

2021 Appropriations Directives Tracker

From: "Sydor, Katherine M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: DL OMB EIML Education <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Bcc: "Derbes, Catherine A. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Date: Tue, 02 Mar 2021 14:36:56 -0500
Attachments: 2021 Consolidated Appropriations Directives Spreadsheet-3-2-21.xlsx (88.9 kB)

Hey team, it's a long story, but in trying to track down some directives for FSA I've found my way to the master spreadsheet that ED is using to keep track of all the consolidated appropriations directives from last year.

I know there are a few of these that are of particular interest to those of us on the higher ed team, but I thought that the K-12 folks might be interested as well.

Could we maybe discuss at our check-in tomorrow on what the best way would be for those of us who want to follow up on these, should do so?

Thanks,
Katherine

Safeguarding American Innovation Act

From: "Leon, Bryan P. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Vaeth, Matt J. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Cc: "Ventura, Alexandra EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Date: Mon, 22 Mar 2021 16:57:37 -0400
Attachments: 20200312_Protecting America's Research Advantage Act_OMB_v4.docx (15.89 kB); FW: TA on Protecting America's Research Advantage Act (119.3 kB); FW: Review of S.4324 Restoring Critical Supply Chains and Intellectual Property Act & S.3997 Safeguarding American Innovation Act (250.37 kB)

Matt,

With regard to the Safeguarding American Innovation Act, I think we'll need to set up a time to discuss with Ben. In the near term, we will need to understand what kind of time we have to respond.

Please let me know if you'd like to arrange that or if I should work this out with Ben directly.

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]

Ex 5 DP- (5 <https://www.sciencemag.org/news/2020/06/us-science-groups-wary-new-senate-bills-curb-foreign-influences>)

I'm including a few attachments that provide background. The word document Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) [REDACTED]. The second attachment (email titled FW: TA on Protecting America's Research Advantage Act) Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]. The third Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED].

Ultimately, we can run a process on this one, but it will take a bit of time and will require Ex 5 [REDACTED].

Bryan

FW: Review of S.4324 Restoring Critical Supply Chains and Intellectual Property Act & S.3997 Safeguarding American Innovation Act

From: "Ventura, Alexandra EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Leon, Bryan P. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >, "Vaeth, Matt J. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >
Date: Mon, 22 Mar 2021 16:15:26 -0400
Attachments: Protecting America's Research Advantage Act 03132020.docx (62.63 kB); S3997 ANS.pdf (70.7 kB)

FYI, here's what I found from last year.

From: Rodgers, Marshall J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Sent: Tuesday, September 1, 2020 4:30 PM
To: McConnell, Doc P. IV EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Gonzalez, Oscar EOP/OMB <Ex 6 - (5 U.S.C. Sec >; McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Tran, Hai M. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Barr, Lisa N. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Blum, Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Damis, Rody EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Barringer, Jody M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: Thomas, Will III EOP/OMB <Ex 6 - (5 U.S.C. Sec >; McCrary, Jeremy P. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Burris, Jordan C. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Hubbard, Rhea A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Fraser, Lindsay K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ventura, Alexandra EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Leon, Bryan P. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Olson, Kathryn E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Forbes, Mitchell L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB OFCIO Legislative <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: RE: Review of S.4324 Restoring Critical Supply Chains and Intellectual Property Act & S.3997 Safeguarding American Innovation Act

Thanks, all.

Oscar is correct. In mid-March LRD cleared TA (**attached**) on 9 of the 10 sections of a Senator Portman discussion draft bill (which was later introduced as S. 3997). Ex 5 DP- (5 U.S.C. Sec

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Senator Portman introduced S. 3997 in June and the Senate Homeland Security and Governmental Affairs committee ordered it reported with an amendment in the nature of a substitute on July 22 (**ANS text is attached**). Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Per DOI's incoming email at the end of this chain, LRD recommends that Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 [redacted]) - to include those in this email chain.

-Marshall.

From: McConnell, Doc P. IV EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Sent: Tuesday, September 1, 2020 4:15 PM
To: Gonzalez, Oscar EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; Tran, Hai M. EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; Barr, Lisa N. EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; Blum, Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Damis, Rody EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; Barringer, Jody M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: Thomas, Will III EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; McCrary, Jeremy P. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Burris, Jordan C. EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; Hubbard, Rhea A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Fraser, Lindsay K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Rodgers, Marshall J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ventura, Alexandra EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Leon, Bryan P. EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; Olson, Kathryn E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Forbes, Mitchell L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB OFCIO Legislative <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: RE: Review of S.4324 Restoring Critical Supply Chains and Intellectual Property Act & S.3997 Safeguarding American Innovation Act

Could LRD please Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Also, when did this review take place?

Thanks,

Doc McConnell
Office of the Federal CIO
Office of Management and Budget
Ex 6 - (5 [redacted])

From: Gonzalez, Oscar EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Sent: Tuesday, September 1, 2020 3:27 PM
To: McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; Tran, Hai M. EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; Barr, Lisa N. EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; Blum, Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Damis, Rody EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; Barringer, Jody M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: Thomas, Will III EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; McCrary, Jeremy P. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Burris, Jordan C. EOP/OMB <Ex 6 - (5 U.S.C. Sec [redacted]) >; McConnell, Doc P. IV EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hubbard, Rhea A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Fraser, Lindsay K. EOP/OMB

<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Rodgers, Marshall J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ventura, Alexandra EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Leon, Bryan P. EOP/OMB <Ex 6 - (5 U.S.C. Sec
Olson, Kathryn E. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Forbes, Mitchell L. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>

Subject: RE: Review of S.4324 Restoring Critical Supply Chains and Intellectual Property Act & S.3997 Safeguarding American Innovation Act

+a few additional LRD colleagues, whom I believe did some work on this. I understand <Ex 5 DP- (5
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Marshall
and others can correct me if I'm mistaken.

Thanks

From: McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Sent: Tuesday, September 1, 2020 3:16 PM
To: Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Tran, Hai M. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >; Barr, Lisa N. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Blum, Mathew
C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Gonzalez, Oscar EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Damis, Rody EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Barringer,
Jody M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: Thomas, Will III EOP/OMB <Ex 6 - (5 U.S.C. Sec >; McCrary, Jeremy P. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Burris, Jordan C. EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
McConnell, Doc P. IV EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hubbard, Rhea A.
EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Fraser, Lindsay K. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>

Subject: RE: Review of S.4324 Restoring Critical Supply Chains and Intellectual Property Act & S.3997 Safeguarding American Innovation Act

Hi Emily –

I did reach out to Matt Vaeth on this a while back <Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 I'm interested if LRD has any update or further insight.

Thanks,
Bill

Bill McNavage, Ph.D.
Program Examiner | Defense Investments Branch
Office of Management and Budget
(w) <Ex 6 - (5 >

From: Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >
Sent: Tuesday, September 1, 2020 9:21 AM
To: Tran, Hai M. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Barr, Lisa N. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >; Blum, Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >

Gonzalez, Oscar EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Damis, Rody EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Barringer, Jody M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Cc: McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Thomas, Will III EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; McCrary, Jeremy P. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Burris, Jordan C. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; McConnell, Doc P. IV EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hubbard, Rhea A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Fraser, Lindsay K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>

Subject: RE: Review of S.4324 Restoring Critical Supply Chains and Intellectual Property Act & S.3997 Safeguarding American Innovation Act

Matt, this seems like a question for LRD. [Copying a few folks in LRD to see if they could help address the question.] Oscar, Rody, Jody: please let us know if you have any insights to Matt's question (or if there's someone else in LRD who might know).

A while back (around March) Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
[REDACTED]

Bill: I understand you may have reached out to your LRD contact earlier about this. Had you heard anything back?

Emily

From: Tran, Hai M. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Sent: Tuesday, September 1, 2020 8:36 AM
To: Barr, Lisa N. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Blum, Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Cc: Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Thomas, Will III EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; McCrary, Jeremy P. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Burris, Jordan C. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; McConnell, Doc P. IV EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hubbard, Rhea A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Fraser, Lindsay K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Subject: RE: Review of S.4324 Restoring Critical Supply Chains and Intellectual Property Act & S.3997 Safeguarding American Innovation Act

Matt, thank for the heads-up. Do you know the status of this Bill? I remember Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
[REDACTED] Thanks.

Regards,
Gilbert Tran
Executive Office of The President
OMB/OFFM -Ex 6 - (5 [REDACTED]) (O)

Ex 6 - (5) (C)

From: Barr, Lisa N. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED]) >
Sent: Monday, August 31, 2020 8:48 PM
To: Blum, Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: Tran, Hai M. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Thomas, Will III EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; McCrary, Jeremy P. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Burris, Jordan C. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; McConnell, Doc P. IV EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: Re: Review of S.4324 Restoring Critical Supply Chains and Intellectual Property Act & S.3997 Safeguarding American Innovation Act

Hi Matthew,

Thank you for the email.

Looping in Jordan and Doc from OFCIO regarding the legislative tracking.

-Lisa

On Aug 31, 2020, at 8:26 PM, Blum, Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) > wrote:

Are we tracking these bills which Ex 5 DP- (5 U.S.C. Sec 552(b)(5))
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
[REDACTED]

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
[REDACTED]

From: Vassar, Lori Y <lori_vassar@ios.doi.gov>
Sent: Monday, August 31, 2020 6:43 PM
To: Blum, Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: Davis-Christian, Margaret B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Monica Aquino-Thieman <monica.aquino@nasa.gov>

Subject: Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process S.4324 Restoring Critical Supply Chains and Intellectual Property Act


Mat,

It has come to our attention that there are new bills that would impose a quarterly reporting requirement on ISDC for information that is not in our possession nor would we be able to obtain it. Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Please advise as to the best way forward to provide clarification. We would be pleased to work with appropriate staffers on what information can be reported. We appreciate your thoughts on appropriate steps to address these concerns. Thank you.

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



Finally, for reference and context, below are the relevant provisions in the proposed bills.

[S.4324](#) Restoring Critical Supply Chains and Intellectual Property Act [status: Introduced in Senate and referred to the Committee on Finance 7/27/20]; see also [S.3997](#) Safeguarding American Innovation Act [status: Senate - 07/22/2020 Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.]

- 'Sec. 7902. Federal Research Security Council establishment and membership
 - '(a) Establishment. There is established, in the Office of Management and Budget, a Federal Research Security Council, which shall develop federally funded research and development grant making policy and management guidance to protect the national and economic security interests of the United States.
 - '(b) Membership.-
 - '(1) In general. The following agencies shall be represented on the Council:
 - '(A) The Office of Management and Budget.
 - '(B) The Office of Science and Technology Policy.
 - '(C) The Department of Defense.
 - '(D) The Department of Homeland Security.
 - '(E) The Office of the Director of National Intelligence, including the National Counterintelligence and Security Center.
 - '(F) The Department of Justice, including the Federal Bureau of Investigation.
 - '(G) The Department of Energy.
 - '(H) The Department of Commerce, including the National Institute of Standards and Technology.

- '(I) The Department of Health and Human Services, including the National Institutes of Health.
- '(J) The Department of State.
- '(K) The Department of Transportation.
- '(L) The National Aeronautics and Space Administration.
- '(M) The National Science Foundation.
- '(N) The Department of Education.
- '(O) The Small Business Administration.
- '(P) The Council of Inspectors General on Integrity and Efficiency.
- '(Q) Other Executive agencies, as determined by the Chairperson of the Council.
- 'Sec. 7903. Functions and authorities '(a) In General. The Chairperson of the Council shall consider the missions and responsibilities of Council members in determining the lead agencies for Council functions. The Council shall perform the following functions: (...) '(g) Exclusion Orders. To reduce Federal research security risk, the Interagency Suspension and Debarment Committee shall provide quarterly reports to the Council that detail- '(1) the number of ongoing investigations by Council Members related to Federal research security that may result, or have resulted, in agency pre-notice letters, suspensions, proposed debarments, and debarments; '(2) Federal agencies' performance and compliance with interagency suspensions and debarments; '(3) efforts by the Interagency Suspension and Debarment Committee to mitigate Federal research security risk; '(4) proposals for developing a unified Federal policy on suspensions and debarments; and '(5) other current suspension and debarment related issues.

Lori Y. Vassar
Suspending and Debarring Official
U.S. Department of the Interior
1849 C Street, NW, MS-4260
Washington, DC 20240
(202)513-0689
email: lori_vassar@ios.doi.gov

FY21 Appropriations Directives

From: "Sydor, Katherine M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Simpson, Daniel" <daniel.simpson@ed.gov>
Cc: "Cassell, Mary I. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >
Date: Tue, 23 Mar 2021 11:27:10 -0400
Attachments: Copy of 2021 Consolidated Appropriations Directives Spreadsheet-3-2-21 OMB interest.xlsx (89.45 kB)

Hi Daniel,

Thanks so much for meeting with us last week to discuss OMB's engagement with the FY21 Appropriations Directives to the Department. I apologize again for not being more organized before we took up your time last week. I am attaching the spreadsheet we discussed with an added column indicating whether we'd like to review or receive a courtesy copy of the materials. Please let me know if you have any questions.

And please let me know how we can follow up once you've reached out to the owners of these respective directives.

Best,
Katherine

FW: Student Success Fund

From: "Carroll, William S. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
To: "Patel, Jagir D. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >, "Cassell, Mary I. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >
Date: Fri, 26 Mar 2021 10:12:48 -0400
Attachments: Student Success Grant Path.xlsx (9.7 kB); CAA as reported in House - BILLS-116hr4674rh.pdf (2.15 MB)

Mary and Jagir,

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Will

From: Valle, Katherine EOP/WHO <Ex 6 - (5 U.S.C. Sec >
Sent: Friday, March 26, 2021 1:36 AM
To: Carroll, William S. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: Student Success Fund

FYI

From: Valle, Katherine EOP/WHO
Sent: Friday, March 26, 2021 1:34 AM
To: 'Lee, Nicholas' <Nick.Lee@ed.gov>; Mishory, Jennifer <Jennifer.Mishory@ed.gov>
Cc: Matsudaira, Jordan <jordan.matsudaira@ed.gov>
Subject: RE: Free Community College

Thank you, both!

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

As an FYI, Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
loop back.

Will

Kathy

From: Lee, Nicholas <Nick.Lee@ed.gov>

Sent: Friday, March 26, 2021 12:08 AM

To: Valle, Katherine EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Mishory, Jennifer
<Jennifer.Mishory@ed.gov>

Cc: Matsudaira, Jordan <jordan.matsudaira@ed.gov>

Subject: RE: Free Community College

Adding Jordan to the chain with several thoughts on the design and "calculation" end of things:

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Thanks,
Nick

RE: Reg agenda comments

From: "Mann, Noah S. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Cassell, Mary I. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Date: Tue, 30 Mar 2021 13:39:40 -0400
Attachments: Original ED Agenda Entries (Unreviewed) ed branch.docx (65.52 kB)

Yep, looks good to me – thanks! Are you also good to go on our comments on the reg agenda itself?

From: Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Sent: Tuesday, March 30, 2021 1:31 PM
To: Mann, Noah S. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Subject: RE: Reg agenda comments

Hi Noah – I think we should go ahead and send this. I'll forward it <Ex 5 DP- (5 U.S.C. Sec [REDACTED])>
<Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]> Do the additions below work?

From: Mann, Noah S. EOP/OMB
Sent: Monday, March 29, 2021 3:36 PM
To: Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Subject: RE: Reg agenda comments

Hi Mary –

Here's a short note that we could use <Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) [REDACTED]> Lindsay gave us until tomorrow at noon to send comments back. Thanks!

<Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]>

From: Mann, Noah S. EOP/OMB
Sent: Friday, March 26, 2021 12:53 PM
To: Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Cc: Sydor, Katherine M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]>; Patel, Jagir D. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Carroll, William S. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]>
Subject: Reg agenda comments

Hi Mary –

Here are our comments on the reg agenda:

Ex 6 - (5 U.S.C. Sec 552(b)(6))

There aren't many comments in the doc, and Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Thanks,
Noah

Re: Request for IC Views - the STRATEGIC Act and the America LEADS Act

From: "Leon, Bryan P. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process>>
To: Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process>, Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process>
Cc: "Shea, Andrew B. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process>>, "Kim, Michael B. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process>>
Date: Wed, 31 Mar 2021 10:52:15 -0400
Attachments: STRATEGIC Act (116th Congress).pdf (549.8 kB); America LEADS Act (116th Congress).pdf (1.28 MB)

Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process and Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Apologies. State should have been included Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Andrew Shea is handling and will forward to you Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process shortly.

On Mar 31, 2021, at 10:37 AM, Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process> wrote:

Bryan, Mike,

I just got this request Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process I want to make sure we're not missing the initial OMB request in some crazy sorting system of our inboxes.

Thanks,

Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process

From: JAMESJS3 <(b)(3), (b)(6)>
Sent: Wednesday, March 31, 2021 9:56 AM
To: Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process>; Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; (b)(3) - 10 U.S.C. § 424; (b)(6) <(b)(3) - 10 U.S.C. § 424; (b)(6)>; (b)(3) - 10 U.S.C. § 424; (b)(6) <(b)(3) - 10 U.S.C. § 424; (b)(6)>; Kim Knur <Kim.Knur@doe.gov>; Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Wadhvani, Anita N CTR OSD OUSD INTEL & SEC (USA) <Anita.Wadhvani@doe.gov>; Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; WHS Pentagon ESD List ESB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Wortham, Marvin <Marvin.Wortham@doe.gov>; Mia Anderson <mia.anderson@doe.gov>; Serge.Petish@doe.gov; Thomas Reilly <thomas.reilly@hq.doe.gov>; (b)(6), (b)(7)(C) & (b)(7)(E) <(b)(6), (b)(7)(C) & (b)(7)(E)>; FBI OCA Tasking <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; (b)(6), (b)(7)(C) & (b)(7)(E) <(b)(6), (b)(7)(C) & (b)(7)(E)>; (WF) (FBI) <(b)(6), (b)(7)(C) & (b)(7)(E)>; (b)(6), (b)(7)(C) & (b)(7)(E) <(b)(6), (b)(7)(C) & (b)(7)(E)>;

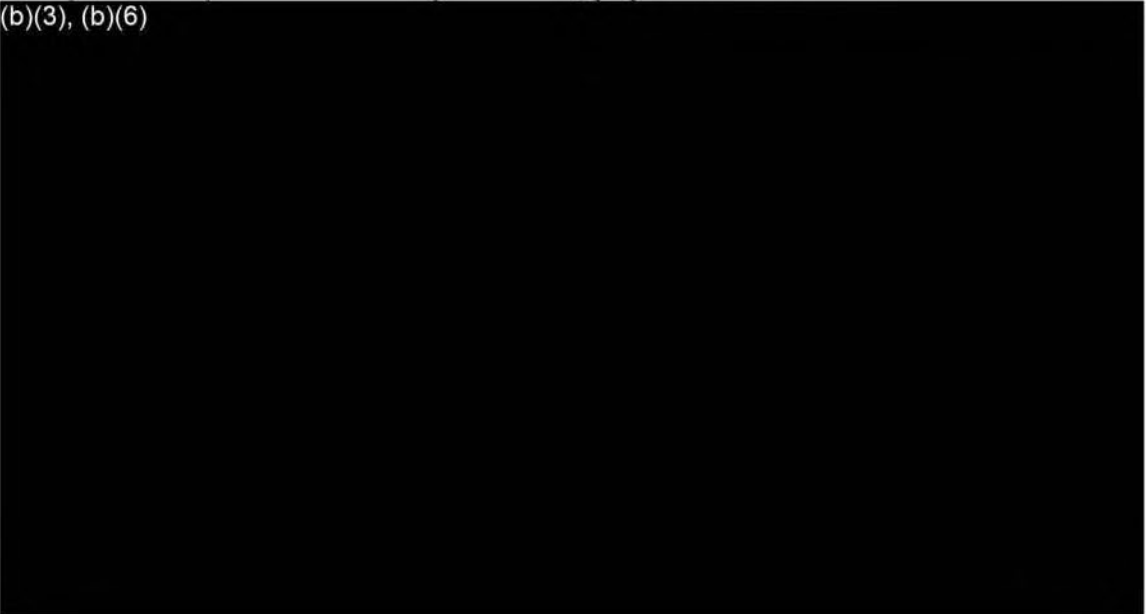
(b)(6), (b)(7)(C) & (b)(7)(E); (b)(6), (b)(7)(C) & (DO) (FBI) (b)(6), (b)(7)(C) &
(b)(6), (b)(7)(C) & (b)(6), (b)(7)(C) (DO) (FBI) (b)(6), (b)(7)(C) & (b)(7)(E);
Ex 6 - (5 U.S.C. Sec > David C. Morzenti <Ex 6 - (5 U.S.C. Sec >;
Ex 6 - (5 U.S.C. Sec > Peter Richards <Ex 6 - (5 U.S.C. Sec >;
Ex 6 - (5 U.S.C. Sec > Thomas Monheim <Ex 6 - (5 U.S.C. Sec >; Tommy Bryan
<Ex 6 - (5 U.S.C. Sec >; Alonzo <(b)(3) - 10 >; Dave Westerman
<(b)(3) - 10 U.S.C. >; Ginger Wright <(b)(3) - 10 >; Joseph Vealencis
<(b)(3) - 10 U.S.C. >; Matthew Webb <(b)(3) - 10 U.S.C. >; Raychel Bush <(b)(3) - 10 U.S.C. >;
Scot T. Heckman <Ex 6 - (5 U.S.C. Sec >; Tyler Merkel <(b)(3) - 10 U.S.C. >; (b)(3) - P.L.
(b)(3) - P.L. 86-36 >; DL <Ex 6 - (5 U.S.C. >; (b)(3) - P.L.
(b)(3) - P.L. 86-36 >; (b)(3) - P.L. 86-36 >;
(b)(3), (b)(6) > Ex 6 - (5 U.S.C. Sec > @state.gov>; Ex 6 - (5 U.S.C. >
<Ex 6 - (5 @state.gov>; State-LRM <Ex 6 - (5 @state.gov>; Ex 6 - (5 U.S.C. > @treasury.gov;
Frank.Menna@treasury.gov; Heather Trew <Heather.Trew@treasury.gov>; Paul Ahern
<paul.ahern@treasury.gov>; Ex 6 - (5 U.S.C. Sec 552(b)(6)) @treasury.gov>; Ex 6 - (5 U.S.C. >
<Ex 6 - (5 U.S.C. > @treasury.gov>; (b)(3), (b)(6)

(b)(3), (b)(6)



(b)(3), (b)(6) Catherine Marsh

(b)(3), (b)(6)



(b)(3), (b)(6)

(b)(3), (b)(6)

(b)(3) - 50 USC § 3507

Cc: (b)(3)-50 U.S.C. §

Subject: Request for IC Views - the STRATEGIC Act and the America LEADS Act

Please send all comments to (b)(3)-50 U.S.C. § by 9:00am on Tuesday, April 6, 2021.

NSC and OMB are requesting interagency views on two China-related bills from the previous Congress: the "STRATEGIC Act" and the "America LEADS Act." NSC and OMB anticipate that both bills will be reintroduced shortly and may move quickly in mid-April.

Copied at the bottom of this e-mail are summaries of both bills prepared by the Congressional Research Service during the previous Congress.

To the extent your office/element has comments on either bill, please send them to (b)(3) (b)(3)-50 by the above deadline.

Many thanks,

(b)(3),
(b)(6)

Strengthening Trade, Regional Alliances, Technology, and Economic and Geopolitical Initiatives concerning China Act or the "STRATEGIC Act"

This bill contains provisions addressing China and foreign relations generally.

The provisions include

- directing the Department of State to establish a program to facilitate dialogues between U.S. regulatory and technical agencies and their counterparts in partner countries to promote U.S. regulatory standards;
- authorizing the State Department to help U.S. companies address China-related supply chain management issues, including by relocating production to other countries;
- directing the President to establish an interagency working group to strengthen U.S. leadership in international standards-setting bodies for mobile telecommunications technology, including fifth generation (5G) technology;
- expanding reporting requirements for institutions of higher education that receive gifts from or transact with a foreign party, and allowing the President to order an institution to cancel the

transaction if the President finds that the transaction undermines national security or academic freedom;

- prohibiting any individual who has directly represented the government of a country designated by the President as a country of national security concern from serving in a State Department position that requires Senate confirmation;
- directing the State Department to establish the Office of Integrity in the United Nations System to counter undue influence by authoritarian nations in the United Nations;
- authorizing through FY2025 various State Department programs in Southeast Asia related to maritime security and diplomatic outreach activities; and
- directing the Government Accountability Office to report on U.S.-China scientific and technical cooperation initiatives that receive U.S. government funding, including whether such programs adequately protect the intellectual property of U.S. participants.

America Labor, Economic competitiveness, Alliances, Democracy and Security Act or the “America LEADS Act”

This bill addresses science and technology development, global infrastructure, U.S. manufacturing, foreign relations, and other topics.

Provisions of the bill include those

- authorizing through FY2025 various federal research and development activities;
- requiring the Department of State to take actions to advance the development and adoption of quality global infrastructure;
- requiring the use of domestically produced aluminum in certain federal projects;
- requiring the Department of Defense (DOD), the Department of the Treasury, and the Department of Commerce to take actions to encourage the development and production of measurably secure microelectronics and semiconductors;
- expanding disclosure requirements for U.S. institutions of higher education that receive foreign gifts;
- authorizing various programs to support science, technology, engineering, and mathematics training, as well as language skills education;
- requiring the President to impose sanctions to combat malign behavior by China's government and related persons;
- authorizing annual contributions to the World Bank's Clean Technology Fund and the United Nations's Green Climate Fund;
- prohibiting the use of federal funds to withdraw or reduce the presence of the Armed Forces or DOD in Japan or South Korea;
- prioritizing the transfer of excess defense articles to certain allies in the Indo-Pacific region;
- authorizing the State Department to provide assistance to increase maritime security in the Indo-Pacific region;
- authorizing the United States to cofinance infrastructure projects that would otherwise be included within China's Belt and Road initiative;
- requiring the President to establish a Special Representative for the Arctic; and
- providing priority refugee status to certain residents of Hong Kong or Xinjiang.

Fwd: Request for IC Views - the STRATEGIC Act and the America LEADS Act

From: "Leon, Bryan P. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process >
To: "Shea, Andrew B. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process >
Cc: "Kim, Michael B. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process >
Date: Wed, 31 Mar 2021 10:49:38 -0400
Attachments: STRATEGIC Act (116th Congress).pdf (549.8 kB); America LEADS Act (116th Congress).pdf (1.28 MB)

Please forward Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Begin forwarded message:

From: Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process@state.gov>
Date: March 31, 2021 at 10:37:51 AM EDT
To: "Leon, Bryan P. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process >, "Kim, Michael B. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process >
Cc: Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process@state.gov>
Subject: FW: Request for IC Views - the STRATEGIC Act and the America LEADS Act

Bryan, Mike,

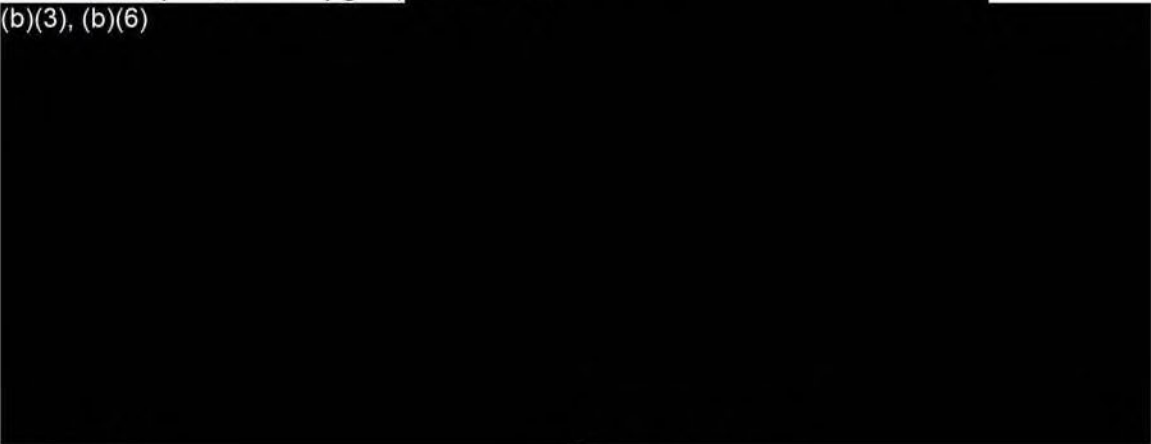
I just got this request Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process I want to make sure we're not missing the initial OMB request in some crazy sorting system of our inboxes.

Thanks,
Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process

From: (b)(3), (b)(6)
Sent: Wednesday, March 31, 2021 9:56 AM
To: Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; (b)(3) - 10 U.S.C. § 424; (b)(6) <(b)(3) - 10 U.S.C. § 424; (b)(6) >; (b)(3) - 10 U.S.C. § 424; (b)(6) <(b)(3) - 10 U.S.C. § 424; (b)(6) >; Kim Knur <Kim.Knur@osd.pentagon.mil>; Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Wadhvani, Anita N CTR OSD OUSD INTEL & SEC (USA) <Wadhvani.AN@osd.pentagon.mil>; Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; WHS Pentagon ESD List <WHS.Pentagon.ESD.List@osd.pentagon.mil>; Wortham, Marvin <Wortham.M@osd.pentagon.mil>; Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mia Anderson <mia.anderson@doe.gov>; Serge.Petish@doe.gov; Thomas Reilly <thomas.reilly@hq.doe.gov>; (b)(6), (b)(7)(C) & (b)(7)(E) <(b)(6), (b)(7)(C) & (b)(7)(E) >; FBI OCA Tasking <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; (b)(6), (b)(7)(C) & (b)(7)(E) <(b)(6), (b)(7)(C) & (b)(7)(E) >

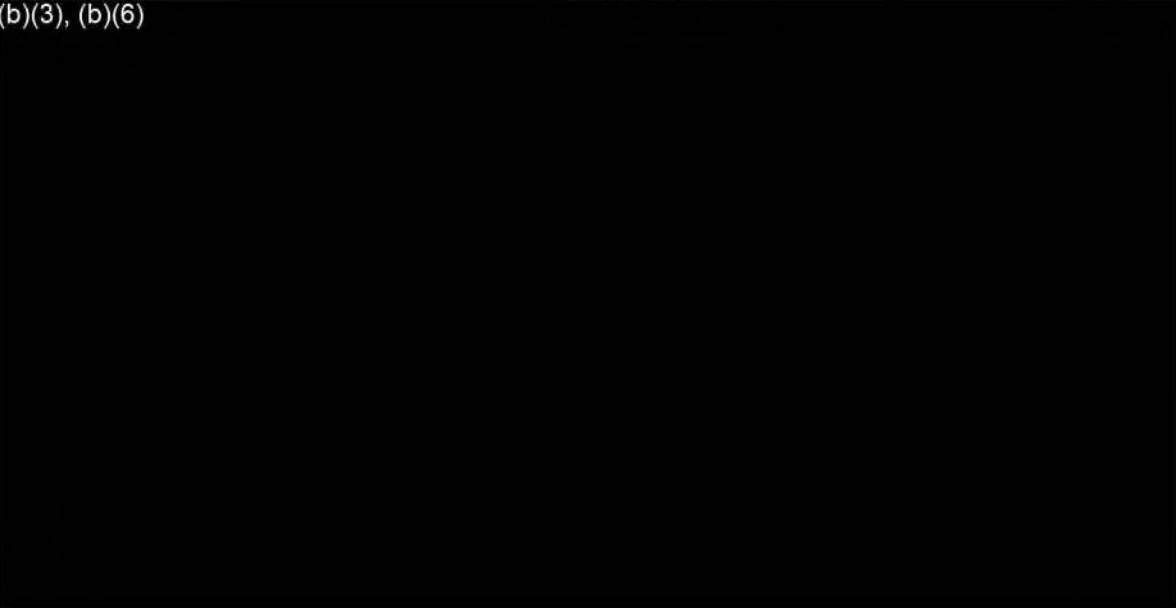
(WF) (FBI) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) & (b)(7)(E)
(b)(6), (b)(7)(C) & (b)(7)(E); (b)(6), (b)(7)(C) & (DO) (FBI) (b)(6), (b)(7)(C) &
(b)(6), (b)(7)(C); (b)(6), (b)(7)(C) (DO) (FBI) (b)(6), (b)(7)(C) & (b)(7)(E)
Ex 6 - (5 U.S.C. Sec); David C. Morzenti (Ex 6 - (5 U.S.C. Sec);
Ex 6 - (5 U.S.C. Sec); Peter Richards (Ex 6 - (5 U.S.C. Sec);
Ex 6 - (5 U.S.C. Sec); Thomas Monheim (Ex 6 - (5 U.S.C. Sec); Tommy Bryan
(Ex 6 - (5 U.S.C. Sec); Alonzo (b)(3) - 10); Dave Westerman
(b)(3) - 10 U.S.C.); Ginger Wright (b)(3) - 10); Joseph Vealencis
(b)(3) - 10); Matthew Webb (b)(3) - 10 U.S.C.); Raychel Bush (b)(3) - 10 U.S.C.);
Scot T. Heckman (Ex 6 - (5 U.S.C. Sec); Tyler Merkel (b)(3) - 10 U.S.C.); (b)(3) - P.L.
(b)(3) - P.L. 86-36 ; DL (Ex 6 - (5 U.S.C.); (b)(3) -
(b)(3) - P.L. 86-36 ; (b)(3) - P.L. 86-36
(b)(3), (b)(6) ; Ex 6 - (5 U.S.C. Sec @state.gov); Ex 6 - (5 U.S.C. Sec
(Ex 6 - (5 @state.gov); State-LRM (Ex 6 - (5 @state.gov); Ex 6 - (5 U.S.C. Sec @treasury.gov;
Frank.Menna@treasury.gov; Heather Trew <Heather.Trew@treasury.gov>; Paul Ahern
<paul.ahern@treasury.gov>; Ex 6 - (5 U.S.C. Sec 552(b)(6)) @treasury.gov; Ex 6 - (5 U.S.C. Sec
Ex 6 - (5 U.S.C. Sec @treasury.gov); (b)(3), (b)(6)

(b)(3), (b)(6)



(b)(3), (b)(6) Catherine Marsh

(b)(3), (b)(6)



(b)(3), (b)(6)

(b)(3), (b)(6)

(b)(3) - 50 USC § 3507

Cc: (b)(3)-50 U.S.C. §

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(b)(3), (b)(6)

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transaction if the President finds that the transaction undermines national security or academic freedom;

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- requiring the use of domestically produced aluminum in certain federal projects;
- requiring the Department of Defense (DOD), the Department of the Treasury, and the Department of Commerce to take actions to encourage the development and production of measurably secure microelectronics and semiconductors;
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- authorizing the United States to cofinance infrastructure projects that would otherwise be included within China's Belt and Road initiative;
- requiring the President to establish a Special Representative for the Arctic; and
- providing priority refugee status to certain residents of Hong Kong or Xinjiang.

Agenda Data

From: "McManus, Michael J. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Dorjets, Vlad EOP/OMB" <Ex 6 - (5 U.S.C. Sec >, "Dickinson, Jamie L. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>, "Mudd, Austin B. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >, "Gardiner, Kyle S. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >, "Hirsch, Quinn N. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >, "Miller, Sofie E. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >
Date: Thu, 01 Apr 2021 09:19:49 -0400
Attachments: 2 Long Term and Active Change_033121.xlsx (134.76 kB); 3 Schedule of Actions_033121.xlsx (775.12 kB); 4 Old Timer RINs_033121.xlsx (101.11 kB)

Hello all,

RISC pulled the data requested in the areas Sharon requested. These, with the data we already pulled, should answer all the questions she had (copied below). Let me know Ex 5 DP- (5

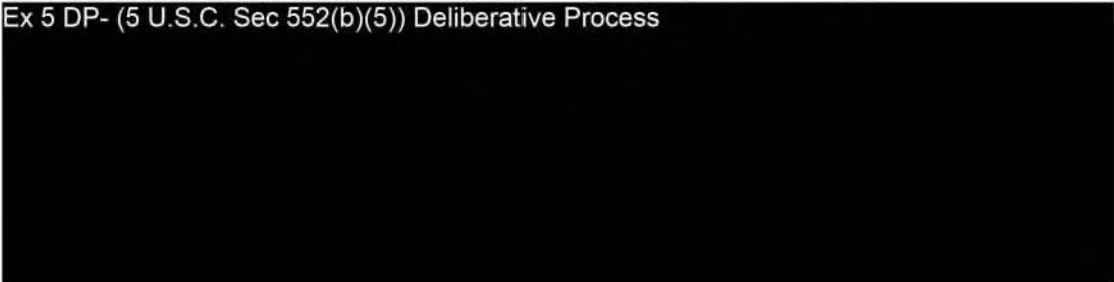
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) However, before I go back to RISC to re-do the data pulls, I wanted to brainstorm with y'all on any other changes that would be helpful.

