

117TH CONGRESS
1ST SESSION

H. R. 869

To authorize appropriations to offset costs resulting from reductions in research productivity in connection with the Coronavirus Disease 2019 (COVID-19), and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2021

Ms. DEGETTE (for herself, Mr. UPTON, Ms. JOHNSON of Texas, Ms. ESHOO, Mr. GONZALEZ of Ohio, Mr. BAIRD, Mrs. BEATTY, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BROWN, Ms. BROWNLEY, Mr. BURGESS, Mr. BUTTERFIELD, Mr. CARBAJAL, Mr. CASE, Mr. CASTEN, Mr. COHEN, Mr. COLE, Mr. COOPER, Mr. CROW, Ms. DELBENE, Mr. ESPAILLAT, Mr. EVANS, Mr. FITZPATRICK, Mr. FOSTER, Ms. GARCIA of Texas, Mrs. HAYES, Mr. HIMES, Ms. HOULAHAN, Ms. KELLY of Illinois, Mr. KHANNA, Mr. KILDEE, Mr. KILMER, Mr. LAMB, Mr. LANGEVIN, Mr. LEVIN of California, Mr. LIEU, Mr. LUCAS, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Mr. MCNERNEY, Ms. MENG, Mr. MORELLE, Mr. MOULTON, Mrs. MURPHY of Florida, Mr. NADLER, Ms. NEWMAN, Ms. NORTON, Mr. O'HALLERAN, Mr. PERLMUTTER, Mr. PETERS, Mr. POCAN, Ms. PORTER, Mr. RASKIN, Miss RICE of New York, Ms. ROSS, Mr. ROUZER, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN, Mr. SAN NICOLAS, Ms. SÁNCHEZ, Mr. SARBANES, Ms. SCANLON, Mr. SCHNEIDER, Mr. SHERMAN, Mr. SMITH of Washington, Mr. SWALWELL, Mr. TAKANO, Mr. TONKO, Mr. TRONE, Ms. UNDERWOOD, Mr. VARGAS, Ms. VELÁZQUEZ, Mr. WEBER of Texas, Mr. WELCH, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Science, Space, and Technology, and in addition to the Committees on Agriculture, Armed Services, Education and Labor, Energy and Commerce, Natural Resources, and Transportation and Infrastructure, 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

A BILL

To authorize appropriations to offset costs resulting from reductions in research productivity in connection with the Coronavirus Disease 2019 (COVID–19), 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 “Research Investment
5 to Spark the Economy Act of 2021” or the “RISE Act
6 of 2021”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

9 (1) Federal agencies have provided Federal re-
10 search awardees flexibility during the Coronavirus
11 Disease 2019 (COVID–19) pandemic to support
12 graduate and undergraduate students, post-doctoral
13 students, principal investigators, and administrative
14 and technical support staff.

15 (2) Federal agencies may need to provide cur-
16 rent Federal research awardees extensions to cover
17 time lost in awardee facilities and in the field that
18 will affect the completion of that agencies’ research
19 missions and priorities. Additionally, agencies have
20 allowed federally funded laboratories to donate nec-
21 essary equipment, such as personal protective equip-

1 ment, to support hospitals and first responders,
2 which may need to be repurchased and will create
3 additional expenses under Federal contracts, grants,
4 and cooperative agreements.

5 (3) The United States needs to sustain the crit-
6 ical human infrastructure that undergirds the
7 United States research enterprise, which has created
8 a longstanding government-university partnership,
9 that has made the United States the global leader
10 in innovation, strengthening the health of citizens of
11 the United States, the economy of the United
12 States, and national security.

13 (4) While the Federal Government has made
14 significant investments in new biomedical research
15 to address COVID–19, existing research has been
16 slowed down or stopped due to COVID–19-modified
17 operations of campuses and laboratories.

