

AMENDMENT TO H.R. 2500
OFFERED BY MS. SHERRILL OF NEW JERSEY

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

1 **SEC. 10 __. SECURING AMERICAN SCIENCE AND TECH-**
2 **NOLOGY.**

3 (a) INTERAGENCY WORKING GROUP.—

4 (1) IN GENERAL.—The Director of the Office of
5 Science and Technology Policy, acting through the
6 National Science and Technology Council, in con-
7 sultation with the National Security Advisor, shall
8 establish an interagency working group to coordinate
9 activities to protect federally funded research and
10 development from foreign interference, cyberattacks,
11 theft, or espionage and to develop common defini-
12 tions and best practices for Federal science agencies
13 and grantees, while accounting for the importance of
14 the open exchange of ideas and international talent
15 required for scientific progress and American leader-
16 ship in science and technology.

17 (2) MEMBERSHIP.—

18 (A) IN GENERAL.—The working group
19 shall include a representative of—

- 1 (i) the National Science Foundation;
- 2 (ii) the Department of Energy;
- 3 (iii) the National Aeronautics and
- 4 Space Administration;
- 5 (iv) the National Institute of Stand-
- 6 ards and Technology;
- 7 (v) the Department of Commerce;
- 8 (vi) the National Institutes of Health;
- 9 (vii) the Department of Defense;
- 10 (viii) the Department of Agriculture;
- 11 (ix) the Department of Education;
- 12 (x) the Department of State;
- 13 (xi) the Department of the Treasury;
- 14 (xii) the Department of Justice;
- 15 (xiii) the Department of Homeland
- 16 Security;
- 17 (xiv) the Central Intelligence Agency;
- 18 (xv) the Federal Bureau of Investiga-
- 19 tion;
- 20 (xvi) the Office of the Director of Na-
- 21 tional Intelligence;
- 22 (xvii) the Office of Management and
- 23 Budget;
- 24 (xviii) the National Economic Council;
- 25 and

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

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

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

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

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

22 (C) identify and assess existing mecha-
23 nisms for protection of federally funded re-
24 search and development;

25 (D) develop an inventory of—

1 (i) terms and definitions used across
2 Federal science agencies to delineate areas
3 that may require additional protection; and

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

7 (E) develop and periodically update unclas-
8 sified policy guidance to assist Federal science
9 agencies and grantees in defending against
10 threats to federally funded research and devel-
11 opment and the integrity of the United States
12 scientific enterprise that—

13 (i) includes—

14 (I) descriptions of known and po-
15 tential threats to federally funded re-
16 search and development and the integ-
17 rity of the United States scientific en-
18 terprise;

19 (II) common definitions and ter-
20 minology for categorization of re-
21 search and technologies that are pro-
22 tected;

23 (III) identified areas of research
24 or technology that might require addi-
25 tional protection;

1 (IV) recommendations for how
2 control mechanisms can be utilized to
3 protect federally funded research and
4 development from foreign interference,
5 cyberattacks, theft or espionage, in-
6 cluding any recommendations for up-
7 dates to existing control mechanisms;

8 (V) recommendations for best
9 practices for Federal science agencies
10 and grantees to defend against threats
11 to federally funded research and de-
12 velopment, including coordination and
13 harmonization of any relevant report-
14 ing requirements that Federal science
15 agencies implement for grantees;

16 (VI) assessments of potential
17 consequences that any proposed prac-
18 tices would have on international col-
19 laboration and United States leader-
20 ship in science and technology; and

21 (VII) a classified addendum as
22 necessary to further inform Federal
23 science agency decisionmaking; and

1 (ii) accounts for the range of needs
2 across different sectors of the United
3 States science and technology enterprise.

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

10 (5) INTERIM REPORT.—Not later than 6
11 months after the date of enactment of this Act, the
12 Director of the Office of Science and Technology
13 Policy shall provide a report to the relevant Commit-
14 tees that includes the inventory required under para-
15 graph (3)(D), and an update on progress toward de-
16 veloping the policy guidance required under para-
17 graph (3)(E), as well as any additional activities un-
18 dertaken by the working group in that time.

19 (6) BIENNIAL REPORTING.—Two years after
20 the date of enactment of this Act, and at least every
21 2 years thereafter, the Director of the Office of
22 Science and Technology Policy shall provide a sum-
23 mary report to the relevant Committees on the ac-
24 tivities of the working group and the most current

1 version of the policy guidance required under para-
2 graph (3)(E).

3 (b) NATIONAL ACADEMIES SCIENCE, TECHNOLOGY
4 AND SECURITY ROUNDTABLE.—

5 (1) IN GENERAL.—The National Science Foun-
6 dation, the Department of Energy, and the Depart-
7 ment of Defense, and any other agencies as deter-
8 mined by the Director of the Office of Science and
9 Technology Policy, shall enter into a joint agreement
10 with the Academies to create a new “National
11 Science, Technology, and Security Roundtable”
12 (hereinafter in this subsection referred to as the
13 “roundtable”).

14 (2) PARTICIPANTS.—The roundtable shall in-
15 clude senior representatives and practitioners from
16 Federal science, intelligence, and national security
17 agencies, law enforcement, as well as key stake-
18 holders in the United States scientific enterprise in-
19 cluding institutions of higher education, Federal re-
20 search laboratories, industry, and non-profit re-
21 search organizations.

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

24 (A) exploration of critical issues related to
25 protecting United States national and economic

1 security while ensuring the open exchange of
2 ideas and international talent required for sci-
3 entific progress and American leadership in
4 science and technology;

5 (B) identification and consideration of se-
6 curity threats and risks involving federally
7 funded research and development, including for-
8 eign interference, cyberattacks, theft, or espio-
9 nage;

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

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

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

24 (4) REPORT AND BRIEFING.—The joint agree-
25 ment under paragraph (1) shall specify that—

1 (A) the roundtable shall periodically orga-
2 nize workshops and issue publicly available re-
3 ports on the topics described in paragraph (3)
4 and the activities of the roundtable; and

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

9 (5) AUTHORIZATION OF APPROPRIATIONS.—

10 There is authorized to be appropriated \$5,000,000
11 to the Secretary of Defense for fiscal years 2020 to
12 2024 to carry out this subsection.

13 (c) DEFINITIONS.—In this section:

14 (1) The term “Academies” means the National
15 Academies of Science, Engineering and Medicine.

16 (2) The term “Federal science agency” means
17 any Federal agency with at least \$100,000,000 in
18 basic and applied research obligations in fiscal year
19 2018.

20 (3) The term “grantee” means an entity that
21 is—

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

24 (B) an institution of higher education or a
25 non-profit organization.

- 1 (4) The term “relevant Committees” means—
2 (A) the Committee on Science, Space, and
3 Technology of the House of Representatives;
4 (B) the Committee on Commerce, Science,
5 and Transportation of the Senate;
6 (C) the Committee on Armed Services of
7 the House of Representatives; and
8 (D) the Committee on Armed Services of
9 the Senate.

