SEC. 1286. INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

(a) INITIATIVE REQUIRED.—The Secretary of Defense shall, in consultation with other appropriate government organizations, establish an initiative to work with academic institutions who perform defense research and engineering activities—

 (1) to support protection of intellectual property, controlled information, key personnel, and information about critical technologies relevant to national security;

 (2) to limit undue influence, including through foreign talent programs, by countries to exploit United States technology within the Department of Defense research, science and technology, and innovation enterprise; and

(3) to support efforts toward development of domestic talent in relevant scientific and engineering fields.

(b) INSTITUTIONS AND ORGANIZATIONS.—

 (1) IN GENERAL.—The initiative required by subsection (a) shall be developed and executed to the maximum extent practicable with academic research institutions and other educational and research organizations.

10 USC 2358 note. VerDate Sep 11 2014 15:46 May 20, 2019 Jkt 089139 PO 00232 Frm 00444 Fmt 6580 Sfmt 6581 E:\PUBLAW\PUBL232.115 PUBL232 PUBLIC LAW 115–232—AUG. 13, 2018 132 STAT. 2079

(2) RECORD OF EXCELLENCE.—In selecting research institutions of higher education under this subsection, the Secretary shall prioritize selection of institutions of higher education that the Secretary determines demonstrate a record of excellence in industrial security in academia and in research and development.

(c) REQUIREMENTS.—The initiative required by subsection (a) shall include development of the following:

(1) Information exchange forum and information repositories to enable awareness of security threats and influence operations being executed against the United States research, technology, and innovation enterprise.

(2) Training and other support for academic institutions to promote security and limit undue influence on institutions and personnel, including financial support for execution for such activities.

(3) The capacity of government and academic institutions and institutions of higher education to assess whether individuals affiliated with Department of Defense programs have participated in or are currently participating in foreign talent programs or expert recruitment programs.

 (4) Opportunities to collaborate with defense researchers and research organizations in secure facilities to promote protection of critical information and strengthen defense against foreign intelligence services.

(5) Regulations and procedures— (A) for government and academic organizations and personnel to support the goals of the initiative; and (B) that are consistent with policies that protect open and scientific exchange in fundamental research.

 (6) Policies to limit or prohibit funding provided by the Department of Defense for institutions or individual researchers who knowingly violate regulations developed under the initiative, including regulations relating to foreign talent programs.

(7) Initiatives to support the transition of the results of academic institution research programs into defense capabilities.

 (d) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall provide a briefing to the congressional defense committees on the following:

 (1) Ongoing implementation of the initiative required by subsection (a).

(2) The development of a definition for ‘‘foreign talent programs’’ for the purposes of the initiative.

 (3) The preliminary results of the report required by subsection (e).

(e) REPORT.—

 (1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the activities carried out under the initiative required by subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the activities conducted and the progress made under the initiative. (B) The findings of the Secretary with respect to the initiative.

(C) Such recommendations as the Secretary may have for legislative or administrative action relating to the matters described in subsection (a), including actions related to foreign talent programs.

(D) Identification and discussion of the gaps in legal authorities that need to be improve to enhance the security of research institutions of higher education performing defense research.

(E) A description of the actions taken by such institutions to comply with such best practices and guidelines as may be established by under the initiative. (3) FORM.—The report submitted under paragraph (1) shall be submitted in both unclassified and classified formats, as appropriate.

(f) INSTITUTION OF HIGHER EDUCATION DEFINED.—The term ‘‘institution of higher education’’ has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).