

Public information. Assessment.	<p>“(g) METRICS.—In evaluating a grant renewal under subsection (d)(8), the Secretary shall work with program evaluation experts to develop and make publicly available metrics to assess the progress of a regional clean energy innovation partnership towards achieving the purposes of the program in subsection (c).</p> <p>“(h) COORDINATION.—In carrying out the program, the Secretary shall coordinate with, and avoid unnecessary duplication of, the activities carried out under this section with the activities of other research entities of the Department or relevant programs at other Federal agencies.</p> <p>“(i) CONFLICTS OF INTEREST.—In carrying out the program, the Secretary shall maintain conflict of interest procedures, consistent with the conflict of interest procedures of the Department.</p>
Deadlines. Time period.	<p>“(j) EVALUATION BY COMPTROLLER GENERAL.—Not later than 3 years after the date of the enactment of the Research and Development, Competition, and Innovation Act, and again 3 years later, the Comptroller General shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the operation of the program during the most recent 3-year period, including—</p>
Assessment.	<p>“(1) an assessment of the progress made towards achieving the purposes specified in subsection (c) based on the metrics developed under subsection (g);</p>
Determination. Recommendations.	<p>“(2) the short-term and long-term metrics used to determine the success of the program under subsection (g), and any changes recommended to the metrics used;</p> <p>“(3) the regional clean energy innovation partnerships established or supported by covered consortia that have received grants under subsection (d); and</p>
Recommendations.	<p>“(4) any recommendations on how the program may be improved.</p>
	<p>“(k) NATIONAL LABORATORIES.—In supporting technology transfer activities at the National Laboratories, the Secretary shall encourage partnerships with entities that are located in the same region or State as the National Laboratory.</p> <p>“(l) SECURITY.—In carrying out the activities under this section, the Secretary shall ensure proper security controls are in place to protect sensitive information, as appropriate.</p> <p>“(m) NO FUNDS FOR CONSTRUCTION.—No funds provided to the Department of Energy under this section shall be used for construction.</p>
Time period.	<p>“(n) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section \$50,000,000 for each of fiscal years 2023 through 2027.”.</p>

Subtitle D—Research Security

42 USC 19231.

SEC. 10631. REQUIREMENTS FOR FOREIGN TALENT RECRUITMENT PROGRAMS.

(a) PURPOSE.—The purpose of this subtitle is to direct actions to prohibit participation in any foreign talent recruitment program by personnel of Federal research agencies and to prohibit participation in a malign foreign talent recruitment program by covered individuals involved with research and development awards from those agencies.

(b) **GUIDANCE.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy, in coordination with the interagency working group established under section 1746 of the National Defense Authorization Act for Fiscal Year 2020 (42 U.S.C. 6601 note; Public Law 116-92), shall publish and widely distribute a uniform set of guidelines for Federal research agencies regarding foreign talent recruitment programs. Such policy guidelines shall—

Deadline.
Coordination.
Publication.
Guidelines.

(1) prohibit all personnel of each Federal research agency, including Federal employees, contract employees, independent contractors, individuals serving under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq), Visiting Scientist, Engineering, and Educator appointments, and special government employees other than peer reviewers, from participating in a foreign talent recruitment program;

Requirements.

(2) as part of the requirements under section 223 of the William (Mac) Thornberry NDAA of Fiscal Year 2021 (10 U.S.C. 6605; Public Law 116-283), require covered individuals to disclose if such individuals are a party to a foreign talent recruitment program contract, agreement, or other arrangement;

(3) prohibit research and development awards from being made for any proposal in which a covered individual is participating in a malign foreign talent recruitment program; and

(4) to the extent practicable, require recipient institutions to prohibit covered individuals participating in malign foreign talent recruitment programs from working on projects supported by research and development awards.

(c) **DEFINITION OF FOREIGN TALENT RECRUITMENT PROGRAMS.**—As part of the guidance under subsection (b), the Director of the Office of Science and Technology Policy shall define and describe the characteristics of a foreign talent recruitment program.

(d) **IMPLEMENTATION.**—Not later than one year after the date of the enactment of this Act, each Federal research agency shall issue a policy utilizing the guidelines under subsection (b).

Deadline.
Policy.

(e) **CONSISTENCY.**—The Director of the Office of Science and Technology Policy shall ensure that the policies issued by the Federal research agencies under subsection (d) are consistent to the greatest extent practicable.

SEC. 10632. MALIGN FOREIGN TALENT RECRUITMENT PROGRAM PROHIBITION.

42 USC 19232.

(a) **IN GENERAL.**—Not later than 24 months after the date of enactment of this Act, each Federal research agency shall establish a policy that, as part of a proposal for a research and development award from the agency—

Deadline.
Policy.
Certifications.

(1) each covered individual listed in such proposal certify that each such individual is not a party to a malign foreign talent recruitment program in the proposal submission of each such individual and annually thereafter for the duration of the award; and

Time period.

(2) each institution of higher education or other organization applying for such an award certify that each covered individual who is employed by such institution of higher education or other organization has been made aware of the requirements under this section and complied with the requirement under paragraph (1).

Certification.
Compliance.

Federal Register, publication, Public comment, Time period.	<p>(b) STAKEHOLDER INPUT.—In establishing a policy under subsection (a), Federal research agencies shall publish a description of the proposed policy in the Federal Register and provide an opportunity for submission of public comment for a period of not more than 60 days.</p> <p>(c) COMPLIANCE WITH EXISTING LAW.—Each Federal research agency and recipient shall comply with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) in the establishment of policies pursuant to under subsection (a).</p> <p>(d) INTERNATIONAL COLLABORATION.—Each policy developed under subsection (a) shall not prohibit, unless such activities are funded, organized, or managed by an academic institution or a foreign talent recruitment program on the lists developed under paragraphs (8) and (9) of section 1286(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 4001 note; Public Law 115–232)—</p>
Publication.	<p>(1) making scholarly presentations and publishing written materials regarding scientific information not otherwise controlled under current law;</p> <p>(2) participation in international conferences or other international exchanges, research projects or programs that involve open and reciprocal exchange of scientific information, and which are aimed at advancing international scientific understanding and not otherwise controlled under current law;</p> <p>(3) advising a foreign student enrolled at an institution of higher education or writing a recommendation for such a student, at such student’s request; and</p> <p>(4) other international activities determined appropriate by the Federal research agency head or designee.</p> <p>(e) LIMITATION.—The certifications required under subsection (a) shall not apply retroactively to research and development awards made or applied for prior to the establishment of the policy by the Federal research agency.</p>
Requirement.	<p>(f) TRAINING.—Each Federal research agency shall ensure that, as a requirement of an award from each such agency, recipient institutions provide training on the risks of malign foreign talent recruitment programs to covered individuals employed at such institutions, including those individuals who are participating in activities described in subsection (d).</p>
42 USC 19233. Requirements.	<p>SEC. 10633. REVIEW OF CONTRACTS AND AGREEMENTS.</p> <p>(a) IN GENERAL.—In addition to existing authorities for preventing waste, fraud, abuse, and mismanagement of Federal funds, each Federal research agency shall have the authority to—</p>
Records.	<p>(1) require, upon request, the submission to such agency, by an institution of higher education or other organization applying for a research and development award, of supporting documentation, including copies of contracts, grants, or any other agreement specific to foreign appointments, employment with a foreign institution, participation in a foreign talent recruitment program and other information reported as current and pending support for all covered individuals in a research and development award application;</p>
Compliance.	<p>(2) require such institution of higher education or other organization to review any documents requested under paragraph (1) for compliance with the Federal research agency’s</p>