Sharon's email regarding what information would Ex 5 DP- (5 U.S.C. Sec

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



RE: NRE Agenda Overview Meeting

From: "McManus, Michael J. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Waldow, Joseph D. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Date: Fri, 09 Apr 2021 14:12:13 -0400
Attachments: Long Term and Active Change_040121.xlsx (140.37 kB); Long Hauler RINs_040121.xlsx (104.8 kB); Master List RINs from EAs_040921.xlsx (68.03 kB); Schedule of Actions_040521.xlsx (693.54 kB); Agency Agenda Index - DOC.xlsx (114.92 kB); Agency Agenda Index - USDA.xlsx (69.7 kB); Agency Agenda Index - DOE.xlsx (49.07 kB); Agency Agenda Index - DOI.xlsx (82.56 kB); Agency Agenda Index - EPA.xlsx (108.8 kB)

And this one! Thanks for your help!

-----Original Appointment-----

From: Waldow, Joseph D. EOP/OMB

Sent: Wednesday, April 7, 2021 12:55 PM

To: Waldow, Joseph D. EOP/OMB; Mancini, Dominic J. EOP/OMB; Barron, Alexander R. EOP/OMB; Block, Sharon I. EOP/OMB; Rahman, Sabeel A. EOP/OMB; Kymn, Christine J. EOP/OMB; Dorjets, Vlad EOP/OMB; Thomas, Amanda L. EOP/OMB; Jones, Danielle Y. EOP/OMB; Hodson Marten, Elke L. EOP/OMB; Oreska, Matthew P. EOP/OMB; Miller, Sofie E. EOP/OMB; Mudd, Austin B. EOP/OMB; Sutton-Grier, Ariana E. EOP/OMB; Schwab, Margo EOP/OMB; Kluever, April N. EOP/OMB; Leggett, Carmine S. EOP/OMB; Botkins, Elizabeth R. EOP/OMB; Umansky-Castro, Hannah A. EOP/OMB (Intern); McManus, Michael J. EOP/OMB

Subject: NRE Agenda Overview Meeting

When: Tuesday, April 13, 2021 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Ex 6 - (5 U.S.C. Sec 552(b)(6))



[Join Zoom Meeting](#)

Phone one-tap: US: Ex 6 - (5 U.S.C. Sec 552(b)(6)) or

Ex 6 - (5 U.S.C. Sec 552(b)(6))

Meeting URL: Ex 6 - (5 U.S.C. Sec 552(b)(6))

Meeting ID: Ex 6 - (5 U.S.C. Sec 552(b)(6))

Passcode:

Join by Telephone

For higher quality, dial a number based on your current location.

Dial:

US: Ex 6 - (5 U.S.C. or Ex 6 - (5 U.S.C. or Ex 6 - (5 U.S.C. or Ex 6 - (5 U.S.C. Sec 552(b)(6)) or Sec 552(b)(6)) or Sec 552(b)(6))

Meeting ID: Ex 6 - (5

Passcode: Ex 6 -

[International numbers](#)

Join from an H.323/SIP room system

H.323: Ex 6 - (5 (US West)
Ex 6 - (5 (US East)

Meeting ID: Ex 6 - (5

Passcode: Ex 6 - (5

SIP: Ex 6 - (5 @sip.zoomgov.com

Passcode: Ex 6 - (5

Notes on Portman Call Pre-Meet - Safeguarding American Innovation

From: "McNavage, William EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Nassif, Rob J. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >
Date: Wed, 14 Apr 2021 12:38:17 -0400
Attachments: 20210414_Safeguarding American Innovation_Notes_McNvage.docx (14.34 kB);
Safeguarding American Innovation Act Talking Points - Consolidated.docx (29.79 kB);
Safeguarding American Innovation Act Interagency Comments.pdf (548.34 kB)

Rob –

I attended today's pre-meet on the Portman staff and wanted to share my notes (attached). Ex 5
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5

Let me know if you have any questions before the meeting. Ex 5 DP- (5 U.S.C. Sec 552(b)(5))
Ex 5 DP- (5 U.S.C. Sec 552(b)(5))

Bill


Bill McNavage, Ph.D.
Program Examiner | Defense Investments Branch
Office of Management and Budget
(w) Ex 6 - (5
(m) U.S.C. Sec
(n) Ex 6 - (5 U.S.C. Sec 552(b)(6))
(s) Ex 6 - (5 U.S.C. Sec 552(b)(6))
(t) Ex 6 - (5 U.S.C. Sec

FW: IP's Agenda Meeting "Do-outs"

From: "Hunt, Alex T. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Lindsay M. EOP/OMB Abate (Ex 6 - (5 U.S.C. Sec 552(b)(6)))"
<Ex 6 - (5 U.S.C. Sec >
Date: Thu, 22 Apr 2021 17:35:10 -0400

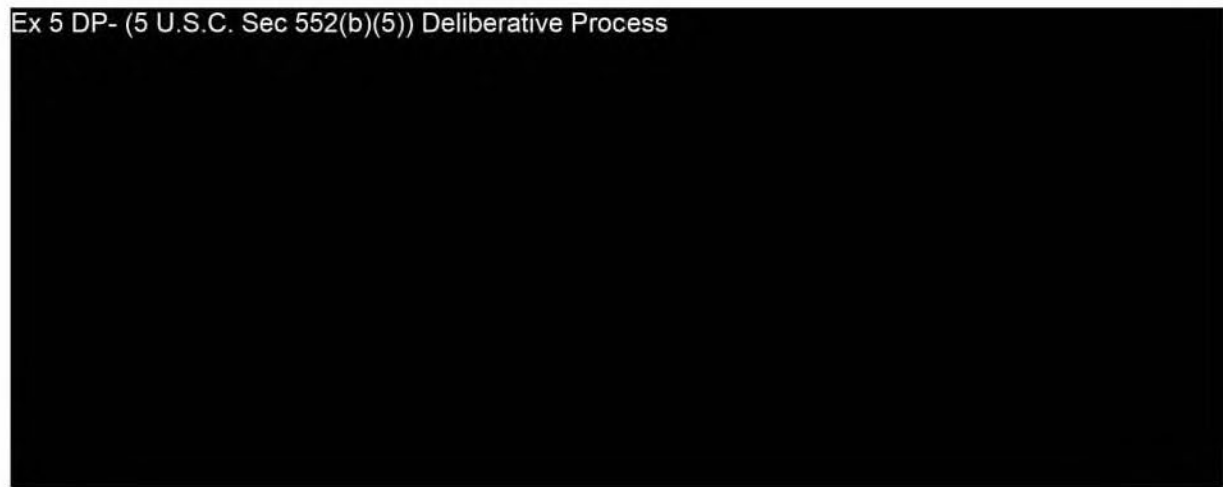
2021

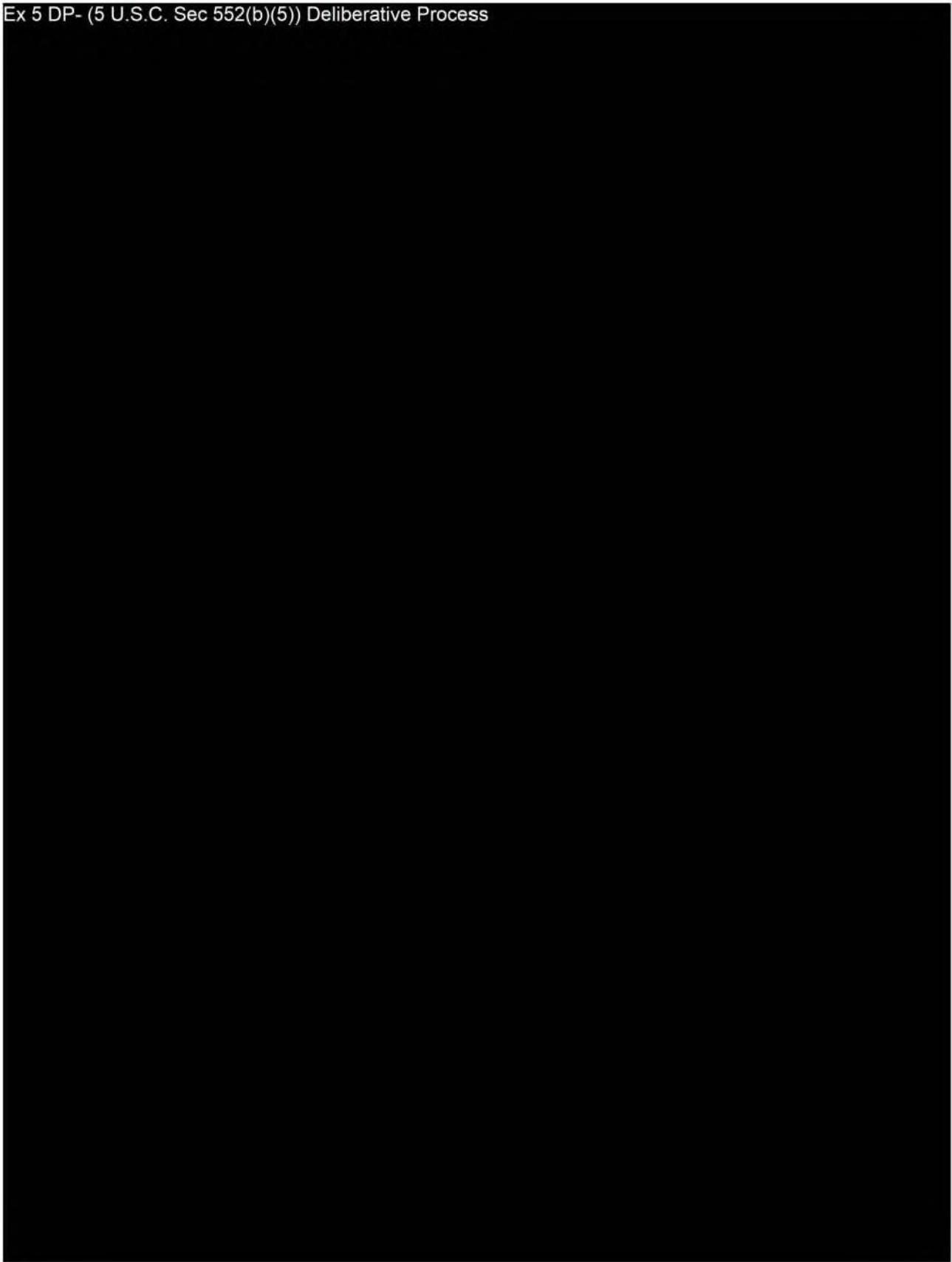
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



2022

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process





Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



From: Barron, Alexander R. EOP/OMB
Sent: Thursday, April 22, 2021 12:41 PM
To: Hunt, Alex T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Block, Sharon I. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: Rahman, Sabeel A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; McManus, Michael J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mancini, Dominic J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Kymn, Christine J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: RE: IP's Agenda Meeting "Do-outs"

Hi Alex – I believe Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- It should Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) That paper can Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5))

(Not listed here but I Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

From: Hunt, Alex T. EOP/OMB
Sent: Thursday, April 22, 2021 12:04 PM
To: Block, Sharon I. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: Rahman, Sabeel A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Barron, Alexander R. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; McManus, Michael J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mancini, Dominic J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Kymn, Christine J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >

<Ex 6 - (5 U.S.C. Sec 552(b)(6))>

Subject: IP's Agenda Meeting "Do-outs"

Hi Sharon – Below is an overview of the do-outs for IP. Thanks.

Treasury

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Education

- As you know, Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP-

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

SBA

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Alex Hunt

Branch Chief | Information Policy

Office of Management and Budget | Office of Information and Regulatory Affairs

Desk: Ex 6 - (5) | Mobile: Ex 6 - (5)

Ex 6 - (5 U.S.C. Sec

FW: [Ques for OFCIO] FW: NSPM-33 Implementation Discussion w/ OSTP

From: "McConnell, Doc P. IV EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Arbuckle, Nickole M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: "Wang, Tim T. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >, "Grimes, Justin M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Date: Fri, 23 Apr 2021 09:15:06 -0400
Attachments: nspm-33.pdf (553.26 kB); NSPM-33 Agency Questionnaire 20210323.docx (85.38 kB); NSTC NSPM-33 Implementation Plan 20210305.docx (54.69 kB)

Nickole – thoughts on this request from Emily Mok and OSTP?

Doc McConnell
Office of the Federal CIO
Office of Management and Budget
Ex 6 - (5

From: Mok, Emily A. EOP/OMB
Sent: Thursday, April 22, 2021 4:34 PM
To: Grimes, Justin M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; McConnell, Doc P. IV EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Wang, Tim T. EOP/OMB <Ex 6 - (5 U.S.C. Sec >
Cc: McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: [Ques for OFCIO] FW: NSPM-33 Implementation Discussion w/ OSTP

Hi Justin, Tim, Doc,

Bill McNavage and I are on OSTP's National Science & Technology Council subcommittee on "Research Security" and are in the process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative The NSPM-33 (itself) is included as the first attachment.

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

We get the impression that Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec

Could you help point us to the right person Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative (If you're aware of any others in OMB who should potentially be included on this discussion –we'd

appreciate your thoughts. Per Bill's message below, we've engaged **Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process**

Thanks
Emily

Emily Mok
OMB Science and Space Branch

From: McNavage, William EOP/OMB <**Ex 6 - (5 U.S.C. Sec 552(b)(6))**>
Sent: Thursday, April 22, 2021 11:13 AM
To: Tran, Hai M. EOP/OMB <**Ex 6 - (5 U.S.C. Sec 552(b)(6))**>; Hubbard, Rhea A. EOP/OMB <**Ex 6 - (5 U.S.C. Sec 552(b)(6))**>; Collin, Victoria W. EOP/OMB <**Ex 6 - (5 U.S.C. Sec 552(b)(6))**>; Moncada, Kirsten J. EOP/OMB <**Ex 6 - (5 U.S.C. Sec 552(b)(6))**>; Hennemuth, Elizabeth I. EOP/OMB <**Ex 6 - (5 U.S.C. Sec 552(b)(6))**>
Cc: Mok, Emily A. EOP/OMB <**Ex 6 - (5 U.S.C. Sec 552(b)(6))**>
Subject: NSPM-33 Implementation Discussion w/ OSTP

Hi All –

Emily Mok and I have continued to participate in the NSTC Subcommittee on Research Security and it has turned its focus to the implementation of NSPM-33 that you all had been a part of clearing last year. That NSPM was signed out just prior to the end of the last Administration and I've attached a copy of the final version to jog everyone's memory.

In talking further with Aaron Miles from OSTP (if you recall, Aaron is chairing the NSTC subcommittee), we think **Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process** I've attached an agency questionnaire that was circulated at the last NSTC Subcommittee so you can have some awareness on the level of responses that are starting to come back from the Agencies and what they may already be doing (or not doing) with regards to NSPM requirements. **Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process**

We'd like to schedule an hour either late next week or early the following week to meet with OSTP if you are amenable. If your calendars are not reflective of your actual availability, can you please let me know over email what time blocks work for you on **29-30 April or 3-4 May?**

Also, if there are others from your organizations that should be included in this discussion, please let Emily and I know and we'll loop them in accordingly. We don't have an OFCIO POC on this message at the moment, we're looking to identify the right staff member and will include them shortly, but if there is anyone that you think is appropriate, please let us know.

Emily, if I omitted anything, please chime in. Otherwise, thanks in advance for your time in getting the NSPM-33 OMB gang back together.

Please let me know if you have any questions.

Regards,
Bill

FW: Safeguarding American Innovation Act Next Steps

From: "Leslie, Kerrie L. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Kluever, April N. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>, "Leggett, Carmine S. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>, "Schwab, Margo EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>, "Martinez, Shelly W. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>, "Sivinski, Robert G. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Cc: "Marokov, Chris V. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>, "Nerino, Anthony . Jr. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Date: Mon, 03 May 2021 18:05:57 -0400
Attachments: Consolidated Interagency Comments Safeguarding American Innovation Act FINAL.docx (159.06 kB)

SSP – See below and attached. I haven't read much of this yet, but Ex 5 DP- (5 U.S.C. Sec [REDACTED])
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]

I'll be taking a look tonight too, but please do share any thoughts you may have with this chain as you take a look.

-Kerrie

From: Greenwald, Elyse F. EOP/OMB
Sent: Monday, May 3, 2021 4:26 PM
To: Hennemuth, Elizabeth I. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hirsch, Quinn N. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Cc: Aguilar, Brenda L. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Moncada, Kirsten J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Mancini, Dominic J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Schwab, Margo EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Leslie, Kerrie L. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Subject: Safeguarding American Innovation Act Next Steps

Hi All –

Attached is a bill, overlaid with interagency comments, that had a limited distribution within OIRA. However, we are Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- [REDACTED]

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]

Please let me know if you have any questions and feel free to forward liberally if you think I'm missing anyone.

Thank you!

Elyse Greenwald

Policy Analyst

OMB | Office of Information and Regulatory Affairs

Tel: Ex 6 - (5)

Interagency Views on S. _____
The Safeguarding American Innovation Act
April 2021

S. _____

To strengthen the security and integrity of the United States
scientific and research enterprise.

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Safeguarding American Innovation Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Federal Research Security Council.
- Sec. 4. Federal grant application fraud.
- Sec. 5. Restricting the acquisition of goods, technologies, and sensitive information to certain aliens.
- Sec. 6. Limitations on educational and cultural exchange programs.
- Sec. 7. Amendments to disclosures of foreign gifts.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **FEDERAL SCIENCE AGENCY.**—The term
4 “Federal science agency” means any Federal depart-
5 ment or agency to which more than \$100,000,000 in
6 research and development funds were appropriated
7 for the previous fiscal year.

8 (2) **RESEARCH AND DEVELOPMENT.**—

9 (A) **IN GENERAL.**—The term “research
10 and development” means all research activities,
11 both basic and applied, and all development ac-
12 tivities.

13 (B) **DEVELOPMENT.**—The term “develop-
14 ment” means experimental development.

15 (C) **EXPERIMENTAL DEVELOPMENT.**—The
16 term “experimental development” means cre-
17 ative and systematic work, drawing upon knowl-
18 edge gained from research and practical experi-
19 ence, which—

20 (i) is directed toward the production
21 of new products or processes or improving
22 existing products or processes; and

23 (ii) like research, will result in gaining
24 additional knowledge.

25 (D) **RESEARCH.**—The term “research”—

3

1 (i) means a systematic study directed
 2 toward fuller scientific knowledge or under-
 3 standing of the subject studied; and

4 (ii) includes activities involving the
 5 training of individuals in research tech-
 6 niques if such activities—

7 (I) utilize the same facilities as
 8 other research and development activi-
 9 ties; and

10 (II) are not included in the in-
 11 struction function.

12 SEC. 3. FEDERAL RESEARCH SECURITY COUNCIL.

13 (a) IN GENERAL.—Subtitle V of title 31, United
 14 States Code, is amended by adding at the end the fol-
 15 lowing:

**16 “CHAPTER 79—FEDERAL RESEARCH
 17 SECURITY COUNCIL**

“Sec.

“7901. Definitions.

“7902. Federal Research Security Council establishment and membership.

“7903. Functions and authorities.

“7904. Strategic plan.

“7905. Annual report.

“7906. Requirements for Executive agencies.

18 “§ 7901. Definitions

19 “In this chapter:

20 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
 21 TEES.—The term ‘appropriate congressional com-
 22 mittees’ means—

1 “(A) the Committee on Homeland Security
2 and Governmental Affairs of the Senate;

3 “(B) the Committee on Commerce,
4 Science, and Transportation of the Senate;

5 “(C) the Select Committee on Intelligence
6 of the Senate;

7 “(D) the Committee on Foreign Relations
8 of the Senate;

9 “(E) the Committee on Armed Services of
10 the Senate;

11 “(F) the Committee on Health, Education,
12 Labor, and Pensions of the Senate;

13 “(G) the Committee on Oversight and Re-
14 form of the House of Representatives;

15 “(H) the Committee on Homeland Security
16 of the House of Representatives;

17 “(I) the Committee on Energy and Com-
18 merce of the House of Representatives;

19 “(J) the Permanent Select Committee on
20 Intelligence of the House of Representatives;

21 “(K) the Committee on Foreign Affairs of
22 the House of Representatives;

23 “(L) the Committee on Armed Services of
24 the House of Representatives; and


1 “(M) the Committee on Education and
2 Labor of the House of Representatives.

3 “(2) COUNCIL.—The term ‘Council’ means the
4 Federal Research Security Council established under
5 section 7902(a).

6 “(3) EXECUTIVE AGENCY.—The term ‘Execu-
7 tive agency’ has the meaning given that term in sec-
8 tion 105 of title 5.

9 “(4) FEDERAL RESEARCH SECURITY RISK.—
10 The term ‘Federal research security risk’ means the
11 risk posed by malign state actors and other persons
12 to the security and integrity of research and develop-
13 ment conducted using grants awarded by Executive
14 agencies.¹

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



6

15 “(5) INSIDER.—The term ‘insider’ means any
16 person with authorized access to any United States
17 Government resource, including personnel, facilities,
18 information, research, equipment, networks, or sys-
19 tems.

20 “(6) INSIDER THREAT.—The term ‘insider
21 threat’ means the threat that an insider will use his
22 or her authorized access (wittingly or unwittingly) to
23 harm the national and economic security of the
24 United States or negatively affect the integrity of a
25 Federal agency’s normal processes, including dam-

1 aging the United States through espionage, sabo-
2 tage, unauthorized disclosure of national security in-
3 formation or non-public information, or through the
4 loss or degradation of departmental resources, capa-
5 bilities, and functions.

6 “(7) RESEARCH AND DEVELOPMENT.—

7 “(A) IN GENERAL.—The term ‘research
8 and development’ means all research activities,
9 both basic and applied, and all development ac-
10 tivities.

11 “(B) DEVELOPMENT.—The term ‘develop-
12 ment’ means experimental development.

13 “(C) EXPERIMENTAL DEVELOPMENT.—
14 The term ‘experimental development’ means
15 creative and systematic work, drawing upon
16 knowledge gained from research and practical
17 experience, which—

18 “(i) is directed toward the production
19 of new products or processes or improving
20 existing products or processes; and

21 “(ii) like research, will result in gain-
22 ing additional knowledge.

23 “(D) RESEARCH.—The term ‘research’—

8

1 “(i) means a systematic study directed
2 toward fuller scientific knowledge or under-
3 standing of the subject studied; and

4 “(ii) includes activities involving the
5 training of individuals in research tech-
6 niques if such activities—

7 “(I) utilize the same facilities as
8 other research and development activi-
9 ties; and

10 “(II) are not included in the in-
11 struction function.

12 “(8) UNITED STATES RESEARCH COMMU-
13 NITY.—The term ‘United States research commu-
14 nity’ means—

15 “(A) research and development centers of
16 Executive agencies;

17 “(B) private research and development
18 centers in the United States, including for-prof-
19 it and nonprofit research institutes;

20 “(C) research and development centers at
21 institutions of higher education (as defined in
22 section 101(a) of the Higher Education Act of
23 1965 (20 U.S.C. 1001(a)));


1 “(D) research and development centers of
2 States, United States territories, Indian tribes,
3 and municipalities;

4 “(E) government-owned, contractor-oper-
5 ated United States Government research and
6 development centers; and

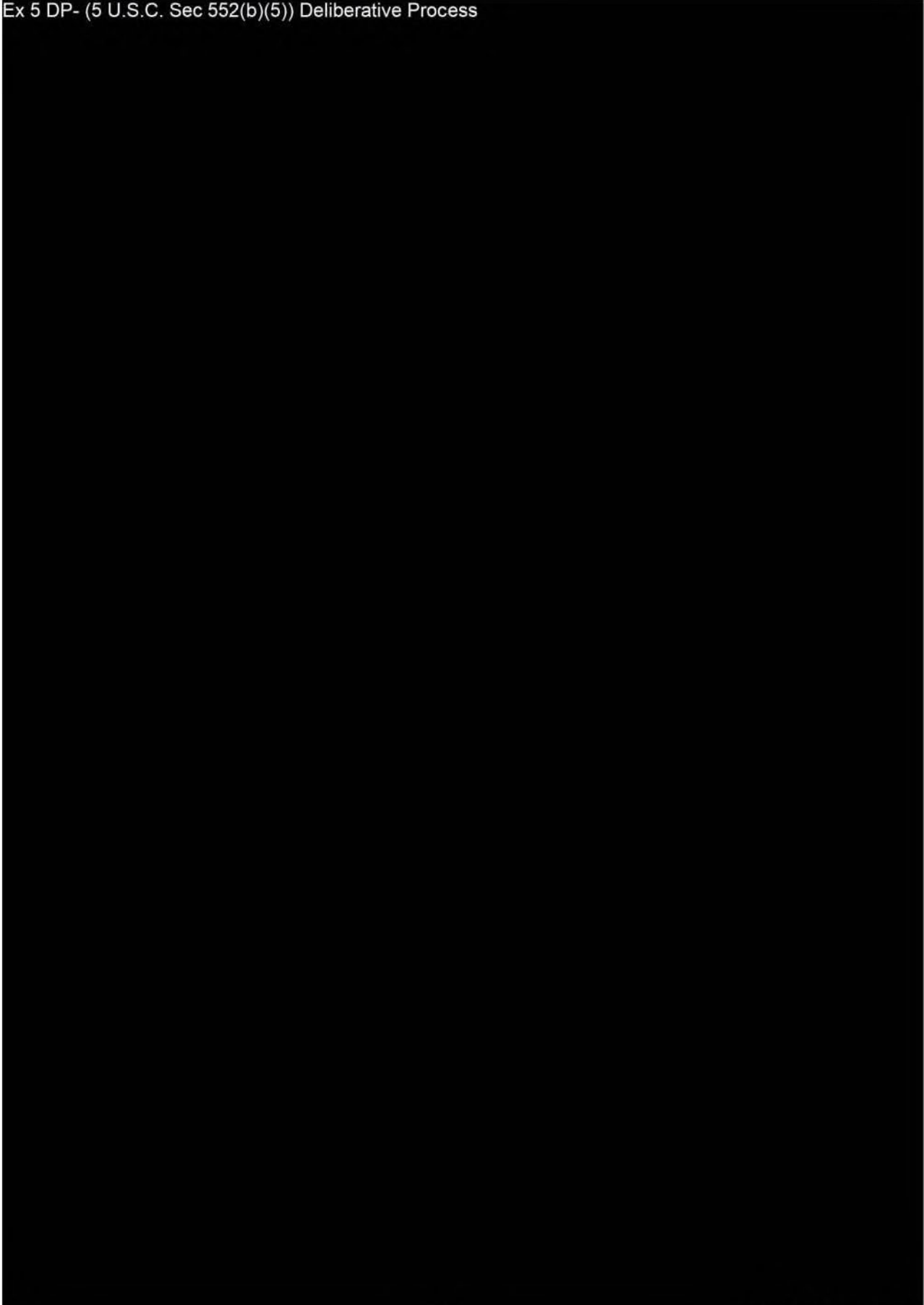
7 “(F) any person (regardless of position or role)
 conducting federally fund-
8 ed research or receiving Federal research grant
9 funding.

10 **“§ 7902. Federal Research Security Council establish-**

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



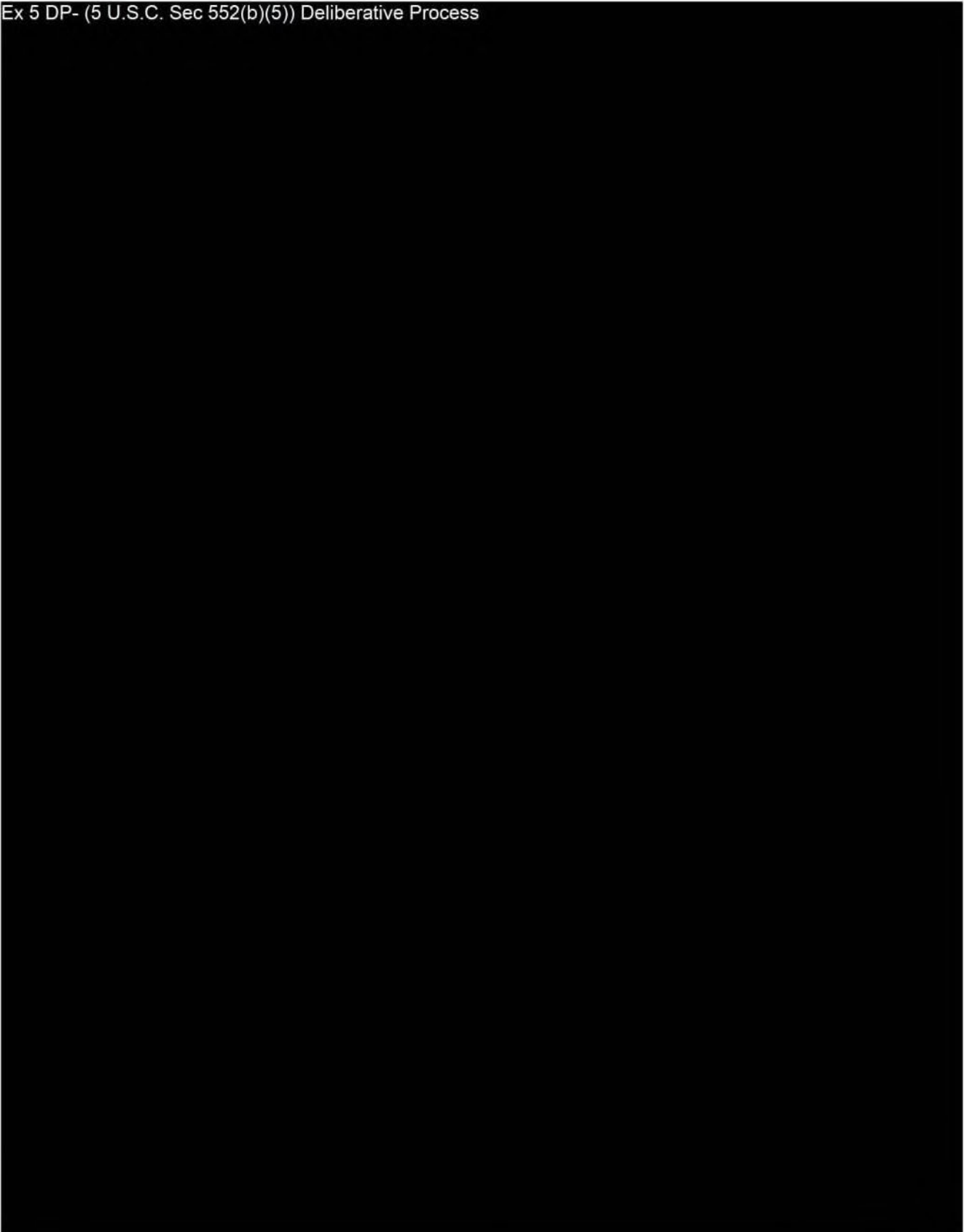
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



14

1 “(D) The Department of Homeland Security.
2

3 “(E) The Office of the Director of National Intelligence, including the National Counterintelligence and Security Center.
4

5 “(F) The Department of Justice, including the Federal Bureau of Investigation.
6

7 “(G) The Department of Energy.
8

9 “(H) The Department of Commerce, including the National Institute of Standards and Technology.
10

11 “(I) The Department of Health and Human Services, including the National Institutes of Health.
12

13 “(J) The Department of State.
14

15 “(K) The Department of Transportation.
16

17 “(L) The National Aeronautics and Space Administration.
18

19 “(M) The National Science Foundation.
20

21 “(N) The Department of Education.
22

23 “(O) The Small Business Administration.
24

25 “(P) The Council of Inspectors General on Integrity and Efficiency.
26

 “(Q) Other Executive agencies, as determined by the Chairperson of the Council.
27

15

1 “(2) LEAD REPRESENTATIVES.—

2 “(A) DESIGNATION.—Not later than 45
3 days after the date of the enactment of this
4 chapter, the head of each agency represented on
5 the Council shall designate a representative of
6 that agency as the lead representative of the
7 agency on the Council.

8 “(B) FUNCTIONS.—The lead representa-
9 tive of an agency designated under subpara-
10 graph (A) shall ensure that appropriate per-
11 sonnel, including leadership and subject matter
12 experts of the agency, are aware of the business
13 of the Council.

14 “(c) CHAIRPERSON.—

15 “(1) DESIGNATION.—Not later than 45 days
16 after the date of the enactment of this chapter, the
17 Director of the Office of Management and Budget
18 shall designate a senior-level official from the Office
19 of Management and Budget to serve as the Chair-
20 person of the Council.

21 “(2) FUNCTIONS.—The Chairperson shall per-
22 form functions that include—

23 “(A) subject to subsection (d), developing
24 a schedule for meetings of the Council;

1 “(B) designating Executive agencies to be
2 represented on the Council under subsection
3 (b)(1)(Q);

4 “(C) in consultation with the lead rep-
5 resentative of each agency represented on the
6 Council, developing a charter for the Council;
7 and

8 “(D) not later than 7 days after comple-
9 tion of the charter, submitting the charter to
10 the appropriate congressional committees.

11 “(3) LEAD SCIENCE ADVISOR.—The Director of
12 the Office of Science and Technology Policy shall be
13 the lead science advisor to the Chairperson for pur-
14 poses of this chapter.

15 “(4) LEAD SECURITY ADVISOR.—The Director
16 of the National Counterintelligence and Security
17 Center shall be the lead security advisor to the
18 Chairperson for purposes of this chapter.


19 “(d) MEETINGS.—The Council shall meet not later
20 than 60 days after the date of the enactment of this chap-
21 ter and not less frequently than quarterly thereafter.

22 **“§ 7903. Functions and authorities**

23 “(a) ³ IN GENERAL.—The Chairperson of the Council

24 shall consider the missions and responsibilities of Council
25 members in determining the lead agencies for Council

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



1 functions. The Council shall perform the following func-
2 tions:

3 “(1) Developing and implementing, across all
4 Executive agencies that award research and develop-
5 ment grants, a uniform application process for
6 grants in accordance with subsection (b). In this section, the
term “implementing” means “working with the relevant federal
agencies, through existing processes and procedures, to enable those
agencies to put in place and enforce the measures described in this
section.” The term “uniform application process” means a process
employed by federal science agencies to maximize the collection of
information regarding applicants and applications as determined by the
Council.

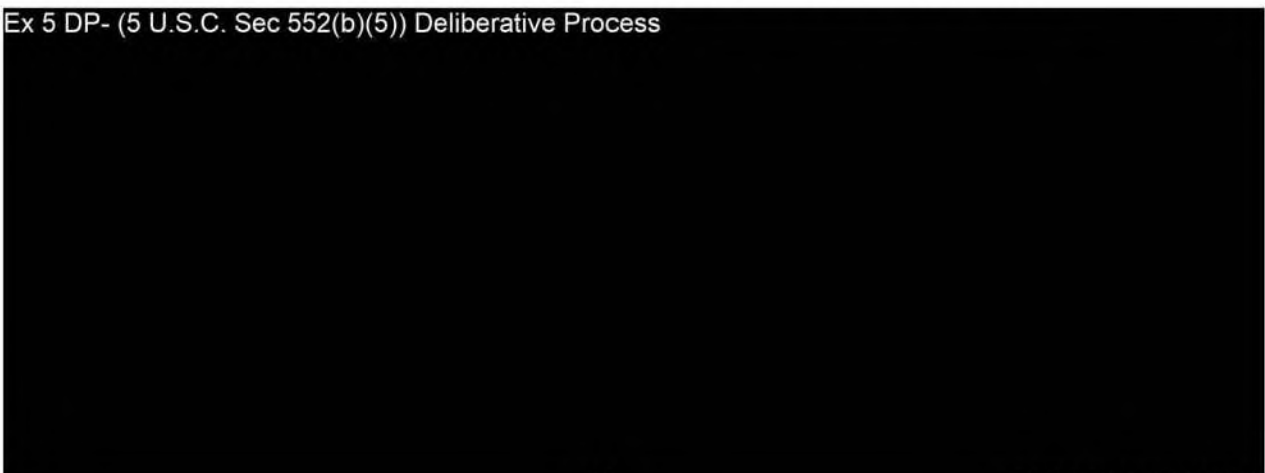
7 “(2) ⁵Developing and implementing a uniform
8 and regular reporting process for identifying persons
9 participating in federally funded research and devel-
10 opment .

11 “(3) Identifying or developing criteria, in ac-
12 cordance with subsection (c), for sharing and receiv-
13 ing information with respect to Federal research se-
14 curity risks in order to mitigate such risks with—

15 “(A) members of the United States re-
16 search community; and

17 “(B) other persons participating in feder-

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



19

18 ally funded research and development.

