

representatives a report that lists and describes the details of all foreign travel by Office of Science and Technology Policy staff and detailees.

(Pub. L. 114-329, title II, §208, Jan. 6, 2017, 130 Stat. 3002.)

#### Editorial Notes

##### CODIFICATION

Section was enacted as the International Science and Technology Cooperation Act of 2016 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

##### DEFINITION

For definition of “institutions of higher education” as used in this section, see section 2 of Pub. L. 114-329, set out as a note under section 1862s of this title.

### § 6626. Working group on inclusion in STEM fields

#### (a) Establishment

The Office of Science and Technology Policy, in collaboration with Federal departments and agencies, shall establish an interagency working group to compile and summarize available research and best practices on how to promote diversity and inclusions in STEM fields and examine whether barriers exist to promoting diversity and inclusion within Federal agencies employing scientists and engineers.

#### (b) Responsibilities

The working group shall be responsible for reviewing and assessing research, best practices, and policies across Federal science agencies related to the inclusion of individuals identified in sections 1885a and 1885b of this title in the Federal STEM workforce, including available research and best practices on how to promote diversity and inclusion in STEM fields, including—

- (1) policies providing flexibility for scientists and engineers that are also caregivers, particularly on the timing of research grants;
- (2) policies to address the proper handling of claims of sexual harassment;
- (3) policies to minimize the effects of implicit bias and other systemic factors in hiring, promotion, evaluation and the workplace in general; and
- (4) other evidence-based strategies that the working group considers effective for promoting diversity and inclusion in the STEM fields.

#### (c) Stakeholder input

In carrying out the responsibilities under section (b), the working group shall solicit and consider input and recommendations from non-Federal stakeholders, including—

- (1) the Council of Advisors on Science and Technology;
- (2) federally funded and non-federally funded researchers, institutions of higher education, scientific disciplinary societies, and associations;
- (3) nonprofit research institutions;

- (4) industry, including small businesses;
- (5) federally funded research and development centers;
- (6) non-governmental organizations; and
- (7) such other members of the public interested in promoting a diverse and inclusive Federal STEM workforce.

#### (d) Public reports

Not later than 1 year after January 6, 2017, and periodically thereafter, the working group shall publish a report on the review and assessment under subsection (b), including a summary of available research and best practices, any recommendations for Federal actions to promote a diverse and inclusive Federal STEM workforce, and updates on the implementation of previous recommendations for Federal actions.

#### (e) Termination

The interagency working group established under subsection (a) shall terminate on the date that is 10 years after the date that it is established.

(Pub. L. 114-329, title III, §308, Jan. 6, 2017, 130 Stat. 3011.)

#### Editorial Notes

##### CODIFICATION

Section was enacted 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.

### § 6627. Federally-funded research with enhanced pathogens of pandemic potential

#### (a) Review and oversight of enhanced pathogens of pandemic potential

##### (1) In general

The Director of the Office of Science and Technology Policy (referred to in this section as the “Director”), in consultation with the heads of relevant Federal departments and agencies, shall—

(A) not later than 1 year after December 29, 2022—

(i) continue or conduct a review of existing Federal policies related to research proposed for Federal funding that may be reasonably anticipated to involve the creation, transfer, or use of enhanced pathogens of pandemic potential; and

(ii) establish or update a Federal policy for the consistent review and oversight of such proposed research that appropriately considers the risks associated with, and potential benefits of, such research; and

(B) not less than every 4 years thereafter, review and update such policy, as necessary and appropriate, to ensure that such policy fully accounts for relevant research that may be reasonably anticipated to involve the creation, transfer, or use of enhanced

pathogens of pandemic potential, takes into consideration the benefits of such research, and supports the mitigation of related risks.

