AMENDMENT TO H.R. 4609
OFFERED BY MR. BABIN OF TEXAS

Page 55, after line 17, insert the following:

SEC. 308. GAO STUDY OF NIST RESEARCH SECURITY POLICIES AND PROTOCOLS.

(a) EVALUATION.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of the Institute’s policies and protocols to protect its research and combat undue foreign influence,

(b) MATTERS TO BE INCLUDED.—The study conducted under subsection (a) shall include, to the extent practicable, the following:

(1) An analysis of steps taken by the Institute to address foreign threats to Institute-funded research over the previous 5 years.

(2) An analysis of the coordination and engagement between the Department of Commerce’s Office of Inspector General, the Department of Commerce’s Office of Intelligence and the Institute in identifying and addressing concerning findings.

(3) An assessment of the Institute’s review process for Foreign National associates.
(4) An assessment of the Institute’s policies as it relates to employees and associates participating in foreign talent recruitment programs.

(5) An assessment of the Institute’s implementation of conflict-of-interest and disclosure policies and requirements, including the disclosure requirements authorized in Section 223 of the National Defense Authorization Act for Fiscal Year 2021 (public Law 116-283).

(6) An assessment of the Institute’s, the Department of Commerce’s Office of Security, the Department of Commerce’s Office of Intelligence, and the Department of Commerce’s Office of Inspector General’s ability to monitor and enforce conflict-of-interest and disclosure policies and requirements, including the disclosure requirements authorized in Section 223 of the National Defense Authorization Act for Fiscal Year 2021 (public Law 116-283).

(7) An assessment of the Institute’s, the Department of Commerce’s, and the Department of Commerce’s Office of Inspector General’s ability to conduct risk assessments of research and development award applications and disclosures to the Institute.
(8) An assessment of the Institute’s research security training programs for both internal and externally-supported researchers and associates, including training focused on international collaboration, and international travel, foreign interference, and rules for proper use of funds, disclosure, conflict of commitment, and conflict of interest.

(9) An analysis and summary of incidents of undue foreign influence at Institute-supported research facilities and programs over the past 10 years.

(10) Recommendations for the Institute to bolster its research security policies and protocols.

(11) Other matters the Comptroller General determines appropriate.

(e) CONGRESSIONAL BRIEFING.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall brief the Committee on Science, Space, and Technology of the House of Representatives and the Committee of Commerce, Science, and Transportation of the Senate on the findings available from the evaluation conducted under subsection (a).

(d) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the congressional committees specified in
subsection (c) a report on the findings and recommendations of the evaluation conducted under subsection (a).