19 “(4) Identifying an appropriate Executive agen-

20 cy—

21 “(A) to accept and protect information

22 submitted by Executive agencies and non-Fed-

1 eral entities based on the processes established
2 under paragraphs (1) and (2)⁶; and

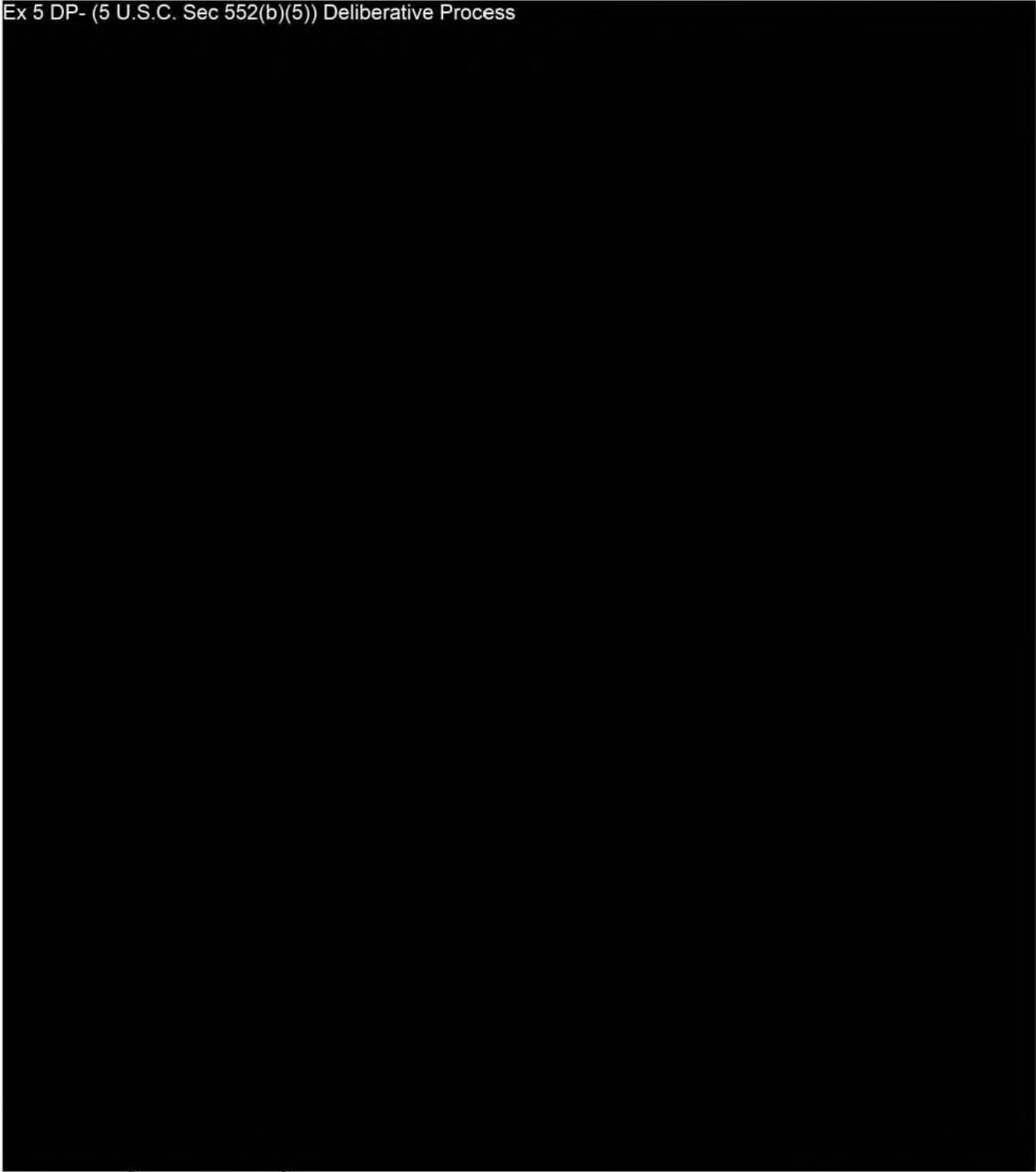
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3 “(B) to facilitate the sharing of informa-
4 tion received under subparagraph (A) to sup-
5 port, as necessary and appropriate—

6 “(i) oversight of federally funded re-

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22

7 search and development;

8 “(ii) criminal and civil investigations
9 of misappropriated Federal funds, re-
10 sources, and information; and

11 “(iii) counterintelligence investiga-
12 tions.

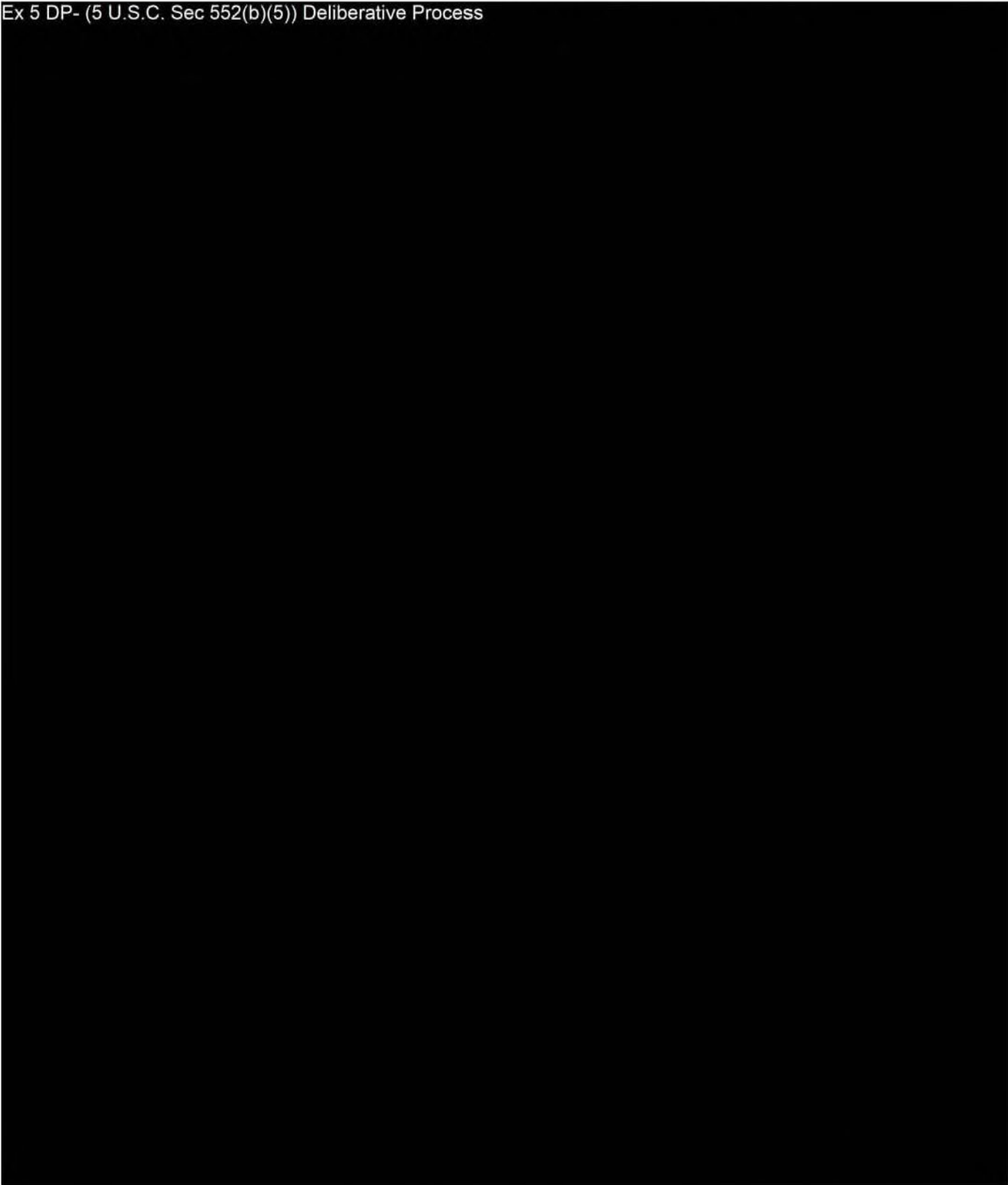
13 “(5) Identifying, as appropriate, Executive
14 agencies to provide—

15 “(A) shared services, such as support for
16 conducting Federal research security risk as-
17 sessments, activities to mitigate such risks, and
18 oversight and investigations with respect to
19 grants awarded by Executive agencies; and

20 “(B) common contract solutions to support
21 enhanced information collection and sharing
22 and the verification of the identities of persons
23 participating in federally funded research and
24 development.

1 “(6) Identifying⁷ and issuing guidance, in ac-
2 cordance with subsection (d) and in coordination
3 with the National Insider Threat⁸ Task Force estab-


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24

4 lished by Executive Order 13587 (50 U.S.C. 3161
5 note) for expanding the scope of Executive agency
insider threat
6 programs for to include the safe-
7 guarding of sensitive information from exploitation,
8 compromise, or other unauthorized disclosure, taking
9 into account risk levels and the distinct needs, mis-
10 sions, and systems of each such agency.

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25

11 “(7) Identifying and issuing guidance for devel-
12 oping compliance and oversight programs for Execu-
13 tive agencies to ensure that research and develop-
14 ment grant recipients accurately report conflicts of
15 interest and conflicts of commitment in accordance
16 with subsection (b)(1). Such programs shall include
17 an assessment of—

26

18 “(A) a grantee’s support from foreign
19 sources and affiliations with foreign funding in-
20 stitutions or laboratories; and

21 “(B) the impact of such support and affili-
22 ations on United States national security and
23 economic interests.

1 “(8) Assessing and making recommendations
2 with respect to whether openly sharing certain types
3 of federally funded research and development has an
4 impact on
5 the economic and national security interests of the
6 United States.

7 “(9) Identifying and issuing guidance to the
8 United States research community, and other recipi-
9 ents of Federal research and development funding,
10 to ensure that such institutions and recipients adopt
11 existing best practices to reduce the risk of mis-
12 appropriation of research data.

13 “(10) Identifying and issuing guidance on addi-
14 tional steps that may be necessary to address Fed-
15 eral research security risks arising in the course of
16 Executive agencies providing shared services and
17 common contract solutions under paragraph (5)(B) to
18 include the creation of insider threat programs to detect,
19 deter, and mitigate insider threats, including the
20 safeguarding of sensitive and classified information from
21 exploitation, compromise, or other unauthorized disclosure.,.

28

17 “(11) Engaging with the United States re-
18 search community in performing the functions de-
19 scribed in paragraphs (1), (2), and (3) and with re-
20 spect to issues relating to Federal research security
21 risks.

22 “(12) Carrying out such other functions, as de-
23 termined by the Council, that are necessary to re-
24 duce Federal research security risks.

1 “(b)⁹ REQUIREMENTS FOR UNIFORM GRANT APPLI-

2 CATION PROCESS.—In developing the uniform application

3 process for Federal research and development grants re-

4 quired under subsection (a)(1), the Council shall—

5 “(1) ensure that the process—

6 “(A) requires principal investigators, co-

7 principal investigators, and senior personnel as-

8 sociated with the proposed Federal research or

9 development grant project—

10 “(i) to disclose biographical informa-


11 tion, all affiliations, including any foreign

12 military, foreign government-related orga-

13 nizations, and foreign-funded institutions,

14 and all current and pending support, in-

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15 cluding from foreign institutions, foreign
16 governments, or foreign laboratories, and
17 all support received from foreign sources;
18 and

19 “(ii) to certify the accuracy of the re-
20 quired disclosures under penalty of per-
21 jury; and

22 “(B) uses a machine-readable application
23 form to assist in identifying fraud and ensuring
24 the eligibility of applicants;

25 “(2) design the process—

1 “(A) to reduce the administrative burden
2 on persons applying for Federal research and
3 development funding; and

4 “(B) to promote information sharing
5 across the United States research community,
6 while safeguarding sensitive information; and

7 “(3) complete the process not later than 1 year
8 after the date of the enactment of the Safeguarding
9 American Innovation Act.

10 “(C) REQUIREMENTS FOR INFORMATION SHARING

11 CRITERIA.—In identifying or developing criteria and pro-
12 cedures for sharing information with respect to Federal
13 research security risks under subsection (a)(3), the Coun-
14 cil shall ensure that such criteria address, at a min-
15 imum—

16 “(1) the information to be shared;

17 “(2) the circumstances under which sharing is
18 mandated or voluntary;

19 “(3) the circumstances under which it is appro-
20 priate for an Executive agency to rely on informa-
21 tion made available through such sharing in exer-
22 cising the responsibilities and authorities of the
23 agency under applicable laws relating to the award
24 of grants;

1 “(4) the procedures for protecting intellectual
2 capital that may be present in such information; and

3 “(5) appropriate privacy protections for persons
4 involved in Federal research and development.

5 “(d) REQUIREMENTS FOR INSIDER THREAT PRO-
6 GRAM GUIDANCE.—In identifying or developing guidance
7 with respect to insider threat programs under subsection
8 (a)(6), the Council shall ensure that such guidance pro-
9 vides for, at a minimum—

10 “(1) such programs—

11 “(A) to deter, detect, and mitigate insider
12 threats; and

13 “(B) to leverage counterintelligence, secu-
14 rity, information assurance, and other relevant
15 functions and resources to identify and counter
16 insider threats; and

17 “(2) the development of an integrated capability
18 to monitor and audit information for the detection
19 and mitigation of insider threats, including
20 through—

21 “(A) monitoring user activity on computer
22 networks controlled by recipients of Federal research
and development funding;

23 “(B) providing employees of these agencies
with awareness training with respect

1 to insider threats and the responsibilities of em-
2 ployees to report such threats;

3 “(C) gathering information for a central-
4 ized analysis, reporting, and response capa-
5 bility; and

6 “(D) information sharing to aid in track-
7 ing the risk individuals may pose while moving
8 across programs and affiliations;

9 “(3) the development and implementation of
10 policies and procedures under which the insider
11 threat program of recipients of Federal research and
development funding accesses,
12 shares, and integrates information and data derived
13 from offices within the entity and shares insider threat
information with the Executive Agency research sponsors;

14 “(4) the designation of senior officials with au-
15 thority to provide management, accountability, and
16 oversight of the insider threat program of the recipients
of Federal research and development funding and to make
resource recommendations
17 to the appropriate officials; and

18 “(5) such additional guidance as is necessary to
19 reflect the distinct needs, missions, and systems of
20 each recipient of Federal research and development funding.

21 “(e) ISSUANCE OF WARNINGS RELATING TO RISKS
22 AND VULNERABILITIES IN INTERNATIONAL SCIENTIFIC
23 COOPERATION.—

1 “(1) IN GENERAL.—The Council, in conjunction
2 with the lead security advisor under section
3 7902(c)(4), shall establish a process for informing
4 members of the United States research community
5 and the public, through the issuance of warnings de-
6 scribed in paragraph (2), of potential risks and
7 vulnerabilities in international scientific cooperation
8 that may undermine the integrity and security of the
9 United States research community or place at risk
10 any federally funded research and development.

11 “(2) CONTENT.—A warning described in this
12 paragraph shall include, to the extent the Council
13 considers appropriate, a description of—

14 “(A) activities by the national government,
15 local governments, research institutions, or uni-
16 versities of a foreign country—

17 “(i) to exploit, interfere, or undermine
18 research and development by the United
19 States research community; or

20 “(ii) to misappropriate scientific
21 knowledge resulting from federally funded
22 research and development;

23 “(B) efforts by strategic competitors to ex-
24 ploit the research enterprise of a foreign coun-
25 try that may place at risk—

35

1 “(i) the science and technology of that
2 foreign country; or

3 “(ii) federally funded research and de-
4 velopment; and

5 “(C) practices within the research enter-
6 prise of a foreign country that do not adhere to
7 the United States scientific values of openness,
8 transparency, reciprocity, integrity, and merit-
9 based competition.

10 “(f) PROGRAM OFFICE AND COMMITTEES.—The
11 interagency working group established under section 1746
12 of the National Defense Authorization Act for Fiscal Year
13 2020 (Public Law 116-92) shall be a working group under
14 the Council performing duties authorized under such sec-
15 tion and as directed by the Council. The Council shall use
16 any findings or work product, existing or forthcoming, by
17 such working group. The Council may also establish a pro-
18 gram office and any committees, working groups, or other
19 constituent bodies the Council deems appropriate, in its
20 sole and unreviewable discretion, to carry out its func-
21 tions.

22 “(g) EXCLUSION ORDERS.—To reduce Federal re-
23 search security risk, the Interagency Suspension and De-
24 barment Committee shall provide quarterly reports to the
25 Council that detail—

1 “(1) the number of ongoing investigations by
2 Council Members related to Federal research secu-
3 rity that may result, or have resulted, in agency pre-
4 notice letters, suspensions, proposed debarments,
5 and debarments;

6 “(2) Federal agencies’ performance and compli-
7 ance with interagency suspensions and debarments;

8 “(3) efforts by the Interagency Suspension and
9 Debarment Committee to mitigate Federal research
10 security risk;

11 “(4) proposals for developing a unified Federal
12 policy on suspensions and debarments; and

13 “(5) other current suspension and debarment
related issues.

(h) Nothing in this section shall be construed to alter or diminish the authority of any federal agency or to alter any procedural requirements or remedies that were in place prior to the date of enactment of this Act.

14

15

16 “§ 7904. Strategic plan

17 “(a) IN GENERAL.—Not later than 270 days after
18 the date of the enactment of this chapter, the Council shall
19 develop a strategic plan for addressing Federal research
20 security risks and for managing such risks, that in-
21 cludes—

22 “(1) the criteria and processes required under
23 section 7903(a), including a threshold and require-
24 ments for sharing relevant information about such

25 risks with all Executive agencies and, as appro-

1 piate, with other Federal entities, foreign govern-
2 ments, and non-Federal entities;

3 “(2) an identification of existing authorities for
4 addressing such risks;

5 “(3) an identification and promulgation of best
6 practices and procedures, and an identification of
7 available resources, for Executive agencies to assess
8 and mitigate such risks;

9 “(4) recommendations for any legislative, regu-
10 latory, or other policy changes to improve efforts to
11 address such risks;

12 “(5) recommendations for any legislative, regu-
13 latory, or other policy changes to incentivize the
14 adoption of best practices for avoiding and miti-
15 gating Federal research security risks by the United
16 States research community and key United States
17 foreign research partners;

18 “(6) an evaluation of the effect of implementing
19 new policies or procedures on existing Federal grant
20 processes, regulations, and disclosures of conflicts of
21 interest and conflicts of commitment;

22 “(7) a plan for engaging with Executive agen-
23 cies, the private sector, and other nongovernmental
24 stakeholders to address such risks and share infor-

1 mation between Executive agencies, the private sec-
2 tor, and nongovernmental stakeholders; and

3 “(8) a plan for identification, assessment, miti-
4 gation, and vetting of Federal research security
5 risks.

6 “(b) SUBMISSION TO CONGRESS.—Not later than 7
7 calendar days after completion of the strategic plan re-
8 quired by subsection (a), the Chairperson of the Council
9 shall submit the plan to the appropriate congressional
10 committees.

11 “§ 7905. Annual report

12 “Not later than November 15 of each year, the Chair-
13 person of the Council shall submit a report to the appro-
14 priate congressional committees that describes—

15 “(1) the activities of the Council during the
16 preceding fiscal year; and

17 “(2) the progress made toward implementing
18 the strategic plan required under section 7904 after
19 such plan has been submitted to Congress.

20 “§ 7906. Requirements for Executive agencies

21 “(a) IN GENERAL.—The head of each Executive
22 agency on the Council shall be responsible for—

23 “(1) assessing Federal research security risks
24 posed by persons participating in federally funded
25 research and development;

1 “(2) avoiding or mitigating such risks, as ap-
2 propriate and consistent with the standards, guide-
3 lines, requirements, and practices identified by the
4 Council under section 7903(a);

5 “(3) prioritizing Federal research security risk
6 assessments conducted under paragraph (1) based
7 on the applicability and relevance of the research
8 and development to the national security and eco-
9 nomic competitiveness of the United States; and

10 “(4) ensuring that all agency initiatives impact-
11 ing Federally funded research grant making policy
12 and management to protect the national and eco-
13 nomic security interests of the United States are in-
14 tegrated with the activities of the Council.

15 “(b) INCLUSIONS.—The responsibility of the head of
16 an Executive agency for assessing Federal research secu-
17 rity risk described in subsection (a) includes—

18 “(1) developing an overall Federal research se-
19 curity risk management strategy and implementation
20 plan and policies and processes to guide and govern
21 Federal research security risk management activities
22 by the Executive agency;

23 “(2) integrating Federal research security risk
24 management practices throughout the lifecycle of the
25 grant programs of the Executive agency;

1 “(3) sharing relevant information with other
2 Executive agencies, as determined appropriate by
3 the Council in a manner consistent with section
4 7903; and

5 “(4) reporting on the effectiveness of the Fed-
6 eral research security risk management strategy of
7 the Executive agency consistent with guidance issued
8 by the Office of Management and Budget and the
9 Council.”.

10 (b) CLERICAL AMENDMENT.—The table of chapters
11 at the beginning of title 31, United States Code, is amend-
12 ed by inserting after the item relating to chapter 77 the
13 following new item:

 “79. Federal Research Security Council.....7901.”.

14 **SEC. 4. FEDERAL GRANT APPLICATION FRAUD.**

15 (a) IN GENERAL.—Chapter 47 of title 18, United
16 States Code, is amended by adding at the end the fol-
17 lowing:

18 **“§ 1041. Federal grant application fraud**

19 “(a) DEFINITIONS.—In this section:

20 “(1) FEDERAL AGENCY.—The term ‘Federal
21 agency’ has the meaning given the term ‘agency’ in
22 section 551 of title 5, United States Code.

23 “(2) FEDERAL GRANT.—The term ‘Federal
24 grant’—

1 “(A) means a grant or cooperative
agreement awarded by a Federal

2 agency;

3 “(B) includes a subgrant awarded by a
4 non-Federal entity to carry out a Federal grant
5 program; and

6 “(C) does not include—

7 “(i) direct United States Government
8 cash assistance to an individual;

9 “(ii) a subsidy;

10 “(iii) a loan;

11 “(iv) a loan guarantee; or

12 “(v) insurance.

13 “(3) FEDERAL GRANT APPLICATION.—The
14 term ‘Federal grant application’ means an applica-
15 tion for a Federal grant.

16 “(4) FOREIGN COMPENSATION.—The term ‘for-
17 eign compensation’ means a title, monetary com-
18 pensation, access to a laboratory or other resource,
19 or other benefit received from—

20 “(A) a foreign government;

21 “(B) a foreign government institution; or

22 “(C) a foreign public enterprise.

23 “(5) FOREIGN GOVERNMENT.—The term ‘for-
24 eign government’ includes a person acting or pur-
25 porting to act on behalf of—

1 “(A) a faction, party, department, agency,
2 bureau, subnational administrative entity, or
3 military of a foreign country; or

4 “(B) a foreign government or a person
5 purporting to act as a foreign government, re-
6 gardless of whether the United States recog-
7 nizes the government.

8 “(6) FOREIGN GOVERNMENT INSTITUTION.—
9 The term ‘foreign government institution’ means a
10 foreign entity owned by, subject to the control of, or
11 subject to regulation by a foreign government.

12 “(7) FOREIGN PUBLIC ENTERPRISE.—The term
13 ‘foreign public enterprise’ means an enterprise over
14 which a foreign government directly or indirectly ex-
15 ercises a dominant influence.

16 “(8) LAW ENFORCEMENT AGENCY.—The term
17 ‘law enforcement agency’—

18 “(A) means a Federal, State, local, or
19 Tribal law enforcement agency; and

20 “(B) includes—

21 “(i) the Office of Inspector General of
22 an establishment (as defined in section 12
23 of the Inspector General Act of 1978 (5
24 U.S.C. App.)) or a designated Federal en-
25 tity (as defined in section 8G(a) of the In-

1 spector General Act of 1978 (5 U.S.C.
2 App.)); and

3 “(ii) the Office of Inspector General,
4 or similar office, of a State or unit of local
5 government.

6 “(9) OUTSIDE COMPENSATION.—The term ‘out-
7 side compensation’ means any compensation, re-
8 source, or support regardless of monetary value
9 made available to the applicant in support of or re-
10 lated to any research endeavor, including, but not
11 limited to, a title, research grant, cooperative agree-
12 ment, contract, institutional award, access to a lab-
13 oratory, or other resource, including, but not limited
14 to, materials, travel compensation, or work incen-
15 tives.

16 “(b) PROHIBITION.—It shall be unlawful for any in-
17 dividual to knowingly—

18 “(1) prepare or submit a Federal grant applica-
19 tion that fails to disclose the receipt of any outside
20 compensation, including foreign compensation, by
21 the individual;

22 “(2) forge, counterfeit, or otherwise falsify a
23 document for the purpose of obtaining a Federal
24 grant; or

1 “(3) prepare, submit, or assist in the prepara-
2 tion or submission of a Federal grant application or
3 document in connection with a Federal grant appli-
4 cation that—

5 “(A) contains a false statement;

6 “(B) contains a material misrepresenta-
7 tion;

8 “(C) has no basis in law or fact; or

9 “(D) fails to disclose a material fact.

10 “(c) EXCEPTION.—Subsection (b) does not apply to
11 an activity—

12 “(1) carried out in connection with a lawfully
13 authorized investigative, protective, or intelligence
14 activity of—

15 “(A) a law enforcement agency; or

16 “(B) a Federal intelligence agency; or

17 “(2) authorized under chapter 224.

18 “(d) PENALTY.—Any individual who violates sub-
19 section (b)—

20 “(1) shall be fined in accordance with this title,
21 imprisoned for not more than 5 years, or both; and

22 “(2) shall be prohibited from receiving a Fed-
23 eral grant during the 5-year period beginning on the
24 date on which a sentence is imposed on the indi-
25 vidual under paragraph (1).”.

47

7 (a) GROUNDS OF INADMISSIBILITY.—Section
8 212(a)(3)(A)(i) of the Immigration and Nationality Act
9 (8 U.S.C. 1182(a)(3)(A)(i)) is amended to read as follows:


10 “(i) any activity—

11 “(I) to violate any law of the
12 United States relating to espionage or
13 sabotage;

14 “(II) to violate or evade any law
15 prohibiting the export from the
16 United States of goods, technologies,
17 or sensitive information; or

18 “(III) to acquire export-con-
19 trolled goods, technologies, or sen-
20 sitive information (notwithstanding
21 any exclusions for items not normally
22 subject to export controls) if the Sec-
23 retary of State has determined that
24 the acquisition of those goods, tech-
25 nologies, or sensitive information by a

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1 category of aliens that includes such
2 alien would be contrary to an
3 articulable national security (including
4 economic security) interest of the
5 United States;”.

6 (b) DETERMINING FACTORS.—

7 (1) IN GENERAL.—In
8 determining whether an alien is included in a cat-
9 egory of aliens that may be inadmissible under sec-
10 tion 212(a)(3)(A)(i)(III) of the Immigration and
11 Nationality Act, as amended by subsection (a), offi-
12 cials of the Department of State shall—

13 (A) seek advice and assistance from offi-
14 cials at the Office of the Director of National
15 Intelligence, the Office of Science and Tech-
16 nology Policy, the Department of Health and
17 Human Services, the Department of Defense,
18 the Department of Homeland Security, the De-
19 partment of Energy, the Department of Com-
20 merce, and other appropriate Federal agencies;

21 (B) consider factors such as the alien’s
22 past or likely employment or cooperation with—

23 (i) foreign military and security re-
24 lated organizations that are adversarial to
25 the United States;

1 (ii) foreign institutions involved in the
2 theft of United States research;

3 (iii) entities involved in export control
4 violations or the theft of intellectual prop-
5 erty; and

6 (iv) a government that seeks to under-
7 mine the integrity and security of the
8 United States research community; and

9 (C) weigh the proportionality of risk for
10 the factors listed in subparagraph (B).

11 (2) MACHINE-READABLE DOCUMENTS.—Not
12 later than 1 year after the date of the enactment of
13 this Act, the Secretary of State shall—

14 (A) use a machine-readable visa applica-
15 tion form; and

16 (B) make available documents submitted in
17 support of a visa application in a machine read-
18 able format to assist in—

19 (i) identifying fraud;

20 (ii) conducting lawful law enforcement
21 activities; and

22 (iii) determining the eligibility of ap-
23 plicants for a visa under the Immigration
24 and Nationality Act (8 U.S.C. 1101 et
25 seq.).

1 (c) REPORTING REQUIREMENT.—Not later than
2 one year after the date of the enactment of this Act, and annu-
3 ally thereafter, the Secretary of State, in coordination with
4 the Director of National Intelligence, the Director of the
5 Office of Science and Technology Policy, the Secretary of
6 Homeland Security, the Secretary of Defense, the Sec-
7 retary of Energy, the Secretary of Commerce, and the
8 heads of other appropriate Federal agencies, shall submit
9 a report to Congress that identifies—

10 (1) the criteria used to describe the category of
11 aliens to which such section 212(a)(3)(A)(i)(III)
12 may apply; and

13 (2) the number of individuals determined to be
14 inadmissible under such section 212(a)(3)(A)(i)(III),
15 including the nationality of each such individual.

16 (d) CLASSIFICATION OF ANNUAL REPORT.—Each
17 annual report required under subsection (c) shall be sub-
18 mitted, to the extent practicable, in an unclassified form,
19 but may be accompanied by a classified appendix detailing
20 the criteria used to describe the category of aliens to which
21 such section 212(a)(3)(A)(i)(III) applies if the Secretary
22 of State determines that such action—

23 (1) is in the national security and economic se-
24 curity interests of the United States; or

1 (2) is necessary to further the purposes of this
2 Act.

3 (e) REPORT.—Not later than 45 days after date of
4 the enactment of this Act, the Secretary of State shall sub-
5 mit a report to the Committee on Homeland Security and
6 Governmental Affairs of the Senate, the Committee on
7 Commerce, Science, and Transportation of the Senate, the
8 Select Committee on Intelligence of the Senate, the Com-
9 mittee on Foreign Relations of the Senate; the Committee
10 on Oversight and Reform of the House of Representatives,
11 the Committee on Homeland Security of the House of
12 Representatives, the Committee on Energy and Commerce
13 of the House of Representatives, the Permanent Select
14 Committee on Intelligence of the House of Representa-
15 tives, and the Committee on Foreign Affairs of the House
16 of Representatives that—

17 (1) describes how supplementary documents
18 provided by a visa applicant in support of a visa ap-
19 plication are stored and shared by the Department
20 of State with authorized Federal agencies;

21 (2) identifies the sections of a visa application
22 that are machine-readable and the sections that are
23 not machine-readable;

24 (3) provides cost estimates, including personnel
25 costs and a cost-benefit analysis for adopting dif-

1 ferent technologies, including optical character rec-
2 ognition, for—

3 (A) making every element of a visa appli-
4 cation, and documents submitted in support of
5 a visa application, machine-readable; and

6 (B) ensuring that such system—

7 (i) protects personally-identifiable in-
8 formation; and

9 (ii) permits the sharing of visa infor-
10 mation with Federal agencies in accord-
11 ance with existing law; and

12 (4) includes an estimated timeline for com-
13 pleting the implementation of subsection (b)(2).

14 **SEC. 6. LIMITATIONS ON EDUCATIONAL AND CULTURAL EX-**
15 **CHANGE PROGRAMS.**

16 Section 102(b)(5) of the Mutual Educational and
17 Cultural Exchange Act of 1961 (22 U.S.C. 2452(b)(5))
18 is amended by striking the semicolon at the end and in-
19 serting the following: “by developing exchange programs
20 for foreign researchers and scientists, while protecting
21 technologies regulated by export control laws important to
22 the national security and economic interests of the United
23 States, including requiring sponsors—

24 “(A) to disclose to the Department of
25 State whether an exchange visitor, as a primary

1 part of his or her exchange program, will have
2 released to them controlled technology or tech-
3 nical data regulated by export control laws at
4 sponsor organizations through research activi-
5 ties, lectures, course work, sponsor employees,
6 officers, agents, third parties at which the spon-
7 sor places the exchange visitor, volunteers, or
8 other individuals or entities associated with a
9 sponsor's administration of the exchange visitor
10 program;

11 “(B) to provide a plan to the Department
12 of State that establishes appropriate program
13 safeguards to prevent the unauthorized release
14 of controlled technology or technical data regu-
15 lated by export control laws at sponsor organi-
16 zations or through their employees, officers,
17 agents, third parties, volunteers, or other indi-
18 viduals or entities associated with a sponsor's
19 administration of the exchange visitor program;
20 and

21 “(C) to demonstrate, to the satisfaction of
22 the Secretary of State, that programs that will
23 release controlled technology or technical data
24 to an exchange visitor at the sponsor organiza-
25 tion through exchange visitor programs have re-

1 ceived appropriate authorization from the De-
2 partment of State, the Department of Com-
3 merce, other cognizant Federal agency before
4 the sponsor releases controlled technology or
5 technical data;”.

6 **SEC. 7. AMENDMENTS TO DISCLOSURES OF FOREIGN**
7 **GIFTS.¹¹**


8 Section 117 of the Higher Education Act of 1965 (20
9 U.S.C. 1011f) is amended—

10 (1) by amending subsection (a) to read as fol-
11 lows:

12 “(a) **DISCLOSURE REPORT.**—

13 “(1) **IN GENERAL.**—An institution shall file a
14 disclosure report with the Secretary of Education not
 later than

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55

15 March 31 occurring after—

16 “(A) the calendar year in which a foreign
17 source gains ownership of, or control over, the
18 institution; or

19 “(B) the calendar year in which the insti-
20 tution receives a gift from, or enters into a con-
21 tract with, a foreign source, the value of which
22 is \$50,000 or more, considered alone or in com-
23 bination with all other gifts from or contracts
24 with that foreign source within a calendar year.

1 “(2) REVISIONS; UPDATES.—The Secretary
2 shall permit institutions to revise and update disclo-
3 sure reports previously filed to ensure accuracy,
4 compliance, and the ability to cure.”;

5 (2) by amending subsection (b) to read as fol-
6 lows:

7 “(b) CONTENTS OF REPORT.—Each report to the
8 Secretary required by this section shall contain the fol-
9 lowing:

10 “(1) For gifts received from or contracts en-
11 tered into with a foreign source other than a foreign
12 government, the aggregate dollar amount of such
13 gifts and contracts attributable to a particular coun-
14 try and the legal or formal name of the foreign
15 source. The country to which a gift is attributable
16 is the country of citizenship, or if unknown, the
17 principal residence for a foreign source who is a nat-
18 ural person, and the country of incorporation, or if
19 unknown, the principal place of business, for a for-
20 eign source which is a legal entity.

21 “(2) For gifts received from or contracts en-
22 tered into with a foreign government, the aggregate
23 amount of such gifts and contracts received from
24 each foreign government.

1 “(3) In the case of an institution which is
2 owned or controlled by a foreign source, the identity
3 of the foreign source, the date on which the foreign
4 source assumed ownership or control, and any
5 changes in program or structure resulting from the
6 change in ownership or control.

7 “(4) An assurance that the institution will
8 maintain true copies of gift and contract agreements
9 subject to the disclosure requirements under this
10 section for at least the duration of the agreement.

11 “(5) An assurance that the institution will
12 produce true copies of gift and contract agreements
13 subject to the disclosure requirements under this
14 section upon request of the Secretary during a com-
15 pliance audit or other institutional investigation.”;

16 (3) by amending subsection (e) to read as fol-
17 lows:

18 “(e) PUBLIC INSPECTION.—Not later than 30 days
19 after receiving a disclosure report under this section, the
20 Secretary shall make such report electronically available
21 to the public for downloading on a searchable database
22 under which institutions can be individually identified and
23 compared.”;

24 (4) in subsection (f), by adding at the end the
25 following:

1 “(3) FINES.—

2 “(A) IN GENERAL.—The Secretary may
3 impose a fine on any institution that repeatedly
4 fails to file a disclosure report for a receipt of
5 a gift from or contract with a foreign source in
6 accordance with subsection (a) in an amount
7 that is not more than 3 times the amount of
8 the gift or contract with the foreign source.

9 “(B) DEFINITION OF REPEATEDLY
10 FAILS.—In this paragraph, the term ‘repeatedly
11 fails’ means that the institution failed to file a
12 disclosure report for a receipt of a gift from or
13 contract with a foreign source in 3 consecutive
14 years.”;

15 (5) by amending subsection (g) to read as fol-
16 lows:

17 “(g) RULEMAKING.—

18 “(1) IN GENERAL.—Not later than 1 year after
19 the date of enactment of the Safeguarding American
20 Innovation Act, the Secretary shall issue regulations
21 to carry out this section using the negotiated rule-
22 making procedure set forth in section 492(b).