### (2) Requirements

The policy established pursuant to paragraph (1) shall include—

(A) a clear scope to support the consistent identification of research proposals subject to such policy by relevant Federal departments and agencies;

(B) a framework for such reviews that accounts for safety, security, and ethical considerations related to the creation, transfer, or use of enhanced pathogens of pandemic potential;

(C) measures to enhance the transparency and public availability of information related to such research activities in a manner that does not compromise national security, the safety and security of such research activities, or any identifiable, sensitive information of relevant individuals; and

(D) consistent procedures across relevant Federal department and agencies to ensure that—

(i) proposed research that has been determined to have scientific and technical merit and may be subject to such policy is identified and referred for review;

(ii) subjected research activities conducted under an award, including activities undertaken by any subrecipients of such award, are monitored regularly throughout the project period to ensure compliance with such policy and the terms and conditions of such award; and

(iii) in the event that federally-funded research activities not subject to such policy produce unanticipated results related to the creation, transfer, or use of enhanced pathogens of pandemic potential, such research activities are identified and appropriately reviewed under such policy.

### (3) Clarification

Reviews required pursuant to this section shall be in addition to any applicable requirements for research project applications required under the Public Health Service Act [42 U.S.C. 201 et seq.], including reviews required under section 492 of such Act (42 U.S.C. 289a), as applicable, or other applicable laws.

### (b) Implementation

#### (1) In general

The Director shall direct all heads of relevant Federal departments and agencies to update, modernize, or promulgate applicable implementing guidance to implement the requirements of this section.

#### (2) Updates

Consistent with the requirements under subsection (a)(1)(B), the Director shall require all heads of relevant Federal departments and agencies to update such policies consistent with any changes to the policy established pursuant to subsection (a)(1).

### (c) Limitations on countries of concern conducting certain research

#### (1) In general

Beginning not later than 60 days after December 29, 2022, the Secretary of Health and Human Services shall not fund research conducted by a foreign entity at a facility located in a country of concern, in the estimation of the Director of National Intelligence or the head of another relevant Federal department or agency, as appropriate, in consultation with the Secretary of Health and Human Services, involving pathogens of pandemic potential or biological agents or toxins listed pursuant to section 351A(a)(1) of the Public Health Service Act (42 U.S.C. 262a(a)(1)).

#### (2) Conditions for lifting or suspending prohibition

The Secretary of Health and Human Services may lift or suspend the prohibition of funding under paragraph (1)—

(A) only after the review required under subsection (a)(1)(A)(i) is complete; and

(B) only if the Secretary notifies Congress not less than 15 days before such prohibition is lifted or suspended.

(Pub. L. 117–328, div. FF, title II, § 2315, Dec. 29, 2022, 136 Stat. 5763.)

### Editorial Notes

#### REFERENCES IN TEXT

The Public Health Service Act, referred to in subsec. (a)(3), is act July 1, 1944, ch. 373, 58 Stat. 682, which is classified generally to chapter 6A (§ 201 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 201 of this title and Tables.

#### CODIFICATION

Section was enacted as part of the Prepare for and Respond to Existing Viruses, Emerging New Threats, and Pandemics Act, also known as the PREVENT Pandemics Act, and also as part of the Health Extenders, Improving Access to Medicare, Medicaid, and CHIP, and Strengthening Public Health Act of 2022, and not as part of the National Science and Technology Policy, Organization, and Priorities Act of 1976 which comprises this chapter.

### SUBCHAPTER III—PRESIDENT'S COMMITTEE ON SCIENCE AND TECHNOLOGY

#### § 6631. Establishment of Committee

The President shall establish within the Executive Office of the President a President's Committee on Science and Technology (hereinafter referred to as the "Committee").

(Pub. L. 94–282, title III, § 301, May 11, 1976, 90 Stat. 468.)

#### Executive Documents

##### ABOLITION OF PRESIDENT'S COMMITTEE ON SCIENCE AND TECHNOLOGY; TRANSFER OF FUNCTIONS

The President's Committee on Science and Technology, established pursuant to this subchapter, was abolished and its functions transferred to the President, by Reorg. Plan No. 1 of 1977, § 5A, 42 F.R. 56101, 91 Stat. 1634, set out in the Appendix to Title 5, Government Organization and Employees, effective Feb. 26,