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

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

(ii) request the submission to the Foundation, by an institution of higher education or other organization applying for a research and development award, of supporting documentation, including copies of contracts, grants, or any other agreement specific to foreign appointments, employment with a foreign institution, participation in a foreign talent program and other information reported as current and pending support for all covered individuals in a research and development award application; and

(iii) upon receipt and review of the information provided under clause (ii) and in consultation with the institution of higher education or other organization submitting such information, initiate the substitution or removal of a covered individual from a research and development award, reduce the award funding amount, or suspend or terminate the award if the Director deter-
mines such contracts, grants, or agreements include obligations that—

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

(II) create duplication with Foundation-supported activities.

(B) LIMITATIONS.—In exercising the authorities under this paragraph, the Director shall—

(i) take necessary steps, as practicable, to protect the privacy of all covered individuals and other parties involved in the application and disclosure assessments under clause (A)(i);

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

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

(iv) as practicable, afford subjects an opportunity to provide comments and rebuttal and an opportunity to appeal before final administrative action is taken.

(8) SECURITY TRAINING MODULES.—
(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Director, in collaboration with the Director of the National Institutes of Health and other relevant Federal research agencies, shall enter into an agreement or contract with a qualified entity for the development of online research security training modules for the research community, including modules focused on international collaboration and international travel, foreign interference, and rules for proper use of funds, disclosure, conflict of commitment, and conflict of interest.

(B) STAKEHOLDER INPUT.—Prior to entering into the agreement under clause (A), the Director shall seek input from academic, private sector, intelligence, and law enforcement stakeholders regarding the scope and content of training modules, including the diversity of needs across institutions of higher education and other grantees of different sizes and types, and recommendations for minimizing administrative burden on institutions of higher education and researchers.
(C) DEVELOPMENT.—The Director shall ensure that the entity identified in (A)—

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

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

(D) GUIDELINES.—The Director, in collaboration with the Director of the National Institutes of Health, shall develop guidelines for institutions of higher education and other organizations receiving Federal research and development funds to use in developing their own training programs to address the unique needs, challenges, and risk profiles of such institutions, including adoption of training modules developed under this paragraph.

(E) IMPLEMENTATION.—Drawing on stakeholder input under subparagraph (B), 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 Foundation—
(i) each covered individual listed on
the application for a research and develop-
ment award certify that they have com-
pleted research security training that
meets the guidelines developed under
clause (D) within one year of the applica-
tion; and
(ii) each institution of higher edu-
cation or other organization applying for
such award certify that each covered indi-
vidual who is employed by the institution
or organization and listed on the applica-
tion has been made aware of the require-
ment under this subparagraph.

(F) 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 re-
porting of research or educational activities
funded or proposed for funding by the
Foundation.

(ii) FEDERAL RESEARCH AGENCY.—
The term “Federal research agency”
means any Federal agency with an annual extramural research expenditure of over $100,000,000.

(iii) RESEARCH AND DEVELOPMENT AWARD.—The term “research and development award” means support provided to an individual or entity by a Federal research agency to carry out research and development activities, which may include support in the form of a grant, contract, cooperative agreement, or other such transaction. The term does not include a grant, contract, agreement or other transaction for the procurement of goods or services to meet the administrative needs 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”.

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