23 “(2) ELEMENTS.—Regulations issued pursuant
24 to paragraph (1) shall—

25 “(A) incorporate instructions for—

1 “(i) reporting structured gifts and
2 contracts; and

3 “(ii) reporting contracts that balances
4 the need for transparency, while protecting
5 the proprietary information of institutes of
6 higher education; and

7 “(B) clarify the definition of ‘subunit’, for
8 purposes of subsection (i)(4)(C).”;

9 (6) by redesignating subsection (h) as sub-
10 section (i);

11 (7) by inserting after subsection (g) the fol-
12 lowing:

13 “(h) TREATMENT OF TUITION PAYMENT.—A tuition
14 and related fees and expenses payment to an institution
15 by, or a scholarship from, a foreign source made on behalf
16 of a student enrolled at such institution shall not be con-
17 sidered a gift from or contract with a foreign source under
18 this section.”; and

19 (8) in subsection (i), as redesignated—

20 (A) in paragraph (3), by striking “or prop-
21 erty” and inserting “, property, re-
22 sources, or staff, including any funds provided to the
 institution and used to or designated to pay staff”; and

23 (B) in paragraph (5)(B), by inserting “in-
24 stitutes, instructional programs,” after “cen-
25 ters,”.

[quick feedback] Ed agenda update

From: "Barron, Alexander R. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Block, Sharon I. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >
Cc: "Hunt, Alex T. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >, "Abate, Lindsay M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >
Date: Wed, 12 May 2021 12:55:41 -0400
Attachments: Original ED Agenda Entries (Unreviewed) - EOP 5.10.21 - EOP comments 5.12.21.docx (101.49 kB)

Sharon – I need a quick calibration. EMIL had some conversations with ED about the reg agenda

Ex 5 DP- (5 U.S.C. Sec In a recent note, Mary Cassell indicated Ex 5 DP- (5 U.S.C. Sec
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5))
Deliberative Process

From a process perspective, Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec It's also 1pm on the day Ex 5 DP- (5 U.S.C. Sec

At the same time, Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

It seems like three possible options are:
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5))
Deliberative Process

Adding Lindsay and Alex for their thoughts on these three choices.

Alex Barron (he/him)
Senior Counselor
Office of Information and Regulatory Affairs
Ex 6 - (5 U.S.C. Sec 552(b)(6))

FW: FYSA: Senate Update - Endless Frontier Act

From: "McNavage, William EOP/OMB" <Ex 6 - (5 U.S.C. Sec 6 - (5)>
To: "Nassif, Rob J. EOP/OMB" <Ex 6 - (5 U.S.C. 6 - (5)>
Date: Tue, 18 May 2021 09:25:03 -0400
Attachments: USICA Substitute Amendment Text.pdf (2.18 MB); USICA Summary 5.17.21.pdf (296.16 kB)

Rob –

See attached, I got this from DOD last night. See the attached USICA summary. We've Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Bill

From: Ex 6 - (5 U.S.C. Sec 552(b)(6))
Date: Monday, May 17, 2021 at 6:29 PM
To: OSD Pentagon OUSD R-E List MOD-PD-QUANTUM SCIENCE ALL
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>, OSD Pentagon OUSD R-E List MOD-PD-AI&ML ALL <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>, OSD Pentagon OUSD R-E List MOD-PD-AUTONOMY ALL
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>, OSD Pentagon OUSD R-E List MOD-PD-BIO TECH ALL <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>, OSD Pentagon OUSD R-E List MOD-PD-CYBER ALL
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>, OSD Pentagon OUSD R-E List MOD-PD-DIRECTED ENERGY ALL <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>, OSD Pentagon OUSD R-E List MOD-PD-FNC3 ALL
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>, OSD Pentagon OUSD R-E List MOD-PD-HYPERSONICS ALL <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>, PD ME <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>, OSD Pentagon OUSD R-E List MOD-PD-5G ALL
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>, OSD Pentagon OUSD R-E List MOD-PD-SPACE ALL <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Cc: Ex 6 - (5 U.S.C. Sec 552(b)(6))
Ex 6 - (5 U.S.C. Sec 552(b)(6))
Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Ex 6 - (5 U.S.C. Sec 552(b)(6)) <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Ex 6 - (5 U.S.C. Sec 552(b)(6))

Subject: FW: FYSA: Senate Update - Endless Frontier Act

Hi team,

FYSA: Flagging this massive Senate bill, *The US Innovation and Competition Act*, for your situational awareness. It contains a whole host of provisions from dozens of bills that might be relevant to your portfolios. Attached is legislative text and summary document of the provisions.

I recommend reviewing the bill for possible equities when you have a chance. If during that review

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Best,

Ex 6 -

Ex 6 - (5

Legislative Analyst | SAIC

Office of the Director of Defense Research and Engineering for Modernization (ODDRE(M))

Office of the Under Secretary of Defense for Research and Engineering

Mobile: Ex 6 - (5 U.S.C.

NIPR: Ex 6 - (5 U.S.C. Sec

SIPR: Ex 6 - (5 U.S.C. Sec 552(b)(6))

JWICS: Ex 6 - (5 U.S.C. Sec

From: Ex 6 - (5 U.S.C. Sec 552(b)(6))

Sent: Monday, May 17, 2021 5:57 PM

To: Dwyer, Morgan M SES OSD OUSD R-E (USA) <Ex 6 - (5 U.S.C. Sec Ex 6 - (5 U.S.C. Sec 552(b)(6))

Cc: Ex 6 - (5 U.S.C. Sec 552(b)(6))

Ex 6 - (5 U.S.C. Sec 552(b)(6))

Subject: RE: FYSA: Senate Update - Endless Frontier Act

All,

At 1730, the Senate will vote on the motion to invoke cloture on the motion to proceed to the Endless Frontier Act—the base bill.

Text attached. **Please advise of any major concerns with the language, as written.**

Additionally, SASC PSM Jason Potter has asked to confirm DoD Views on 3209 – still non-concur? Copied, below.

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

From: Ex 6 - (5 U.S.C.

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



V/r,

Ex 6

From: Ex 6 - (5 U.S.C. Sec 552(b)(6))

Sent: Monday, May 17, 2021 4:12 PM

To: Dwyer, Morgan M SES OSD OUSD R-E (USA) <Ex 6 - (5 U.S.C. Sec 552(b)(6))> Ex 6 - (5 U.S.C. Sec 552(b)(6))

Cc: Ex 6 - (5 U.S.C. Sec 552(b)(6))

Subject: FYSA: Senate Update - Endless Frontier Act

Subject line bill summary, attached.

Basically, Endless Frontier Act has become *The US Innovation and Competition Act* including the following as divisions:

Endless Frontier Act

Reported by the Commerce Committee 24-4

[Legislative Text](https://www.commerce.senate.gov/services/files/7BEF842C-7E17-4626-BC54-3C17FA4F28E8) < Caution-><https://www.commerce.senate.gov/services/files/7BEF842C-7E17-4626-BC54-3C17FA4F28E8> > <;

SUMMARY

Strategic Competition Act

Reported by the Foreign Relations Committee 21-1

[Legislative Text](https://www.democrats.senate.gov/dav21a15-divisionc2) < Caution-><https://www.democrats.senate.gov/dav21a15-divisionc2> > <;

[SUMMARY](https://www.democrats.senate.gov/the-strategic-competition-act-of-2021_-one-pager) < Caution->https://www.democrats.senate.gov/the-strategic-competition-act-of-2021_-one-pager > <;

Securing America's Future Act

Multiple bipartisan bills reported favorably out of HSGAC

[Legislative Text](#) < Caution-

><https://www.hsgac.senate.gov/imo/media/doc/HSGACSecuringAmericasFutureEFA.pdf> > <;

[SUMMARY](#) < Caution-

>https://www.hsgac.senate.gov/imo/media/doc/210514_Securing%20America%20Future%20HSGAC%20Title%20One%20Pager.pdf >

Meeting the China Challenge Act of 2021

Sponsored by Chairman Brown and Ranking Member Toomey

[Legislative Text](#) < Caution-><https://www.democrats.senate.gov/05/14/2021/dav21a15-divisione> > <;

[SUMMARY](#) < Caution-

><https://www.democrats.senate.gov/meetingchinachallengefinalshortsummary5142021> > <;

Other Matters (this includes bipartisan matter from HELP and Judiciary)

[Legislative Text](#) < Caution-><https://www.democrats.senate.gov/dav21a15-divisionf2> > <;

Title I – Competitiveness and Security for Education and Medical Research

[SUMMARY](#) < Caution-

>https://www.democrats.senate.gov/imo/media/doc/Competitiveness%20one%20pager_FINAL.pdf > <;

Title II – Merger Filing Fee Modernization Act

[SUMMARY](#) < Caution->https://www.democrats.senate.gov/imo/media/doc/One-Pager%20-%20Merger%20Filing%20Fee%20Modernization%20Act%20-%20S.228_2021.05.13.pdf > <;

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

V/r,

Ex 6

The United States Innovation and Competition Act of 2021

Division-by-division summary

Table of Contents

Division A – {Bipartisan Emergency Appropriations CHIPS and ORAN 5G}..... 2

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Division D – Safeguarding American Innovation Act 6

Division E – Meeting the China Challenge Act of 2021..... 7

Division F – Other Matters 8

Title I – Competitiveness and Security for Education and Medical Research..... 8

Title II – Committee on the Judiciary Provisions 11

Title III – Miscellaneous 12

Division A – {Bipartisan Emergency Appropriations CHIPS and ORAN 5G}

{Sec. 1001. Table of contents.}

{Sec.1002.Creating helpful incentives to produce semiconductors (CHIPS) for America funds.}

{Sec.1003.Appropriations for wireless supply chain innovation.}

Division B – Endless Frontier Act

The Endless Frontier Act, as reported by the Senate Commerce Committee, seeks to maintain and build on U.S. science and technology leadership through investments in research and development and strengthening regional economic development, manufacturing, and supply chains. The legislation would authorize roughly \$120 billion over 5 years for activities at the National Science Foundation (“NSF”), Department of Commerce (“DOC”), the Department of Energy (“DOE”), and the National Aeronautics and Space Administration (“NASA”). The Endless Frontier Act advances priorities including to reduce undue geographic concentration of R&D funding, encourage broader participation of populations underrepresented in STEM, and increase collaboration across federal agencies and with non-governmental partners on innovation.

Notable Provisions:

Technology Directorate (Title I)

The Endless Frontier Act would create a new Directorate of Technology and Innovation at the NSF to support research and technology development in key technology focus areas, such as artificial intelligence and quantum science, in order to strengthen the global leadership of the United States in innovation. Major activities would include funding research and development at collaborative institutes, supporting academic technology transfer and intellectual property protection, establishing technology testbeds, and awarding scholarships and fellowships to build the relevant workforce. The Directorate would be authorized at \$29B over fiscal years 2022 to 2026, including a transfer of \$2.9B to existing NSF divisions to support basic research collaboration.

Existing NSF Divisions (Title II)

The NSF is the gold standard for basic research around the world. The Endless Frontier Act would authorize \$52.0B over fiscal years 2022 to 2026 for existing NSF activities (before the \$2.9B transfer from the Directorate), representing a seven percent increase each year. The legislation would also create a Chief Diversity Officer at NSF and increase STEM education to enhance the domestic STEM workforce. The legislation would also incorporate a series of Commerce Committee member priorities for NSF, including programs for precision agriculture, rural STEM education, quantum information science, skilled technical education, critical minerals, and bioeconomy R&D. It would also develop policies to combat sexual harassment in science and provide flexibilities for researchers with caregiver responsibilities.

Research Security (Title III)

The Endless Frontier Act would take strong steps to secure research from adversaries. It would authorize NSF's research security office, provide NIST cybersecurity assistance for universities, and set up an information sharing and analysis organization to exchange information on research security risks. It would also require policies to prohibit participation in state-sponsored foreign talent programs that unethically or illegally transfer U.S. knowledge to adversaries.

Capacity Building (Title I and II) and Technology Hubs (Title IV)

The Endless Frontier Act would take steps to build capacity across the nation and increase the participation of those underrepresented in STEM, including through support for early-career researchers, emerging research institutions, minority serving institutions, rural institutions, and institutions that participate in the Established Program to Stimulate Competitive Research, to reduce geographic concentration of R&D and education.

It would also create a regional technology hub program at DOC to support regional economic development in innovation. Technology hubs would carry out workforce development activities, business and entrepreneur development activities, technology maturation activities, and infrastructure activities related to the technology development. The technology hubs program would be authorized at \$8B over fiscal years 2022 to 2026.

Manufacturing (Title IV)

The Endless Frontier Act would authorize a quadrupling of the DOC Manufacturing Extension Partnership and create a new track within the program for public benefit activities like workforce development and cybersecurity services. The Manufacturing Extension Partnership would be funded at \$2.4B over fiscal years 2022 to 2026. The substitute would also authorize the Manufacturing USA program, at \$1.2B over fiscal years 2022 to 2026, and add workforce and coordination provisions.

Supply Chain Resiliency (Title V)

The Endless Frontier Act would establish a supply chain resiliency program at the Department of Commerce to work with the private sector, for the purpose of identifying and recommending opportunities to mitigate or address supply chain vulnerabilities in the United States and in allied and partner countries. It would also amend the recently-enacted CHIPS Act to provide \$2 billion in incentives for domestic production of mature semiconductor technologies, such as for the automotive industry.

Space (Title VI)

The Endless Frontier Act incorporates the bipartisan NASA Authorization Act of 2019, which passed the Senate unanimously last Congress, and would authorize NASA's activities, including the agency's exploration, science, aeronautics, STEM education, and technology missions. It also incorporates the bipartisan SPACE Act, which would provide the authorities necessary for DOC to perform certain space situational awareness activities and authorize centers of excellence for space situational awareness. The space title would authorize just over \$10B for these activities between fiscal years 2022 and 2026.

Telecommunications (Title V)

The Endless Frontier Act would authorize \$100M to establish the Telecommunications Workforce Training Grant Program Fund at the National Telecommunications and Information Administration (NTIA). It would also authorize \$35M to NTIA to expand internet access to rural areas and tribal lands through the establishment of internet exchanges facilities and submarine cable landing station grants. The substitute would authorize \$50M to NTIA to create a testbed to develop open network architecture technologies and applications and increase U.S. participation in international standards-setting bodies.

DOE (Title I)

The Endless Frontier Act would authorize \$16.9B in supplemental amounts for DOE over 5 years for research and development in the key technology focus areas. It also would establish robust coordinating mechanisms to ensure that activities authorized in the legislation are not duplicative of other federal agency activities.

Bipartisan Bills Included in the Endless Frontier Act, as reported by the Commerce Committee

1. S. 289, Research Investment to Spark the Economy (RISE) Act (Markey, Tillis, Collins, Peters, Warren, Brown, Stabenow, Coons, Rosen, Van Hollen, Baldwin, Cardin, Kelly) (Section 507)
2. S. 637, Supporting Early-Career Researchers Act (Blumenthal, Merkley, Coons, Brown, Van Hollen, Klobuchar, Hirono) (Section 212)
3. S. 710, Sister City Transparency Act (Blackburn, Hawley, Cramer, Tillis, Rubio, Marshall, Daines)
4. S. 725, Advanced Technological Manufacturing Act (Wicker, Cantwell, Rosen) (Sections 205 and 206)
5. S. 996, Improving Minority Participation and Careers in Telecommunications (IMPACT) Act (Wicker, Sinema, Tim Scott) (Section 509)
6. S. 997, Office of Manufacturing and Industrial Innovation Policy Act (Klobuchar, Wicker, Coons, Portman) (Section 508)
7. S. 1044, National Manufacturing Advisory Council for the 21st Century Act (Peters, Rubio) (Section 404)
8. S. 1106, Shark Fin Sales Elimination Act of 2021 (Booker, Capito, Cantwell, Portman, Blumenthal, Collins, Braun, Duckworth, Schatz, Whitehouse) (Section 518)
9. S. 1161, Quantum Network Infrastructure and Workforce Development Act (Thune, Hassan) (Section 211)
10. S. 1213, National Strategy to Ensure American Leadership (SEAL) Act (Van Hollen, Blunt) (Section 503)
11. S. 1240, Manufacturing USA Expansion Act of 2021 (Brown, Blunt) (Section 402)
12. S. 1257, AI Scholarship for Service Act (Peters, Thune) (Section 208)
13. S. 1374, Rural STEM Education Act (Wicker, Rosen, Cornyn, Hassan) (Section 210)
14. S. 1395, Advancing Precision Agriculture Capabilities Act (Fischer, Klobuchar) (Section 213)

15. S. 1379, Combatting Sexual Harassment in Science (Blumenthal, Smith, Reed, Van Hollen, Klobuchar, Hirono, Shaheen, Sanders, Wyden, Markey, Rosen, Brown, Padilla) (Section 521)
16. S. 1418, Bioeconomy Research and Development Act (Markey, Gillibrand, Rubio, Capito) (Section 217)
17. S. 1563, Telecommunications Supply Chain Diversity Promotion Act (Wicker, Hickenlooper) (Section 520)
18. S. 4827 (116th), Space Preservation And Conjunction Emergency Act (SPACE) Act (Wicker) (Subtitle A of Title VI)
19. S. 2800 (116th), National Aeronautics and Space Administration Act (Cruz, Sinema, Wicker, Cantwell) (Subtitle B of Title VI)
20. S. 3707 (115th), Country of Origin Labeling Online Act (COOL) Online Act (Baldwin, Rick Scott, Murphy, Loeffler)
21. S. 1166 (115th), Internet Exchanges and Submarine Cable Act of 2020 (Blackburn, Baldwin, Duckworth, Blunt)

Division C – Strategic Competition Act of 2021

The *Strategic Competition Act* is a bipartisan effort to enable the United States to effectively confront the challenges posed by the People’s Republic of China (PRC) to our national and economic security. The bill was passed out of SFRC in a nearly unanimous vote (21-1) on April 21, 2021. The bill provides a unified, strategic response that:

Increases U.S. strategic focus on the Indo-Pacific and prioritizes alliances, partnerships, and U.S. global leadership by:

- Advancing an Indo-Pacific strategy centered on strengthening U.S. alliances and partnerships and supporting regional cooperation that solves problems.
- Expanding cooperation with Indo-Pacific allies and partners on technology, defense, and infrastructure, increasing security assistance to allies and partners, and fostering enhanced cooperation in the face of China’s growing military capabilities.
- Promoting U.S. leadership within international organizations and other multilateral fora, including to counter malign PRC and Chinese Communist Party (CCP) influence in those organizations.

Confronts China’s malign political influence and predatory economic practices, and energizes U.S. diplomatic and economic statecraft by:

- Countering PRC and CCP influence campaigns by requiring the Committee on Foreign Investment in the United States to review certain foreign gifts and contracts to universities.

- Countering China’s predatory sovereign lending in the Western Hemisphere by authorizing the U.S. Governor to the Inter-American Development Bank to vote in favor of a 10th general capital increase.
- Addressing China’s intellectual property theft and subsidies, and prioritizing technical assistance to countries working to counter foreign corrupt practices.
- Bolstering U.S. economic statecraft by increasing the Development Finance Corporation’s maximum liability to \$100 billion and investing in supply chain security, infrastructure development, and digital connectivity and cybersecurity partnerships.

Upholds U.S. values by:

- Authorizing a broad range of human rights and civil society measures including sanctions for forced labor, forced abortion and sterilization, and other abuses in Xinjiang, and measures to stand with the people of Hong Kong, Tibet, and China’s civil society.
- Including critical provisions to increase transparency for Congress and the American public related to international agreements and arrangements.

Division D – Safeguarding American Innovation Act

Securing our Networks and Supply Chains

Cyber-attacks remain one of the most significant threats to our national security – and they can have real-world consequences for Americans, as the recent attack on the Colonial Pipeline showed. Whether an attack is coming from adversaries like the Chinese and Russian governments, or criminal organizations, these provisions strengthen the federal government’s roles and resources to better prepare for and respond to significant cyber incidents, including requiring regular National Risk Assessments and the creation of a Cyber Response and Recovery Fund. This section also includes provisions to block the purchase of drones manufactured and sold by companies backed by the Chinese government, and prohibits the social media app TikTok from being downloaded to government devices to better safeguard the privacy and security of Americans.

Recommitting to American Workers and Manufacturers

American taxpayer dollars should be used to buy American-made manufactured products and materials, which supports American workers and advances American competitiveness. These provisions modernize Buy American requirements to address the longstanding practice of using Chinese- or Russian-made steel and other products that undercuts American manufacturers and American workers. They also increase transparency when waivers are granted to Buy American requirements by creating a central publicly available website. This section also includes a provision to address the serious national security risk posed by our overreliance on companies in China and other countries for medical supplies by encouraging greater domestic production of personal protective equipment.

Safeguarding Groundbreaking Research

Adversarial foreign governments, including China, continue to pose a threat to the U.S. research enterprise and have used various means to exploit gaps in research security that allow bad actors

to steal American research, technology and intellectual property. This provision will boost American competitiveness by ensuring the federal government is securing taxpayer-funded research from misappropriation by foreign competitors.

Investing in Responsible Federal Use of Artificial Intelligence

This provision will help lock in America's competitive advantage over the Chinese government in the rapidly evolving field of artificial intelligence by leveraging American values, innovation and entrepreneurialism to advance this technology. The new partnerships created by this provision would allow the federal government to harness commercial breakthroughs to improve efficiency, better serve the American people and strengthen American economic competitiveness and national security.

Providing New Skills and Opportunities for Our Federal Workforce

The United States faces increasingly sophisticated cyber threats from foreign actors such as China and Russia, and we need a federal workforce that possesses the knowledge, skills, and competencies to counter those threats. These provisions would strengthen American competitiveness by investing in the future of the federal workforce – establishing programs to grow federal expertise and interagency coordination on cybersecurity, as well as offering opportunities to reskill federal workers to better meet emerging and mission-critical workforce needs and stay competitive on the global stage.

Division E – Meeting the China Challenge Act of 2021

Executive summary: The Brown-Toomey amendment addresses critical concerns about China in the national security and financial services arena, including pressing for intensified use of existing sanctions authorities against Chinese violators (on human rights, cyber espionage, illicit trade with North Korea, fentanyl production and distribution, and other issues) and providing for broad new mandatory sanctions on Chinese actors engaged in cyberattacks against the U.S., or in the theft of intellectual property from U.S. firms. It underscores the need for effective implementation of new anti-money laundering and corporate transparency laws to combat China's abuses of anonymous shell companies, provides for a review of export controls on items that could be used to support human rights abuses in China, and urges firms to adopt a corporate code of conduct for operating in China. It also mandates new Congressional reporting requirements on a range of issues, including on whether and to what extent Chinese state-owned enterprises engaged in malign behavior have recently received U.S. taxpayer-funded assistance, to inform future policymaking.

Sanctions/Protecting U.S. National Security

Use of Existing Sanctions Authorities: Urges the intensified use of existing mandatory sanctions authorities, including those related to human rights and forced labor, economic espionage, fentanyl production and distribution, illicit trade with North Korea, and other issues.

Sanctions to Combat Cyber Attacks Against the U.S.: Designed to provide new tools to combat Chinese cyberattacks against U.S. targets, requires a review and mandatory imposition of tough sanctions on Chinese actors engaged in cyberattacks against U.S. government or private sector networks, including an asset freeze and visa ban for individuals determined to be involved, and a range of sanctions from a specified menu for entities (and their corporate officers) determined to

be knowingly involved in or facilitating this malign activity.

Sanctions to Combat Intellectual Property Theft: This measure would require imposition of sanctions against persons or entities in China determined by the President to be knowingly involved in or benefitting from significant acts of intellectual property theft from U.S. persons or firms.

Preventing Anonymous Shell Company Abuses by China: Outlines the rationale behind the recently-enacted Anti-Money Laundering Act of 2020, and Corporate Transparency Act of 2020, and urges their effective implementation, including provisions designed to combat abuses of anonymous shell companies by Chinese entities such as China's military.

Strengthening Export Controls: Requires a 180-day review of export controls on items that could be used to facilitate human rights abuses, and a determination on whether further crime control or end use/end user export controls are necessary to mitigate the risks of such abuses. Establishes authority for end use controls related to human rights abuses.

Congressional Reporting Requirements

Includes a range of new reporting requirements designed to shape future policymaking, including on potential violations of antitrust and competition laws in the U.S. by Chinese companies; on Chinese officials involved in human rights abuses; on the presence of Chinese entities in U.S. capital markets; on U.S.-China currency matters; on the development in China of alternative cross-border payment systems and financial messaging services; on the use of dual use technologies by Chinese governmental actors; on exposure of the U.S. to the financial system of China; on the importance of maintaining investment reciprocity with China, and other matters.

Division F – Other Matters

Title I – Competitiveness and Security for Education and Medical Research

Title I of the Division F seeks to provide resources and supports to our nation's K12 schools and institutions of higher education as they work to educate our students and help our nation become more competitive and meet the changing global economy.

Computer Science Education

Expanding access to computer science education in K12 schools can help improve America's long-term competitiveness. According to [\(ISC\)](#), the global cybersecurity professionals' association, in 2020, there were 359,000 cybersecurity positions that were unfilled in the United States. A shortage of cybersecurity experts can have wide ramifications across national security, government, and the private sector, as more employers rely on technology and online tools. According to the [Bureau of Labor Statistics](#), software developers, software quality assurance analysts, and testers are the occupations that are estimated to provide the fourth-highest number of projected new jobs by 2029. Investing in computer science education now will better prepare the United States to meet these long-term needs.

- **Creates a new computer science education program.** This bill authorizes a new competitive grant for states to expand access to computer science education, including,

for marginalized students who have less access to computer science coursework in their schools.

Postsecondary STEM Pathways

Expanding access to postsecondary STEM pathways, such as dual enrollment and early college high school programs, can help boost competitiveness by providing students with both high school and college credit and better preparing students to continue in STEM pathways at the postsecondary level. Increasing access to college level coursework in high school has been shown to increase college enrollment and retention. Expand access to these pathways to diverse students will help ensure that more students are successful in postsecondary education and better prepared for STEM careers.

- **Expands access to Postsecondary STEM Pathways.** This bill authorizes a new competitive grant program for states to expand postsecondary STEM pathways, such as dual enrollment and early college high school programs. These pathways will increase the number of students exposed to high-quality STEM coursework, provide students the opportunity to earn postsecondary credentials, reduce college costs, and improve postsecondary credit transfers.

Confucius Institutes

Some colleges and universities have maintained partnerships with Confucius Institutes, which are programs that are intended to be jointly controlled by the institution and the Chinese government. Confucius Institutes have at times raised bipartisan concerns about academic freedom and expression. A [variety of restrictions](#) have been adopted on Confucius Institutes in recent years, and the number of Confucius Institutes has dropped to less than 50 nationwide, down from a peak of 110 as reported in a [February 2019 report](#) by the Permanent Subcommittee on Investigations.

- **Create new transparency requirements and protections related to Confucius Institutes.** This bill would require the U.S. Department of Education, in collaboration with the National Academies of Science, Engineering, and Medicine, to review Confucius Institute to ensure they protect academic freedom, or for institutions to post their agreements with Confucius Institutes publicly. Institutions that fail to comply would lose access to federal grants provided under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), except for Federal student aid under title IV of the HEA.

International Education

International education programs educate and equip students in higher education with the skills needed to engage with diverse cultures at home and around the globe. Programs authorized under Title VI of the Higher Education Act build a strong foundation for students in international education, research, and world language studies. The bill continues our nation's investment in language, cultural, and regional expertise so that we can compete economically and maintain robust defense, intelligence, and diplomatic communities.

- **Reauthorize the International Education Programs under Title VI of the Higher Education Act.** Increase and expand existing foreign language and area studies programs

across the country; build international education capacity at minority-serving institutions; and promote opportunities for students and professionals to increase their knowledge of world regions, international business, and over 200 foreign languages at all levels of higher education. This is achieved through language of the bipartisan *Advancing International and Foreign Language Education Act*.

Truman and Madison Foundations

The Harry S. Truman Memorial Scholarship and James Madison Memorial Fellowship are federally-chartered foundations in honor of two of our Nation's former presidents, which work to create careers in public service that defend and advance democracy, U.S. interests, and civil and human rights at home and around the world. However, the trusts that sustain these two foundations have been declining due to the historically low interest rates on U.S. Treasury securities.

- **Sustains the Truman and Madison Foundations.** By expanding the foundations' investment authorities to other types of securities, federal funds that are invested can yield a greater return for taxpayers and, in turn, better enable the Truman and Madison Foundations to support public service and international competitiveness.

Reporting of Foreign Gifts and Contracts

Institutions of higher education operate in an interconnected global environment and regularly exchange information with international companies, researchers, and partner institutions of higher education located around the world. These interactions generally promote U.S. interests and the academic model abroad, and enhance the competitiveness of domestic institutions. However, institutions of higher education are also exposed to malign influence through foreign state and non-state actors who desire to affect institutional decision-making and curriculum, disrupt the integrity of research and development activities, and steal intellectual property. Foreign sources often provide gifts and contracts to achieve such goals. To guard against inappropriate foreign influence, the bill enhances and clarifies existing policies in Section 117 of the Higher Education Act requiring institutions to report foreign gifts and contracts and creates new requirements related to risks to individual faculty and staff involved in research and development activities.

- Comprehensively updates requirements of institutional reporting of foreign gifts and contracts. The bill amends Section 117 of the Higher Education Act of 1965 to capture additional foreign gifts and contracts received by institutions of higher education totaling more than \$50,000 in any given year. Previous efforts to promote compliance were largely limited to investigations of individual institutions, and institutions faced significant confusion and frequent underreporting. Under the bill, both institutions of higher education and the U.S. Department of Education will see new requirements designed to promote compliance and provide clarity and consistency to institutions on appropriate reporting.
- Creates new transparency for foreign gifts and contracts received by individual faculty and staff involved in research and development. Institutions of higher education that have more than \$5 million in research and development expenditures in any given year will be

required to maintain a policy requiring certain faculty and staff to report any foreign gifts and contracts they received to their institution; to maintain a database of such reporting; and to have a plan to effectively identify and manage potential information gathering by foreign sources through espionage targeting faculty and staff.

Title II – Committee on the Judiciary Provisions

The Senate Judiciary Committee reported the Merger Filing Fee Modernization Act of 2021 by voice vote.

The Problems

Filing Fees are Unfair: Premerger filing fees paid by merging companies to the federal antitrust agencies, have not changed since 2001 despite the steady march of inflation and the growth of the economy. In addition, the current fee structure places too heavy a burden on smaller deals and too small a fee on larger deals. The fee for a \$900 million deal should not be the same as the fee for a \$60 billion deal.

Lack of Resources: Merger filing continue to increase. Amid rising concerns about anticompetitive mergers, the business activities of dominant firms, and the privacy and security of personal data, the public has increasingly called on the Federal Trade Commission and Department of Justice’s Antitrust Division to investigate and take action to protect competition and consumers. But both agencies have been underfunded for years.

Practical Solutions

Fair Filing Fees: The Merger Filing Fee Modernization Act would update merger filing fees for the first time since 2001, lower the burden on small and medium-sized transactions, ensure larger deals pay their fair share, and raise revenue so that taxpayers do not have to foot the bill for necessary agency enforcement.

Deal Size	Old Fee	New Fee
Less than \$161.5 million	\$45,000	\$30,000
\$161.5 - \$500 million	\$125,000	\$100,000
\$500 - \$1 billion	\$125,000 - \$280,000	\$250,000
\$1 - \$2 billion	\$280,000	\$400,000
\$2 - \$5 billion	\$280,000	\$800,000
\$5 billion +	\$280,000	\$2,250,000

To ensure this legislation is not just a one-time fix, these filing fees will be linked to increases in the Consumer Price Index. Based on fiscal year 2019 merger filings, additional revenues resulting from the fee revision are estimated at approximately \$135 million.

FY 2022 Appropriations: The bill would authorize increases in appropriations to the antitrust agencies, which would raise the Antitrust Division’s budget to \$252 million and the FTC’s to \$418 million. These increases would be offset by the adjusted fee structure, providing much needed additional funding to the antitrust agencies and ensuring they can better fulfill their missions to protect competition and consumers, without impacting the federal budget.

Title III – Miscellaneous

The bill would require the Secretary of Commerce to work with partners at all relevant government agencies to conduct a comprehensive study into the underlying factors driving the current “startup slump.” Economists have identified several factors that may explain the reasons for the slowdown in entrepreneurship, including demographic changes caused by an aging workforce, increased industry concentration, increased risk-aversion following the last recession, difficulties related to access to capital (particularly difficulties encountered by underserved populations, minorities, and women), the concentration of venture capital in only a few cities, record levels of student loan debt, and difficulties faced by entrepreneurs in making use of federally funded research and innovation.

In conducting the study, the Secretary will be required to consult with leaders and utilize key data sets housed at the Census Department, Bureau of Economic Analysis, Bureau of Labor Statistics, Treasury Department, Federal Reserve, and Small Business Administration—in addition to consulting with entrepreneurs and representatives from consumer, community, and entrepreneurship advocacy organizations. The Secretary will be required to consider each of the potential factors identified above and will be required to make distinctions between industries, which economists believe may be affected by disparate factors.

FW: ACE Letter on EFA and Department of Education concerns

From: "Ward, Benjamin A. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
To: "Vaeth, Matt J. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >
Date: Mon, 24 May 2021 15:29:06 -0400
Attachments: Substitute - DAV21A44.pdf (2.22 MB); ED TA - Burr offer 4.14.21_ED edits.docx (50.12 kB)

Does this ED TA look ok to you?

From: Jurinka, Elizabeth M. EOP/WHO
Sent: Monday, May 24, 2021 3:27 PM
To: Ward, Benjamin A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: FW: ACE Letter on EFA and Department of Education concerns

Fya – I don't think you are on this chain, and happy to add you. I'm not aware of anything going up from Dept of Ed...

From: Clark, Ashley N. EOP/WHO
Sent: Saturday, May 22, 2021 4:10 PM
To: Buetow, Zephrahanie N. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Gamble, Joelle C. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Reynolds, Elisabeth B. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ibrahim, Aya R. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Koizumi, Kei EOP/OSTP <Ex 6 - (5 U.S.C. Sec >; Jones, Narda M. EOP/OSTP <Ex 6 - (5 U.S.C. Sec >; Valle, Katherine EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Helper, Susan R. EOP/CEA <Ex 6 - (5 U.S.C. Sec >; Flegal, Jane A. EOP/CEQ <Ex 6 - (5 U.S.C. Sec >; Molt-West, Alicia H. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Jurinka, Elizabeth M. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Metzler, Chad EOP/WHO <Ex 6 - (5 U.S.C. Sec >
Cc: Fazili, Sameera EOP/WHO <Ex 6 - (5 U.S.C. Sec >
Subject: RE: ACE Letter on EFA and Department of Education concerns

Hi everyone,

Following up with additional information from ED <Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) >
<Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process >

Please let Kathy and I know if there are <Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process >
<Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process >

From: Buetow, Zephrahanie N. EOP/WHO
Sent: Friday, May 21, 2021 9:50 PM
To: Clark, Ashley N. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Gamble, Joelle C. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Reynolds, Elisabeth B. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ibrahim, Aya R. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Koizumi, Kei EOP/OSTP <Ex 6 - (5 U.S.C. Sec >; Jones, Narda M. EOP/OSTP

<Ex 6 - (5 U.S.C. Sec [REDACTED])>; Valle, Katherine EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>;
Helper, Susan R. EOP/CEA <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Flegal, Jane A. EOP/CEQ
<Ex 6 - (5 U.S.C. Sec [REDACTED])>; Molt-West, Alicia H. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>;
Jurinka, Elizabeth M. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Metzler, Chad EOP/WHO
<Ex 6 - (5 U.S.C. Sec [REDACTED])>
Cc: Fazili, Sameera EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Subject: RE: ACE Letter on EFA and Department of Education concerns


+Liz, Alicia and Chad

From: Clark, Ashley N. EOP/WHO
Sent: Friday, May 21, 2021 6:45 PM
To: Gamble, Joelle C. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Reynolds, Elisabeth B. EOP/WHO
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ibrahim, Aya R. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>;
Koizumi, Kei EOP/OSTP <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Jones, Narda M. EOP/OSTP
<Ex 6 - (5 U.S.C. Sec [REDACTED])>; Valle, Katherine EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>;
Helper, Susan R. EOP/CEA <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Flegal, Jane A. EOP/CEQ
<Ex 6 - (5 U.S.C. Sec [REDACTED])>
Cc: Fazili, Sameera EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Buetow, Zephranie N. EOP/WHO
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Subject: ACE Letter on EFA and Department of Education concerns

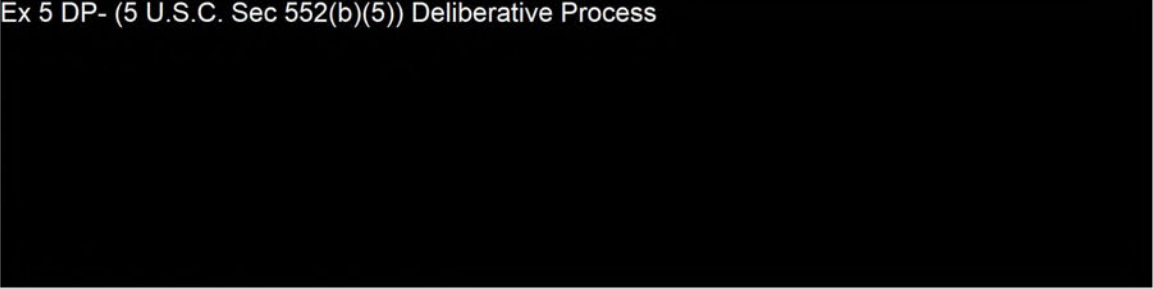
Hi everyone,

Following up on the call earlier, [here is ACE's letter](#) <Ex 5 DP- (5 U.S.C. Sec 552(b)(5))>
<Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative [REDACTED]>

We've connected with ED, <Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]>
<Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]>
<Ex 5 DP- (5 U.S.C. Sec [REDACTED])>
<Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]>



Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



Let me know if you have any questions.

