Page 78, after line 24, insert the following:

(8) MALIGN FOREIGN TALENT RECRUITMENT PROGRAM PROHIBITION.—

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

(i) each covered individual listed on the application for a research and development award certify that they are not an active participant of a malign foreign talent recruitment program from a foreign country of concern and will not be a participant in such a program for the duration of the award; and

(ii) each institution of higher education or other organization applying for such an award certify that each covered individual who is employed by the institution
of higher education or other organization
has been made aware of the requirement
under this subsection.

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

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

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

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

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

(D) DEFINITIONS.—In this subsection:

(i) COVERED INDIVIDUAL.—The term
“covered individual” means the principal
investigator, co-principal investigators, and any other person at the institution who is responsible for the design, conduct, or reporting of research or educational activities funded or proposed for funding by the Foundation.

(ii) FOREIGN COUNTRY OF CONCERN.—The term “foreign country of concern” means the People’s Republic of China, the Democratic People’s Republic of Korea, the Russian Federation, the Islamic Republic of Iran, or any other country deemed to be a country of concern as determined by the Department of State.

(iii) MALIGN FOREIGN GOVERNMENT TALENT RECRUITMENT PROGRAM.—The term “malign foreign government talent recruitment program” means any program or activity that includes compensation, including cash, research funding, honorific titles, promised future compensation, or other types of remuneration, provided by the foreign state or an entity sponsored by the foreign state to the targeted individual in exchange for the individual transferring
knowledge and expertise to the foreign country.

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