

AMENDMENT TO H.R. 6395
OFFERED BY MR. WALTZ OF FLORIDA

At the appropriate place in title II, insert the following new section:

1 **SEC. 2 ____ . MEASURES TO ADDRESS FOREIGN TALENT PRO-**
2 **GRAMS.**

3 (a) LIST OF PROGRAMS.—The Secretary of Defense
4 shall develop and maintain a list of foreign talent pro-
5 grams that pose a threat to the national security interests
6 of the United States, as determined by the Secretary.

7 (b) CRITERIA.—In developing the list under sub-
8 section (a) the Secretary of Defense shall consider—

9 (1) the extent to which a foreign talent pro-
10 gram—

11 (A) poses a threat to research funded by
12 the Department of Defense; and

13 (B) engages in, or facilitates, cyber at-
14 tacks, theft, espionage, or otherwise interferes
15 in the affairs of the United States; and

16 (2) any other factors the Secretary determines
17 appropriate.

18 (c) INFORMATION TO CONGRESS.—Not later than 90
19 days after the date of the enactment of this Act, the Sec-

1 retary of Defense shall submit to the Committees on
2 Armed Services of the Senate and the House of Represent-
3 atives a copy of the list developed under subsection (a).

4 (d) PUBLICATION IN FEDERAL REGISTER.—Not
5 later than 30 days after making the submission required
6 under subsection (c), the Secretary of Defense shall pub-
7 lish the list developed under subsection (a) in the Federal
8 Register.

9 (e) NOTICE AND COMMENT PERIOD.—The list devel-
10 oped under subsection (a), and any guidance, rules, up-
11 dates, or other requirements relating to such list, shall not
12 take effect until such list, or any such guidance, rules, up-
13 dates, or other requirements (as the case may be) have
14 been—

- 15 (1) published in the Federal Register; and
- 16 (2) open for public comment for a period of not
17 less than 60 days.

18 (f) FOREIGN TALENT PROGRAM DEFINED.—In this
19 section, the term “foreign talent program” has the mean-
20 ing given that term for purposes of section 1286 of the
21 John S. McCain National Defense Authorization Act for
22 Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2358
23 note).

