

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

Page 55, after line 17, insert the following:

1 **SEC. 308. GAO STUDY OF NIST RESEARCH SECURITY POLI-**
2 **CIES AND PROTOCOLS.**

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

8 (b) MATTERS TO BE INCLUDED.—The study con-
9 ducted under subsection (a) shall include, to the extent
10 practicable, the following:

11 (1) An analysis of steps taken by the Institute
12 to address foreign threats to Institute-funded re-
13 search over the previous 5 years.

14 (2) An analysis of the coordination and engage-
15 ment between the Department of Commerce’s Office
16 of Inspector General, the Department of Commerce’s
17 Office of Intelligence and the Institute in identifying
18 and addressing concerning findings.

19 (3) An assessment of the Institute’s review
20 process for Foreign National associates.

1 (4) An assessment of the Institute’s policies as
2 it relates to employees and associates participating
3 in foreign talent recruitment programs.

4 (5) An assessment of the Institute’s implemen-
5 tation of conflict-of-interest and disclosure policies
6 and requirements, including the disclosure require-
7 ments authorized in Section 223 of the National De-
8 fense Authorization Act for Fiscal Year 2021 (public
9 Law 116-283).

10 (6) An assessment of the Institute’s, the De-
11 partment of Commerce’s Office of Security, the De-
12 partment of Commerce’s Office of Intelligence, and
13 the Department of Commerce’s Office of Inspector
14 General’s ability to monitor and enforce conflict-of-
15 interest and disclosure policies and requirements, in-
16 cluding the disclosure requirements authorized in
17 Section 223 of the National Defense Authorization
18 Act for Fiscal Year 2021 (public Law 116-283).

19 (7) An assessment of the Institute’s, the De-
20 partment of Commerce’s, and the Department of
21 Commerce’s Office of Inspector General’s ability to
22 conduct risk assessments of research and develop-
23 ment award applications and disclosures to the Insti-
24 tute.

1 (8) An assessment of the Institute’s research
2 security training programs for both internal and ex-
3 ternally-supported researchers and associates, in-
4 cluding training focused on international collabora-
5 tion, and international travel, foreign interference,
6 and rules for proper use of funds, disclosure, conflict
7 of commitment, and conflict of interest.

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

12 (10) Recommendations for the Institute to bol-
13 ster its research security policies and protocols.

14 (11) Other matters the Comptroller General de-
15 termines appropriate.

16 (c) CONGRESSIONAL BRIEFING.—Not later than 180
17 days after the date of enactment of this Act, the Comp-
18 troller General shall brief the Committee on Science,
19 Space, and Technology of the House of Representatives
20 and the Committee of Commerce, Science, and Transpor-
21 tation of the Senate on the findings available from the
22 evaluation conducted under subsection (a).

23 (d) REPORT.—Not later than 18 months after the
24 date of enactment of this Act, the Comptroller General
25 shall submit to the congressional committees specified in

- 1 subsection (c) a report on the findings and recommenda-
- 2 tions of the evaluation conducted under subsection (a).

