

118TH CONGRESS
2D SESSION

S. 5311

To require the public release of all research supported by the National
Institutes of Health.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 13, 2024

Mr. KENNEDY introduced the following bill; which was read twice and referred
to the Committee on Health, Education, Labor, and Pensions

A BILL

To require the public release of all research supported by
the National Institutes of Health.

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 “Scientific Research Ac-
5 cessibility and Transparency Act of 2024”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

8 (1) According to the New York Times article,
9 “U.S. Study on Puberty Blockers Goes Unpublished

1 Because of Politics, Doctor Says” (October 23,
2 2024)—

3 (A) Dr. Johanna Olson-Kennedy led a
4 study funded by the National Institutes of
5 Health concluding that the mental health of
6 children with gender dysmorphia did not im-
7 prove after taking puberty blockers;

8 (B) Dr. Olson-Kennedy’s team has delayed
9 the release of data from this study because it
10 may be used for political causes with which she
11 personally disagrees;

12 (C) the project associated with Dr. Olson-
13 Kennedy’s study has received \$9,700,000 in
14 government funding; and

15 (D) the National Institutes of Health lets
16 researchers independently decide how and when
17 to publish their findings.

18 (2) Scientific researchers in the United States
19 have a duty to release properly collected scientific
20 data, even if such data does not comport with the
21 political interests of the researchers.

22 (3) The American public has a right to access
23 data that was collected using taxpayer dollars, re-
24 gardless of the political interests of the researchers
25 collecting the data.

1 **SEC. 3. PUBLICATION OF NIH RESEARCH.**

2 Part B of title IV of the Public Health Service Act
3 (42 U.S.C. 284 et seq.) is amended by adding at the end
4 the following:

5 **“SEC. 409K. PUBLICATION OF RESEARCH.**

6 “(a) IN GENERAL.—With respect to any research
7 conducted by the National Institutes of Health or with the
8 support of funding made available by the National Insti-
9 tutes of Health, not later than 1 year after the conclusion
10 of the research, the National Institutes of Health or the
11 person receiving such funding, as applicable, shall make
12 available for publication on the website of the National
13 Institutes of Health, and the National Institutes of Health
14 shall publish on such website, in an easily accessible man-
15 ner—

16 “(1) a report on such research; or

17 “(2) if the person conducting such research
18 does not complete a report on the research, all raw
19 data collected through the research.

20 “(b) NONCOMPLIANCE.—Any person that does not
21 comply with the requirements of subsection (a) shall be
22 ineligible for funding from the National Institutes of
23 Health for a period of 5 years, beginning on the date on
24 which the report or raw data was required to be made

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1 available for publication in accordance with subsection
2 (a).”

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