

BUDD-2

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require the criteria for evaluating NSF contributions to include a means for verifying that contributions are not from bad foreign actors.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

S. 4394

To support National Science Foundation education and professional development relating to artificial intelligence.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BUDD (for himself and Ms. CANTWELL)

Viz:

1 On page 29, strike line 8 and insert the following:

2 (2) REQUIREMENTS.—

3 (A) VERIFICATION.—

4 (i) DEFINED TERM.—In this subpara-
5 graph, the term “entity meeting the defini-
6 tion of foreign ownership, control, or influ-
7 ence” means, with respect to a United
8 States entity—

9 (I) a foreign interest has the
10 power to direct or decide matters af-

1 fecting such entity's management or
2 operations in a manner that could—

3 (aa) result in unauthorized
4 access to classified information;
5 or

6 (bb) adversely affect the per-
7 formance of a contract or agree-
8 ment requiring access to classi-
9 fied information; and

10 (II) the foreign interest is—

11 (aa) exercising such power
12 directly or indirectly;

13 (bb) exercising such power
14 through ownership of such enti-
15 ty's securities, by contractual ar-
16 rangements, or other similar
17 means;

18 (cc) exercising such power
19 through its ability to control or
20 influence the election or appoint-
21 ment of 1 or more members to
22 the entity's governing board; or

23 (dd) capable of exercising
24 such power.

1 (ii) IN GENERAL.—The Director,
2 working with relevant Federal agencies,
3 shall require that any criteria established
4 pursuant to paragraph (1) include a means
5 to verify that no contribution has any ties
6 to a foreign entity of concern, a foreign
7 country of concern, or an entity meeting
8 the definition of foreign ownership, control,
9 or influence.

10 (B) PROHIBITION.—The criteria estab-
11 lished pursuant to paragraph (1) shall include
12 a.