

**AMENDMENT TO RULES COMMITTEE PRINT FOR
H.R. 1735
OFFERED BY MR. BEN RAY LUJÁN OF NEW
MEXICO**

Page 879, after line 20, insert the following new section:

1 **SEC. 3146. BUSINESS BOARD PILOT PROGRAM.**

2 (a) ESTABLISHMENT.—The Administrator for Nu-
3 clear Security may carry out a pilot program under which
4 the Administrator shall establish a National Nuclear Secu-
5 rity Administration Business Board (in this section re-
6 ferred to as the “Board”) modeled on the Defense Busi-
7 ness Board within the Department of Defense.

8 (b) PURPOSE.—If the Administrator carries out the
9 pilot program under subsection (a), the Board shall—

10 (1) provide to the Administrator independent
11 advice and recommendations on critical matters con-
12 cerning the Administration; and

13 (2) examine and advise on overall Administra-
14 tion management and governance from a private sec-
15 tor perspective.

16 (c) MEMBERSHIP.—

1 (1) COMPOSITION.—The Board established
2 under subsection (a) shall be composed of not more
3 than 12 members appointed by the Administrator.

4 (2) QUALIFICATIONS.—The members shall pos-
5 sess the following:

6 (A) A proven track record of sound judg-
7 ment in leading or governing large, complex pri-
8 vate sector corporations or organizations.

9 (B) A wealth of top-level, global business
10 experience in the areas of executive manage-
11 ment, corporate governance, audit and finance,
12 venture capital, human resources, economics,
13 technology, or health care.

14 (d) INITIAL MEETING.—If the Administrator carries
15 out the pilot program under subsection (a), the Adminis-
16 trator shall ensure that the initial meeting of the Board
17 occurs by not later than 90 days after the date of the en-
18 actment of this Act.

19 (e) STUDY.—

20 (1) IN GENERAL.—If the Administrator carries
21 out the pilot program under subsection (a), the
22 Board shall conduct a study to investigate require-
23 ments for a public-private partnership that attracts
24 and retains capabilities critical to the Administration
25 for meeting the mission of the Administration that

1 are also applicable to private sector needs in the
2 area of cybersecurity. In conducting the study, the
3 Board should consider what key attributes such a
4 public-private partnership should have in order to—

5 (A) maximize public sector engagement;

6 (B) maximize the quality and strength of
7 the cybersecurity workforce both regionally and
8 nationally that is accessible to the Administra-
9 tion;

10 (C) maximize the efficiency of technology
11 transfer from laboratories and facilities of the
12 Administration to the region and the entire
13 United States to stimulate the growth of such
14 cybersecurity workforce;

15 (D) improve the ability of the private sec-
16 tor to address critical issues such as data ana-
17 lytics and defense against brute force attacks;
18 and

19 (E) promote partnerships between indus-
20 try, laboratories, facilities, entrepreneurs, and
21 academic institutions that drive research and
22 development toward meeting critical cybersecu-
23 rity needs of the Administration and the private
24 sector, including through rotation programs,
25 sabbaticals, and summer programs.

1 (2) COORDINATION.—The Office of Technology
2 Transfer of the Administration shall coordinate with
3 the Board in carrying out the study under para-
4 graph (1), including with respect to establishing the
5 parameters of the study and interim reports sub-
6 mitted by the Board to the Administration.

7 (3) REPORT.—Not later than 180 days after
8 the date of the initial meeting of the Board under
9 subsection (d), the Board shall submit to the Admin-
10 istrator a report on the study under paragraph (1).
11 The report shall include recommendations and find-
12 ings on the following:

13 (A) Key attributes needed for a public-pri-
14 vate partnership to attract the private sector.

15 (B) Minimum amount and duration of fi-
16 nancial commitments of the Federal Govern-
17 ment required.

18 (C) Role of technology transfer in attract-
19 ing the private sector, and private sector re-
20 quirements relevant to types of technology
21 transfer tools available and time and complexity
22 of their implementation for this to be a strong
23 incentive.

1 (D) Required return on investment to pro-
2 mote sustained partnership in the private sec-
3 tor.

4 (E) Ensuring fairness of opportunity to all
5 parties in the private sector, considering exist-
6 ing models that connect inventors with cus-
7 tomers.

8 (F) Which existing programs, both within
9 the laboratories and facilities of the Administra-
10 tion or elsewhere in their region or nationally
11 (such as programs within the Economic Devel-
12 opment Agency of the Department of Com-
13 merce), can provide good models or be lever-
14 aged to strengthen or modified to provide the
15 public-private partnerships.

16 (G) Recommended governance structure
17 for such public-private partnership, considering
18 agility, openness, and transparency in engage-
19 ment, including whether the partnerships
20 should be run by the Administration on a na-
21 tional scale, by each laboratory or facility on a
22 regional scale, by a private sector controlled re-
23 gional non-profit, or some other structure.

24 (f) IMPLEMENTATION PLAN.—Not later than 90 days
25 after the date on which the Administrator receives the re-

1 port under subsection (e)(3), the Administrator shall sub-
2 mit to the congressional defense committees—

3 (1) such report;

4 (2) an implementation plan to carry out the
5 recommendations contained in such report; and

6 (3) an assessment of the plan, including details
7 on—

8 (A) the parts of the plan that the Adminis-
9 trator determines can be implemented within
10 current funding levels and authorizations; and

11 (B) the parts of the plan that the Adminis-
12 trator supports but which require additional au-
13 thorization or funding to implement.

14 (g) FUNDING.—Of the amounts authorized to be ap-
15 propriated by this Act or otherwise made available for fis-
16 cal year 2016 for the technology partnership programs of
17 the National Nuclear Security Administration, the Admin-
18 istrator may obligate or expend not more than \$500,000
19 to carry out this section in such fiscal year.

20 (h) TERMINATION.—If the Administrator carries out
21 the pilot program under subsection (a), the pilot program
22 shall terminate on the date that is 30 days after the date
23 on which the implementation plan is submitted under sub-
24 section (f).