-Ashley

1 *The following technical drafting assistance is being provided as a service to Congress, and*
2 *does not necessarily represent the views of the Administration or the Department of*
3 *Education.*

4
5 **SEC. ____ . DISCLOSURES OF FOREIGN GIFTS.**

6 Section 117 (20 U.S.C. 1011f) is amended to read as follows:

7 **“SEC. 117. DISCLOSURES OF FOREIGN GIFTS.**

8 **“(a) Disclosure Report.—An Reports.—**

9 **“(1) GIFTS AND CONTRACT DISCLOSURES.—An** institution shall file a disclosure report
10 **described in subsection (b)** with the Secretary and the Secretary of the Treasury (in the
11 capacity of the Secretary as the chairperson of the Committee on Foreign Investment in the
12 United States under section 721(k)(3) of the Defense Production Act of 1950 (50 U.S.C.
13 4565(k)(3))) not later than 90 days following any occurring after—

14 **“(1) the calendar year in which a foreign source gains ownership of, or control over, the**
15 **institution;**

16 **“(2) the** date in which the institution or an employee (or the family member of an
17 employee) of an institution receives a gift from, or enters into a **contact contract,**
18 **affiliation, agreement or similar transaction** with a foreign source, the value of **which**
19 **which—**

20 **“(A) is \$250 or more, considered alone or in combination with all other gifts from,**
21 **or contracts with, that foreign source within the calendar year;**

22 **“(3) the institution receives a gift from, or enters into a contact with, a foreign**
23 **source, the value of which “(B) totals \$415 or more, considered alone or in combination**
24 **with all other gifts from, or contracts with, that foreign source over the previous 3**
25 **years; calendar years; or**

26 **“(C) is an official affiliation, agreement or similar transaction of an undetermined**
27 **monetary value based on the use or exchange of an institution’s or an employee’s**
28 **name, likeness, time, services, or resources. “(2) FOREIGN SOURCE OWNERSHIP OR**
29 **CONTROL DISCLOSURES.—In the case of an institution that is owned or controlled by a**
30 **foreign source, the institution shall file a disclosure report described in subsection (b)**
31 **with the Secretary** and the Secretary of the Treasury (in the capacity of the Secretary as the
32 chairperson of the Committee on Foreign Investment in the United States under section
33 721(k)(3) of the Defense Production Act of 1950 (50 U.S.C. 4565(k)(3))) **not later than**
34 **March 31 of every year.**

35 **“(b) Contents of Report.—Each report to the Secretary required by this section subsection (a)**
36 **shall contain the following:**

37 **“(1) For gifts received from or contracts entered into with a foreign source other than a**
38 **foreign government, the aggregate dollar amount of such gifts and contracts attributable to a**
39 **particular country and the legal or formal name of the foreign source. The country to which**

Commented [A1]: The Department is not currently a member of CFIUS though it has supported CFIUS in several cases involving transactions affecting the Department’s educational equities.

Commented [PA2]: ED is assessing the extent to which more frequent reporting would impose burdens on IHEs and the Department. As to whether ED could handle a 90-day reporting requirement, ED is concerned about, and will continue to assess, the implications of the increased frequency of submissions, compilation, aggregation, and publishing; such changes could demand additional staff time and compete with other priorities for limited personnel.

Commented [PA3]: ED is concerned that requiring individuals to report to the IHE if their family member (or they) receive a gift would distort the usefulness of the data generated by section 117. Attributing the foreign financial involvement of the family members of an employee to an IHE – with whom the individuals likely do not have any relationship – would misinform the public as to the actual financial relationship between an IHE and foreign source. There would likely be a significant burden to including this data in reporting – it is well outside of anything currently reported.

Commented [PA4]: The average value per transaction (contract) in Calendar Year 2020 was \$783,816.71. The total amount reported (contracts) was \$3.9 billion IHEs reported 2,707 gifts that had a receipt date occurring within the 2020 calendar year, and 4,975 contracts with a start date occurring within the 2020 calendar year

The lowering of the reporting threshold represents a significant change from past requirements. Is there a reason for such a low threshold? Are there proven concerns that gifts of \$250 can result in undue influence over an institution? ED’s experience does not indicate that’s the case and seems very unlikely.

[APG]

[AD]
3:05 PM

1 a gift is attributable is the country of citizenship, or if unknown, the principal residence for a
2 foreign source who is a natural person, and the country of incorporation, or if unknown, the
3 principal place of business, for a foreign source which is a legal entity. In the case of an
4 anonymous gift received from a foreign source who is a natural person, the institution shall
5 be required to report only the country of citizenship and not the formal name and principal
6 residence of the foreign source. (A) In the case of an institution required to file a report
7 under subsection (a)(1)—

8 “(2) For “(i) for gifts received from or contracts, agreements, affiliations, or similar
9 transactions entered into with a foreign government, the aggregate amount of such gifts
10 and contracts received from each foreign government; and.

11 “(3) “(ii) for gifts received from or contracts entered into with a foreign source
12 other than a foreign government, the aggregate dollar amount of such gifts and
13 contracts attributable to a particular country and the legal or formal name of the
14 foreign source.

15 “(B) For purposes of this paragraph, the country to which a gift is attributable is—

16 “(i) the country of citizenship, or if unknown, the principal residence, for a
17 foreign source who is a natural person; or

18 “(ii) the country of incorporation, or if unknown, the principal place of
19 business, for a foreign source which is a legal entity.

20 “(2) In the case of an institution which is owned or controlled by a foreign source,
21 required to file a report under subsection (a)(2)—

22 “(A) the information described in paragraph (1)(A) (without regard to any gift
23 or contract threshold described in subsection (a)(1));

24 “(B) the identity of the foreign source; that owns or controls the institution;

25 “(C) the date on which the foreign source assumed ownership or control; and

26 “(D) any changes in program or structure resulting from the change in ownership or
27 control.

28 “(4) “(3) An assurance that the institution will maintain a true copies copy of each gift
29 and or contract agreements agreement subject to the disclosure requirements under this
30 section for at least the duration of the agreement, until the latest of—

31 “(5) “(A) the date that is 4 years after the date of the agreement;

32 “(B) the date on which the agreement terminates; or

33 “(C) the last day of any period that applicable State public record law requires
34 a true copy of such agreement to be maintained.

35 “(4) An assurance that the institution will produce true copies of gift and contract
36 agreements subject to the disclosure requirements under this section upon request of the
37 Secretary during a compliance audit or other institutional investigation.

38 “(c) Additional Public Disclosures for Restricted and Conditional Gifts.—Notwithstanding the
39 provisions of subsection (b), whenever any institution or employee of an institution receives a
40 restricted or conditional gift or contract, agreement, affiliation, or similar transaction entered into

[APG]

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1 from a foreign source, the institution shall disclose to the Secretary, the Secretary of the Treasury
2 (in the capacity of the Secretary as the chairperson of the Committee on Foreign Investment in
3 the United States under section 721(k)(3) of the Defense Production Act of 1950 (50 U.S.C.
4 4565(k)(3))), and to the public on a publicly available internet website the following:

5 “(1) For such gifts received from or contracts entered into with a foreign source other
6 than a foreign government, the amount, the date, and a description of such conditions or
7 restrictions. The report shall also disclose the country of citizenship, or if unknown, the
8 principal residence for a foreign source which is a natural person, and the country of
9 incorporation, or if unknown, the principal place of business for a foreign source which is a
10 legal entity.

11 “(2) For gifts received from or contracts, agreements, affiliations, or similar transactions
12 entered into with a foreign government, the amount, the date, a description of such
13 conditions or restrictions, the name of the foreign government, and true copies of any gift,
14 contract, agreement, affiliation, or similar transaction subject to the disclosure requirements
15 under this section which are translated from the foreign source into English by a third party
16 unaffiliated with the foreign source, institution or employee.

17 “(d) Relation to Other Reporting Requirements.—

18 “(1) STATE REQUIREMENTS.—If an institution described that is required to file a
19 disclosure report under subsection (a) is within a State which has enacted requirements for
20 public disclosure of gifts from or contracts with a foreign source that includes all
21 information required under this section for the same or an equivalent time period, a copy
22 of the disclosure report filed with the State may be filed with the Secretary in lieu of a the
23 report required under such subsection(a). The State in which the institution is located shall
24 provide to the Secretary such assurances as the Secretary may require to establish that the
25 institution has met the requirements for public disclosure under State law if the State report
26 is filed.

27 “(2) USE OF OTHER FEDERAL REPORTS.—If an institution receives a gift from, or enters
28 into a contract with, a foreign source, where any other department, agency, or bureau of the
29 executive branch requires a report containing all the information required under this section
30 for the same or an equivalent time period, a copy of the report may be filed with the
31 Secretary in lieu of a report required under subsection (a).

32 “(e) Office of Foreign Gift Disclosure.— The Secretary shall establish an Office of
33 Foreign Gift Disclosure within the Office of the Secretary within 30 days after the
34 enactment of [short title] to conduct the requirements of this section, coordinate the
35 Foreign Gift Advisory Committee, and provide additional scrutiny to gifts, contracts,
36 agreements, affiliations, or similar transactions associated with the Countries and
37 Technologies of National Security Concern List.

38 “(f) Public Disclosure.— Disclosure and Modification of Reports.—

39 “(1) IN GENERAL.—Not later than 30 days after receiving a disclosure report under this
40 section, the Secretary shall make such report electronically available to the public for
41 downloading on a searchable database under which institutions can be individually
42 identified and compared.

43 “(2) FOIA.—

[APG]

[AD]
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Commented [A5]: ED adheres to the requirements of FOIA when disclosing information provided by institutions pursuant to Section 117 of the HEA. Proprietary and other sensitive data is typically removed from disclosures pursuant to applicable exemptions required by law.

Commented [A6]: Without (1) true copies of contracts or gift agreements or (2) information provided pursuant to an investigation, the Department cannot assure the public of the accuracy or completeness of Section 117 information submitted by institutions. A “compliance audit” allowed for by Congress would be a potential third option. Requiring “compliance audits” that are (1) certified by management of institutions (in a manner similar to the requirements of management of public companies under Sarbanes-Oxley) and (2) verified by third party auditors applying traditional AICPA standards pursuant to annual financial audits required of institutions under the Higher Education Act may be a potential solution.

For clarification, in ED’s view, there’s a distinction between a “compliance audit” and a “financial audit”.
- Typically, a compliance audit would not apply to all institutions, and would be conducted by ED in instances where there was reason to believe there was a likelihood of non-compliance on the part of an IHE under section 117. (ED also notes that there can be compliance audit work done by a third-party (similar to the single audit cited below) such as independent audits done by third parties independent of the IHE and ED.)
- A financial audit would be conducted by IHE management and their third-party auditors under the Single Audit Act and/or other appropriate authority (e.g., OMB A-123) as part of their regular financial oversight responsibilities. Financial audits would be part of IHE’s normal reporting requirements and would apply to all IHEs receiving foreign funds that meet the statutory threshold. IHE management and third-party auditors would certify the results in a manner similar to certifications by management and third-party auditors of public companies under Sarbanes-Oxley and related authorities.

It would be helpful to ED if there was more flexible language around compliance audits and providing documentation to give ED flexibility.

Commented [A7]: This approach shifts responsibility for the accuracy and completeness of Section 117 to ED. From ED’s perspective it would be more appropriate for that responsibility to reside with management of institutions and their auditors under a process generally described in the previous comment.

1 “(A) IN GENERAL.—Any disclosure report provided to the Secretary by an
2 institution under this section shall be subject to applicable laws governing the
3 disclosure of information by the Secretary, including the Freedom of Information
4 Act (5 U.S.C. 552).

5 “(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be
6 construed to provide for the disclosure of information that is otherwise prohibited
7 from disclosure under the Freedom of Information Act (5 U.S.C. 552).

8 “(3) MODIFICATIONS.—The Secretary shall incorporate a process permitting institutions
9 to revise and update previously filed disclosure reports under this section to ensure
10 accuracy, compliance, and ability to cure.

11 “(g) Sanctions for Noncompliance.—

12 “(1) IN GENERAL.—~~THE GENERAL.—As a sanction for noncompliance with the~~
13 ~~requirements under this section, the Secretary may impose a fine, pursuant to section~~
14 ~~498A(e), on an institution that fails to file a disclosure report in accordance with this~~
15 ~~section, in any year knowingly or willfully violates this section, in an amount that is—~~

16 “(A) in the case of a failure to disclose a gift or contract, agreement, affiliation,
17 or other transaction with a foreign source as required under this section, a
18 minimum fine of \$250, but not more than the amount of the gift or contract with
19 the foreign source; or

20 “(B) in the case of a violation regarding subsection (a)(2), not more than 25
21 percent of the total amount of funding received by the institution under this Act.

22 “(2) REPEATED FAILURES.—

23 “(A) IN GENERAL.—~~NOTWITHSTANDING GENERAL.—In addition to a fine for a~~
24 ~~violation in any year in accordance with paragraph (1), the Secretary shall impose a~~
25 ~~fine on an institution that repeatedly fails to file a disclosure report for a receipt of a~~
26 ~~gift from or contract with a foreign source in accordance with comply with the~~
27 ~~requirements of this section in an amount that is not more than 2 times is—~~

28 “(i) in the case of a second failure to disclose a gift or contract, agreement,
29 affiliation, or other transaction with a foreign source as required under this
30 section, a fine of not more than \$100,000 or twice the amount of the gift or
31 contract with the foreign source, whichever is higher; or

32 “(ii) in the case of a violation regarding subsection (a)(2), not more than 25
33 percent of the total amount of funding received by the institution under this
34 Act.

35 “(B) DEFINITION.—In this paragraph, the term ‘repeatedly fails’ means that the
36 institution failed to file a disclosure report for a receipt of a gift from or contract,
37 agreement, affiliation or other transaction with a foreign source in 2 consecutive years.

38 “(3) SUSPENSION. — The Secretary shall suspend an institution from participation in Title
39 IV of this the Higher Education Act of 1965 for three years, if such institution knowingly or
40 willfully violates this section for three consecutive years.

41 “(h) Treatment of Certain Payments and Gifts.—~~The Gifts.—~~

[APG]

[AD]
3:05 PM

Commented [A8]: This has the potential to create confusion as it suggests that only documents provided as part of general disclosure requirements are affected by this provision, when in actuality that's not true. ED suggests either not including anything on FOIA. ED can then ensure correct information is provided through guidance. Or, to clear up the potential confusion by including a phrase, like “any disclosure report or other information”.

Commented [PA9]: ED notes that the smaller threshold for reporting, the proposal to expand requirements to individual employees and family members, and the increased frequency of reporting would likely be much more challenging to comply with for institutions that aren't R1s. These under-resourced institutions will potentially be at even more risk if paired with the proposed, significant and possibly unprecedented consequence of suspension of Title IV eligibility.

Commented [SL(C10): Bryce – You mentioned that you wanted this to apply to foreign controlled institutions. I am editing to clarify that intent. Here and in repeated failures.

I also struck (b)(4) reference since it is a requirement under this section, it seemed unnecessary to call it out separately.

Commented [PA11]: ED does not have data on the # of institutions that have failed to report and if any have failed to report for three years.

Commented [A12]: Regarding three year compliance threshold resulting in loss of Title IV funds, this is a significant policy change from existing law, and does not allow for any Secretarial discretion in penalty, which may create unintended consequences and overly excessive punishments.

If Congress decides this provision must remain, it needs to make clearer or define “knowingly and willfully violates” the provisions of this section as a rebuttable presumption of a “lack of administrative capability” thereby triggering remedies under the HEA.

1 **“(1) EXCLUSIONS.—**The following shall not be considered a gift from a foreign source
2 under this section:

3 **“(1)(A)** Any payment of tuition and fees to an institution by, or scholarship from, a
4 foreign source who is a natural person, **acting in their individual capacity and not as an**
5 **agent for, at the request or direction of, or on behalf of, any person or entity (except the**
6 **student),** made on behalf of no more than [x] students for institutional charges related
7 to such student’s cost of attendance that is not made under contract with such foreign
8 source, except for the agreement between the institution and the student covering
9 tuition and fees.

10 ~~“(2) Any unrestricted gift made by a foreign source who is a natural person and an~~
11 ~~alumnus of the institution.~~ **“(B) Assignment or license of registered industrial and**
12 **intellectual property rights, such as patents, utility models, trademarks, or**
13 **copyrights, or technical assistance regarding a technology or from a foreign**
14 **source which is not associated with the technologies and countries identified by**
15 **the Foreign Gift Advisory Committee’s Countries and Technologies of National**
16 **Securities List.**

17 ~~“(i) Consultation.—The Secretary shall consult with the Office of Science and~~
18 ~~Technology Policy, the National Institutes of Health, the National Science Foundation,~~
19 ~~the Department of Energy, the Department of Defense, the National Aeronautics and~~
20 ~~Space Administration, the National Oceanic and Atmospheric Administration, the~~
21 ~~National Institute of Standards and Technology, and other relevant Federal agencies or~~
22 ~~entities, regarding the reporting of gifts from and contracts with foreign sources in~~
23 ~~order to align, to the extent practicable, the methods of reporting prescribed by this~~
24 ~~section.~~ **“(C) Payment solely for the purpose of conducting 1 or more clinical trials**
25 **in which 1 or more human subjects are prospectively assigned to 1 or more**
26 **interventions to evaluate the effects of those interventions on health-related**
27 **biomedical or behavioral outcomes.]**

28 ~~“(2) INCLUSIONS.—Any gift to, or contract, agreement, affiliation, or similar~~
29 ~~transaction with, an entity or organization, such as a research foundation, that~~
30 ~~operates substantially for the benefit or under the auspices of an institution shall be~~
31 ~~considered a gift to or with respectively, such institution.~~

32 **“(i) Foreign Gift Disclosure Compliance Plans and Chief Compliance Officers.—**

33 **“(1) IN GENERAL.—** Any institution that received any gift from, or entered into any
34 contract, agreement, affiliation, or similar transaction with, a foreign source during the 15-
35 year period ending on the enactment of the [short title], shall, not later than 120 days after
36 such date of enactment appoint a chief compliance officer and submit to the Secretary of
37 Education a comprehensive plan of the compliance for the reporting of foreign source gift,
38 contracts, agreements, affiliations, or similar transactions in accordance with this section.

39 **“(2) APPOINTMENT OF CHIEF COMPLIANCE OFFICER.—** Each institution subject to
40 paragraph (1) shall designate a chief compliance officer, who—

41 **“(A) shall be a current employee or legally authorized agent of such institution;**
42 **and**

43 **“(B) shall be directly responsible, on behalf of the institution, for full and timely**

[APG]

[AD]
3:05 PM

Commented [SL(C13): Awaiting feedback from Health Team colleagues. Bracketed to indicate that this is not a complete Burr response.

Commented [A14]: The intent of the changes is to avoid reporting requirements in situations where grandparents are paying tuition for a number of grandkids, but capture situations where particular groups may be inclined to designate a single person as an agent acting on behalf of a foreign source to pay tuition of a number of students.

Commented [A15]: If IP rights can be valued and thereby included in the disclosure requirement, they already can and will be protected by appropriate exemptions to FOIA if such exemptions apply.

Commented [A16]: This approach appears to place responsibility for the accuracy and reliability of Section 117 data on the Department and not on institutions. Also, does this provision conflict with other provisions of the HEA that specifically preclude ED’s establishment of standards and curricula at institutions? If it does, then those provisions need to be called out specifically and this provision will need statutory primacy.

Regarding the creation of a compliance officer within the Department, ED has concerns about requiring a particular organization structure rather than providing ED with flexibility in administering the requirements. Additionally, the formation of a new compliance officer could fundamentally shift responsibility for the accuracy and completeness of section 117 information from IHEs to ED. Currently, financial transparency is the responsibility of IHEs and their administrations and leadership, not ED. ED does not run IHEs. Rather, IHEs are best situated to provide accuracy and transparency about their own actions.

1 compliance with the foreign gift reporting requirement under this section.
2 “(3) CHANGES TO COMPLIANCE PLANS.— Not later than 90 days after an institution
3 makes any change to a compliance plan described in paragraph (1) or designates a new
4 chief compliance officer pursuant to paragraph (2), the institution shall notify the
5 Secretary of Education of such change or designation.”.
6 “(j) Establishment of Foreign Gift Advisory Committee.— There is established the
7 Foreign Gift Advisory Committee (referred to in this subsection as the “Advisory
8 Committee”).
9 “(1) COMPOSITION.— The Advisory Committee shall be composed of representatives
10 of the following agencies or offices who shall be appointed by the heads of such agencies or
11 offices within 90 days after the enactment of [short title]—
12 “(A) Office of Foreign Gift Disclosure;
13 “(B) Office of the Director of National Intelligence;
14 “(C) Federal Bureau of Investigation;
15 “(D) Department of Justice;
16 “(E) Department of State;
17 “(F) Committee on Foreign Investment in the United States;
18 “(G) Office of Technology and Science Policy;
19 “(H) Bureau of Industry and Security of the Department of Commerce;
20 “(I) Office of the Under Secretary of Defense for Research and Engineering;
21 “(J) Office of Science of the Department of Energy;
22 “(K) National Institutes of Health;
23 “(L) National Science Foundation; and
24 “(M)” Department of Agriculture.
25 “(2) PURPOSE.— The Advisory Committee shall make an assessment of foreign
26 source gifts, contracts, agreements, affiliations, or similar transactions reported under this
27 section and maintain a list of countries and technologies designated to be national security
28 concerns.
29 “(A) Assessments. — On no less than an annual basis the Advisory Committee
30 shall publicly post assessments of foreign source gifts, contracts, agreements,
31 affiliations, or similar transactions reported under this section which –
32 “(i) requires an institution or the employee of an institution to comply
33 with foreign law;
34 “(ii) harms academic integrity or national security;
35 “(iii) is associated with a country on the Countries of National
36 Security Concern List; or
37 “(iii) was not reported.

Commented [A17]: Assuming Section 138 of the Strategic Competition Act of 2021 is adopted, is there a need for the Advisory Committee? Even if there are requirements beyond those CFIUS would be required to meet under Section 138, the executive branch already has the authority to convene an Advisory Committee.

Commented [SL(C18): We do not intend that FACA apply to this advisory committee. I am not sure if that needs to be explicitly stated as the representatives are all federal employees.

[APG]

[AD]
3:05 PM

1 “(B) Countries and Technologies of National Security Concern List. — On no
2 less than an annual basis the Advisory Committee shall determine and publicly post
3 a list of countries and technologies, which are national security concerns regarding
4 foreign source gifts, contracts, agreements, affiliations, or similar transactions based
5 on the last five years.

6 “(k) Definitions.—In this section—

7 “(1) the term ~~‘contract’~~ **‘contract’**—

8 “(A) means any agreement for the acquisition by purchase, lease, or barter of
9 property or services by the foreign source, for the direct benefit or use of either of the
10 parties, **except as provided in subparagraph (B); and**

11 “(B) **does not include any agreement made by an institution located in the**
12 **United States for the acquisition, by purchase, lease, or barter, of property or**
13 **services from a foreign source;**

14 “(2) the term ‘foreign source’ means—

15 “(A) a foreign government, including an agency of a foreign government;

16 “(B) a legal entity, governmental or otherwise, created ~~solely~~ under the laws of a
17 foreign state or states;

18 “(C) an individual who is not a citizen or a national of the United States or a trust
19 territory or protectorate thereof; and

20 “(D) an agent, including a subsidiary or affiliate of a foreign legal entity, acting on
21 behalf of a foreign source;

22 “(3) the term ‘gift’ means any gift of money, property, or human ~~resources~~ **services;**

23 “(4) **the term ‘affiliation, agreement or similar transaction’ means an official**
24 **understanding with a foreign source, which does not clearly take the form of a**
25 **contract or gift, that has an undetermined monetary value and is based on the use or**
26 **exchange of an institution’s or an employee’s name, likeness, time, services, or**
27 **resources.**

28 “(4) the term ‘institution’ means ~~any an~~ **institution, public or private of higher**
29 **education, as defined in section 102,** or, if a multicampus institution, any single campus of
30 such institution, in any State, ~~that—~~

31 “(A) ~~is legally authorized within such State to provide a program of education beyond~~
32 ~~secondary school;~~

33 “(B) ~~provides a program for which the institution awards a bachelor’s degree (or provides~~
34 ~~not less than a 2-year program which is acceptable for full credit toward such a degree) or~~
35 ~~more advanced degrees; and~~

36 “(C) ~~is accredited by a recognized accrediting agency or association and to which~~
37 ~~institution Federal financial assistance is extended (directly or indirectly through another~~
38 ~~entity or person), or which institution receives support from the extension of Federal~~
39 ~~financial assistance to any of the institution’s subunits; and~~

40 “(5) the term ‘restricted or conditional gift or contract’ means any endowment, gift, grant,

[APG]

- 1 contract, award, present, or property of any kind which includes provisions regarding—
- 2 “(A) the employment, assignment, or termination of faculty;
- 3 “(B) the establishment of departments, centers, institutes, instructional programs,
- 4 research or lecture programs, or new faculty positions;
- 5 “(C) the selection or admission of students; or
- 6 “(D) the award of grants, loans, scholarships, fellowships, or other forms of financial
- 7 aid restricted to students of a specified country, religion, sex, ethnic origin, or political
- 8 opinion.
- 9 ~~“(e)“~~ **(I)** Effective Date.—The requirements under this section shall take effect on the date on
- 10 which the regulations issued under subsection (g) take effect.”.

[APG]

[AD]
3:05 PM

RE: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

From: "Tran, Hai M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Pasquantino, John C. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>, "Harrison, Deidre A. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>, "Collin, Victoria W. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Cc: "Hubbard, Rhea A. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>, "Woods, Terry O. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Date: Tue, 22 Jun 2021 13:44:34 -0400
Attachments: BILLS-116s3997 5.6.21 Track.docx (143.73 kB)

Adding Rhea and Terry.

John, the deadline to submit comments is actually next Wednesday June 30, 2021. My thought is

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- See attached – S3997 Tracked version.

Thanks.

Regards,
Gil Tran
Executive Office of the President
OMB/OFFM
Cell Ex 6 - (5 U.S.C. Sec 552(b)(6))

From: Pasquantino, John C. EOP/OMB
Sent: Tuesday, June 22, 2021 12:00 PM
To: Harrison, Deidre A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Collin, Victoria W. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Tran, Hai M. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Subject: FW: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- Comments are due tomorrow at 11:00, and with Ex 6 - (5 [REDACTED]) Ex 5 DP- (5 U.S.C. [REDACTED])

Ex 5 DP- (5 U.S.C. Sec 552(b)(5))

Thank you.

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

From: Matsuo, Kimie L. EOP/OMB

Sent: Thursday, June 17, 2021 6:17 PM

To: 'AGRICULTURE' <usdaleg@obpa.usda.gov>; 'Army Corps of Engineers (DOD' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; 'COMMERCE' <Ex 6@doc.gov>; 'DEFENSE' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; 'EDUCATION' <ogc.legislation@ed.gov>; 'ENERGY' <Energy.GC33@hq.doe.gov>; 'Environmental Protection Agency' <epalrm@epamail.epa.gov>; 'Export-Import Bank of the United States' <eximlrm@exim.gov>; 'Federal Trade Commission' <FTC-LRM@ftc.gov>; 'General Services Administration' <Ex 6 - (5 U.S.C. Sec >; 'HEALTH & HUMAN SERVICES' <lrm@hhs.gov>; 'HOMELAND SECURITY' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; 'HOUSING & URBAN DEVELOPMENT' <HUDLRM@hud.gov>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <Ex 6 - (5 U.S.C. Sec >; 'LABOR' <Ex 6 - (5 U.S.C. >; 'National Aeronautics and Space Administration' <nasa_lrm@hq.nasa.gov>; 'National Science Foundation' <olpalrm@nsf.gov>; DL NSC LRM <Ex 6 - (5 U.S.C. Sec >; 'National Transportation Safety Board' <Ex 6 - (5 U.S.C. Sec >; 'Office of Personnel Management' <CLA@opm.gov>; DL-OSTP-LRM <Ex 6 - (5 U.S.C. Sec >; 'Office of the Director of National Intelligence' <Ex 6 - (5 U.S.C. >; 'Peace Corps' <Ex 6 - (5 @peacecorps.gov>; 'STATE' <Ex 6 - (5 @state.gov>; 'Small Business Administration' <cla@sba.gov>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'TREASURY' <llr@treasury.gov>; 'US Agency for International Development' <Ex 6 - (5 U.S.C. >; DL-USTR-LRM <Ex 6 - (5 U.S.C. Sec >; 'VETERANS AFFAIRS' <ogcvalrm@va.gov>

Cc: Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Schory, Daniel K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Evans, Beatrix C. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Pasquantino, John C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Pei, Yi EOP/OMB <Ex 6 - (5 U.S.C. Sec >; August, Lisa L. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Black, Sam J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; McDonald, Christine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Bar-Shalom, Tali EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Dick, John H. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Robinson, Donovan O. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Giamo, Daniel M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Garcia, Jacob A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Nafziger, Jephtha E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Lucas, Adrienne E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Saunders, Ruth D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Stein, Nora H. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Feldman, Iris T. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Derbes, Catherine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Branson, Michael D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Weisshaar, David M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Spiro, Topher J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Reilly, Tom M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DLOMB HEALTH PHB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; De Los Santos, Karen EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; May, Joshua D. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Newman, Kim A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Cramer, Drew W. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Daumit, Alexander (Jim) J. III EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mergen, Margaret C. EOP/OMB

<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hourigan, Clinton T. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Patterson, Tia B. EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
Enger, Michelle A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Turner, Austin F. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Clark, Damon J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
Miller, Kimberly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Jones, Lauren H. EOP/OMB
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Michael C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; McNeal, Chris G. EOP/OMB
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Adam N. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Ghavalyan, Mariam EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Allred, Victoria L. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Stratton, Terry W. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Meier, Edward F. EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
Pipan, Joseph G. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB NSP IAD STATE
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Lilac, Kristina E. EOP/OMB
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Sandy, Mark S. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; O'Kane, Matt J. EOP/OMB
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Rob J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; DL OMB NSP NSD FSIB
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Kelly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; O'Brien, Erin L. EOP/OMB
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Yagan, Danny F. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Taber, Jamie R. EOP/OMB
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OMB OFFM <Ex 6 - (5 U.S.C. Sec >; Blum, Mathew C. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Field, Lesley A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
Wade, James A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Wise, Julie A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >; McCrary, Jeremy P. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL
OMB PPM Personnel Team <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB PPM
Performance Team <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Greenwald, Elyse F.
EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mancini, Dominic J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Moncada, Kirsten J. EOP/OMB
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Fraser, Nicholas A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Seehra, Jasmeet K. EOP/OMB
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Martorana, Clare A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB OFCIO Legislative
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<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL IPEC LRM <Ex 6 - (5 U.S.C. Sec >; Etter, Robert L.
EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Heaton, Kelly A. EOP/OMB

<Ex 6 - (5 U.S.C. Sec [REDACTED])>; Ward, Benjamin A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>;
DL WHO WHCO LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Deeks, Ashley S. EOP/WHO
<Ex 6 - (5 U.S.C. Sec [REDACTED])>; Schwartztol, Larry M. EOP/WHO
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Slevin, Christopher J. EOP/WHO
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Demers, Kaitlyn H. EOP/WHO
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Dodin, Reema EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>;
Buetow, Zephranie N. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Metzler, Chad EOP/WHO
<Ex 6 - (5 U.S.C. Sec [REDACTED])>; Black, Jonathan Y. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>;
Goff, Shuwanza R. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Vaeth, Matt J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Menard, Barbara A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Leon, Bryan P. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>;
Ventura, Alexandra EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Matsuo, Kimie L. EOP/OMB
<Ex 6 - (5 U.S.C. Sec [REDACTED])>

Subject: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

DEADLINE: 11:00 AM Wednesday, Jun 30 2021

S. 1260, the "United States Innovation and Competition Act of 2021", passed the Senate on 6/8/21 by a vote of 68-32. Text of the bill as passed by the Senate is available [here](#). The bill contains a wide range of provisions aimed at strengthening the United States' economic resilience and competitiveness. Please see below for a list of the divisions in the bill.

Please review the bill and advise of any objectionable provisions by the deadline above. Thank you.

- DIVISION A--CHIPS and O-RAN 5G Emergency Appropriations
- DIVISION B--Endless Frontier Act
- DIVISION C--Strategic Competition Act of 2021
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- DIVISION E--Meeting the China Challenge Act of 2021
- DIVISION F--Other Matters
- DIVISION G--Trade Act of 2021

LRM ID: KLM-117-33
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference
SUBJECT: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

OMB CONTACT: Kimie Matsuo(OMB)
E-Mail: <Ex 6 - (5 U.S.C. Sec [REDACTED])>
PHONE: <Ex 6 - (5 [REDACTED])>
FAX: <Ex 6 - (5 [REDACTED])>

In accordance with [OMB Circular No. A-19](#), OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

FW: LRM: KLM-117-33- S1260 [Due 06/28/21] - Request for Comments - United States Innovation and Competition Act of 2021

From: "Faezi-Marian, Farnoosh EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Havas, Laurel S. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >
Date: Mon, 28 Jun 2021 15:40:40 -0400
Attachments: KLM-117-33- S1260 -United States Innovation and Competition Act of 2021.docx (1.15 MB)

Laurel – not sure if you got this. I wanted to flag the section below which Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Below is just my summary – the bill language is attached.

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

From: Schurr, Ian R. EOP/OMB (Intern)
Sent: Tuesday, June 22, 2021 4:58 PM
To: Fuller, Laurel D. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Fischietto, Mary S. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Davenport, Joanne Chow C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Garufi, Marc A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Faezi-Marian, Farnoosh EOP/OMB <Ex 6 - (5 U.S.C. >
Cc: DL OMB HEALTH HHSB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB HEALTH PHB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: LRM: KLM-117-33- S1260 [Due 06/28/21] - Request for Comments - United States Innovation and Competition Act of 2021

Dear Colleagues,

Deadline: COB Monday, June 28th

Please find attached for your review the United States Innovation and Competition Act of 2021. The Act was filed by Senate Majority Leader Chuck Schumer on May 18, 2021 as a substitute amendment to the Endless Frontier Act and Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Please provide your BC-approved comments by the deadline stated above in the following H-drive: Ex 6 - (5 U.S.C. Sec 552(b)(6))

Ex 6 - (5 U.S.C. Sec 552(b)(6)) and provide a BC approved blurb on any comments that need to be flagged for Tom's view.

Thank you,
Ian Schurr

Some important HHS highlights to the bill include:

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

**FW: REMINDER: LRM: [KLM-117-33] Due 06/30/2021
Wednesday at 11:00 AM -- OMB Request for Views on
S1260 - United States Innovation and Competition Act of
2021**

From: "August, Lisa L. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Shawcross, Paul J. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Date: Wed, 30 Jun 2021 12:08:02 -0400
Attachments: s1260es_Ex 5 DP- (5 U.S.C. Sec [REDACTED]).pdf (29.16 kB)

This is OBE – Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative [REDACTED] in this bill Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED] (excerpt attached). We shared an earlier bill Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) [REDACTED]

From: Matsuo, Kimie L. EOP/OMB
Sent: Wednesday, June 30, 2021 9:06 AM
Subject: REMINDER: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

Good morning,

This is a reminder to please advise of any objectionable provisions in S. 1260, United States Innovation and Competition Act of 2021, by 11:00 AM today.

