

116TH CONGRESS
2D SESSION

S. 4286

To authorize appropriations for offsetting the costs related to reductions in research productivity resulting from the coronavirus pandemic.

IN THE SENATE OF THE UNITED STATES

JULY 22, 2020

Mr. MARKEY (for himself, Mr. TILLIS, Mr. PETERS, and Mr. GARDNER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To authorize appropriations for offsetting the costs related to reductions in research productivity resulting from the coronavirus pandemic.

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” or the “RISE Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Agencies provided Federal research grantees
9 flexibility during the pandemic to support graduate

1 students, postdocs, principal investigators, and tech-
2 nical support staff.

3 (2) Agencies will need to provide current Fed-
4 eral research grants extensions to cover time lost in
5 research labs and in the field that will impact the
6 completion of that agency's research missions and
7 priorities. Additionally, agencies allowed federally
8 funded labs to donate necessary equipment, like per-
9 sonal protective equipment among others, to support
10 hospitals and first responders, which will need to be
11 re-purchased and will create additional expenses to
12 Federal contracts.

13 (3) The need to ensure the United States sus-
14 tains the critical human infrastructure that under-
15 girds the United States research enterprise, which
16 has created a longstanding government-university
17 partnership which has made America the global
18 leader in innovation, strengthening the health of our
19 Nation's citizens, economy, and national security.

20 (4) While the Federal Government has made
21 significant investments in new research to address
22 COVID-19, existing research has been slowed down
23 or stopped due to COVID-19 modified operations of
24 campuses and laboratories.

1 (5) Given the modified operations of many uni-
2 versity-based and national laboratories due to the
3 pandemic, Congress is concerned that the people
4 who comprise the research workforce—graduate stu-
5 dents, postdocs, principal investigators, and tech-
6 nical support staff—and the future health and
7 strength of the United States research enterprise
8 and manufacturing and technology economies,
9 among others, are at risk.

10 (6) While our Nation’s research capacity has
11 demonstrated it can absorb shocks and pivot to ad-
12 dress immediate national threats, the scale of this
13 pandemic is still growing and unprecedented in du-
14 ration and impact.

15 (7) Without funding, future innovations in
16 areas such as quantum, artificial intelligence, robot-
17 ics, computing, 5G, space exploration, digital agri-
18 culture, cancer, and aging will be forestalled while
19 the agencies are forced to use future appropriations
20 for new research, meant to create new knowledge
21 leading to the next generation of discoveries, to
22 cover existing grants. The Nation must innovate to
23 launch the next 50 years of unparalleled economic
24 leadership and be prepared for any future
25 pandemics.

1 (8) Therefore, Congress believes it is vital that
2 the Federal Government take measures to help re-
3 lieve the strain agencies will be forced to face and
4 sustain the strength of our Nation’s ability to re-
5 main a global leader in an increasingly competitive
6 global research environment, as other countries con-
7 tinue to make disproportionately large investments
8 in key research areas.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) **FEDERAL SCIENCE AGENCY.**—The term
12 “Federal science agency” means any agency (as de-
13 fined in section 551 of title 5, United States Code)
14 with at least \$50,000,000 in basic and applied re-
15 search obligations in fiscal year 2020.

16 (2) **RESEARCH INSTITUTION.**—The term “re-
17 search institution” means an institution of higher
18 education (as defined in section 101(a) of the High-
19 er Education Act of 1965 (20 U.S.C. 1001(a))) or
20 a nonprofit entity that conducts federally funded re-
21 search.

22 (3) **NATIONAL LABORATORY.**—The term “Na-
23 tional laboratory” has the meaning given the term in
24 section 2 of the Energy Policy Act of 2005 (42
25 U.S.C. 15801).

1 **SEC. 4. USE OF FUNDS.**

2 (a) ALLOWABLE USES.—A Federal science agency
3 may use funds authorized under this Act to—

4 (1) provide supplemental funding to extend the
5 duration of a grant to a research institution or Na-
6 tional laboratory that was awarded prior to the date
7 of enactment of this Act, or to expand the purposes
8 of such a grant in order to—

9 (A) enable a graduate student or post-doc-
10 toral researcher to complete work that was dis-
11 rupted by COVID–19;

12 (B) enable a principal investigator to com-
13 plete work that was disrupted by COVID–19;

14 (C) extend the training of a graduate stu-
15 dent or the employment of a post-doctoral re-
16 searcher on an ongoing research project for up
17 to 2 years because of the disruption of the job
18 market due to COVID–19;

19 (D) allow for the use of laboratory ani-
20 mals, reagents, equipment, or other items re-
21 quired for research funded by a grant that was
22 awarded prior to the date of enactment of this
23 Act, but need to be replaced, refurbished, or
24 otherwise made usable after disruption because
25 of COVID–19;

1 (E) reconfigure laboratories, restart equip-
2 ment and disrupted research, and other activi-
3 ties necessary to safely resume on-site research
4 activities in laboratories that were temporarily
5 closed or redirected to COVID–19 response;
6 and

7 (F) facilitate other competitively awarded
8 research and training activities that have been
9 disrupted by COVID–19;

10 (2) provide supplemental funding through exist-
11 ing competitively awarded cooperative agreements
12 and contracts to cover the increased costs of con-
13 struction of scientific facilities and equipment that
14 have been delayed because of COVID–19; and

15 (3) award grants and cooperative agreements to
16 institutions of higher education to conduct research
17 on the behavioral, social, or economic effects of
18 COVID–19 and the responses to the disease, or on
19 the effectiveness of such responses.