18 (5) Given the modified operations of many uni-
19 versity-based and national laboratories due to the
20 pandemic, Congress is concerned that the people
21 who comprise the research workforce (for example,
22 graduate and undergraduate students, post-doctoral
23 students, principal investigators, and administrative
24 and technical support staff) and the future health
25 and strength of the United States research enter-

1 prise and manufacturing and technology economies,
2 among others, are at risk.

3 (6) While the research capacity of the United
4 States has demonstrated that it can absorb shocks
5 and pivot to address immediate national threats, the
6 scale of the COVID–19 pandemic is still growing
7 and unprecedented in duration and effect.

8 (7) Without additional funding, future innova-
9 tions in areas such as quantum, artificial intel-
10 ligence, robotics, computing, advanced wireless,
11 space exploration, digital agriculture, earth system
12 observation and prediction, health, and science, tech-
13 nology, engineering, and mathematics education in-
14 frastructure will be forestalled as agencies are forced
15 to use future appropriations intended for new re-
16 search to cover existing awards. The United States
17 must innovate to launch the next 50 years of unpar-
18 alleled economic leadership and be prepared for any
19 future pandemics.

20 (8) It is vital that the Federal Government take
21 measures to help relieve the strain that Federal
22 agencies will be forced to face and sustain the
23 strength of the ability of the United States to re-
24 main a global leader in an increasingly competitive
25 global research environment, as other countries con-

1 tinue to make disproportionately large investments
2 in key research areas.

3 **SEC. 3. AWARD AND MODIFICATION OF GRANTS, COOPERA-**
4 **TIVE AGREEMENTS AND OTHER FINANCIAL**
5 **ASSISTANCE FOR INSTITUTIONS OF HIGHER**
6 **EDUCATION, RESEARCH LABORATORIES, AND**
7 **OTHER RESEARCH INSTITUTIONS TO AD-**
8 **DRESS MATTERS RELATING TO DISRUPTION**
9 **CAUSED BY COVID-19.**

10 (a) DEFINITIONS.—In this section:

11 (1) AWARD.—The term “award” includes a
12 grant, cooperative agreement, or other financial as-
13 sistance.

14 (2) COVID-19 PUBLIC HEALTH EMERGENCY.—
15 The term “COVID-19 public health emergency”
16 means the public health emergency declared by the
17 Secretary of Health and Human Services under sec-
18 tion 319 of the Public Health Service Act (42
19 U.S.C. 247d) on January 31, 2020, with respect to
20 the Coronavirus Disease 2019 (COVID-19).

21 (3) RESEARCH INSTITUTION.—The term “re-
22 search institution” means the following:

23 (A) An institution of higher education (as
24 defined in section 101(a) of the Higher Edu-
25 cation Act of 1965 (20 U.S.C. 1001(a))).

1 (B) A Tribal College or University (as de-
2 fined in section 316 of the Higher Education
3 Act of 1965 (20 U.S.C. 1059e)).

4 (C) A nonprofit entity that conducts feder-
5 ally funded research.

6 (4) RESEARCH LABORATORY.—The term “Re-
7 search Laboratory” means the following:

8 (A) A National Laboratory (as defined in
9 section 2 of the Energy Policy Act of 2005 (42
10 U.S.C. 15801)).

11 (B) A Federally Funded Research and De-
12 velopment Center for purposes of section
13 3.5.017 of title 48, Code of Federal Regula-
14 tions.

15 (b) AUTHORITY.—

16 (1) IN GENERAL.—Each officer specified in
17 paragraph (2) may exercise the authorities described
18 in paragraph (3).

19 (2) OFFICERS.—The officers specified in this
20 paragraph are as follows:

21 (A) The Secretary of Commerce, acting
22 through the Administrator of the National Oce-
23 anic and Atmospheric Administration and the
24 Director of the National Institute of Standards
25 and Technology.

1 (B) The Secretary of Agriculture.

2 (C) The Secretary of Defense.

3 (D) The Secretary of Education.