Thank you,
Kimie

From: Matsuo, Kimie L. EOP/OMB
Sent: Thursday, June 17, 2021 6:17 PM
To: 'AGRICULTURE' <usdaleg@obpa.usda.gov>; 'Army Corps of Engineers (DOD)' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]>; 'COMMERCE' <Ex 6@doc.gov>; 'DEFENSE' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]>; 'EDUCATION' <ogc.legislation@ed.gov>; 'ENERGY' <Energy.GC33@hq.doe.gov>; 'Environmental Protection Agency' <epalrm@epamail.epa.gov>; 'Export-Import Bank of the United States' <eximlrm@exim.gov>; 'Federal Trade Commission' <FTC-LRM@ftc.gov>; 'General Services Administration' <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'HEALTH & HUMAN SERVICES' <lrm@hhs.gov>; 'HOMELAND SECURITY' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]>; 'HOUSING & URBAN DEVELOPMENT' <HUDLRM@hud.gov>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'LABOR' <Ex 6 - (5 U.S.C. [REDACTED])>; 'National Aeronautics and Space Administration' <nasa_lrm@hq.nasa.gov>; 'National Science Foundation' <olpalrm@nsf.gov>; DL NSC LRM <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'National Transportation Safety Board' <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'Office of Personnel Management' <CLA@opm.gov>; DL-OSTP-LRM <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'Office of the Director of National Intelligence' <Ex 6 - (5 U.S.C. [REDACTED])>; 'Peace Corps' <Ex 6 - (5 [REDACTED])@peacecorps.gov>; 'STATE' <Ex 6 - (5 [REDACTED])@state.gov>; 'Small Business Administration' <cla@sba.gov>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'TREASURY' <llr@treasury.gov>; 'US Agency for International Development' <Ex 6 - (5 U.S.C. [REDACTED])>; DL-USTR-LRM <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'VETERANS AFFAIRS' <ogcvalrm@va.gov>

Cc: Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Schory, Daniel K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Evans, Beatrix C. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Pasquantino, John C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Pei, Yi EOP/OMB <Ex 6 - (5 U.S.C. Sec >; August, Lisa L. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Black, Sam J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; McDonald, Christine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Bar-Shalom, Tali EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Dick, John H. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Robinson, Donovan O. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Giamo, Daniel M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Garcia, Jacob A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Nafziger, Jephtha E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Lucas, Adrienne E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Saunders, Ruth D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Stein, Nora H. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Feldman, Iris T. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Derbes, Catherine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Branson, Michael D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Weisshaar, David M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Spiro, Topher J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Reilly, Tom M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DLOMB HEALTH PHB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; De Los Santos, Karen EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; May, Joshua D. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Newman, Kim A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Cramer, Drew W. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Daumit, Alexander (Jim) J. III EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mergen, Margaret C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hourigan, Clinton T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Patterson, Tia B. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Enger, Michelle A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Turner, Austin F. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Clark, Damon J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Miller, Kimberly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Jones, Lauren H. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Hoy, Peter G. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Clark, Michael C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; McNeal, Chris G. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Gonzalez, Anthony A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Curtis, Tyler T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Klein, Robert T. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Salazar, Adam N. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Ghavalyan, Mariam EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Allred, Victoria L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Stratton, Terry W. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Meier, Edward F. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Pipan, Joseph G. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DLOMB NSP IAD STATE <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Lilac, Kristina E. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; DLOMB NSP IAD ECON <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Sandy, Mark S. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; O'Kane, Matt J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DLOMB NSD INTEL <Ex 6 - (5 U.S.C. Sec >; Nassif, Rob J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; DLOMB NSP NSD FSIB

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Yagan, Danny F. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Taber, Jamie R. EOP/OMB
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<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Field, Lesley A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
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Performance Team <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Greenwald, Elyse F.
EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mancini, Dominic J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Moncada, Kirsten J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hill, Jonathan W. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hunt, Alex T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >;
Fraser, Nicholas A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Seehra, Jasmeet K. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Bestani, William E. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Goodenough, Alex W. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ahmed, Shagufta I. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Schwab, Margo EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
Martorana, Clare A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB OFCIO Legislative
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EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Heaton, Kelly A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >; Ward, Benjamin A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >;
DL WHO WHCO LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Deeks, Ashley S. EOP/WHO
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<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Dodin, Reema EOP/WHO <Ex 6 - (5 U.S.C. Sec >;
Buetow, Zephranie N. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Metzler, Chad EOP/WHO
<Ex 6 - (5 U.S.C. Sec >; Black, Jonathan Y. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >;
Goff, Shuwanza R. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Vaeth, Matt J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Menard, Barbara A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Leon, Bryan P. EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
Ventura, Alexandra EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Matsuo, Kimie L. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >

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DIVISION D--Homeland Security and Governmental Affairs Committee Provisions
DIVISION E--Meeting the China Challenge Act of 2021
DIVISION F--Other Matters
DIVISION G--Trade Act of 2021

LRM ID: KLM-117-33
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference
SUBJECT: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views
on S1260 - United States Innovation and Competition Act of 2021

OMB CONTACT: Kimie Matsuo(OMB)
E-Mail: Ex 6 - (5 U.S.C. Sec [REDACTED])
PHONE: Ex 6 - (5 [REDACTED])
FAX: Ex 6 - (5 [REDACTED])

In accordance with [OMB Circular No. A-19](#), OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

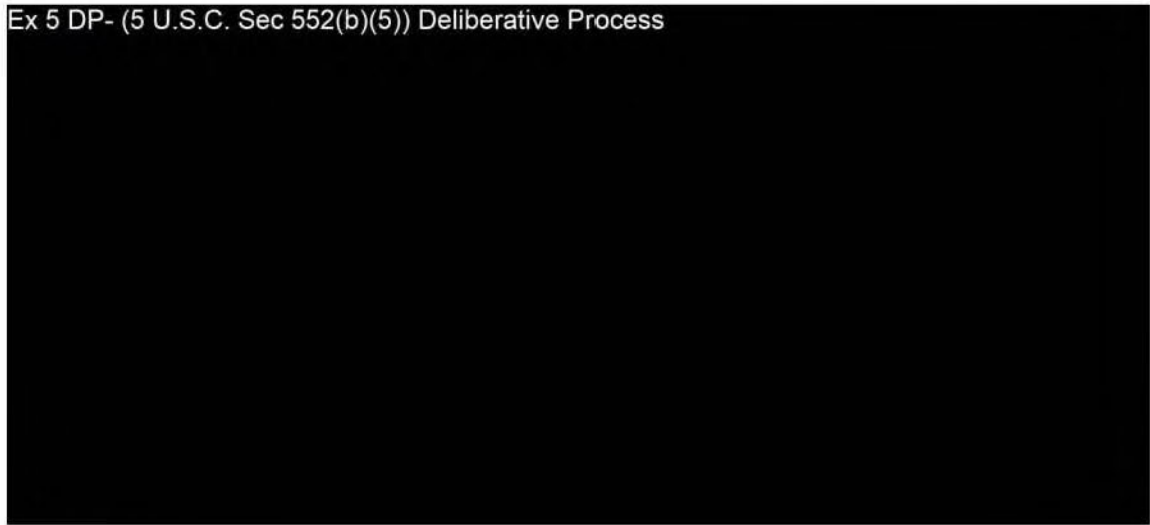
Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

**RE: REMINDER: LRM: [KLM-117-33] Due 06/30/2021
Wednesday at 11:00 AM -- OMB Request for Views on
S1260 - United States Innovation and Competition Act of
2021**

From: "Mohleji, Shali EOP/OSTP" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Matsuo, Kimie L. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Cc: "Koizumi, Kei EOP/OSTP" <Ex 6 - (5 U.S.C. Sec [REDACTED])>, "Jones, Narda M. EOP/OSTP" <Ex 6 - (5 U.S.C. Sec [REDACTED])>, "Mohleji, Shali EOP/OSTP" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Date: Wed, 30 Jun 2021 11:06:20 -0400
Attachments: USICA Research Security summary and analysis_OSTP.docx (20.15 kB)

Kimie,

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



Many Thanks,
Shali

Shalini Mohleji, Ph.D.
Deputy Chief of Staff for Policy
Office of Science and Technology Policy
Ex 6 - (5 U.S.C. Sec [REDACTED])

From: Matsuo, Kimie L. EOP/OMB
Sent: Wednesday, June 30, 2021 9:06 AM
To: 'ENERGY' <Energy.GC33@hq.doe.gov>; 'Environmental Protection Agency' <epalrm@epamail.epa.gov>; 'Federal Trade Commission' <FTC-LRM@ftc.gov>; 'HEALTH & HUMAN SERVICES' <lrn@hhs.gov>; 'HOMELAND SECURITY' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'National Science Foundation' <olpalrm@nsf.gov>; DL NSC LRM <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'Office of Personnel Management' <CLA@opm.gov>; DL-OSTP-LRM <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'Office of the Director of National

Intelligence' <Ex 6 - (5 U.S.C.)>; 'Peace Corps' <Ex 6 - (5)@peacecorps.gov>; 'STATE' <Ex 6 - Ex)@state.gov>; 'Small Business Administration' <cla@sba.gov>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'TREASURY' <llr@treasury.gov>; DL-USTR-LRM <Ex 6 - (5 Ex 6 - (5 U.S.C.)>

Cc: Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Schory, Daniel K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Evans, Beatrix C. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Pasquantino, John C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Pei, Yi EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; August, Lisa L. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Black, Sam J. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; McDonald, Christine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Bar-Shalom, Tali EOP/OMB <Ex 6 - (5 Ex 6 - (5 U.S.C. Sec)>; Dick, John H. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Robinson, Donovan O. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Giamo, Daniel M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Garcia, Jacob A. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Nafziger, Jephtha E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Lucas, Adrienne E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Saunders, Ruth D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Stein, Nora H. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Feldman, Iris T. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Derbes, Catherine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Branson, Michael D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Weisshaar, David M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Spiro, Topher J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Reilly, Tom M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL OMB HEALTH PHB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; De Los Santos, Karen EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; May, Joshua D. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Newman, Kim A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Cramer, Drew W. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Daumit, Alexander (Jim) J. III EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Mergen, Margaret C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hourigan, Clinton T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Connolly, David C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Petro, Andrea M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Barrick, Carl W. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Patterson, Tia B. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Enger, Michelle A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Turner, Austin F. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Clark, Damon J. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Miller, Kimberly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Jones, Lauren H. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Hoy, Peter G. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Clark, Michael C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; McNeal, Chris G. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Gonzalez, Anthony A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Curtis, Tyler T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Klein, Robert T. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Salazar, Adam N. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; Ghavalyan, Mariam EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Allred, Victoria L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Stratton, Terry W. EOP/OMB

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Buetow, Zephranie N. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Metzler, Chad M. EOP/WHO
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<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ventura, Alexandra EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >

Subject: REMINDER: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

Good morning,

This is a reminder to please advise of any objectionable provisions in S. 1260, United States Innovation and Competition Act of 2021, by 11:00 AM today.

Thank you,
Kimie

From: Matsuo, Kimie L. EOP/OMB

Sent: Thursday, June 17, 2021 6:17 PM

To: 'AGRICULTURE' <usdaleg@obpa.usda.gov>; 'Army Corps of Engineers (DOD' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; 'COMMERCE' <Ex 6 @doc.gov>; 'DEFENSE' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; 'EDUCATION' <ogc.legislation@ed.gov>; 'ENERGY' <Energy.GC33@hq.doe.gov>; 'Environmental Protection Agency' <epalrm@epamail.epa.gov>; 'Export-Import Bank of the United States' <eximlrm@exim.gov>; 'Federal Trade Commission' <FTC-LRM@ftc.gov>; 'General Services Administration' <Ex 6 - (5 U.S.C. Sec >; 'HEALTH & HUMAN SERVICES' <lrn@hhs.gov>; 'HOMELAND SECURITY' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; 'HOUSING & URBAN DEVELOPMENT' <HUDLRM@hud.gov>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <Ex 6 - (5 U.S.C. Sec >; 'LABOR' <Ex 6 - (5 U.S.C. >; 'National Aeronautics and Space Administration' <nasa_lrm@hq.nasa.gov>; 'National Science Foundation' <olpalrm@nsf.gov>; DL NSC LRM <Ex 6 - (5 U.S.C. Sec >; 'National Transportation Safety Board' <Ex 6 - (5 U.S.C. Sec >; 'Office of Personnel Management' <CLA@opm.gov>; DL-OSTP-LRM <Ex 6 - (5 U.S.C. Sec >; 'Office of the Director of National Intelligence' <Ex 6 - (5 U.S.C. >; 'Peace Corps' <Ex 6 - (5 @peacecorps.gov>; 'STATE' <Ex 6 - (5 @state.gov>; 'Small Business Administration' <cla@sba.gov>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'TREASURY' <llr@treasury.gov>; 'US Agency for International Development' <Ex 6 - (5 U.S.C. >; DL-USTR-LRM <Ex 6 - (5 U.S.C. Sec >; 'VETERANS AFFAIRS' <ogcvalrm@va.gov>

Cc: Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Schory, Daniel K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Evans, Beatrix C. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Pasquantino, John C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Pei, Yi EOP/OMB <Ex 6 - (5 U.S.C. Sec >; August, Lisa L. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Black, Sam J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; McDonald, Christine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Bar-Shalom, Tali EOP/OMB <Ex 6 - (5 Ex 6 - (5 U.S.C. Sec >; Dick, John H. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Robinson, Donovan O. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Giamo, Daniel M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Garcia, Jacob A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Nafziger, Jephtha E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Lucas, Adrienne E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Saunders, Ruth D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Stein, Nora H. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Feldman, Iris T. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Derbes, Catherine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Branson, Michael D. EOP/OMB

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Ventura, Alexandra EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Matsuo, Kimie L. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >

Subject: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

DEADLINE: 11:00 AM Wednesday, Jun 30 2021

S. 1260, the "United States Innovation and Competition Act of 2021", passed the Senate on 6/8/21 by a vote of 68-32. Text of the bill as passed by the Senate is available [here](#). The bill contains a wide range of provisions aimed at strengthening the United States' economic resilience and competitiveness. Please see below for a list of the divisions in the bill.

Please review the bill and advise of any objectionable provisions by the deadline above. Thank you.

- DIVISION A--CHIPS and O-RAN 5G Emergency Appropriations
- DIVISION B--Endless Frontier Act
- DIVISION C--Strategic Competition Act of 2021
- DIVISION D--Homeland Security and Governmental Affairs Committee Provisions
- DIVISION E--Meeting the China Challenge Act of 2021
- DIVISION F--Other Matters
- DIVISION G--Trade Act of 2021

LRM ID: KLM-117-33
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

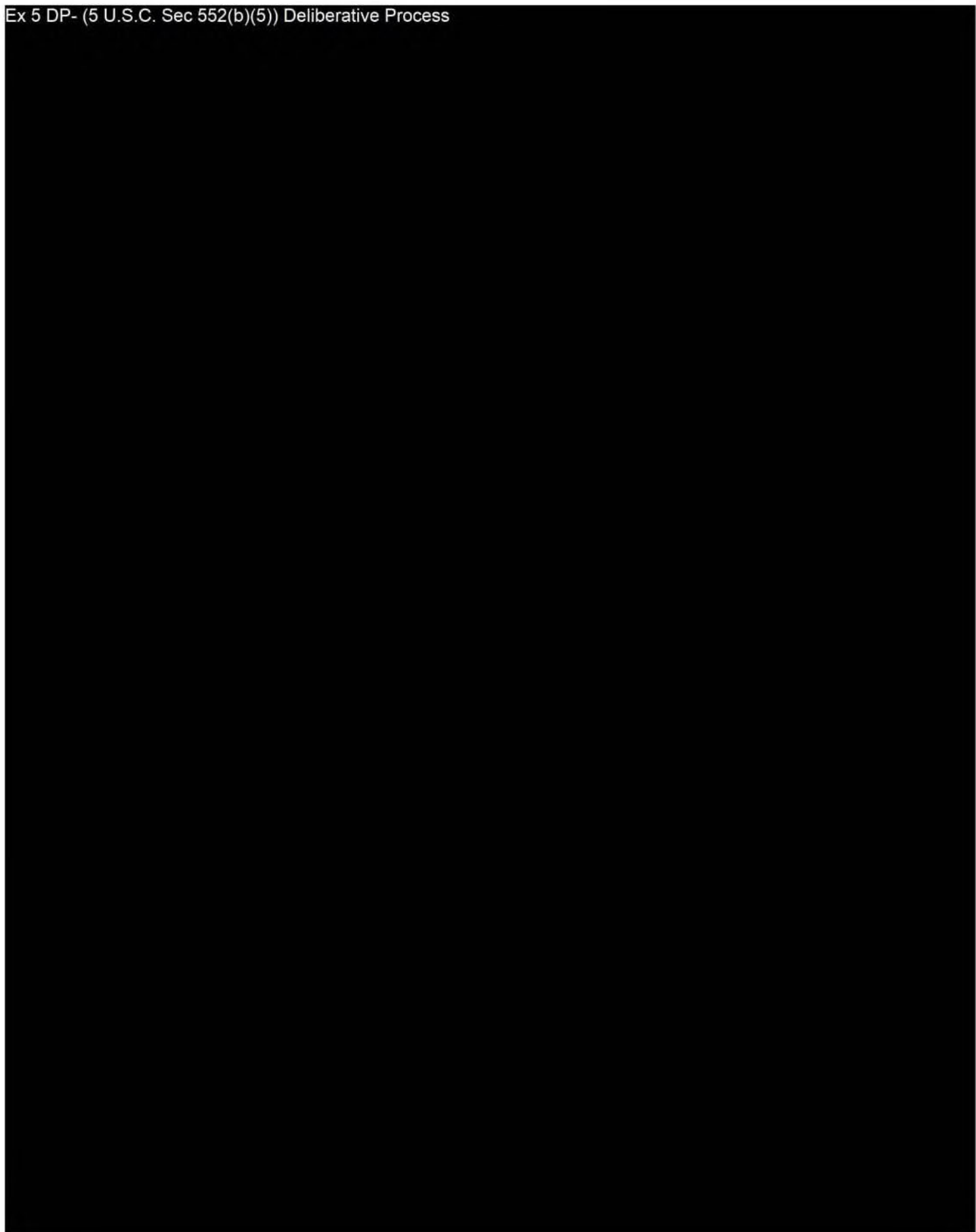
Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference
SUBJECT: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

OMB CONTACT: Kimie Matsuo(OMB)
E-Mail: Ex 6 - (5 U.S.C. Sec [REDACTED])
PHONE: Ex 6 - (5 [REDACTED])
FAX: Ex 6 - (5 [REDACTED])

In accordance with [OMB Circular No. A-19](#), OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.




**FW: REMINDER: LRM: [KLM-117-33] Due 06/30/2021
Wednesday at 11:00 AM -- OMB Request for Views on
S1260 - United States Innovation and Competition Act of
2021**

From: "Hoy, Peter G. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Turner, Austin F. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Date: Wed, 30 Jun 2021 09:52:17 -0400
Attachments: s1260es.pdf (2.92 MB)

Austin,

A couple of flags, but I don't think Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



From: Matsuo, Kimie L. EOP/OMB
Sent: Wednesday, June 30, 2021 9:06 AM
To: 'ENERGY' <Energy.GC33@hq.doe.gov>; 'Environmental Protection Agency' <epalrm@epamail.epa.gov>; 'Federal Trade Commission' <FTC-LRM@ftc.gov>; 'HEALTH & HUMAN SERVICES' <lrn@hhs.gov>; 'HOMELAND SECURITY' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'National Science Foundation' <olpalrm@nsf.gov>; DL NSC LRM <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'Office of Personnel Management' <CLA@opm.gov>; DL-OSTP-LRM <Ex 6 - (5 U.S.C. Sec [REDACTED])>; 'Office of the Director of National Intelligence' <Ex 6 - (5 U.S.C. [REDACTED])>; 'Peace Corps' <Ex 6 - (5 [REDACTED])@peacecorps.gov>; 'STATE' <Ex 6 - [REDACTED]@state.gov>; 'Small Business Administration' <cla@sba.gov>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'TREASURY' <llr@treasury.gov>; DL-USTR-LRM <Ex 6 - (5 [REDACTED])>
Cc: Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Schory, Daniel K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Evans, Beatrix C. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Pasquantino, John C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Pei, Yi EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; August, Lisa L. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Black, Sam J. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; McDonald, Christine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Bar-Shalom, Tali EOP/OMB <Ex 6 - (5 [REDACTED])>; Dick, John H. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Robinson, Donovan O. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Giamo, Daniel M. EOP/OMB

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Nafziger, Jephtha E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Lucas, Adrienne E. EOP/OMB
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Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Feldman, Iris T. EOP/OMB
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DL OMB HEALTH PHB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; De Los Santos, Karen EOP/OMB
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<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Turner, Austin F. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>;
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Adam N. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Ghavalyan, Mariam EOP/OMB
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Performance Team <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Greenwald, Elyse F.
EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mancini, Dominic J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Moncada, Kirsten J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hill, Jonathan W. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hunt, Alex T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >;
Fraser, Nicholas A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Seehra, Jasmeet K. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Bestani, William E. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Goodenough, Alex W. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ahmed, Shagufta I. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Schwab, Margo EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
Martorana, Clare A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB OFCIO Legislative
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Drake, Celeste E. EOP/OMB
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Healton, Kelly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Ward, Benjamin A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL WHO WHCO LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >;
Deeks, Ashley S. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Schwartztol, Larry M. EOP/WHO
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<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Demers, Kaitlyn H. EOP/WHO
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Buetow, Zephranie N. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Metzler, Chad M. EOP/WHO
<Ex 6 - (5 U.S.C. Sec >; Black, Jonathan Y. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >;
Goff, Shuwanza R. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Vaeth, Matt J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ventura, Alexandra EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >

Subject: REMINDER: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

Good morning,

This is a reminder to please advise of any objectionable provisions in S. 1260, United States Innovation and Competition Act of 2021, by 11:00 AM today.

Thank you,
Kimie

From: Matsuo, Kimie L. EOP/OMB

Sent: Thursday, June 17, 2021 6:17 PM

To: 'AGRICULTURE' <usdaleg@obpa.usda.gov>; 'Army Corps of Engineers (DOD'

<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; 'COMMERCE' <Ex 6@doc.gov>;
'DEFENSE' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; 'EDUCATION' <ogc.legislation@ed.gov>; 'ENERGY'
<Energy.GC33@hq.doe.gov>; 'Environmental Protection Agency' <epalrm@epamail.epa.gov>;

'Export-Import Bank of the United States' <eximlrm@exim.gov>; 'Federal Trade Commission' <FTC-LRM@ftc.gov>; 'General Services Administration' <Ex 6 - (5 U.S.C. Sec >; 'HEALTH & HUMAN SERVICES' <lrm@hhs.gov>; 'HOMELAND SECURITY' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; 'HOUSING & URBAN DEVELOPMENT' <HUDLRM@hud.gov>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <Ex 6 - (5 U.S.C. Sec >; 'LABOR' <Ex 6 - (5 U.S.C. >; 'National Aeronautics and Space Administration' <nasa_lrm@hq.nasa.gov>; 'National Science Foundation' <olpalrm@nsf.gov>; DL NSC LRM <Ex 6 - (5 U.S.C. Sec >; 'National Transportation Safety Board' <Ex 6 - (5 U.S.C. Sec >; 'Office of Personnel Management' <CLA@opm.gov>; DL-OSTP-LRM <Ex 6 - (5 U.S.C. Sec >; 'Office of the Director of National Intelligence' <Ex 6 - (5 U.S.C. >; 'Peace Corps' <Ex 6 - (5 @peacecorps.gov>; 'STATE' <Ex 6 - (5 @state.gov>; 'Small Business Administration' <cla@sba.gov>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'TREASURY' <llr@treasury.gov>; 'US Agency for International Development' <Ex 6 - (5 U.S.C. >; DL-USTR-LRM <Ex 6 - (5 U.S.C. Sec >; 'VETERANS AFFAIRS' <ogcvalrm@va.gov>

Cc: Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Schory, Daniel K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Evans, Beatrix C. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Pasquantino, John C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Pei, Yi EOP/OMB <Ex 6 - (5 U.S.C. Sec >; August, Lisa L. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Black, Sam J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; McDonald, Christine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Bar-Shalom, Tali EOP/OMB <Ex 6 - (5 Ex 6 - (5 U.S.C. Sec >; Dick, John H. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Robinson, Donovan O. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Giamo, Daniel M. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Garcia, Jacob A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Nafziger, Jephtha E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Lucas, Adrienne E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Saunders, Ruth D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Stein, Nora H. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Feldman, Iris T. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Derbes, Catherine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Branson, Michael D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Weisshaar, David M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Spiro, Topher J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Reilly, Tom M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB HEALTH PHB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; De Los Santos, Karen EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; May, Joshua D. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Newman, Kim A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Cramer, Drew W. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Daumit, Alexander (Jim) J. III EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mergen, Margaret C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hourigan, Clinton T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Patterson, Tia B. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Enger, Michelle A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Turner, Austin F. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Clark, Damon J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Miller, Kimberly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Jones, Lauren H. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Hoy, Peter G. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Clark, Michael C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; McNeal, Chris G. EOP/OMB

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Kelly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; O'Brien, Erin L. EOP/OMB
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Yagan, Danny F. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Taber, Jamie R. EOP/OMB
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Wade, James A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Wise, Julie A. EOP/OMB
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OMB PPM Personnel Team <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB PPM
Performance Team <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Greenwald, Elyse F.
EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mancini, Dominic J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Moncada, Kirsten J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hill, Jonathan W. EOP/OMB
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Fraser, Nicholas A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Seehra, Jasmeet K. EOP/OMB
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Martorana, Clare A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB OFCIO Legislative
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB OGC <Ex 6 - (5 U.S.C. Sec >; DL-CEA-
LRM <Ex 6 - (5 U.S.C. Sec >; DL NSC Legal <Ex 6 - (5 U.S.C. Sec >; DL NSC Legislative
<Ex 6 - (5 U.S.C. Sec >; DPC ExecSec <Ex 6 - (5 U.S.C. Sec >; DL WHO NEC LRM
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL IPEC LRM <Ex 6 - (5 U.S.C. Sec >; Etter, Robert L.
EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Heaton, Kelly A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >; Ward, Benjamin A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >;
DL WHO WHCO LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Deeks, Ashley S. EOP/WHO
<Ex 6 - (5 U.S.C. Sec >; Schwartztol, Larry M. EOP/WHO
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Slevin, Christopher J. EOP/WHO
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Demers, Kaitlyn H. EOP/WHO
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Dodin, Reema EOP/WHO <Ex 6 - (5 U.S.C. Sec >;
Buetow, Zephranie N. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Metzler, Chad EOP/WHO

<Ex 6 - (5 U.S.C. Sec [REDACTED])>; Black, Jonathan Y. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>;
Goff, Shuwanza R. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Vaeth, Matt J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec [REDACTED])>; Menard, Barbara A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Leon, Bryan P. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>;
Ventura, Alexandra EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Matsuo, Kimie L. EOP/OMB
<Ex 6 - (5 U.S.C. Sec [REDACTED])>

Subject: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

DEADLINE: 11:00 AM Wednesday, Jun 30 2021

S. 1260, the "United States Innovation and Competition Act of 2021", passed the Senate on 6/8/21 by a vote of 68-32. Text of the bill as passed by the Senate is available [here](#). The bill contains a wide range of provisions aimed at strengthening the United States' economic resilience and competitiveness. Please see below for a list of the divisions in the bill.

Please review the bill and advise of any objectionable provisions by the deadline above. Thank you.

DIVISION A--CHIPS and O-RAN 5G Emergency Appropriations
DIVISION B--Endless Frontier Act
DIVISION C--Strategic Competition Act of 2021
DIVISION D--Homeland Security and Governmental Affairs Committee Provisions
DIVISION E--Meeting the China Challenge Act of 2021
DIVISION F--Other Matters
DIVISION G--Trade Act of 2021

LRM ID: KLM-117-33
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference
SUBJECT: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

OMB CONTACT: Kimie Matsuo(OMB)
E-Mail: <Ex 6 - (5 U.S.C. Sec [REDACTED])>
PHONE: <Ex 6 - (5 [REDACTED])>
FAX: <Ex 6 - (5 [REDACTED])>

In accordance with [OMB Circular No. A-19](#), OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

RE: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

From: "McNavage, William EOP/OMB" <Ex 6 - (5 U.S.C. 6 - (5)>
To: "Matsuo, Kimie L. EOP/OMB" <Ex 6 - (5 U.S.C. 6 - (5)>
Cc: "Nassif, Rob J. EOP/OMB" <Ex 6 - (5 U.S.C. 6 - (5)>
Date: Fri, 09 Jul 2021 16:25:27 -0400
Attachments: s1260es.pdf (2.92 MB); Comments_on_S.1260A.docx (27.14 kB)

Kimie –

I wanted to flag for you that we now have two comments from DOD – Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

USICA CHIPS Relevant Totals:

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

We have Ex 5 DP- (5) with these comments:

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Please let me know if you think this is reasonable and the best way to transmit this back to DOD.

Thanks again and have a great weekend.

Bill

Bill McNavage, Ph.D.

Program Examiner | Defense Investments Branch

Office of Management and Budget

(w) Ex 6 - (5

<https://www.whitehouse.gov/omb>

From: Matsuo, Kimie L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(5)) >

Sent: Thursday, July 8, 2021 3:17 PM

To: McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(5)) >

Subject: FW: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

Importance: High

Hi Bill,

I reached out to DoD first thing this morning to confirm Ex 5 DP- (5 U.S.C. Sec 552(b)(5))

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Based on the email below, Ex 5 DP- (5 U.S.C. Sec 552(b)(5))

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

that would be much

appreciated.

Thank you!

Kimie

From: Ex 6 - (5 U.S.C. Sec 552(b)(6))
Sent: Thursday, July 8, 2021 2:53 PM
To: Ex 6 - (5 U.S.C. Sec 552(b)(6)) Matsuo, Kimie L.
EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Cc: Ex 6 - (5 U.S.C. Sec 552(b)(6)) McNavage, William
EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Subject: [WARNING: UNSCANNABLE EXTRACTION FAILED]RE: LRM: [KLM-117-33] Due 06/30/2021
Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and
Competition Act of 2021
Importance: High

All,
Apologies for chiming in here to an email I was not originally CC'd on: Ex 5 DP- (5 U.S.C. Sec
552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

What appears to have happened is Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

v/r
Ex 6 -

Ex 6 - (5 U.S.C. Sec 552(b)(6))
Ex 6 - (5 U.S.C. Sec 552(b)(6))
Ex 6 - (5 U.S.C. Sec 552(b)(6))
Ex 6 - (5 U.S.C. Sec 552(b)(6)) (cell)
Ex 6 - (5 U.S.C. Sec 552(b)(6)) (desk)

From: Ex 6 - (5 U.S.C. Sec 552(b)(6))
Sent: Thursday, July 1, 2021 11:46 AM
To: Matsuo, Kimie L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Cc: Ex 6 - (5 U.S.C. Sec 552(b)(6))
Subject: RE: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views
on S1260 - United States Innovation and Competition Act of 2021

Hi Kimie,

DODs response is attached, thank you again.

V/r,

Ex 6 - (5 U.S.C. Sec 552(b)(6))
Ex 6 - (5 U.S.C. Sec 552(b)(6))

Ex 6 - (5 U.S.C. Sec 552(b)(6))

Desk Ex 6 - (5 use Ex 6 - (5 (working remotely)
Ex 6 - (5 U.S.C. Sec 552(b)(6))

CAUTION: Information contained in this message may be protected by the attorney/client, attorney work product, deliberative process or other privileges. Do not disseminate further without approval from the Office of the DoD General Counsel.

From: Matsuo, Kimie L. EOP/OMB Ex 6 - (5 U.S.C. Sec 552(b)(6)) x 6 - (5 U.S.C. Sec 552(b)(6)) Ex 6 - (5 U.S.C. Sec 552(b)(6))
Sent: Thursday, June 17, 2021 6:17 PM
To: 'AGRICULTURE' <usdaleg@obpa.usda.gov>; 'Army Corps of Engineers (DOD)' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'COMMERCE' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) @doc.gov>; OSD Pentagon OGC Mailbox OLC <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'EDUCATION' <ogc.legislation@ed.gov>; 'ENERGY' <Energy_GC33@hq.doe.gov>; 'Environmental Protection Agency' <epalrm@epamail.epa.gov>; 'Export-Import Bank of the United States' <eximirm@exim.gov>; 'Federal Trade Commission' <FTC-LRM@ftc.gov>; 'General Services Administration' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'HEALTH & HUMAN SERVICES' <irm@hhs.gov>; 'HOMELAND SECURITY' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'HOUSING & URBAN DEVELOPMENT' <HUDLRM@hud.gov>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'LABOR' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'National Aeronautics and Space Administration' <nasa_irm@hq.nasa.gov>; 'National Science Foundation' <olpalrm@nsf.gov>; DL NSC LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'National Transportation Safety Board' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'Office of Personnel Management' <CLA@opm.gov>; DL-OSTP-LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'Office of the Director of National Intelligence' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'Peace Corps' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) @peacecorps.gov>; 'STATE' <Ex 6 - (5 U.S.C. Sec 552(b)(6)) @state.gov>; 'Small Business Administration' <cla@sba.gov>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'TREASURY' <lr@treasury.gov>; 'US Agency for International Development' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL-USTR-LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'VETERANS AFFAIRS' <ogcvalrm@va.gov>
Cc: Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Schory, Daniel K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Evans, Beatrix C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Pasquantino, John C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Pei, Yi EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; August, Lisa L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Black, Sam J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; McDonald, Christine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Bar-Shalom, Tali EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Dick, John H. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Robinson, Donovan O. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Giamo, Daniel M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Garcia, Jacob A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Nafziger, Jephtha E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Lucas, Adrienne E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Saunders, Ruth D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Stein, Nora H. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Feldman, Iris T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Derbes, Catherine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>

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Sandy, Mark S. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; O'Kane, Matt J. EOP/OMB
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Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Field, Lesley A. EOP/OMB
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Wise, Julie A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; McCrary, Jeremy P. EOP/OMB
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Fraser, Nicholas A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Seehra, Jasmeet K. EOP/OMB

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Martorana, Clare A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB OFCIO Legislative
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CEA-LRM <Ex 6 - (5 U.S.C. Sec >; DL NSC Legal <Ex 6 - (5 U.S.C. Sec >; DL NSC Legislative
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EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Heaton, Kelly A. EOP/OMB
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DL WHO WHCO LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Deeks, Ashley S. EOP/WHO
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Buetow, Zephrahanie N. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Metzler, Chad EOP/WHO
<Ex 6 - (5 U.S.C. Sec >; Black, Jonathan Y. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >;
Goff, Shuwanza R. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Vaeth, Matt J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >; Menard, Barbara A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Leon, Bryan P. EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
Ventura, Alexandra EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Matsuo, Kimie L. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >

Subject: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

DEADLINE: 11:00 AM Wednesday, Jun 30 2021

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Please review the bill and advise of any objectionable provisions by the deadline above. Thank you.

- DIVISION A--CHIPS and O-RAN 5G Emergency Appropriations
- DIVISION B--Endless Frontier Act
- DIVISION C--Strategic Competition Act of 2021
- DIVISION D--Homeland Security and Governmental Affairs Committee Provisions
- DIVISION E--Meeting the China Challenge Act of 2021
- DIVISION F--Other Matters
- DIVISION G--Trade Act of 2021

LRM ID: KLM-117-33
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference

SUBJECT: LRM: [KLM-117-33] Due 06/30/2021 Wednesday at 11:00 AM -- OMB Request for Views on S1260 - United States Innovation and Competition Act of 2021

OMB CONTACT: Kimie Matsuo(OMB)

E-Mail: Ex 6 - (5 U.S.C. Sec [REDACTED])

PHONE: Ex 6 - (5 U.S.C. [REDACTED])

FAX: Ex 6 - (5 [REDACTED])

In accordance with [OMB Circular No. A-19](#), OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

Section #	Section title	Commenting Agency	Issue/Requested Change
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Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative
Process

S. 1260 USICA -- Division D, HSGAC Provisions

From: "Matsuo, Kimie L. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Gonzalez, Oscar EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Date: Tue, 13 Jul 2021 14:23:23 -0400
Attachments: s1260es.pdf (2.92 MB); RE: Endless Frontiers Act and CRRF (57.34 kB); S. 1260 Agency Comments Matrix.v2.xlsx (160.66 kB)

Hi Oscar,

The HSGAC provisions we were talking about on the call are found in Division D of S. 1260. RDI or HEVS would be the lead for a number of these provisions, but Ex 5 DP- (5 U.S.C. Sec 552(b)(5))
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) [REDACTED] As Alex mentioned, I'm hoping to send around the compilation of comments later this afternoon and will copy you, but sharing now as well for your awareness.

