

which the United States is not a participant, which has a total estimated cost greater than \$1,000,000,000.

(Pub. L. 94-282, title II, §209, as added Pub. L. 102-245, title V, §502, Feb. 14, 1992, 106 Stat. 24.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 6618, Pub. L. 94-282, title II, §209, May 11, 1976, 90 Stat. 468, directed President to transmit annually to Congress a report on science and technology to be prepared by Office of Science and Technology Policy, and directed Director of Office to make the report available as a public document, prior to repeal by Pub. L. 97-375, title II, §215(1), Dec. 21, 1982, 96 Stat. 1826. See section 6615 of this title.

#### § 6619. National coordination of research infrastructure

##### (a) Identification and prioritization of deficiencies in Federal research facilities

Each year the Director of the Office of Science and Technology Policy shall, through the National Science and Technology Council, identify and prioritize the deficiencies in research facilities and major instrumentation located at Federal laboratories and national user facilities at academic institutions that are widely accessible for use by researchers in the United States. In prioritizing such deficiencies, the Director shall consider research needs in areas relevant to the specific mission requirements of Federal agencies.

##### (b) Planning for acquisition, refurbishment, and maintenance of research facilities and major instrumentation

The Director shall, through the National Science and Technology Council, coordinate the planning by Federal agencies for the acquisition, refurbishment, and maintenance of research facilities and major instrumentation to address the deficiencies identified under subsection (a).

##### (c) Report

The Director shall submit to Congress each year, together with documents submitted to Congress in support of the budget of the President for the fiscal year beginning in such year (as submitted pursuant to section 1105 of title 31), a report, current as of the fiscal year ending in the year before such report is submitted, setting forth the following:

(1) A description of the deficiencies in research infrastructure identified in accordance with subsection (a).

(2) A list of projects and budget proposals of Federal research facilities, set forth by agency, for major instrumentation acquisitions that are included in the budget proposal of the President.

(3) An explanation of how the projects and instrumentation acquisitions described in paragraph (2) relate to the deficiencies and priorities identified pursuant to subsection (a).

(Pub. L. 110-69, title I, §1007, Aug. 9, 2007, 121 Stat. 580.)

#### 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.

#### § 6620. Release of scientific research results

##### (a) Principles

Not later than 90 days after August 9, 2007, the Director of the Office of Science and Technology Policy, in consultation with the Director of the Office of Management and Budget and the heads of all Federal civilian agencies that conduct scientific research, shall develop and issue an overarching set of principles to ensure the communication and open exchange of data and results to other agencies, policymakers, and the public of research conducted by a scientist employed by a Federal civilian agency and to prevent the intentional or unintentional suppression or distortion of such research findings. The principles shall encourage the open exchange of data and results of research undertaken by a scientist employed by such an agency and shall be consistent with existing Federal laws, including chapter 18 of title 35 (commonly known as the ‘‘Bayh-Dole Act’’). The principles shall also take into consideration the policies of peer-reviewed scientific journals in which Federal scientists may currently publish results.

##### (b) Implementation

Not later than 180 days after August 9, 2007, the Director of the Office of Science and Technology Policy shall ensure that all civilian Federal agencies that conduct scientific research develop specific policies and procedures regarding the public release of data and results of research conducted by a scientist employed by such an agency consistent with the principles established under subsection (a). Such policies<sup>1</sup> and procedures shall—

(1) specifically address what is and what is not permitted or recommended under such policies and procedures;

(2) be specifically designed for each such agency;

(3) be applied uniformly throughout each such agency; and

(4) be widely communicated and readily accessible to all employees of each such agency and the public.

(Pub. L. 110-69, title I, §1009, Aug. 9, 2007, 121 Stat. 581.)

#### 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.

<sup>1</sup> So in original. Probably should be ‘‘policies’’.

**§ 6621. Coordination of Federal STEM education****(a) Establishment**

The Director shall establish a committee under the National Science and Technology Council, including the Office of Management and Budget, with the responsibility to coordinate Federal programs and activities in support of STEM education, including at the National Science Foundation, the Department of Energy, the National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration, the Department of Education, and all other Federal agencies that have programs and activities in support of STEM education.

