AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3952
OFFERED BY M__. ____________

Strike all after the enacting clause and insert the following:

1 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 ADMINISTRATION.

(a) In general.—Subsection (d) of section 2 of Reorganization 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 Scientist of the National Oceanic and Atmospheric Administration (in this subsection referred to as the ‘Chief Scientist’), who shall be selected by the Administrator and compensated 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 recommendations for candidates which may be submitted by the National Academies of Sciences, Engineering, and Medicine, the National Oceanic and Atmospheric Administration 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 scientific merit through an established record of distinguished service and achievement.

“(2) The Chief Scientist shall—

“(A) adhere to any agency or department scientific integrity policy and—

“(i) provide written consent to all applicable scientific integrity and other relevant science and technology policies of the Administration prior to serving in such position, with such written 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 Administra-
tion, 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 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 Atmos-
pheric Administration Science Council, produce and
make publicly available a report that—

“(i) describes the Administration’s imple-
mentation of the science and technology strat-
egy 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 work-
force;

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

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

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

“(aa) the private sector;

“(bb) Cooperative Institutes;

“(cc) academia;

“(dd) nongovernmental organiza-
tions; and
“(ce) 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.”.