4 (E) The Secretary of Energy, acting for
5 the Department of Energy (with respect to En-
6 ergy Efficiency and Renewable Energy, Nuclear
7 Energy, and Fossil Research and Development)
8 and through the Office of Science, the Ad-
9 vanced Research Projects Agency–Energy
10 (ARPA–E), and the Office of Electricity.

11 (F) The Secretary of Interior, acting
12 through the Director of the United States Geo-
13 logical Survey.

14 (G) The Secretary of Health, acting
15 through the Director of the National Institutes
16 of Health.

17 (H) The Secretary of Transportation.

18 (I) The Administrator of the National Aer-
19 onautics and Space Administration.

20 (J) The Administrator of the Environ-
21 mental Protection Agency.

22 (K) The Director of the National Science
23 Foundation.

24 (3) AUTHORITIES.—The officers specified in
25 paragraph (1) may—

1 (A) provide supplemental funding to ex-
2 tend the duration of an award disrupted be-
3 cause of the COVID–19 public health emer-
4 gency to a research institution, Research Lab-
5 oratory, or individual that was awarded before
6 the date of the enactment of this Act, or to ex-
7 pand the purposes of such an award, in order
8 to—

9 (i) enable a post-secondary student or
10 post-doctoral researcher to complete work;

11 (ii) enable research scientists, tech-
12 nical staff, research associates, and prin-
13 cipal investigators to complete work;

14 (iii) extend the training of a post-sec-
15 ondary student, or the employment of a
16 post-doctoral researcher. on an ongoing re-
17 search project for up to 2 years because of
18 the disruption of the job market;

19 (iv) create research opportunities for
20 up to 2 years for graduate students and
21 post-doctoral researchers;

22 (v) replace, refurbish, or otherwise
23 make usable laboratory animals, reagents,
24 equipment, or other items required for re-
25 search;

1 (vi) facilitate other research (including
2 field work), training, and ongoing con-
3 struction activities, including at institu-
4 tions that are disproportionately affected
5 by the COVID–19 public health emergency
6 (such as minority-serving institutions and
7 2-year institutions of higher education);

8 (vii) enable experimental field cam-
9 paigns and maintenance of field infrastruc-
10 ture, including through replacement of dis-
11 rupted experimental data to enable comple-
12 tion of impacted research; and

13 (viii) support training in online course
14 delivery and virtual research experiences
15 that will improve quality and access needed
16 to continue undergraduate, graduate, and
17 post-doctoral training;

18 (B) issue awards to research institutions,
19 Research Laboratories, or other individuals to
20 conduct research on the effects of the
21 Coronavirus Disease 2019 and future potential
22 pandemics, on the effects and effectiveness of
23 responses to such diseases, and on improving
24 the prediction of the possible courses of such
25 pandemics; and

1 (C) provide flexibility on an award for
2 funds made available to an agency, by any prior
3 or subsequent Act, by modifying the terms and
4 conditions of the award with a research institu-
5 tion, Research Laboratory, or individual due to
6 facility closures or other limitations during the
7 COVID–19 public health emergency.

8 (4) MODIFICATIONS.—The modifications au-
9 thORIZED by paragraph (3)(C) include, but are not
10 limited to—

11 (A) the provision of supplemental funding
12 to extend the duration of the award concerned;
13 or

14 (B) flexibility on the allowable expenses
15 under such award.

16 (c) PROCEDURES.—The officers specified in sub-
17 section (b)(2) shall each establish procedures to carry out
18 subsection (b).

19 (d) EXPEDITED AWARDS.—Awards under subsection
20 (b) shall be issued as expeditiously as possible.

21 (e) AUTHORIZATIONS OF APPROPRIATIONS.—

22 (1) DEPARTMENT OF COMMERCE.—There is au-
23 thORIZED to be appropriated for fiscal year 2021 for
24 the Department of Commerce, \$450,000,000 to
25 carry out subsection (b), of which—

1 (A) \$300,000,000 shall be for use by the
2 National Oceanic and Atmospheric Administra-
3 tion; and

4 (B) \$150,000,000 shall be for use by the
5 National Institute of Standards and Tech-
6 nology.

