editorial Notes

CODIFICATION

Section was enacted as the Research and Development Efficiency Act and also as part of the American

Innovation and Competitiveness Act, and not as part of the National Science and Technology Policy, Organization, and Priorities Act of 1976 which comprises this chapter.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of terms used in this section, see section 2 of Pub. L. 114-329, set out as a note under section 1862s of this title.

§ 6605. Disclosure of funding sources in applications for Federal research and development awards

(a) Disclosure requirement

Each Federal research agency shall require, as part of any application for a research and development award from such agency—

- (1) that each covered individual listed on the application—

(A) disclose the amount, type, and source of all current and pending research support received by, or expected to be received by, the individual as of the time of the disclosure;

(B) certify that the disclosure is current, accurate, and complete; and

(C) agree to update such disclosure at the request of the agency prior to the award of support and at any subsequent time the agency determines appropriate during the term of the award; and

- (2) that any entity applying for such award certify that each covered individual who is employed by the entity and listed on the application has been made aware of the requirements under paragraph (1).

(b) Consistency

The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council and in accordance with the authority provided under section 1746(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 42 U.S.C. 6601 note)¹ shall ensure that the requirements issued by Federal research agencies under subsection (a) are consistent.

(c) Enforcement

(1) Rejection for violation of law or agency terms

A Federal research agency may reject an application for a research and development award if the current and pending research support disclosed by an individual under subsection (a) violates Federal law or agency terms and conditions.

(2) Enforcement for noncompliance

Subject to paragraph (3), in the event that a covered individual listed on an entity's application for a research and development award knowingly fails to disclose information under subsection (a), a Federal research agency may take one or more of the following actions:

(A) Reject the application.

(B) Suspend or terminate a research and development award made by that agency to the individual or entity.

¹ So in original. Probably should be followed by a comma.