To strengthen the role of the Chief Scientist of the National Oceanic and Atmospheric Administration in order to promote scientific integrity and advance the Administration’s world-class research and development portfolio.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2021

Ms. SHERRILL (for herself and Mr. FEENSTRA) introduced the following bill; which was referred to the Committee on Science, Space, and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MAY --, 2022

Reported from the Committee on Science, Space, and Technology with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 16, 2021]
A BILL

To strengthen the role of the Chief Scientist of the National Oceanic and Atmospheric Administration in order to promote scientific integrity and advance the Administration’s world-class research and development portfolio.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “NOAA Chief Scientist
Act”.

SEC. 2. AMENDMENT TO REORGANIZATION PLAN NO. 4 OF
1970 RELATING TO CHIEF SCIENTIST OF THE
NATIONAL OCEANIC AND ATMOSPHERIC AD-
MINISTRATION.

(a) In General.—Subsection (d) of section 2 of Reor-
ganization Plan No. 4 of 1970 (5 U.S.C. App) is amended
to read as follows:

“(d)(1) There is in the Administration a Chief Sci-
entist of the National Oceanic and Atmospheric Adminis-
tration (in this subsection referred to as the ‘Chief Sci-
entist’), who shall be selected by the Administrator and com-
pensated at the rate now or hereafter provided for Level
V of the Executive Schedule pursuant to section 5316 of title
5, United States Code. In selecting a Chief Scientist, the
Administrator shall give due consideration to any rec-
ommendations for candidates which may be submitted by
the National Academies of Sciences, Engineering, and Med-
icine, the National Oceanic and Atmospheric Administra-
tion Science Advisory Board, and other widely recognized,
reputable, and diverse United States scientific or academic
bodies, including minority serving institutions or other
such bodies representing underrepresented populations. The
Chief Scientist shall be the principal scientific adviser to
the Administrator on science and technology policy and
strategy, as well as scientific integrity, and shall perform
such other duties as the Administrator may direct. The
Chief Scientist shall be an individual who is, by reason of
scientific education and experience, knowledgeable in the
principles of scientific disciplines associated with the work
of the Administration, and who has produced work of sci-
entific merit through an established record of distinguished
service and achievement.

“(2) The Chief Scientist shall—

“(A) adhere to any agency or department sci-
entific integrity policy and—

“(i) provide written consent to all applica-
ble scientific integrity and other relevant science
and technology policies of the Administration
prior to serving in such position, with such writ-
ten consent to be made available on a publicly
accessible website of the Administration;

“(ii) in conjunction with the Administrator
and other members of Administration leadership,
undergo all applicable training programs of the
Administration which inform employees of their
rights and responsibilities regarding the conduct of scientific research and communication with the media and the public regarding scientific research; and

“(iii) in coordination with the Administrator and other members of Administration leadership, make all practicable efforts to ensure Administration employees and contractors who are engaged in, supervise, or manage scientific activities, analyze or communicate information resulting from scientific activities, or use scientific information in policy, management, or regulatory decisions, adhere to established scientific integrity policies of the Administration;

“(B) provide policy and program direction for science and technology priorities of the Administration and facilitate integration and coordination of research efforts across line offices of the Administration, with other Federal agencies, and with the external scientific community, including through—

“(i) leading the development of a science and technology strategy of the Administration and issuing policy guidance to ensure that overarching Administration policy is aligned with science and technology goals and objectives;
“(ii) chairing the National Oceanic and Atmospheric Administration Science Council and serving as a liaison to the National Oceanic and Atmospheric Administration Science Advisory Board;

“(iii) providing oversight to ensure—

“(I) the Administration funds high priority and mission-aligned science and technology development, including through partnerships with the private sector, Cooperative Institutes, academia, nongovernmental organizations, and other Federal and non-Federal institutions; and

“(II) there is no unnecessary duplication of such science and technology development;

“(iv) ensuring the Administration attracts, retains, and promotes world class scientists and researchers from diverse backgrounds, experiences, and expertise;

“(v) promoting the health and professional development of the Administration’s scientific workforce, including by promoting efforts to reduce assault, harassment, and discrimination
that could hamper such health and development;

and

“(vi) ensuring coordination across the scientific workforce and its conduct and application of science and technology with the Administration’s most recent Diversity and Inclusion Strategic Plan;

“(C) under the direction of the Administrator, promote, communicate, and advocate for the Administration’s science and technology portfolio and strategy to the broad domestic, Tribal, and international communities and Congress, represent the Administration in promoting and maintaining good public and community relations, and provide the widest practical and appropriate dissemination of science and technology information concerning the full range of the Administration’s earth system authorities;

“(D) manage an Office of the Chief Scientist—

“(i) which shall be staffed by Federal employees of the Administration detailed to the office on a rotating basis, in a manner that promotes diversity of expertise, background, and to the extent practicable, ensures that each line office of the Administration is represented in the Office over time;
“(ii) in which there shall be a Deputy Chief Scientist, to be designated by the Administrator or Acting Administrator from among the Assistant Administrators on a rotational basis, as appropriate to their backgrounds or expertise, who shall advise and support the Chief Scientist and perform the functions and duties of the Chief Scientist for not more than one year in the event the Chief Scientist is unable to carry out the duties of the Office, or in the event of a vacancy in such position; and

“(iii) which may utilize contractors pursuant to applicable laws and regulations, and offer opportunities to fellows under existing programs; and

“(E) not less frequently than once each year, in coordination with the National Oceanic and Atmospheric Administration Science Council, produce and make publicly available a report that—

“(i) describes the Administration’s implementation of the science and technology strategy and scientific accomplishments from the past year;
“(ii) details progress toward goals and challenges faced by the Administration’s science and technology portfolio and scientific workforce;

“(iii) provides a summary of Administration-funded research, including—

“(I) the percentage of Administration-funded research that is funded intramurally;

“(II) the percentage of Administration-funded research that is funded extramurally, including the relative proportion of extramural research that is carried out by—

“(aa) the private sector;

“(bb) Cooperative Institutes;

“(cc) academia;

“(dd) nongovernmental organizations; and

“(ee) other categories as necessary;

and

“(III) a summary of Administration-funded research that is transitioned to operations, applications, commercialization, and utilization; and
“(iv) provides reporting on scientific integrity actions, including by specifying the aggregate number of scientific and research misconduct cases, the number of consultations conducted, the number of allegations investigated, the number of findings of misconduct, and a summary of actions in response to such findings.

“(3) Nothing in this subsection may be construed as impeding the ability of the Administrator to select any person for the position of Chief Scientist the Administrator determines is qualified to serve in such position.”.

(b) SAVING CLAUSE.—The individual serving as Chief Scientist of the National Oceanic and Atmospheric Administration on the day before the date of the enactment of this Act may continue to so serve until such time as the Administrator of the National Oceanic and Atmospheric Administration selects such a Chief Scientist in accordance with subsection (d) of section 2 of Reorganization Plan No. 4 of 1970 (5 U.S.C. App), as amended by subsection (a).