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:

SEC. 3146. BUSINESS BOARD PILOT PROGRAM.

(a) Establishment.—The Administrator for Nuclear Security may carry out a pilot program under which the Administrator shall establish a National Nuclear Security Administration Business Board (in this section referred to as the “Board”) modeled on the Defense Business Board within the Department of Defense.

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

(1) provide to the Administrator independent advice and recommendations on critical matters concerning the Administration; and

(2) examine and advise on overall Administration management and governance from a private sector perspective.

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

(2) QUALIFICATIONS.—The members shall possess the following:

(A) A proven track record of sound judgment in leading or governing large, complex private sector corporations or organizations.

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

(d) INITIAL MEETING.—If the Administrator carries out the pilot program under subsection (a), the Administrator shall ensure that the initial meeting of the Board occurs by not later than 90 days after the date of the enactment of this Act.

(e) STUDY.—

(1) IN GENERAL.—If the Administrator carries out the pilot program under subsection (a), the Board shall conduct a study to investigate requirements for a public-private partnership that attracts and retains capabilities critical to the Administration for meeting the mission of the Administration that
are also applicable to private sector needs in the area of cybersecurity. In conducting the study, the Board should consider what key attributes such a public-private partnership should have in order to—

(A) maximize public sector engagement;

(B) maximize the quality and strength of the cybersecurity workforce both regionally and nationally that is accessible to the Administration;

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

(D) improve the ability of the private sector to address critical issues such as data analytics and defense against brute force attacks; and

(E) promote partnerships between industry, laboratories, facilities, entrepreneurs, and academic institutions that drive research and development toward meeting critical cybersecurity needs of the Administration and the private sector, including through rotation programs, sabbaticals, and summer programs.
(2) COORDINATION.—The Office of Technology Transfer of the Administration shall coordinate with the Board in carrying out the study under paragraph (1), including with respect to establishing the parameters of the study and interim reports submitted by the Board to the Administration.

(3) REPORT.—Not later than 180 days after the date of the initial meeting of the Board under subsection (d), the Board shall submit to the Administrator a report on the study under paragraph (1). The report shall include recommendations and findings on the following:

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

(B) Minimum amount and duration of financial commitments of the Federal Government required.

(C) Role of technology transfer in attracting the private sector, and private sector requirements relevant to types of technology transfer tools available and time and complexity of their implementation for this to be a strong incentive.
(D) Required return on investment to promote sustained partnership in the private sector.

(E) Ensuring fairness of opportunity to all parties in the private sector, considering existing models that connect inventors with customers.

(F) Which existing programs, both within the laboratories and facilities of the Administration or elsewhere in their region or nationally (such as programs within the Economic Development Agency of the Department of Commerce), can provide good models or be leveraged to strengthen or modified to provide the public-private partnerships.

(G) Recommended governance structure for such public-private partnership, considering agility, openness, and transparency in engagement, including whether the partnerships should be run by the Administration on a national scale, by each laboratory or facility on a regional scale, by a private sector controlled regional non-profit, or some other structure.

(f) IMPLEMENTATION PLAN.—Not later than 90 days after the date on which the Administrator receives the re-
port under subsection (e)(3), the Administrator shall submit to the congressional defense committees—

(1) such report;

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

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

(A) the parts of the plan that the Administrator determines can be implemented within current funding levels and authorizations; and

(B) the parts of the plan that the Administrator supports but which require additional authorization or funding to implement.

(g) FUNDING.—Of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the technology partnership programs of the National Nuclear Security Administration, the Administrator may obligate or expend not more than $500,000 to carry out this section in such fiscal year.

(h) TERMINATION.—If the Administrator carries out the pilot program under subsection (a), the pilot program shall terminate on the date that is 30 days after the date on which the implementation plan is submitted under subsection (f).