

Suspend the Rules and Pass the Bill, H.R. 5721, with An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

117TH CONGRESS
1ST SESSION

H. R. 5721

To amend title 38, United States Code, to improve research conducted within the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 2021

Mr. TAKANO (for himself and Mr. BOST) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to improve research conducted within the Department of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “VA Infrastructure
5 Powers Exceptional Research Act of 2021” or the
6 “VIPER Act of 2021”.

1 **SEC. 2. INAPPLICABILITY OF PAPERWORK REDUCTION**
2 **ACT.**

3 (a) IN GENERAL.—Chapter 1 of title 38, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 120. Inapplicability of Paperwork Reduction Act**

7 “Subchapter I of chapter 35 of title 44, United States
8 Code (commonly known as the ‘Paperwork Reduction
9 Act’) shall not apply to research activities of the Depart-
10 ment, including activities under subchapter V of chapter
11 73.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of such chapter is amended by adding
14 at the end the following new item:

“120. Inapplicability of Paperwork Reduction Act.”.

15 **SEC. 3. RESEARCH AND DEVELOPMENT.**

16 (a) OFFICE OF RESEARCH AND DEVELOPMENT.—
17 Chapter 73 of title 38, United States Code, is amended
18 by adding at the end the following new subchapter:

19 **“SUBCHAPTER V—RESEARCH AND**
20 **DEVELOPMENT**

21 **“§ 7381. Office of Research and Development**

22 “(a) OFFICE OF RESEARCH AND DEVELOPMENT.—
23 There is in the Veterans Health Administration an Office
24 of Research and Development (in this section referred to
25 as the ‘Office’).

1 “(b) PURPOSES.—The function of the Office is to
2 serve veterans through a full spectrum of research (includ-
3 ing pre-clinical, clinical, and health systems science), tech-
4 nology transfer, and application.

5 “(c) CHIEF RESEARCH AND DEVELOPMENT OFFI-
6 CER.—The head of the Office is the Chief Research and
7 Development Officer.

8 “(d) ORGANIZATION AND PERSONNEL.—The Office
9 shall be organized in such manner, and its personnel shall
10 perform such duties and have such titles, as the Secretary
11 may prescribe.

12 **“§ 7382. Research personnel**

13 “(a) WAIVER OF INTERGOVERNMENTAL PERSONNEL
14 ACT MOBILITY PROGRAM LIMITS.—The Secretary may
15 waive the limit on the period and number of assignments
16 required under section 3372(a) of title 5 with respect to
17 an individual who performs research for the Department
18 under the mobility program under subchapter VI of chap-
19 ter 33 of such title (commonly referred to as the ‘Intergov-
20 ernmental Personnel Act Mobility Program’).

21 “(b) OUTSIDE EARNED INCOME FOR RESEARCH FOR
22 THE DEPARTMENT.—(1) Compensation from a nonprofit
23 corporation established under subchapter IV of this chap-
24 ter, or a university affiliated with the Department, may
25 be paid, without regard to section 209 of title 18, to an

1 employee described in paragraph (2), for research con-
2 ducted pursuant to section 7303 of this title if—

3 “(A) the research has been approved in accord-
4 ance with procedures prescribed by the Under Sec-
5 retary for Health;

6 “(B) the employee conducts research under the
7 supervision of personnel of the Department; and

8 “(C) the Secretary agreed to the terms of such
9 compensation in writing.

10 “(2) An employee described in this subsection is an
11 employee who has an appointment within the Department,
12 whether with or without compensation, and without regard
13 to the source of such compensation.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of such chapter is amended by adding
16 at the end the following:

“SUBCHAPTER V—RESEARCH AND DEVELOPMENT

“7381. Office of Research and Development.

“7382. Research personnel.”.

17 **SEC. 4. EXPANSION OF HIRING AUTHORITIES FOR CERTAIN**
18 **CLASSES OF RESEARCH OCCUPATIONS.**

19 Section 7401(3) of title 38, United States Code, is
20 amended by inserting “statisticians, economists,
21 informaticists, data scientists, and” after “blind rehabili-
22 tation outpatient specialists,”.