

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 2225  
OFFERED BY MR. FEENSTRA OF IOWA**

Page 78, after line 24, insert the following:

1           (8) MALIGN FOREIGN TALENT RECRUITMENT  
2           PROGRAM PROHIBITION.—

3           (A) IN GENERAL.—Not later than 12  
4           months after the date of enactment of this Act,  
5           the Director shall establish a requirement that,  
6           as part of an application for a research and de-  
7           velopment award from the agency—

8                   (i) each covered individual listed on  
9                   the application for a research and develop-  
10                  ment award certify that they are not an  
11                  active participant of a malign foreign tal-  
12                  ent recruitment program from a foreign  
13                  country of concern and will not be a par-  
14                  ticipant in such a program for the duration  
15                  of the award; and

16                   (ii) each institution of higher edu-  
17                  cation or other organization applying for  
18                  such an award certify that each covered in-  
19                  dividual who is employed by the institution

1 of higher education or other organization  
2 has been made aware of the requirement  
3 under this subsection.

4 (B) INTERNATIONAL COLLABORATION.—  
5 Each policy developed under subparagraph (A)  
6 shall not prohibit—

7 (i) making scholarly presentations re-  
8 garding scientific information not other-  
9 wise controlled under current law;

10 (ii) participation in international con-  
11 ferences or other international exchanges,  
12 partnerships or programs that involve open  
13 and reciprocal exchange of scientific infor-  
14 mation, and which are aimed at advancing  
15 international scientific understanding; and

16 (iii) other international activities  
17 deemed appropriate by the Director.

18 (C) LIMITATION.—The policy developed  
19 under subparagraph (A) shall not apply retro-  
20 actively to research and development awards  
21 made prior to the establishment of the policy by  
22 the Director.

23 (D) DEFINITIONS.—In this subsection:

24 (i) COVERED INDIVIDUAL.—The term  
25 “covered individual” means the principal

1 investigator, co-principal investigators, and  
2 any other person at the institution who is  
3 responsible for the design, conduct, or re-  
4 porting of research or educational activities  
5 funded or proposed for funding by the  
6 Foundation.

7 (ii) FOREIGN COUNTRY OF CON-  
8 CERN.—The term “foreign country of con-  
9 cern” means the People’s Republic of  
10 China, the Democratic People’s Republic of  
11 Korea, the Russian Federation, the Islamic  
12 Republic of Iran, or any other country  
13 deemed to be a country of concern as de-  
14 termined by the Department of State.

15 (iii) MALIGN FOREIGN GOVERNMENT  
16 TALENT RECRUITMENT PROGRAM.—The  
17 term “malign foreign government talent  
18 recruitment program” means any program  
19 or activity that includes compensation, in-  
20 cluding cash, research funding, honorific  
21 titles, promised future compensation, or  
22 other types of remuneration, provided by  
23 the foreign state or an entity sponsored by  
24 the foreign state to the targeted individual  
25 in exchange for the individual transferring

1                    knowledge and expertise to the foreign  
2                    country.

Beginning on page 78, line 25, redesignate paragraphs (8) through (10) as paragraphs (9) through (11), respectively.

