

AMENDMENT TO H.R. 2225
OFFERED BY MR. WALTZ OF FLORIDA

**Mr. Foster
of Illinois**

Page 36, beginning on line 11, strike “positions” and insert “positions, in addition to the Chief of Research Security established in paragraph (2) of this subsection”.

Page 40, beginning on line 1, redesignate paragraphs (7) and (8) as paragraphs (9) and (10), respectively.

Page 40, line 1, insert the following:

- 1 (7) AUTHORITIES.—
- 2 (A) IN GENERAL.—In addition to existing
- 3 authorities for preventing waste, fraud, abuse,
- 4 and mismanagement of federal funds, the Di-
- 5 rector, acting through the Office of Research
- 6 Security and Policy and in coordination with
- 7 the Foundation’s Office of Inspector General,
- 8 shall have the authority to—
- 9 (i) conduct risk assessments, including
- 10 through the use of open-source analysis
- 11 and analytical tools, of research and devel-
- 12 opment award applications and disclosures

1 to the Foundation, in coordination with the
2 Risk Assessment Center established in
3 paragraph (5);

4 (ii) request the submission to the
5 Foundation, by an institution of higher
6 education or other organization applying
7 for a research and development award, of
8 supporting documentation, including copies
9 of contracts, grants, or any other agree-
10 ment specific to foreign appointments, em-
11 ployment with a foreign institution, partici-
12 pation in a foreign talent program and
13 other information reported as current and
14 pending support for all covered individuals
15 in a research and development award ap-
16 plication; and

17 (iii) upon receipt and review of the in-
18 formation provided under clause (ii) and in
19 consultation with the institution of higher
20 education or other organization submitting
21 such information, initiate the substitution
22 or removal of a covered individual from a
23 research and development award, reduce
24 the award funding amount, or suspend or
25 terminate the award if the Director deter-

1 mines such contracts, grants, or agree-
2 ments include obligations that—

3 (I) interfere with the capacity for
4 Foundation-supported activities to be
5 carried out; or

6 (II) create duplication with
7 Foundation-supported activities.

8 (B) LIMITATIONS.—In exercising the au-
9 thorities under this paragraph, the Director
10 shall—

11 (i) take necessary steps, as prac-
12 ticable, to protect the privacy of all covered
13 individuals and other parties involved in
14 the application and disclosure assessments
15 under clause (A)(i);

16 (ii) endeavor to provide justification
17 for requests for supporting documentation
18 made under clause (A)(ii);

19 (iii) require that allegations be proven
20 by a preponderance of evidence; and

21 (iv) as practicable, afford subjects an
22 opportunity to provide comments and re-
23 buttal and an opportunity to appeal before
24 final administrative action is taken.

25 (8) SECURITY TRAINING MODULES.—

1 (A) IN GENERAL.—Not later than 90 days
2 after the date of enactment of this Act, the Di-
3 rector, in collaboration with the Director of the
4 National Institutes of Health and other relevant
5 Federal research agencies, shall enter into an
6 agreement or contract with a qualified entity
7 for the development of online research security
8 training modules for the research community,
9 including modules focused on international col-
10 laboration and international travel, foreign in-
11 terference, and rules for proper use of funds,
12 disclosure, conflict of commitment, and conflict
13 of interest.

14 (B) STAKEHOLDER INPUT.—Prior to en-
15 tering into the agreement under clause (A), the
16 Director shall seek input from academic, private
17 sector, intelligence, and law enforcement stake-
18 holders regarding the scope and content of
19 training modules, including the diversity of
20 needs across institutions of higher education
21 and other grantees of different sizes and types,
22 and recommendations for minimizing adminis-
23 trative burden on institutions of higher edu-
24 cation and researchers.

1 (C) DEVELOPMENT.—The Director shall
2 ensure that the entity identified in (A)—

3 (i) develops modules that can be
4 adapted and utilized across Federal science
5 agencies; and

6 (ii) develops and implements a plan
7 for regularly updating the modules as
8 needed.

9 (D) GUIDELINES.—The Director, in col-
10 laboration with the Director of the National In-
11 stitutes of Health, shall develop guidelines for
12 institutions of higher education and other orga-
13 nizations receiving Federal research and devel-
14 opment funds to use in developing their own
15 training programs to address the unique needs,
16 challenges, and risk profiles of such institu-
17 tions, including adoption of training modules
18 developed under this paragraph.

19 (E) IMPLEMENTATION.—Drawing on
20 stakeholder input under subparagraph (B), not
21 later than 12 months after the date of enact-
22 ment of this Act, the Director shall establish a
23 requirement that, as part of an application for
24 a research and development award from the
25 Foundation—

1 (i) each covered individual listed on
2 the application for a research and develop-
3 ment award certify that they have com-
4 pleted research security training that
5 meets the guidelines developed under
6 clause (D) within one year of the applica-
7 tion; and

8 (ii) each institution of higher edu-
9 cation or other organization applying for
10 such award certify that each covered indi-
11 vidual who is employed by the institution
12 or organization and listed on the applica-
13 tion has been made aware of the require-
14 ment under this subparagraph.

15 (F) DEFINITIONS.—In this subsection:

16 (i) COVERED INDIVIDUAL.—The term
17 “covered individual” means the principal
18 investigator, co-principal investigators, and
19 any other person at the institution who is
20 responsible for the design, conduct, or re-
21 porting of research or educational activities
22 funded or proposed for funding by the
23 Foundation.

24 (ii) FEDERAL RESEARCH AGENCY.—
25 The term “Federal research agency”

1 means any Federal agency with an annual
2 extramural research expenditure of over
3 \$100,000,000.

4 (iii) RESEARCH AND DEVELOPMENT
5 AWARD.—The term “research and develop-
6 ment award” means support provided to
7 an individual or entity by a Federal re-
8 search agency to carry out research and
9 development activities, which may include
10 support in the form of a grant, contract,
11 cooperative agreement, or other such
12 transaction. The term does not include a
13 grant, contract, agreement or other trans-
14 action for the procurement of goods or
15 services to meet the administrative needs
16 of a Federal research agency.

Page 40, beginning on line 10, strike “and training to raise awareness of potential security threats and Federal export control, disclosure, and reporting requirements”.

