

AMENDMENT TO RULES COMMITTEE PRINT 117-

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OFFERED BY MR. BANKS OF INDIANA

Add at the end of subtitle B of title II, add the following new section:

1 **SEC. 2___ . CERTAIN DISCLOSURE REQUIREMENTS FOR**
2 **UNIVERSITY RESEARCH FUNDED BY THE DE-**
3 **PARTMENT OF DEFENSE.**

4 (a) **DISCLOSURES REQUIRED.**—Not later than 90
5 days after the date of the enactment of this Act, the Sec-
6 retary of Defense shall require the principal investigator
7 of any covered research program at an institution of high-
8 er education to accurately and completely disclose to the
9 Department of Defense the following:

10 (1) At the time of application for funding from
11 the Department of Defense for a covered research
12 program, disclose, with respect to each researcher
13 who is expected to participate in the program—

14 (A) date and place of birth, country of citi-
15 zenship, and immigration status in the case of
16 a foreign national;

17 (B) educational background from under-
18 graduate education onwards;

1 (C) professional and employment back-
2 ground, as applicable, including any history of
3 working for a foreign government or on foreign
4 government sponsored projects;

5 (D) all previous and concurrent research,
6 academic and corporate positions, ties, or rela-
7 tionships;

8 (E) past and current affiliation with for-
9 eign governments, including foreign political
10 parties or organizations, and military ties, as
11 applicable, in case of foreign national;

12 (F) past or current involvement in any for-
13 eign talent programs;

14 (G) memberships in foreign and United
15 States academic and professional associations
16 and organizations; and

17 (H) a list of all publications published any-
18 where in any language, peer reviewed or non-
19 peer reviewed, including all mentions of foreign
20 funding, research collaborations, and in kind
21 support that supported the research and publi-
22 cation.

23 (2) Disclose the information specified in para-
24 graph (1) with respect to any researcher who joins
25 a covered program after funding is awarded by the

1 Department of Defense not later than 90 days after
2 the researcher joins the program.

3 (3) Beginning not later than one year after
4 funding is awarded by the Department of Defense
5 for a covered program, and annually thereafter
6 through the end of the award period, disclose—

7 (A) any direct, indirect, formal, or infor-
8 mal collaboration that the principal investi-
9 gator, either independently or as the lead of the
10 covered program, enters into with any third-
11 party persons or entities, including the identity
12 and nationality of the third party collaborator,
13 the nature of the collaboration (whether direct,
14 indirect, formal or informal) and the terms and
15 conditions of such collaboration; and

16 (B) any change of status with regard to a
17 researcher who was the subject of a disclosure
18 under paragraphs (1) or (2), including any de-
19 parture of such researcher from the program,
20 the terms of such departure, change of immi-
21 gration status, and change in foreign ties and
22 collaboration.

23 (b) FORM; PUBLIC AVAILABILITY OF INFORMA-
24 TION.—Each disclosure under subsection (a) shall be sub-
25 mitted in unclassified form and shall be made available

1 on a publicly accessible website of the Federal Govern-
2 ment.

3 (c) DEFINITIONS.—In this section—

4 (1) The term “covered research program”
5 means any research program, research project, or
6 other research activity (including classified and un-
7 classified research) that is—

8 (A) conducted by an institution of higher
9 education; and

10 (B) funded, in whole or in part, by the De-
11 partment of Defense.

12 (2) The term “institution of higher education”
13 has the meaning given such term in section 102 of
14 the Higher Education Act of 1965 (20 U.S.C. 1002)
15 and includes any department, program, project, fac-
16 ulty, researcher, or other individual, entity, or activ-
17 ity of such institution.

18 (3) The term “researcher” means any person
19 who has access to research information under a cov-
20 ered research program, including the principal inves-
21 tigator and any graduate students, post-doctoral fel-
22 lows, or visiting scholars participating in such pro-
23 gram.

