AMENDMENT TO H.R. 2500

OFFERED BY MS. SHERRILL OF NEW JERSEY

At the appropriate place in title X, insert the following:

SEC. 10. SECURING AMERICAN SCIENCE AND TECHNOLOGY.

(a) INTERAGENCY WORKING GROUP.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council, in consultation with the National Security Advisor, shall establish an interagency working group to coordinate activities to protect federally funded research and development from foreign interference, cyberattacks, theft, or espionage and to develop common definitions and best practices for Federal science agencies and grantees, while accounting for the importance of the open exchange of ideas and international talent required for scientific progress and American leadership in science and technology.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The working group shall include a representative of—
(i) the National Science Foundation;
(ii) the Department of Energy;
(iii) the National Aeronautics and Space Administration;
(iv) the National Institute of Standards and Technology;
(v) the Department of Commerce;
(vi) the National Institutes of Health;
(vii) the Department of Defense;
(viii) the Department of Agriculture;
(ix) the Department of Education;
(x) the Department of State;
(xi) the Department of the Treasury;
(xii) the Department of Justice;
(xiii) the Department of Homeland Security;
(xiv) the Central Intelligence Agency;
(xv) the Federal Bureau of Investigation;
(xvi) the Office of the Director of National Intelligence;
(xvii) the Office of Management and Budget;
(xviii) the National Economic Council;

and
(xix) such other Federal department
or agency as the President considers ap-
propriate.

(B) CHAIR.—The working group shall be
chaired by the Director of the Office of Science
and Technology Policy (or the Director’s des-
ignee).

(3) RESPONSIBILITIES OF THE WORKING
GROUP.—The working group established under para-
graph (1) shall—

(A) identify known and potential cyber,
physical, and human intelligence threats and
vulnerabilities within the United States sci-
entific and technological enterprise;

(B) coordinate efforts among agencies to
share and update important information, in-
cluding specific examples of foreign inter-
ference, cyberattacks, theft, or espionage di-
rected at federally funded research and develop-
ment or the integrity of the United States sci-
entific enterprise;

(C) identify and assess existing mecha-

nisms for protection of federally funded re-
search and development;

(D) develop an inventory of—
(i) terms and definitions used across Federal science agencies to delineate areas that may require additional protection; and

(ii) policies and procedures at Federal science agencies regarding protection of federally funded research; and

(E) develop and periodically update unclassified policy guidance to assist Federal science agencies and grantees in defending against threats to federally funded research and development and the integrity of the United States scientific enterprise that—

(i) includes—

(I) descriptions of known and potential threats to federally funded research and development and the integrity of the United States scientific enterprise;

(II) common definitions and terminology for categorization of research and technologies that are protected;

(III) identified areas of research or technology that might require additional protection;
(IV) recommendations for how control mechanisms can be utilized to protect federally funded research and development from foreign interference, cyberattacks, theft or espionage, including any recommendations for updates to existing control mechanisms;

(V) recommendations for best practices for Federal science agencies and grantees to defend against threats to federally funded research and development, including coordination and harmonization of any relevant reporting requirements that Federal science agencies implement for grantees;

(VI) assessments of potential consequences that any proposed practices would have on international collaboration and United States leadership in science and technology; and

(VII) a classified addendum as necessary to further inform Federal science agency decisionmaking; and
(ii) accounts for the range of needs across different sectors of the United States science and technology enterprise.

(4) COORDINATION WITH NATIONAL ACADEMIES ROUNDTABLE.—The Director of the Office of Science and Technology Policy shall coordinate with the Academies to ensure that at least one member of the interagency working group is also a member of the roundtable under subsection (b).

(5) INTERIM REPORT.—Not later than 6 months after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall provide a report to the relevant Committees that includes the inventory required under paragraph (3)(D), and an update on progress toward developing the policy guidance required under paragraph (3)(E), as well as any additional activities undertaken by the working group in that time.

(6) BIENNIAL REPORTING.—Two years after the date of enactment of this Act, and at least every 2 years thereafter, the Director of the Office of Science and Technology Policy shall provide a summary report to the relevant Committees on the activities of the working group and the most current
version of the policy guidance required under paragraph (3)(E).
(b) NATIONAL ACADEMIES SCIENCE, TECHNOLOGY AND SECURITY ROUNDTABLE.—

(1) IN GENERAL.—The National Science Foundation, the Department of Energy, and the Department of Defense, and any other agencies as determined by the Director of the Office of Science and Technology Policy, shall enter into a joint agreement with the Academies to create a new "National Science, Technology, and Security Roundtable" (hereinafter in this subsection referred to as the "roundtable").

(2) PARTICIPANTS.—The roundtable shall include senior representatives and practitioners from Federal science, intelligence, and national security agencies, law enforcement, as well as key stakeholders in the United States scientific enterprise including institutions of higher education, Federal research laboratories, industry, and non-profit research organizations.

(3) PURPOSE.—The purpose of the roundtable is to facilitate among participants—

(A) exploration of critical issues related to protecting United States national and economic
security while ensuring the open exchange of
ideas and international talent required for sci-
entific progress and American leadership in
science and technology;

(B) identification and consideration of se-
curity threats and risks involving federally
funded research and development, including for-
eign interference, cyberattacks, theft, or espio-
ge;

(C) identification of effective approaches
for communicating the threats and risks identi-
fied in subparagraph (b) to the academic and
scientific community, including through the
sharing of unclassified data and relevant case
studies;

(D) sharing of best practices for address-
ing and mitigating the threats and risks identi-
fied in subparagraph (B); and

(E) examination of potential near- and
long-term responses by the government and the
academic and scientific community to mitigate
and address the risks associated with foreign
threats.

(4) REPORT AND BRIEFING.—The joint agree-
ment under paragraph (1) shall specify that—
(A) the roundtable shall periodically organize workshops and issue publicly available reports on the topics described in paragraph (3) and the activities of the roundtable; and

(B) not later than March 1, 2020, the Academies shall provide a briefing to relevant Committees on the progress and activities of the roundtable.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 to the Secretary of Defense for fiscal years 2020 to 2024 to carry out this subsection.

(c) DEFINITIONS.—In this section:

(1) The term "Academies" means the National Academies of Science, Engineering and Medicine.

(2) The term "Federal science agency" means any Federal agency with at least $100,000,000 in basic and applied research obligations in fiscal year 2018.

(3) The term "grantee" means an entity that is—

(A) a recipient or subrecipient of a Federal grant or cooperative agreement; and

(B) an institution of higher education or a non-profit organization.
(4) The term "relevant Committees" means—

(A) the Committee on Science, Space, and Technology of the House of Representatives;
(B) the Committee on Commerce, Science, and Transportation of the Senate;
(C) the Committee on Armed Services of the House of Representatives; and
(D) the Committee on Armed Services of the Senate.