Let me know if you have any questions or if there's any additional info you're interested in seeing. Thank you!

Section #	Section title	Commenting Agency	Issue/Requested Change
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Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5))
Deliberative Process

FW: For review: DOD comments on SPACE Act -- Please respond by 9:30 AM tomorrow, 7/20

From: "O'Kane, Matt J. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Schaffer, Audrey M. EOP/NSC" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: "Matsuo, Kimie L. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >, "Ventura, Alexandra EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Date: Mon, 19 Jul 2021 16:56:47 -0400
Attachments: s1260es.pdf (2.92 MB)

Audrey, see below and attached. Please let OMB/LRD (cc'd) know if you have any concerns NLT 0930 tomorrow.

Thanks.
Matt

From: Matsuo, Kimie L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Sent: Monday, July 19, 2021 4:28 PM
To: Miller, Kimberly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Clark, Michael C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; August, Lisa L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Black, Sam J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; O'Kane, Matt J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: Ventura, Alexandra EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: For review: DOD comments on SPACE Act -- Please respond by 9:30 AM tomorrow, 7/20

Good afternoon,

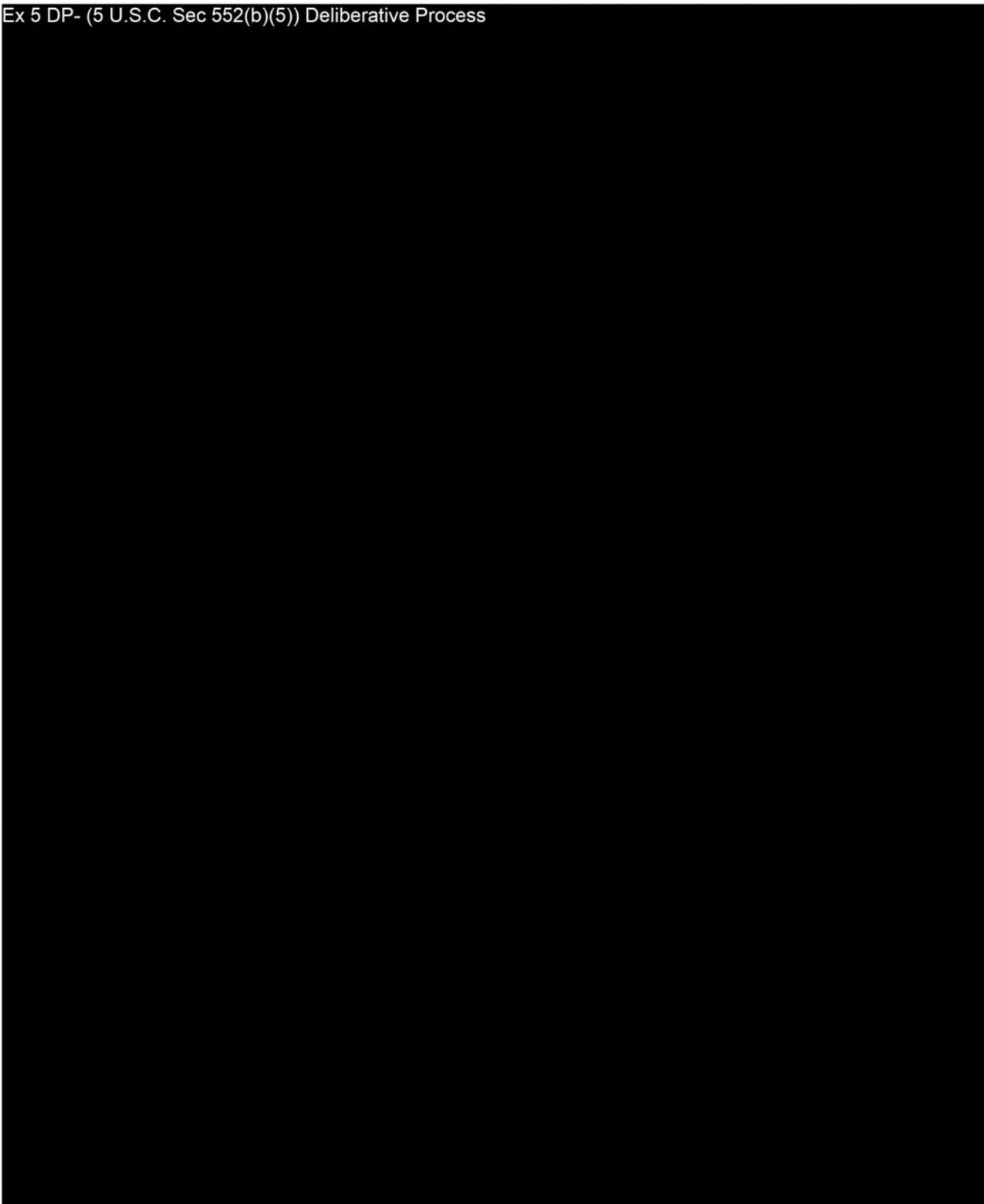
OMBLA received a request Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process We haven't cleared any views, but the SPACE Act is included as Division B, Title VI, Subtitle A in 1260, USICA (Sec. 2601-2605; pp. 533-562 of the attached pdf). Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process I've pasted the comments below for ease of review.

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Please also let me know Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Please respond as soon as possible and no later than tomorrow morning.

Thank you,
Kimie

Section #	Section title	Commenting Agency	Issue/Requested Change
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RE: NSTC/Research Security: Request for broader review

From: "McNavage, William EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
To: "Miles, Aaron R. EOP/OSTP" <Ex 6 - (5 U.S.C. Sec >
Cc: "Mok, Emily A. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >
Date: Fri, 03 Sep 2021 09:12:46 -0400
Attachments: NSPM-33 Implementation Guidance 20210827_OMB wm.docx (177.75 kB)

Hi Aaron –

Attached are a few minor comments from me. We are still waiting for feedback from Ex 5 DP- (5 Ex 5 DP- I've asked them to get back to me by mid-day next Tuesday and will send them a reminder before the long weekend.

If you have any questions on my comments before the next subcommittee, please let me know.

Thanks,
Bill

From: Miles, Aaron R. EOP/OSTP
Sent: Friday, August 27, 2021 5:52 PM
To: McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec >
Subject: FW: NSTC/Research Security: Request for broader review

OMB colleagues,

Not sure which of you is following this most closely these days, but suggest that we are at the point Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Best,
Aaron

From: Miles, Aaron R. EOP/OSTP
Sent: Friday, August 27, 2021 5:49 PM
To: 'Turaga, Bridget M.' <bturaga@nsf.gov>; (b)(6), (b)(7)(C) (SL) (FBI)' <(b)(6), (b)(7)(C) >; 'Binkley, Steve' <John.Binkley@science.doe.gov>; 'jaime.adams@usda.gov' <jaime.adams@usda.gov>; (b)(6), (b)(7)(C) & (b)(7)(E) >; Donohue, Ryan C. EOP/OSTP <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; (b)(6), (b)(7)(C) (DO) (FBI)' <(b)(6), (b)(7)(C) & >; 'gregory.strouse@nist.gov' <gregory.strouse@nist.gov>; (b)(3), (b)(6) >; 'Julie.Abraham@dot.gov' <Julie.Abraham@dot.gov>; 'Merrill, John' <Ex 6 - (5 U.S.C. Sec >; (b)(6), (DO) (FBI)' <(b)(6), (b)(7)(C) >; 'Matthew.Warren@fda.hhs.gov' <Matthew.Warren@fda.hhs.gov>; 'Methfessel, Bucky' <Bucky.Methfessel@ed.gov>; DeBlanc-Knowles, Tess K. EOP/OSTP <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ex 6 - (5 (NSD)' <Ex 6 - (5 U.S.C. Sec >; 'Bahnak, Jess' <Jess.Bahnak@science.doe.gov>; Ex 6 - (5 U.S.C. Sec 552(b)(6)) Ex 6 - (5 U.S.C. Sec >; Ex 6 - (5 U.S.C. Sec >

<Ex 6 - (5 U.S.C. Sec)>; 'Feldman, Jean I.' <jfeldman@nsf.gov>; 'patricia.valdez@nih.gov'
<patricia.valdez@nih.gov>; 'michael.lauer@nih.gov' <michael.lauer@nih.gov>; 'Keiser, Rebecca Lynn
(RLKEISER@nsf.gov)' <RLKEISER@nsf.gov>; 'Zuckerman, Brian L' <Ex 6 - (5 U.S.C. Sec)>;
<Ex 6 - (5 U.S.C. Sec)>; <Ex 6 - (5 U.S.C. Sec)>; <Ex 6 - (5 U.S.C. Sec)>; <(b)(3) - P.L. 86
<(b)(3) - P.L. 86 >; <Ex 6 - (5 U.S.C. Sec)>; <Ex 6 - (5 U.S.C. Sec)>; 'Ison, Jeremy
T. (HQ)' <jeremy.ison@hq.doe.gov>; McNavage, William EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; <(b)(6), (b)(7)(C)> (CD) (FBI)' <(b)(6), (b)(7)(C) &>; Mok,
Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; <Ex 6 - (5 U.S.C. Sec)>;
<Ex 6 - (5 U.S.C. Sec)>; 'Karena.Cooper@fda.hhs.gov' <Karena.Cooper@fda.hhs.gov>; <(b)(6),
(b)(6), > (CD) (FBI)' <(b)(6), (b)(7)(C)>; 'Whitman, Lloyd' <lwhitman@nsf.gov>; Alstott, Jeffrey
D. EOP/NSC <Ex 6 - (5 U.S.C. Sec)>; <(b)(3), (b)(6)> <(b)(3), (b)(6)>;
<Ex 6 - (5 U.S.C. Sec)> <Ex 6 - (5 U.S.C. Sec)>; 'Wu, Elaine' <Elaine.Wu@USPTO.GOV>; 'Fung, Henry Y'
<Ex 6 - @state.gov>; <(b)(6), (b)(7)(C) &> (DO) (FBI)' <(b)(6), (b)(7)(C) &>;
'ben.huddle@dot.gov' <ben.huddle@dot.gov>; 'Jesus.Hernandez@USPTO.GOV'
<Jesus.Hernandez@uspto.gov>; <(b)(6), (b)(7)(C) & (b)(7)(E)>; 'Jenter, Harry L'
<hjenter@usgs.gov>; 'Hildebrand, Grace E' <Ex 6 - (5 U.S.C. Sec)>; 'kala.shah@ed.gov'
<kala.shah@ed.gov>; <(b)(3), (b)(6)>;
<Ex 6 - (5 U.S.C. Sec)> <Ex 6 - (5 U.S.C. Sec)>; <(b)(6), (b)(7)(C) &> (DO) (FBI)'
<(b)(6), (b)(7)(C) &>; 'margaret.kieffer@nasa.gov' <margaret.kieffer@nasa.gov>; 'Ross, Keel L'
<klross@usgs.gov>; 'Draper, Dave (HQ-AE000)' <david.draper@nasa.gov>;
'Steven.Cooley@fda.hhs.gov' <Steven.Cooley@fda.hhs.gov>; 'simon.liu@ars.usda.gov'
<simon.liu@ars.usda.gov>; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec)>; 'Slupe, Kevin'
<Kevin.Slupe@ed.gov>; <(b)(6), (b)(7)(C)> (WMD) (FBI) <(b)(6), (b)(7)(C)> <(b)(6), (b)(7)(C) &>;
'Mahmood, Sarah' <Ex 6 - (5 U.S.C. Sec)>; Stalker-Lehoux, Sarah M. EOP/NSC
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Bagia, Amrit B. EOP/NSC <Ex 6 - (5 U.S.C. Sec)>;
<(b)(3), (b)(6)>; Scully, Brian J. EOP/NSC <Ex 6 - (5 U.S.C. Sec)>;
<(b)(6), (b)(7)(C) & (b)(7)(E)>; 'Robinson, Craig R' <ccrobinson@usgs.gov>;
'tsquinn@usgs.gov' <tsquinn@usgs.gov>; 'Liberante, Wendy (OST)' <wendy.liberante@dot.gov>;
'michelle.bulls@nih.gov' <michelle.bulls@nih.gov>; 'Surprenant, Kala' <Kala.Surprenant@ed.gov>;
<Ex 6 - (5 U.S.C. Sec)> <Ex 6 - (5 U.S.C. Sec)>; 'showem@od.nih.gov' <showem@od.nih.gov>;
'Staton, Sarah J' <Ex 6 - @state.gov>; 'JGeisen@doc.gov' <JGeisen@doc.gov>; 'tom.cremins-
1@nasa.gov' <tom.cremins-1@nasa.gov>; <Ex 6 - (5 U.S.C. Sec)> <Ex 6 - (5 U.S.C. Sec)>;
'jeffs@opensource.gov' <jeffs@opensource.gov>; <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'James Jones - NOAA Federal' <james.jones@noaa.gov>; 'Fu,
Helena' <Helena.Fu@science.doe.gov>; 'DiGiulian, Maria (HQ)' <maria.digiulian@hq.doe.gov>;
<Ex 6 - (5 U.S.C. Sec)> <Ex 6 - (5 U.S.C. Sec)>; 'Lourie, Linda S. EOP/OSTP
<Ex 6 - (5 U.S.C. Sec)>; <(b)(6), (b)(7)(C)> (CID) (FBI)' <(b)(6), (b)(7)(C) &>;
'lisa.a.scottcarnell@nasa.gov' <lisa.a.scottcarnell@nasa.gov>; 'Barbier, Louis M. (HQ-AE000)'
<louis.m.barbier@nasa.gov>; <(b)(6), (b)(7)(C) & (b)(7)(E)>;
'Carly.Robinson@science.doe.gov' <Carly.Robinson@science.doe.gov>; <(b)(6), (b)(7)(C) &> (CTD)
(FBI)' <(b)(6), (b)(7)(C)>; 'susie.p.quinn@nasa.gov' <susie.p.quinn@nasa.gov>;
'Melissa.Safford@fda.hhs.gov' <Melissa.Safford@fda.hhs.gov>; <Ex 6 - (5 U.S.C. Sec)>
<Ex 6 - (5 U.S.C. Sec)>; Welch, Jennifer D. EOP/NSC <Ex 6 - (5 U.S.C. Sec)>; <Ex 6 - (5
<Ex 6 - (5) (NSD)' <Ex 6 - (5 U.S.C. Sec)>; 'Kjelland, Christin C' <Ex 6 - (5 @state.gov>;
Bettis, Elizabeth <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; REESE, NICHOLAS <Ex 6 - (5 U.S.C. Sec)>

Subject: NSTC/Research Security: Request for broader review

Dear research security colleagues,

Attached for your review is the revised draft implementation guidance. At this point, Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) with requested inputs by COB next Friday, September 3.

To aid in such review (and since this is now a complete draft, I am providing a clean version in addition to the tracked changes version.

Best,
Aaron

RE: LRM: [HWM-117-65] Due 09/30/2021 Thursday at 10:00 AM -- EDUCATION Questions for the Record on Policies and Priorities

From: "Sydor, Katherine M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Myers, Hayley W. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: "Cassell, Mary I. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >
Date: Wed, 29 Sep 2021 15:49:02 -0400
Attachments: HWM065 - ED QFRs Ed Labor.docx (108.42 kB)

Hi Hayley,

We've entered in our comments and edits on this set of QFRs in the attached document.

Thanks,
Katherine

From: Myers, Hayley W. EOP/OMB
Sent: Thursday, September 23, 2021 9:46 AM
To: 'ogc.legislation@ed.gov' <ogc.legislation@ed.gov>; <Ex 6 - (5 U.S.C. Sec >
<Ex 6 - (5 U.S.C. Sec >; <Ex 6 - (5 U.S.C. > <Ex 6 - (5 U.S.C. >; DL-OSTP-LRM <Ex 6 - (5 >
<Ex 6 - (5 U.S.C. >
Cc: Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Feldman, Iris T. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >; Bomberger, Melissa B. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB Education
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Branson, Michael D. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; O'Brien, Erin L. EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
DL OMB BRD PAYGO CREW <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB EvidenceTeam
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Greenwald, Elyse F. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Abate, Lindsay M. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hunt, Alex T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >;
Schwab, Margo EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Sivinski, Robert G. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB OGC <Ex 6 - (5 U.S.C. Sec >; Etter, Robert L.
EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Heaton, Kelly A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >; DL-OVP-LRM <Ex 6 - (5 U.S.C. Sec >; Shah, Reema B.
EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Clark, Ashley N. EOP/WHO
<Ex 6 - (5 U.S.C. Sec >; Tracey-Mooney, Maureen EOP/WHO <Ex 6 - (5 U.S.C. >
<Ex 6 - (5 U.S.C. Sec >; Valle, Katherine EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Klein,
Jennifer L. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Phadke, Shilpa D. EOP/WHO
<Ex 6 - (5 U.S.C. Sec >; Volin, Lina L. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; DL WHO
WHCO LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Sokoler, Jennifer B. EOP/WHO
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Molt-West, Alicia H. EOP/WHO <Ex 6 - (5 >
<Ex 6 - (5 U.S.C. Sec >; Vaeth, Matt J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Menard, Barbara
A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Myers, Hayley W. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >

Subject: LRM: [HWM-117-65] Due 09/30/2021 Thursday at 10:00 AM -- EDUCATION Questions for the Record on Policies and Priorities

DEADLINE: 10:00 AM Thursday, Sep 30 2021

Attached please find draft QFRs from ED from a June 24 hearing before the House Ed & Labor Committee entitled "Examining the Policies and Priorities of the U.S. Department of Education." Testimony for the hearing was reused from a Senate Appropriations Committee hearing on June 16.

Please review the draft 20-page QFRs and respond by the deadline.

LRM ID: HWM-117-65
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

Legislative Liaison Officer - See Distribution

FROM: Menard, Barbara (for) Assistant Director for Legislative Reference
SUBJECT: LRM: [HWM-117-65] Due 09/30/2021 Thursday at 10:00 AM -- EDUCATION Questions for the Record on Policies and Priorities

OMB CONTACT: Hayley Myers(OMB)
E-Mail: Ex 6 - (5 U.S.C. Sec 552(b)(6))
PHONE: Ex 6 - (5
FAX: () -

In accordance with [OMB Circular No. A-19](#), OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

FW: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: Excels Files

From: "Dorjets, Vlad EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Minson, Susan M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Date: Fri, 01 Oct 2021 08:56:37 -0400
Attachments: Long Term and Active Change_093021.xlsx (232.52 kB); Schedule of Actions_093021.xlsx (891.29 kB)

Here you go.

From: Ex 6 - (5 U.S.C. Sec [REDACTED])@gsa.gov>
Sent: Thursday, September 30, 2021 7:23 PM
To: Dorjets, Vlad EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Cc: Boris Arratia - Arratia <boris.arratia@gsa.gov>; Elizabeth Harris-Marshall - M1RB <liz.harris-marshall@gsa.gov>; McManus, Michael J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Subject: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: Excels Files

Sorry about that. See updated versions attached.

Thank you,

Ex 6 - (5 [REDACTED]) CONTRACTOR
CyberData Technologies, Inc.
Contract # - GSH1417AA0182
Regulatory Information Service Center
GSA OGP (MV)

Contractor's Place of Performance -
CyberData Technologies, Inc.
455 Springpark Place, Suite 300
Herndon, VA 20170

On Thu, Sep 30, 2021 at 5:12 PM Dorjets, Vlad EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])> wrote:

Ex 6 - Looks like you added Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) instead of the Ex 5 DP- (5 U.S.C. Sec [REDACTED]). Sorry for not being more precise in my request to avoid possible confusion. Could you please fix and re-run them?

Sent from my iPhone

On Sep 30, 2021, at 2:17 PM, [Ex 6 - (5 U.S.C. Sec 552(b)(6))] <[redacted]@gsa.gov> wrote:

See attached.

Thank you,

[Ex 6 - (5)] CONTRACTOR
CyberData Technologies, Inc.
Contract # - GSH1417AA0182
Regulatory Information Service Center
GSA OGP (MV)

Contractor's Place of Performance -
CyberData Technologies, Inc.
455 Springpark Place, Suite 300
Herndon, VA 20170

On Thu, Sep 23, 2021 at 1:23 PM Dorjets, Vlad EOP/OMB <[Ex 6 - (5 U.S.C. Sec [redacted])]> wrote:

Thanks! We'll see whether our Front Office [Ex 5 DP- (5 U.S.C. Sec 552(b)(5))]
[Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process]

From: [Ex 6 - (5 U.S.C. Sec [redacted])] <[redacted]@gsa.gov>
Sent: Thursday, September 23, 2021 1:22 PM
To: Dorjets, Vlad EOP/OMB <[Ex 6 - (5 U.S.C. Sec [redacted])]>
Cc: Boris Arratia - Arratia <[boris.arratia@gsa.gov]>; Elizabeth Harris-Marshall - M1RB <[liz.harris-marshall@gsa.gov]>; McManus, Michael J. EOP/OMB <[Ex 6 - (5 U.S.C. Sec 552(b)(6))]>
Subject: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: Excels Files

I re-ran the report and added a tab [Ex 5 DP- (5 [redacted])]. Let me know if you have any questions.

Thank you,

[Ex 6 - (5)] CONTRACTOR
CyberData Technologies, Inc.
Contract # - GSH1417AA0182
Regulatory Information Service Center
GSA OGP (MV)

Contractor's Place of Performance -

CyberData Technologies, Inc.
455 Springpark Place, Suite 300
Herndon, VA 20170

On Thu, Sep 23, 2021 at 12:55 PM Dorjets, Vlad EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])> wrote:

Michael may want to weigh in but I think that our FO would be Ex 5 DP- (5 U.S.C. Sec [REDACTED])
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

[REDACTED]

From: Ex 6 - (5 U.S.C. Sec [REDACTED]) <[REDACTED]@gsa.gov>
Sent: Thursday, September 23, 2021 11:43 AM
To: Dorjets, Vlad EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Cc: Boris Arratia - Arratia <boris.arratia@gsa.gov>; Elizabeth Harris-Marshall - M1RB <liz.harris-marshall@gsa.gov>; McManus, Michael J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Subject: Re: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: Excels Files

Please clarify. Neither of the 2 "templates" you sent me yesterday Ex 5 DP- (5 U.S.C. Sec [REDACTED])
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) [REDACTED] had a tab Ex 5 DP- (5 U.S.C. Sec [REDACTED])
Deliberative Process

On the Agency Index report, the Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) [REDACTED]

Thank you,

Ex 6 - (5 U.S.C. Sec [REDACTED]), CONTRACTOR
CyberData Technologies, Inc.
Contract # - GSH1417AA0182
Regulatory Information Service Center
GSA OGP (MV)

Contractor's Place of Performance -
CyberData Technologies, Inc.
455 Springpark Place, Suite 300
Herndon, VA 20170

On Thu, Sep 23, 2021 at 11:18 AM Dorjets, Vlad EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])> wrote:

Hey Ex 6,

Did the files used Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative [REDACTED] If not would it be hard to Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative [REDACTED]

Vlad

From: Ex 6 - (5 U.S.C. Sec 552(b)(6)) @gsa.gov
Sent: Thursday, September 23, 2021 10:58 AM
To: Dorjets, Vlad EOP/OMB Ex 6 - (5 U.S.C. Sec 552(b)(6))
Cc: Boris Arratia - Arratia <boris.arratia@gsa.gov>; Elizabeth Harris-Marshall - M1RB <liz.harris-marshall@gsa.gov>; McManus, Michael J. EOP/OMB Ex 6 - (5 U.S.C. Sec 552(b)(6))
Subject: [WARNING: UNSCANNABLE EXTRACTION FAILED]Re: Excels Files

See attached.

Thank you,

Ex 6 - (5) CONTRACTOR
CyberData Technologies, Inc.
Contract # - GSH1417AA0182
Regulatory Information Service Center
GSA OGP (MV)

Contractor's Place of Performance -
CyberData Technologies, Inc.
455 Springpark Place, Suite 300
Herndon, VA 20170

On Wed, Sep 22, 2021 at 5:41 PM Dorjets, Vlad EOP/OMB Ex 6 - (5 U.S.C. Sec 552(b)(6)) wrote:

Boris,

We are preparing for internal meetings with our Front Office Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process. I have attached slightly re-formatted versions of the files from last cycle as a reference. Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process. Sorry for short notice but I need to get these files to my Front Office by COB Friday so that they can review them over the weekend so I would really appreciate it if you could get them to me before then.

Vlad

From: McManus, Michael J. EOP/OMB
Sent: Monday, September 20, 2021 6:17 PM
To: Dorjets, Vlad EOP/OMB Ex 6 - (5 U.S.C. Sec 552(b)(6))
Subject: Excels for meeting

Hi Vlad,

These are the four excels we pulled for Sharon. They were not separate Excels for each agency, just one for all Cabinet+. The only manual stuff I did was formatting. IE: Wrap text, change column size, font, etc. She specifically asked for this after I sent her the raw files first.

Based on our conversation today, Ex 5 DP- (5 U.S.C. Sec 552(b)(5))
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

I also attached one of the event invitations so you can see what was included.

Michael

<Long Term and Active Change_093021.xlsx>
<Schedule of Actions_093021.xlsx>

FW: ED Draft Fall 2021 Unified Agenda - Comments due Wednesday (10/13) at 12 PM

From: "Valle, Katherine EOP/WHO" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Abate, Lindsay M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Cc: "Clark, Ashley N. EOP/WHO" <Ex 6 - (5 U.S.C. Sec [REDACTED])>, "Rogers, Melissa EOP/WHO" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Date: Fri, 08 Oct 2021 16:29:08 -0400
Attachments: ORIGINAL ED Reg Plan Entries (2021 Fall)-(Unreviewed) EOP 10.7.21_ED Responses clean.docx (53.96 kB); ORIGINAL ED Agenda Entries (2021 Fall)-(Unreviewed) EOP 10.7.21_ED Responses clean.docx (82.87 kB); ORIGINAL ED Agenda Entries (2021 Fall)-(Unreviewed) EOP 10.7.21_ED Responses.docx (98.33 kB); ORIGINAL ED Reg Plan Entries (2021 Fall)-(Unreviewed) EOP 10.7.21_ED Responses.docx (65.72 kB)

Didn't see Melissa on here. Can you include her on this if she's not on here?

From: Abate, Lindsay M. EOP/OMB
Sent: Thursday, October 7, 2021 5:11 PM
To: DL OMB Education <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Tracey-Mooney, Maureen EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Valle, Katherine EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Knackstedt, Kimberly M. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Martin, Carmel M. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Feldman, Stefanie G. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Pascal, Alex J. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Yudelson, Alex R. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Garufi, Marc A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Ganahl, Joseph R. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Okolo, Osaremen F. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Wall, Mary C. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Johnson, Carole A. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Delery, Stuart F. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Gluck, Abbe R. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Shah, Reema B. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Gupta, Neha EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Garg, Arpit K. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Adiga, Mala EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Kosoglu, Rohini L. EOP/OVP <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Lawver, Daniel A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Knackstedt, Kimberly M. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hunt, Alex T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Clark, Ashley N. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Dandiya, Pia P. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Wall, Mary C. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Lion, Vanessa C. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Sherman, Donald K. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Lhamon, Catherine E. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Keene, Jamie D. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Gupta, Neha EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Bagenstos, Samuel R. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; English, Leandra EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Jacobs, Zoe A. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Taber, Jamie R. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Landrieu, Grace G. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>

<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Barrow, Lisa EOP/CEA <Ex 6 - (5 U.S.C. Sec >; Ibrahim, Aya R. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; O'Shea, Abby C. EOP/CEA <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Bernstein, Jared EOP/CEA <Ex 6 - (5 U.S.C. Sec >; McKinney, Jessica A. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: Block, Sharon I. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Gould, Jonathan S. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mancini, Dominic J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hunt, Alex T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Dorjets, Vlad EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Ahmed, Shagufta I. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: RE: ED Draft Fall 2021 Unified Agenda - Comments due Wednesday (10/13) at 12 PM

Colleagues,

Attached please find ED's response to EOP comments regarding the Department's **Fall 2021 Unified Agenda and Regulatory Plan**. Clean and redlined versions of both documents are attached for your reference.

We request any further comments/edits by **Wednesday (10/13) at 12:00 PM**. Please label your comments **EOP 10/13**, add them to the clean document(s), and send them to me and Shagufta Ahmed (copied). If you anticipate providing comments but need additional time, please reach out before the deadline.

Many thanks,
Lindsay

From: Abate, Lindsay M. EOP/OMB
Sent: Tuesday, September 14, 2021 12:58 PM
To: DL OMB EIML Education <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Tracey-Mooney, Maureen EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Valle, Katherine EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Knackstedt, Kimberly M. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Martin, Carmel M. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Feldman, Stefanie G. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Pascal, Alex J. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Yudelson, Alex R. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Garufi, Marc A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Ganahl, Joseph R. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Okolo, Osaremen F. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Wall, Mary C. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Johnson, Carole A. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Delery, Stuart F. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Gluck, Abbe R. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Shah, Reema B. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Gupta, Neha EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Garg, Arpit K. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Adiga, Mala EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Kosoglu, Rohini L. EOP/OVP <Ex 6 - (5 U.S.C. Sec >; Millison, Deanne B. EOP/OVP <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Lawver, Daniel A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Knackstedt, Kimberly M. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hunt, Alex T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Clark, Ashley N. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Dandiya, Pia P. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Wall, Mary C. EOP/WHO

<Ex 6 - (5 U.S.C. Sec [REDACTED]) >; Lion, Vanessa C. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; Sherman, Donald K. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Lhamon, Catherine E. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Keene, Jamie D. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; Gupta, Neha EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; Bagenstos, Samuel R. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; English, Leandra EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; Jacobs, Zoe A. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; Taber, Jamie R. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; Landrieu, Grace G. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Barrow, Lisa EOP/CEA <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; Ibrahim, Aya R. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; O'Shea, Abby C. EOP/CEA <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Bernstein, Jared EOP/CEA <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; McKinney, Jessica A. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Cc: Block, Sharon I. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; Gould, Jonathan S. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mancini, Dominic J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hunt, Alex T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Dorjets, Vlad EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED]) >; Shagufta I. EOP/OMB Ahmed <Ex 6 - (5 U.S.C. Sec 552(b)(6)) > <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: ED Draft Fall 2021 Unified Agenda - Comments due Tuesday (9/28) at 12 PM

Colleagues,

Please find attached for your review the Department of Education's draft Unified Agenda, draft Regulatory Plan, and supporting documents. As you may know, the Regulatory Plan and Unified Agenda provide important public notice and transparency about proposed regulatory and deregulatory actions within the Executive Branch. This process highlights agency priorities, promotes planning and coordination, and encourages public participation in the regulatory process.

We request your comments on the draft Regulatory Plan and Unified Agenda via track changes by **Tuesday, September 28, at 12:00 PM. Please send your feedback to me and Shagufta Ahmed (copied).** This is your primary opportunity to review all agenda entries as well as each agency's first Regulatory Plan under this Administration. If you think of others in EOP who would be interested in reviewing this material, please let me know so that I can include them on future communications.

Description of the attachments:

1. **Draft Unified Agenda** – Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
 Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]
2. **Draft Regulatory Plan** – Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
 Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]
3. **Change Report** – Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
 Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]
4. **The Agenda Index** – Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
 Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

We ask that you focus your review on policy concerns/content and keep in mind that: Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Also, please do not worry about typographical errors, formatting, or duplicate entries.

Please let me know if you would like a meeting with the agency to discuss their agenda entries. These meetings can help answer any questions or concerns you may have and help OIRA ensure that the Regulatory Plan and Unified Agenda are published on schedule. Please also let me know if you have any questions and thank you for your efforts.

Best,
Lindsay

Lindsay Abate
Office of Information and Regulatory Affairs (OIRA)
Office of Management and Budget (OMB)

Ex 6 - (5 U.S.C. Sec 552(b)(6))

Cell: Ex 6 - (5

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

— FW: For Action: NSTC

Concurrence: Guidance for Implementing National Security Presidential Memorandum 33 (NSPM-33) -- Due 11/8

From: "Mok, Emily A. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Lourie, Linda S. EOP/OSTP" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Cc: "McNavage, William EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Bcc: "Mok, Emily A. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Date: Mon, 15 Nov 2021 18:49:13 -0500
Attachments: NSPM-33 Implementation Guidance final Ex 5 DP- (5 U.S.C. [REDACTED]) docx (198.39 kB)

Hi Linda,

Thanks for sharing this info with us. Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative
Ex 5 DP- (5 U.S.C. Sec [REDACTED]) OMB believes Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Thanks,
Emily & Bill

From: Lourie, Linda S. EOP/OSTP <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Sent: Monday, November 15, 2021 10:15 AM
To: Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Subject: RE: For Action: NSTC Concurrence: Guidance for Implementing National Security Presidential Memorandum 33 (NSPM-33) -- Due 11/8

Sorry not to have included it earlier, but Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative
Ex 5 Here's what I got:

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



Linda S. Lourie
Assistant Director for Research and Technology Security
National Security and International Affairs
Office of Science and Technology Policy
Executive Office of the President

Ex 6 - (5 U.S.C. Sec
552(b)(6))
Ex 6 - (5 (unclass)
U.S.C. Sec (mobile)

From: Mok, Emily A. EOP/OMB
Sent: Monday, November 15, 2021 9:48 AM
To: McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Lourie, Linda S. EOP/OSTP <Ex 6 - (5 U.S.C. Sec >
Subject: RE: For Action: NSTC Concurrence: Guidance for Implementing National Security Presidential Memorandum 33 (NSPM-33) -- Due 11/8

Hi Linda,
We'd also like to flag the earlier question (attached email exchange), so that we don't lose sight of this. Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Thanks,
Emily

From: McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Sent: Friday, November 12, 2021 12:17 PM
To: Lourie, Linda S. EOP/OSTP <Ex 6 - (5 U.S.C. Sec >
Cc: Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Nassif, Rob J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: RE: For Action: NSTC Concurrence: Guidance for Implementing National Security Presidential Memorandum 33 (NSPM-33) -- Due 11/8

Hi Linda –

Per our earlier email, attached are OMB's edits and comments to the NSPM-33 Implementation Guidance. As I mentioned in our last message, Ex 5 DP- (5 U.S.C. Sec 552(b)(5))

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Below is a

summary of Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5))

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5))

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Please refer to the edited document for specificities. You will see there are a few other minor comments from OMB that look to be very straightforward to address.

Please let us know if a Zoom call next week to review and adjudicate these issues is possible for OSTP and I'll work on scheduling.

If you have any other questions or concerns, please let us know.

Thanks,
Bill + Emily

From: McNavage, William EOP/OMB

Sent: Wednesday, November 10, 2021 4:59 PM

To: Lourie, Linda S. EOP/OSTP <Ex 6 - (5 U.S.C. Sec 552(b)(5))>

Cc: Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(5))>

Subject: RE: For Action: NSTC Concurrence: Guidance for Implementing National Security Presidential Memorandum 33 (NSPM-33) -- Due 11/8

Hi Linda –

Emily and I wanted to update you on where we stand at this time. Ex 5 DP- (5 U.S.C. Sec 552(b)(5))

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) by Monday COB.

We got a preview Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

It won't be possible to schedule a

meeting by the end of this week, but we can certainly find a common time next week to discuss if OSTP is open to that; I am happy to run point on scheduling to not put that burden on you or others.

Based on some agency feedback that they received, Ex 5 DP- (5 U.S.C. Sec 552(b)(5))
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) We wanted to pass this along now for consideration
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process to come back to us.

Please let us know if you are open to the steps we outlined above and we'll get a meeting on the calendar as quickly as possible. If you have any other questions, please let Emily or me know.

Thanks,
Bill + Emily

P.S. Did you get Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP-

Bill McNavage, Ph.D.

Program Examiner | Defense Investments Branch
Office of Management and Budget
(w) Ex 6 - (5
<https://www.whitehouse.gov/omb>

From: Lourie, Linda S. EOP/OSTP <Ex 6 - (5 U.S.C. Sec >
Sent: Wednesday, November 3, 2021 11:40
To: Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >
Cc: McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Subject: RE: For Action: NSTC Concurrence: Guidance for Implementing National Security Presidential Memorandum 33 (NSPM-33) -- Due 11/8

Thanks, Emily. This is helpful.

Linda S. Lourie
Assistant Director for Research and Technology Security
National Security and International Affairs
Office of Science and Technology Policy
Executive Office of the President
SIPR: Ex 6 - (5 U.S.C. Sec
JWICS: Ex 6 - (5 U.S.C. Sec
Ex 6 - (5 (o)
Ex 6 - (5 (m)
SECURE TEL: Ex 6 - (5

From: Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Sent: Wednesday, November 3, 2021 11:05 AM
To: Lourie, Linda S. EOP/OSTP <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Cc: McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Subject: Re: For Action: NSTC Concurrence: Guidance for Implementing National Security Presidential Memorandum 33 (NSPM-33) -- Due 11/8

Linda,

Also, to add/clarify regarding the previous response, we're Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

[REDACTED]

Thanks,
Emily

On Nov 3, 2021, at 10:49 AM, Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])> wrote:

Linda,

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

The question that Bill posed Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Thanks,
Emily

On Nov 3, 2021, at 7:05 AM, Lourie, Linda S. EOP/OSTP <Ex 6 - (5 U.S.C. Sec [REDACTED])> wrote:

Bill,

Questions on the resource request: Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) When is the OMB piece due?