20 (b) AWARDS.—Each Federal science agency author-
21 ized to receive funds under this Act shall develop proce-
22 dures to award such funds and shall award such funds
23 as rapidly as possible.

24 (c) TIMING.—Funds authorized under this Act shall
25 be awarded during fiscal years 2020 and 2021 and funds

1 so awarded shall remain available for expenditure for up
2 to 2 years.

3 **SEC. 5. REGULATIONS.**

4 Until such time as a research institution has deter-
5 mined it can safely reopen a research laboratory funded
6 by a Federal science agency, such agency shall continue
7 to interpret regulations in a manner consistent with—

8 (1) the memorandum issued by the Office of
9 Management and Budget on March 19, 2020, enti-
10 tled “Administrative Relief for Recipients and Appli-
11 cants of Federal Financial Assistance Directly Im-
12 pacted by the Novel Coronavirus (COVID–19) due
13 to Loss of Operations”; and

14 (2) the memorandum issued by the Office of
15 Management and Budget on March 19, 2020, enti-
16 tled “Managing Federal Contract Performance
17 Issues Associated with the Novel Coronavirus
18 (COVID–19)”.
19

20 **SEC. 6. AUTHORIZATIONS OF APPROPRIATIONS.**

21 (a) DEPARTMENT OF AGRICULTURE.—There is au-
22 thorized to be appropriated to the Department of Agri-
23 culture for fiscal year 2020—

24 (1) \$300,000,000 to fund activities under sec-
25 tion 4; and

1 (2) \$80,000,000 to carry out cooperative exten-
2 sion and education programs in response to exigent
3 circumstances created by the COVID–19 pandemic.

4 (b) DEPARTMENT OF COMMERCE.—There is author-
5 ized to be appropriated \$650,000,000 to the Department
6 of Commerce for fiscal year 2020 to fund activities under
7 section 4 of this Act, of which at least \$350,000,000 shall
8 be for use by the National Oceanic and Atmospheric Ad-
9 ministration and at least \$300,000,000 shall be for the
10 National Institute of Standards and Technology.

11 (c) DEPARTMENT OF DEFENSE.—There is author-
12 ized to be appropriated \$3,000,000,000 to the Depart-
13 ment of Defense for fiscal year 2020 to fund activities
14 under section 4.

15 (d) DEPARTMENT OF EDUCATION.—There is author-
16 ized to be appropriated \$200,000,000 to the Department
17 of Education for fiscal year 2020 to fund activities under
18 section 4 for the Institute for Education Sciences.

19 (e) DEPARTMENT OF ENERGY.—There is authorized
20 to be appropriated \$5,000,000,000 to the Department of
21 Energy for fiscal year 2020 to fund activities under sec-
22 tion 4, of which at least \$3,000,000,000 shall be for use
23 by the Office of Science, at least \$900,000,000 shall be
24 for Energy Efficiency and Renewable Energy, at least
25 \$450,000,000 shall be for Nuclear Energy, at least

1 \$300,000,000 shall be for Fossil Research and Develop-
 2 ment, at least \$150,000,000 shall be for ARPA-E, and
 3 at least \$100,000,000 shall be for the Office of Electricity.

4 (f) DEPARTMENT OF INTERIOR.—There is authorized
 5 to be appropriated \$300,000,000 to the Department of In-
 6 terior for fiscal year 2020 to fund activities under section
 7 4 for the United States Geological Survey.

8 (g) DEPARTMENT OF HEALTH AND HUMAN SERV-
 9 ICES.—There is authorized to be appropriated
 10 \$10,000,000,000 to the Department of Health and
 11 Human Services for fiscal year 2020 to fund activities
 12 under section 4 for the National Institutes of Health.

13 (h) NASA.—There is authorized to be appropriated
 14 \$2,000,000,000 to the National Aeronautics and Space
 15 Administration for fiscal year 2020 to fund activities
 16 under section 4.

17 (i) NATIONAL SCIENCE FOUNDATION.—There is au-
 18 thorized to be appropriated \$3,000,000,000 to the Na-
 19 tional Science Foundation for fiscal year 2020 to fund ac-
 20 tivities under section 4.

21 (j) ENVIRONMENTAL PROTECTION AGENCY.—There
 22 is authorized to be appropriated \$200,000,000 to the En-
 23 vironmental Protection Agency for fiscal year 2020 to
 24 fund activities under section 4.

○