**(b) Responsibilities**

The committee established under subsection (a) shall—

- (1) coordinate the STEM education activities and programs of the Federal agencies;
- (2) coordinate STEM education activities and programs with the Office of Management and Budget;
- (3) encourage the teaching of innovation and entrepreneurship as part of STEM education activities;
- (4) review STEM education activities and programs to ensure they are not duplicative of similar efforts within the Federal government;
- (5) develop, implement through the participating agencies, and update once every 5 years a 5-year STEM education strategic plan, which shall—
  - (A) specify and prioritize annual and long-term objectives;
  - (B) specify the common metrics that will be used to assess progress toward achieving the objectives;
  - (C) describe the approaches that will be taken by each participating agency to assess the effectiveness of its STEM education programs and activities; and
  - (D) with respect to subparagraph (A), describe the role of each agency in supporting programs and activities designed to achieve the objectives;
- (6) establish, periodically update, and maintain an inventory of federally sponsored STEM education programs and activities, including documentation of assessments of the effectiveness of such programs and activities and rates of participation by women, underrepresented minorities, and persons in rural areas in such programs and activities;
- (7) collaborate with the STEM Education Advisory Panel established under section 303 of the American Innovation and Competitiveness Act and other outside stakeholders to ensure the engagement of the STEM education community;
- (8) review the measures used by a Federal agency to evaluate its STEM education activities and programs;
- (9) request and review feedback from States on how the States are utilizing Federal STEM education programs and activities; and
- (10) recommend the reform, termination, or consolidation of Federal STEM education activities and programs, taking into consideration the recommendations of the STEM Education Advisory Panel.

**(c) Responsibilities of OSTP**

The Director shall encourage and monitor the efforts of the participating agencies to ensure that the strategic plan under subsection (b)(5) is developed and executed effectively and that the objectives of the strategic plan are met.

**(d) Reports**

The Director shall transmit a report annually to Congress at the time of the President's budget request describing the plan required under subsection (b)(5). The annual report shall include—

- (1) a description of the STEM education programs and activities for the previous and current fiscal years, and the proposed programs and activities under the President's budget request, of each participating Federal agency;
- (2) the levels of funding for each participating Federal agency for the programs and activities described under paragraph (1) for the previous fiscal year and under the President's budget request;
- (3) an evaluation of the levels of duplication and fragmentation of the programs and activities described under paragraph (1);
- (4) except for the initial annual report, a description of the progress made in carrying out the implementation plan, including a description of the outcome of any program assessments completed in the previous year, and any changes made to that plan since the previous annual report;
- (5) a description of how the participating Federal agencies will disseminate information about federally supported resources for STEM education practitioners, including teacher professional development programs, to States and to STEM education practitioners, including to teachers and administrators in schools that meet the criteria described in subsection (c)(1)(A) and (B) of section 7381j of this title;
- (6) a description of all consolidations and terminations of Federal STEM education programs and activities implemented in the previous fiscal year, including an explanation for the consolidations and terminations;
- (7) recommendations for reforms, consolidations, and terminations of STEM education programs or activities in the upcoming fiscal year;
- (8) a description of any significant new STEM education public-private partnerships<sup>1</sup>
- (9) an account of Federal research agency investments in HBCUs, TCUs, and MSIs, including, to the degree practicable, data on the level of participation of HBCUs, TCUs, and MSIs as prime recipients, contractors, subrecipients, or subcontractors of an award, or reasonable estimates thereof; and
- (10) a description of material changes to the implementation of section 10522 of the Research and Development, Competition, and Innovation Act.

(Pub. L. 111-358, title I, §101, Jan. 4, 2011, 124 Stat. 3984; Pub. L. 114-329, title III, §304, Jan. 6, 2017, 130 Stat. 3006; Pub. L. 117-167, div. B, title V, §10522(e), Aug. 9, 2022, 136 Stat. 1621.)

<sup>1</sup> So in original. Probably should be followed by a semicolon.