7 (2) DEPARTMENT OF AGRICULTURE.—There is
8 authorized to be appropriated for fiscal year 2021
9 for the Department of Agriculture, \$380,000,000 to
10 carry out subsection (b).

11 (3) DEPARTMENT OF DEFENSE.—There is au-
12 thorized to be appropriated for fiscal year 2021 for
13 the Department of Defense, \$3,000,000,000 to carry
14 out subsection (b).

15 (4) DEPARTMENT OF EDUCATION.—There is
16 authorized to be appropriated for fiscal year 2021
17 for the Department of Education, \$200,000,000 to
18 carry out subsection (b), which shall be for use by
19 the Institute for Education Sciences.

20 (5) DEPARTMENT OF ENERGY.—There is au-
21 thorized to be appropriated for fiscal year 2021 for
22 the Department of Energy, \$5,000,000,000 to carry
23 out subsection (b), of which—

24 (A) not less than \$3,000,000,000 shall be
25 for use by the Office of Science;

1 (B) not less than \$900,000,000 shall be
2 for Energy Efficiency and Renewable Energy;

3 (C) not less than \$450,000,000 shall be
4 for Nuclear Energy;

5 (D) not less than \$300,000,000 shall be
6 for Fossil Research and Development;

7 (E) not less than \$150,000,000 shall be
8 for use by the Advanced Research Projects
9 Agency–Energy; and

10 (F) not less than \$100,000,000 shall be
11 for use by the Office of Electricity.

12 (6) DEPARTMENT OF INTERIOR.—There is au-
13 thORIZED to be appropriated for fiscal year 2021 for
14 the Department of Interior, \$300,000,000 to carry
15 out subsection (b), which shall be for use by the
16 United States Geological Survey.

17 (7) DEPARTMENT OF HEALTH AND HUMAN
18 SERVICES.—There is authorized to be appropriated
19 for fiscal year 2021 for the Department of Health
20 and Human Services, \$10,000,000,000 to carry out
21 subsection (b), which shall be for use by the Na-
22 tional Institutes of Health.

23 (8) DEPARTMENT OF TRANSPORTATION.—
24 There is authorized to be appropriated for fiscal
25 year 2021 for the Department of Transportation,

1 \$300,000,000 to carry out subsection (b), of which
2 not less than \$130,000,000 shall be for use by the
3 Federal Aviation Administration.

4 (9) NATIONAL AERONAUTICS AND SPACE AD-
5 MINISTRATION.—There is authorized to be appro-
6 priated for fiscal year 2021 for the National Aero-
7 nautics and Space Administration, \$2,000,000,000
8 to carry out subsection (b).

9 (10) ENVIRONMENTAL PROTECTION AGENCY.—
10 There is authorized to be appropriated for fiscal
11 year 2021 for the Environmental Protection Agency,
12 \$200,000,000 to carry out subsection (b).

13 (11) NATIONAL SCIENCE FOUNDATION.—There
14 is authorized to be appropriated for fiscal year 2021
15 for the National Science Foundation,
16 \$3,000,000,000 to carry out subsection (b).

17 (12) AVAILABILITY OF FUNDS FOR ADMINIS-
18 TRATION.—

19 (A) IN GENERAL.—Amounts authorized to
20 be appropriated by this subsection may be used
21 for the payment of indirect costs of Federal
22 awards under subsection (b), up to the limit
23 otherwise allowable by law and subject to the
24 requirements of part 200 of title 2, Code of
25 Federal Regulations.

1 (B) LIMITATION.—Not more than 5 per-
2 cent of each of the amounts appropriated pur-
3 suant to this subsection may be used for admin-
4 istration of awards under subsection (b).

5 (13) DURATION OF AVAILABILITY.—Amounts
6 authorized to be appropriated by this subsection
7 shall be available for the purposes described in this
8 subsection through fiscal year 2021.

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