Thanks,

Linda

Linda S. Lourie
Assistant Director for Research and Technology Security
National Security and International Affairs
Office of Science and Technology Policy
Executive Office of the President
Ex 6 - (5 U.S.C. Sec 552(b)(6))
Ex 6 - (5 (unclass)
U.S.C. Sec (mobile)

From: McNavage, William EOP/OMB
Sent: Tuesday, November 2, 2021 5:40 PM
To: Lourie, Linda S. EOP/OSTP <Ex 6 - (5 U.S.C. Sec >
Cc: Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >
Subject: RE: For Action: NSTC Concurrence: Guidance for Implementing National Security Presidential Memorandum 33 (NSPM-33) -- Due 11/8
Importance: High

Hi Linda –

Thanks for forwarding along the NSPM-33 Implementation Guidance.

OMB would like to request an extension on this deadline until at least November 15th. It will not be possible to have this document cleared by November 8th. There are several factors driving this request: Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Please let me know if OSTP can accommodate this request. It would be a great help and OMB really appreciates it.

Also, Emily Mok (cc'd) and I Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Please let me know if you have any questions or if you would like to talk further. My day is largely free of meetings tomorrow and can take a break to discuss almost at any time; my office number is best.

Regards,
Bill

Bill McNavage, Ph.D.
Program Examiner | Defense Investments Branch

Office of Management and Budget
(w) Ex 6 - (5 [REDACTED])
<https://www.whitehouse.gov/omb>

From: Lourie, Linda S. EOP/OSTP <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Sent: Monday, November 1, 2021 17:19
To: Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; McNavage, William EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]>; Whitman, Lloyd <lwhitman@nsf.gov>; Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]; Ex 6 - (5 U.S.C. Sec [REDACTED]); Ex 6 - (5 U.S.C. Sec [REDACTED])@state.gov; Jorgenson, Lyric (NIH/OD) [E <lyric.jorgenson@nih.gov>; Zecher, Dede <Cordelia.Zecher@uspto.gov>; Binkley, Steve <John.Binkley@science.doe.gov>; heather.evans@nist.gov; Katharine.Ferguson@usda.gov; Robert.Bonnie@usda.gov; Lal, Bhavya (HQ-AA000 <bhavya.lal@nasa.gov>; Cremins, Tom (HQ-AJ000 <tom.cremins-1@nasa.gov>; Douraghy, Ali <Ali.Douraghy@hq.doe.gov>; Ex 6 - (5 U.S.C. Sec [REDACTED]); michael.weiss@noaa.gov; ljimenez@doc.gov; (b)(3), (b)(6) <(b)(3), (b)(6) [REDACTED]>; Ex 6 - (5 U.S.C. Sec [REDACTED]); sean.mcluskie@hhs.gov; wanda.russ@fda.hhs.gov; lawrence.tabak@nih.gov; melanie.muenzer@ed.gov; Douraghy, Ali <Ali.Douraghy@hq.doe.gov>; Ex 6 - (5 U.S.C. Sec [REDACTED])
Cc: Juhl, Charlie A. EOP/OSTP <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Koizumi, Kei EOP/OSTP <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Jones, Narda M. EOP/OSTP <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Krieger, Julia N. EOP/OSTP <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Turaga, Bridget M. <bturaga@nsf.gov>; (b)(6), (b)(6), (b)(7)(C) <(b)(6), (b)(7)(C) [REDACTED]>; Adams, Jaime <jaime.adams@usda.gov>; (b)(6), (b)(7)(C) <(b)(6), (b)(7)(C) [REDACTED]>; Donohue, Ryan C. EOP/OSTP <Ex 6 - (5 U.S.C. Sec [REDACTED])>; (b)(6), (b)(7)(C) (DO) (FBI) <(b)(6), (b)(7)(C) & [REDACTED]>; gregory.strouse@nist.gov; (b)(3), (b)(3), (b)(6) <(b)(3), (b)(6) [REDACTED]>; Julie.Abraham@dot.gov; Merrill, John <Ex 6 - (5 U.S.C. Sec [REDACTED])>; (b)(6), (b)(6) (DO) (FBI) <(b)(6), (b)(7)(C) & [REDACTED]>; Matthew.Warren@fda.hhs.gov; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; DeBlanc-Knowles, Tess <tdeblanc@nsf.gov>; Ex 6 - (5 U.S.C. Sec [REDACTED]) (NSD) <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Bahnak, Jess <Jess.Bahnak@science.doe.gov>; Ex 6 - (5 U.S.C. Sec [REDACTED]); Ex 6 - (5 U.S.C. Sec [REDACTED]); Feldman, Jean I. <jfeldman@nsf.gov>; Valdez, Patricia (NIH/OD) [E] <patricia.valdez@nih.gov>; Lauer, Michael (NIH/OD) [E] <michael.lauer@nih.gov>; Keiser, Rebecca Lynn <RLKEISER@nsf.gov>; Zuckerman, Brian L <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Ex 6 - (5 U.S.C. Sec [REDACTED]); (b)(3) - P.L. 86 [REDACTED]; Ex 6 - (5 U.S.C. Sec [REDACTED]); Ison, Jeremy T. (HQ) <jeremy.ison@hq.doe.gov>; (b)(6), (b)(7)(C) (CD) (FBI) <(b)(6), (b)(7)(C) [REDACTED]>; Nair, Bindu R SES OSD OUSD R&E (USA) <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Karena.Cooper@fda.hhs.gov; (b)(6), (b)(6), (b)(7)(C) & [REDACTED]; Whitman, Lloyd <lwhitman@nsf.gov>; Alstott, Jeffrey D. EOP/NSC <Ex 6 - (5 U.S.C. Sec [REDACTED])>; (b)(3), (b)(6) <(b)(3), (b)(6) [REDACTED]>; Goldman, Abby R <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Wu, Elaine <Elaine.Wu@USPTO.GOV>; Fung, Henry Y <Ex 6 - (5 U.S.C. Sec [REDACTED])@state.gov>; (b)(6), (b)(7)(C) <(b)(6), (b)(7)(C) & [REDACTED]>; ben.huddle@dot.gov; Jesus.Hernandez@USPTO.GOV; (b)(6), (b)(6) <(b)(6), [REDACTED]>; Jenter, Harry L <hjenter@usgs.gov>; Hildebrand, Grace E <Ex 6 - (5 U.S.C. Sec [REDACTED])>; kala.shah@ed.gov; (b)(3), (b)(6) <(b)(3), (b)(6) [REDACTED]>; Ex 6 - (5 U.S.C. Sec [REDACTED]); (b)(6), (b)(7)(C) <(b)(6), (b)(7)(C) & [REDACTED]>; margaret.kieffer@nasa.gov; Ross, Keel L <klross@usgs.gov>;

Draper, Dave (HQ-AE000) <david.draper@nasa.gov>; Steven.Cooley@fda.hhs.gov;
simon.liu@ars.usda.gov; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Slupe,
Kevin <Kevin.Slupe@ed.gov>; (b)(6), (b)(7)(C) (WMD) (FBI) ((b)(6), (b)(7)(C))
<(b)(6), (b)(7)(C) &>; Mahmood, Sarah <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Stalker-
Lehoux, Sarah M. EOP/NSC <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Bagia, Amrit B.
EOP/NSC <Ex 6 - (5 U.S.C. Sec [REDACTED]); (b)(3), (b)(6)>; Scully,
Brian J. EOP/NSC <Ex 6 - (5 U.S.C. Sec [REDACTED]); (b)(6), (b)(7)(C)>; Robinson, Craig R
<crrobinson@usgs.gov>; tsquinn@usgs.gov; Liberante, Wendy (OST)
<wendy.liberante@dot.gov>; Bulls, Michelle G. (NIH/OD) [E] <michelle.bulls@nih.gov>;
Ex 6 - (5 U.S.C. Sec [REDACTED]) Showe, Melanie (NIH/OD) [E] <showem@od.nih.gov>; Staton,
Sarah J <Ex 6 - [REDACTED]@state.gov>; JGeisen@doc.gov; tom.cremins-1@nasa.gov;
Ex 6 - (5 U.S.C. Sec [REDACTED]) jeffs@opensource.gov; Ex 6 - (5 U.S.C. Sec 552(b)(6));
James Jones - NOAA Federal <james.jones@noaa.gov>; Fu, Helena
<Helena.Fu@science.doe.gov>; DiGiulian, Maria (HQ) <maria.digiulian@hq.doe.gov>;
Ex 6 - (5 U.S.C. Sec [REDACTED]); (b)(6), (b)(7)(C) & (b)(7)(E)>;
lisa.a.scottcarnell@nasa.gov; Barbier, Louis M. (HQ-AE000)
<louis.m.barbier@nasa.gov>; (b)(6), (b)(7)(C); Carly.Robinson@science.doe.gov;
(b)(6), (b)(7)(C) (CTD) (FBI) <(b)(6), (b)(7)(C)>; susie.p.quinn@nasa.gov;
Melissa.Safford@fda.hhs.gov; Ex 6 - (5 U.S.C. Sec [REDACTED]); Welch, Jennifer D. EOP/NSC
<Ex 6 - (5 U.S.C. Sec [REDACTED]); Ex 6 - (5 U.S.C. [REDACTED]) (NSD)
<Ex 6 - (5 U.S.C. Sec [REDACTED]); Kjelland, Christin C <Ex 6 - (5 [REDACTED])@state.gov>;
Ex 6 - (5 U.S.C. Sec [REDACTED]); Ex 6 - (5 U.S.C. Sec [REDACTED]); (b)(3), (b)(6)
lori.vassar@ios.doi.gov; jlatoff@doc.gov; gcos1@doc.gov; Matheny, Jason G.
EOP/OSTP <Ex 6 - (5 U.S.C. Sec 552(b)(6))>

Subject: For Action: NSTC Concurrence: Guidance for Implementing National Security
Presidential Memorandum 33 (NSPM-33) -- Due 11/8

Dear Colleagues,

The National Science and Technology Council (NSTC) requests NSTC Principal review of the attached *Guidance for Implementing National Security Presidential Memorandum 33 (NSPM-33) on National Security Strategy for United States Government-Supported Research and Development*. Developed by the Subcommittee on Research Security of the NSTC Joint Committee on the Research Environment, this document provides guidance to Federal departments and agencies regarding their implementation of NSPM-33.

This draft has Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)),

Please provide your concurrence or other feedback by COB Monday, November 8th to Linda Lourie (Ex 6 - (5 U.S.C. Sec [REDACTED]) and Charlie Juhl (Ex 6 - (5 U.S.C. Sec 552(b)(6))). No response by the 8th will be taken as concurrence. Please also reach out with any questions or concerns.

Thank you,

Linda

Linda S. Lourie
Assistant Director for Research and Technology Security
National Security and International Affairs
Office of Science and Technology Policy
Executive Office of the President
Ex 6 - (5 U.S.C. Sec [REDACTED])
Ex 6 - (5 U.S.C. Sec [REDACTED])
Ex 6 - (5 [REDACTED]) (unclass)
U.S.C. Sec [REDACTED] (mobile)

RE: LRM: [KLM-117-89] Due 01/31/2022 Monday at 10:00 AM -- OMB Statement of Administration Policy on HR4521 - America COMPETES Act of 2022

From: "Derbes, Catherine A. EOP/OMB" <Ex 6 - (5 U.S.C. Sec. x 6 - (5)>
To: "Patel, Jagir D. EOP/OMB" <Ex 6 - (5) x 6 - (5)>
Date: Fri, 28 Jan 2022 10:25:16 -0500

Thank you!

From: Patel, Jagir D. EOP/OMB
Sent: Friday, January 28, 2022 10:19 AM
To: Derbes, Catherine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec. x 6 - (5)>; Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. x 6 - (5)>; Mann, Noah S. EOP/OMB <Ex 6 - (5) Ex 6 - (5)>
Subject: RE: LRM: [KLM-117-89] Due 01/31/2022 Monday at 10:00 AM -- OMB Statement of Administration Policy on HR4521 - America COMPETES Act of 2022

That's me! Yep, I'll add some pieces.

From: Derbes, Catherine A. EOP/OMB
Sent: Friday, January 28, 2022 9:58 AM
To: Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5)>; Mann, Noah S. EOP/OMB <Ex 6 - (5) Ex 6 - (5)>; Patel, Jagir D. EOP/OMB <Ex 6 - (5) Ex 6 - (5)>
Subject: RE: LRM: [KLM-117-89] Due 01/31/2022 Monday at 10:00 AM -- OMB Statement of Administration Policy on HR4521 - America COMPETES Act of 2022

Definitely. Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Since this is due Monday morning, could folks put in their pieces by early afternoon so that we can Ex 5 DP- (5 U.S.C. Sec with a bit of time before COB today?

Cat

From: Cassell, Mary I. EOP/OMB
Sent: Friday, January 28, 2022 9:46 AM
To: Derbes, Catherine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec. Ex 6 - (5)>; Mann, Noah S. EOP/OMB <Ex 6 - (5) x 6 - (5)>; Patel, Jagir D. EOP/OMB <Ex 6 - (5) Ex 6 - (5)>
Subject: RE: LRM: [KLM-117-89] Due 01/31/2022 Monday at 10:00 AM -- OMB Statement of Administration Policy on HR4521 - America COMPETES Act of 2022

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Since it's a SAP, and Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5))
Deliberative Process

Does that work?

From: Derbes, Catherine A. EOP/OMB
Sent: Friday, January 28, 2022 9:44 AM
To: Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5)>; Mann, Noah S. EOP/OMB
<Ex 6 - (5 Ex 6 - (5)>; Patel, Jagir D. EOP/OMB <Ex 6 - (5 Ex 6 - (5)>
Subject: RE: LRM: [KLM-117-89] Due 01/31/2022 Monday at 10:00 AM -- OMB Statement of
Administration Policy on HR4521 - America COMPETES Act of 2022

Hi Mary,

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) the SAP. Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative
Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) (When everyone's had a chance to review, of course!)

Thanks,
Cat

From: Matsuo, Kimie L. EOP/OMB
Sent: Friday, January 28, 2022 9:24 AM
To: 'AGRICULTURE' <usdaleg@obpa.usda.gov>; 'COMMERCE' <Ex 6@doc.gov>; 'DEFENSE'
<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'EDUCATION' <ogc.legislation@ed.gov>; 'ENERGY'
<Energy.GC33@hq.doe.gov>; 'Environmental Protection Agency' <epalrm@epamail.epa.gov>;
'General Services Administration' <Ex 6 - (5 U.S.C. Sec >; 'HEALTH & HUMAN SERVICES'
<lrm@hhs.gov>; 'HOMELAND SECURITY' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'HOUSING & URBAN
DEVELOPMENT' <HUDLRM@hud.gov>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE'
<Ex 6 - (5 U.S.C. Sec >; 'LABOR' <Ex 6 - (5 U.S.C. Sec >; 'National Aeronautics and Space
Administration' <nasa_lrm@hq.nasa.gov>; 'National Science Foundation' <olpalrm@nsf.gov>; 'Office
of Personnel Management' <CLA@opm.gov>; 'Office of the Director of National Intelligence' <Ex
Ex 6 - (5 >; 'STATE' <Ex 6 - (5 @state.gov>; 'Small Business Administration' <cla@sba.gov>;
'TRANSPORTATION' <dot.legislation@dot.gov>; 'TREASURY' <llr@treasury.gov>; 'US Agency for
International Development' <Ex 6 - (5 U.S.C. >; 'VETERANS AFFAIRS' <ogcvalrm@va.gov>
Cc: Aron-Dine, Aviva R. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >; Linden, Michael S. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Hill, Amanda M. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >;
Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec: x 6 - (5 >; Schory, Daniel K. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Pasquantino, John C. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >;
Pei, Yi EOP/OMB <Ex 6 - (5 Ex 6 - (5 >; Mok, Emily A. EOP/OMB
<Ex 6 - (5 Ex 6 - (5 >; Hu, Grace EOP/OMB <Ex 6 - (5 x 6 - (5 >; McDonald,
Christine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Bar-Shalom, Tali EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Dick, John H. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >; Lucas,
Adrienne E. EOP/OMB <Ex 6 - (5 U.S.C. Sec: x 6 - (5 >; Fischietto, Mary S. EOP/OMB
<Ex 6 - (5 U.S.C. x 6 - (5 >; Connors, Kyle F. EOP/OMB <Ex 6 - (5 U.S.C. x 6 - (5 >;
Kraft, Faride F. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >; Glass, Jacob S. EOP/OMB
<Ex 6 - (5 Ex 6 - (5 >; Patterson, Tia B. EOP/OMB <Ex 6 - (5 U.S.C. x 6 - (5 >; Clark,
Damon J. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >; Enger, Michelle A. EOP/OMB

<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Turner, Austin F. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >;
Clark, Michael C. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >; Gonzalez, Anthony A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Hoy, Peter G. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >;
Jones, Lauren H. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >; Miller, Kimberly A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Curtis, Tyler T. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Lachman, Sherry E. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Feldman, Iris T. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >;
Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Cassell, Mary I.
EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >; Derbes, Catherine A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Patel, Jagir D. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >;
Branson, Michael D. EOP/OMB <Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Sierra, Leticia EOP/OMB
<Ex 6 - (5 Ex 6 - (5 >; Weisshaar, David M. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Spiro, Topher J. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Hill, Frankie F. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >; Reilly,
Tom M. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >; DL OMB HHSB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; DL OMB PHB <Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; De
Los Santos, Karen EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >; Abrams, Andrew D. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Berger, Joseph J. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >;
Cramer, Drew W. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >; Hourigan, Clinton T. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Mergen, Margaret C. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Crow, Rose C. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; MacMaster, Ryan J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Roy, Amanda E. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >;
Meier, Edward F. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >; Sullivan, Patrick K. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; DL OMB NSP IAD STATE
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; DL OMB NSP IAD ECON
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Sandy, Mark S. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >;
DL OMB NSP NSD FSIB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB NSD INTEL
<Ex 6 - (5 U.S.C. Sec >; Kinneen, Kelly A. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >;
O'Brien, Erin L. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >; Jun, Hee K. EOP/OMB
<Ex 6 - (5 Ex 6 - (5 >; Blum, Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >;
Field, Lesley A. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >; McCrary, Jeremy P. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Mancini, Dominic J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Block, Sharon I. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >;
Rahman, Sabeel A. EOP/OMB <Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Greenwald, Elyse F. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Hunt, Alex T. EOP/OMB <Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >;
Seehra, Jasmeet K. EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >; Fraser, Nicholas A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Moncada, Kirsten J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Hill, Jonathan W. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Hennemuth, Elizabeth I. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Aguilar, Brenda L. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; Thomas, Amanda L. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Schwab, Margo EOP/OMB <Ex 6 - (5 U.S.C. Ex 6 - (5 >;
DL OMB PPM Personnel Team <Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; DL OMB OFFM
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; DL OMB OFCIO Legislative
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; DeRusha, Chris J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Martorana, Clare A. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >; DL OMB MOD MIAO Staff

<Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Dorgelo, Cristin A. EOP/OMB
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LRM <Ex 6 - (5 U.S.C. Sec >; Irby, Ike D. EOP/OVP <Ex 6 - (5 U.S.C. Sec >; DL-CEA-LRM
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Sanchez, Roque T. EOP/WHO <Ex 6 - (5 U.S.C. Ex 6 - (5 >; Hayes, David J. EOP/WHO
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Fazili, Sameera EOP/WHO <Ex 6 - (5 Ex 6 - (5 >; Reynolds, Liz B. EOP/WHO
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Healton, Kelly A. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >; Friedlander, Rob S. EOP/OMB
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Bryan P. EOP/OMB <Ex 6 - (5 Ex 6 - (5 >; Menard, Barbara A. EOP/OMB
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Bronack, Candice M. EOP/OMB <Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Woroszylo, Nicholas J.
EOP/OMB <Ex 6 - (5 U.S.C. Sec Ex 6 - (5 >; Matsuo, Kimie L. EOP/OMB
<Ex 6 - (5 U.S.C. Ex 6 - (5 >

Subject: LRM: [KLM-117-89] Due 01/31/2022 Monday at 10:00 AM -- OMB Statement of Administration Policy on HR4521 - America COMPETES Act of 2022

Importance: High

DEADLINE: 10:00 AM Monday, Jan 31 2022

Attached for your review is a draft Statement of Administration Policy (SAP) expressing support for House passage of H.R. 4521, the "America Creating Opportunities for Manufacturing, Pre-Eminence in Technology, and Economic Strength Act of 2022" or "America COMPETES Act of 2022." Bill text is

available [here](#). The House Rules Committee is expected to meet as soon as Tuesday, 2/1/22, to issue a rule for floor consideration of the bill.

Please review the draft SAP and provide any edits or comments by the **firm** deadline above. Thank you.

LRM ID: KLM-117-89
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference
SUBJECT: LRM: [KLM-117-89] Due 01/31/2022 Monday at 10:00 AM -- OMB Statement of Administration Policy on HR4521 - America COMPETES Act of 2022

OMB CONTACT: Kimie Matsuo (OMB)
E-Mail: Ex 6 - (5 U.S.C. Ex 6 - (5
PHONE: Ex 6 - (5
FAX: Ex 6 - (5

In accordance with [OMB Circular No. A-19](#), OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

RE: FYI: ED Provisions in COMPETES Act

From: "Patel, Jagir D. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Carroll, William S. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Date: Tue, 01 Feb 2022 22:17:04 -0500

Hi Will – Cat and I put together a summary of the ED provisions for Sherry. I'll forward that to you –
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

From: Carroll, William S. EOP/OMB
Sent: Tuesday, February 1, 2022 2:08 PM
To: Patel, Jagir D. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Subject: RE: FYI: ED Provisions in COMPETES Act

Hey Jagir – Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED] to share
the load this time around too! FYI, I don't think I was on Hayley's SAP email, so apologies if this is
already well underway.

Will

From: Myers, Hayley W. EOP/OMB
Sent: Friday, January 28, 2022 1:52 PM
To: DL OMB EIML Education <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Cc: Menard, Barbara A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Subject: FYI: ED Provisions in COMPETES Act

Hi all,

As you may already be aware, there are several ED-related provisions in H.R. 4521, the COMPETES
Act, which is slated to be on the House floor next week. Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) [REDACTED]
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative [REDACTED] The full section by section is available [here](#); bill text
is available [here](#).

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) [REDACTED]

Thanks,
Hayley

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process [REDACTED]

FW: LRM: [KLM-117-102] Due 03/09/2022 Wednesday at 3:00 PM -- OMB Request for Views on HR4521 - America COMPETES Act of 2022

From: "Giamo, Daniel M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec [REDACTED])>
To: "Hettinger, Alex G. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6))>
Date: Tue, 08 Mar 2022 14:11:59 -0500
Attachments: America COMPETES Act of 2022.pdf (5.88 MB)

Hi Alex,

Do you have any concerns Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Dan

From: Giamo, Daniel M. EOP/OMB
Sent: Monday, March 7, 2022 12:23 PM
To: Bar-Shalom, Tali EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL OMB ESWD EB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Subject: RE: LRM: [KLM-117-102] Due 03/09/2022 Wednesday at 3:00 PM -- OMB Request for Views on HR4521 - America COMPETES Act of 2022

Hi everyone. Following up from the staff meeting. If anyone identifies Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative please flag for me via email by **12:00 Wednesday**.

Thanks,
Dan

From: Bar-Shalom, Tali EOP/OMB
Sent: Tuesday, March 1, 2022 10:21 AM
To: DL OMB ESWD EB <Ex 6 - (5 U.S.C. Sec [REDACTED])>
Subject: FW: LRM: [KLM-117-102] Due 03/09/2022 Wednesday at 3:00 PM -- OMB Request for Views on HR4521 - America COMPETES Act of 2022

I will be reviewing Div B title I and ARPA-E, but there are parts of this bill that are clean energy, tech transfer, MSI STEM, regional innovation, Div C title III.

It's only Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Can I ask for someone else to collect the comments? Ex 6 - Ex 6 - (5 U.S.C. Sec [REDACTED]) and want to make sure it doesn't fall through the cracks if I have Ex 6 - (5 U.S.C. [REDACTED])

If everyone is done by Friday I can respond, we'll also need to see what comes in that is relevant to DOE.

From: Matsuo, Kimie L. EOP/OMB

Sent: Wednesday, February 23, 2022 3:30 PM

To: 'AGRICULTURE' <usdaleg@obpa.usda.gov>; 'COMMERCE' <Ex 6 - (5 U.S.C. Sec 552(b)(6))@doc.gov>; 'DEFENSE' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'EDUCATION' <ogc.legislation@ed.gov>; 'ENERGY' <Energy.GC33@hq.doe.gov>; 'Environmental Protection Agency' <epalrm@epamail.epa.gov>; 'Federal Communications Commission' <OLAFCC@fcc.gov>; 'Federal Maritime Commission' <generalcounsel@fmc.gov>; 'General Services Administration' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'HEALTH & HUMAN SERVICES' <lrn@hhs.gov>; 'HOMELAND SECURITY' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'HOUSING & URBAN DEVELOPMENT' <HUDLRM@hud.gov>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'LABOR' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'National Aeronautics and Space Administration' <nasa_lrm@hq.nasa.gov>; 'National Science Foundation' <olpalrm@nsf.gov>; 'DL NSC LRM' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'Office of Personnel Management' <CLA@opm.gov>; 'DL-OSTP-LRM' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'Office of the Director of National Intelligence' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'STATE' <Ex 6 - (5 U.S.C. Sec 552(b)(6))@state.gov>; 'Small Business Administration' <cla@sba.gov>; 'Social Security Administration' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'TREASURY' <llr@treasury.gov>; 'US Agency for International Development' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'US International Development Finance Corporation' <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; 'VETERANS AFFAIRS' <ogcvalrm@va.gov>

Cc: Aron-Dine, Aviva R. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Linden, Michael S. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Schory, Daniel K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Pasquantino, John C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Pei, Yi EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; August, Lisa L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; McDonald, Christine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Bar-Shalom, Tali EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Dick, John H. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hettinger, Alex G. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Lucas, Adrienne E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hickey, Mike J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Burgess, Scott H. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ross, Andrea L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL OMB NRD AB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Fischietto, Mary S. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Connors, Kyle F. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Berrey, Katherine R. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Glass, Jacob S. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Patterson, Tia B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Clark, Damon J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Enger, Michelle A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Turner, Austin F. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Clark, Michael C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Gonzalez, Anthony A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hoy, Peter G. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Jones, Lauren H. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Miller, Kimberly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Curtis, Tyler T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ghavalyan, Mariam EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Klein, Robert T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Feldman, Iris T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>

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Branson, Michael D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Sierra, Leticia EOP/OMB
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Weisshaar, David M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Spiro, Topher J. EOP/OMB
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Tom M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL OMB HHSB
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A. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; O'Brien, Erin L. EOP/OMB
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Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Field, Lesley A. EOP/OMB
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Ford, Sandi E. M.D. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; Oakar, Catherine R. EOP/WHO
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Bains, Chiraag EOP/WHO <Ex 6 - (5 U.S.C. Sec >;
Washburn, Libby R. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DPCImmigration
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Jacquez, Alex S. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Fazili, Sameera EOP/WHO
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Healton, Kelly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Ward, Benjamin A. EOP/OMB
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Menard, Barbara A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Myers, Hayley W. EOP/OMB
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Rodgers, Marshall J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ventura, Alexandra EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Gonzalez, Oscar EOP/OMB <Ex 6 - (5 U.S.C. Sec >;
Bronack, Candice M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Woroszylo, Nicholas J.
EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Matsuo, Kimie L. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >

Subject: LRM: [KLM-117-102] Due 03/09/2022 Wednesday at 3:00 PM -- OMB Request for Views on HR4521 - America COMPETES Act of 2022

DEADLINE: 3:00 PM Wednesday, Mar 09 2022

H.R. 4521, the "America Creating Opportunities for Manufacturing, Pre-Eminence in Technology, and Economic Strength Act of 2022" or "America COMPETES Act of 2022," passed the House on 2/4/22 by a vote of 222-210. The text of the bill as passed by the House is available [here](#). The bill contains a wide range of provisions aimed at strengthening the United States' economic resilience and competitiveness. Please see below for a list of the divisions in the bill.

Please review the bill text and advise of any objectionable provisions by the deadline above. Thank you.

- DIVISION A—CREATING HELPFUL INCENTIVES TO PRODUCE SEMICONDUCTORS (CHIPS) FOR AMERICA FUND
- DIVISION B—RESEARCH AND INNOVATION
- DIVISION C—ENERGY AND COMMERCE
- DIVISION D—COMMITTEE ON FOREIGN AFFAIRS
- DIVISION E—COMMITTEE ON OVERSIGHT AND REFORM
- DIVISION F—COMMITTEE ON HOMELAND SECURITY
- DIVISION G—COMMITTEE ON FINANCIAL SERVICES
- DIVISION H—COMMITTEE ON NATURAL RESOURCES
- DIVISION I—COMMITTEE ON THE JUDICIARY
- DIVISION J—COMMITTEE ON EDUCATION AND LABOR
- DIVISION K—MATTERS RELATING TO TRADE
- DIVISION L—COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
- DIVISION M—SENSE OF CONGRESS REGARDING NEGATIVE PERCEPTION OF PERSONS OF ASIAN ANCESTRY AND FEDERAL LAW ENFORCEMENT
- DIVISION N—PROHIBITING USE OF FUNDS FOR PUBLICITY OR PROPAGANDA
- DIVISION O—NATIONAL SECURITY RESTRICTIONS ON USE OF CERTAIN FUNDS
- DIVISION P—AGRICULTURE FOREIGN INVESTMENT DISCLOSURE REFORM
- DIVISION Q—EMERGING TECHNOLOGY LEADS
- DIVISION R—COMMITTEE ON SMALL BUSINESS
- DIVISION S—OCEAN SHIPPING REFORM

LRM ID: KLM-117-102
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference
SUBJECT: LRM: [KLM-117-102] Due 03/09/2022 Wednesday at 3:00 PM -- OMB Request for Views on HR4521 - America COMPETES Act of 2022

OMB CONTACT: Kimie Matsuo(OMB)
E-Mail: Ex 6 - (5 U.S.C. Sec [REDACTED])
PHONE: Ex 6 - (5 [REDACTED])
FAX: Ex 6 - (5 [REDACTED])

In accordance with [OMB Circular No. A-19](#), OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

**FW: FOR REVIEW: Interagency feedback on H.R. 4521
America COMPETES Act of 2022 [KLM-117-102] --
Response requested by COB Friday, 3/18/22**

From: "Branson, Michael D. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "Didlo, Amie M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >, "Feagans, Louis E. EOP/OMB" <Ex 6 - (5 U.S.C. Sec >, "Monteiro, Claire E. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >, "Sierra, Leticia EOP/OMB" <Ex 6 - (5 U.S.C. Sec >, "Spavins, Rebecca L. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >, "Weisshaar, David M. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Date: Mon, 14 Mar 2022 15:25:58 -0400
Attachments: H.R. 4521 America COMPETES Act of 2022_Interagency comments.xlsx (112.77 kB);
BILLS-117hr4521eh.pdf (5.46 MB)

FYI—it looks like no comments Ex 5 DP-

From: Matsuo, Kimie L. EOP/OMB
Sent: Monday, March 14, 2022 3:15 PM
To: Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Schory, Daniel K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Pasquantino, John C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Pei, Yi EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; August, Lisa L. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec >; DL OMB ESWD EB <Ex 6 - (5 U.S.C. Sec >; Lucas, Adrienne E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hickey, Mike J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Burgess, Scott H. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ross, Andrea L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB NRD AB <Ex 6 - (5 U.S.C. Sec >; Fischietto, Mary S. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Connors, Kyle F. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Berrey, Katherine R. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Glass, Jacob S. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Patterson, Tia B. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Clark, Damon J. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Enger, Michelle A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Turner, Austin F. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Clark, Michael C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Gonzalez, Anthony A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hoy, Peter G. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Jones, Lauren H. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Miller, Kimberly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; McNeal, Chris G. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Curtis, Tyler T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Ghavalyan, Mariam EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Klein, Robert T. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Feldman, Iris T. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Derbes, Catherine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Patel, Jagir D. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Branson, Michael D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Sierra, Leticia EOP/OMB

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Landrieu, Grace G. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Smith, Melissa K. EOP/WHO
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Jacquez, Alex S. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Fazili, Sameera EOP/WHO
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Gamble, Joelle C. EOP/WHO <Ex 6 - (5 U.S.C. Sec >; DL WHO NEC LRM
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EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Healton, Kelly A. EOP/OMB
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Vaeth, Matt J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Menard, Barbara A. EOP/OMB
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Ventura, Alexandra EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Gonzalez, Oscar EOP/OMB
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<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Woroszylo, Nicholas J. EOP/OMB
<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Matsuo, Kimie L. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >

Subject: FOR REVIEW: Interagency feedback on H.R. 4521 America COMPETES Act of 2022 [KLM-117-102] -- Response requested by COB Friday, 3/18/22

Good afternoon,

Please see attached a compilation of comments LRD received in response to the request for views on H.R. 4521, the "America COMPETES Act of 2022." The bill passed the House on 2/4/22.

The first sheet in the file includes all interagency comments, while the second sheet [redacted] Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Here's a rundown of agency responses --

Comments

Agencies: [redacted] Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

[redacted] Ex 5 DP- (5 U.S.C. Sec

OMB comments: [redacted] Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

[redacted] Ex 5

Other EOP comments: [redacted] Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative

[redacted] Ex 5 DP- (5 U.S.C. Sec

Agencies with no comments: [redacted] Ex 5 DP- (5 U.S.C. Sec

Late comments expected: [redacted] Ex 5 DP- (5 U.S.C. Sec

Please review the spreadsheet and let us know by COB Friday, March 18th, whether you concur or have any concerns with the comments. Please also let us know if you have any other major concerns with the bill that are not captured here.

Thank you,
Kimie

Kimie Matsuo
Legislative Analyst
Legislative Reference Division
Office of Management and Budget
[redacted] Ex 6 - (5 U.S.C.)

**FW: FOR REVIEW: Interagency feedback on H.R. 4521
America COMPETES Act of 2022 [KLM-117-102] --
Response requested by COB Friday, 3/18/22**

From: "Blum, Mathew C. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
To: "McCrary, Jeremy P. EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >
Date: Fri, 18 Mar 2022 11:12:22 -0400
Attachments: H.R. 4521 America COMPETES Act of 2022_Interagency comments.xlsx (112.77 kB);
BILLS-117hr4521eh.pdf (5.46 MB)

Here is the compilation of agency comments. Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative
Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

We're also cited as Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
Ex 5 DP- (5

I don't think there is anything we need to do at this point other than Ex 5 DP- (5 U.S.C. Sec
Ex 5 DP- (5 U.S.C. Sec

From: Matsuo, Kimie L. EOP/OMB
Sent: Monday, March 14, 2022 3:15 PM
To: Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Schory, Daniel K.
EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Pasquantino, John C. EOP/OMB
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Pei, Yi EOP/OMB <Ex 6 - (5 U.S.C. Sec >; Mok, Emily A. EOP/OMB
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Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec >; DL OMB ESWD EB <Ex 6 - (5 U.S.C. Sec >;
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Blazek, Kelliann M. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Kovacs, Tricia S. EOP/WHO
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<Ex 6 - (5 U.S.C. Sec >; Ceronsky, Megan M. EOP/WHO
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Cc: Slevin, Christopher J. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Demers, Kaitlyn H.
EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Healton, Kelly A. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >; Ward, Benjamin A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >;
Vaeth, Matt J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Menard, Barbara A. EOP/OMB
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Ventura, Alexandra EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Gonzalez, Oscar EOP/OMB
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<Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Matsuo, Kimie L. EOP/OMB
<Ex 6 - (5 U.S.C. Sec >

Subject: FOR REVIEW: Interagency feedback on H.R. 4521 America COMPETES Act of 2022 [KLM-117-102] -- Response requested by COB Friday, 3/18/22

Good afternoon,

Please see attached a compilation of comments LRD received in response to the request for views on H.R. 4521, the "America COMPETES Act of 2022." The bill passed the House on 2/4/22.

The first sheet in the file includes all interagency comments, while the second sheet **Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process**

Here's a rundown of agency responses --

Comments

Agencies: **Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process**

Ex 5 DP- (5 U.S.C. Sec

OMB comments: **Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process**

Ex 5

Other EOP comments: **Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative**

Ex 5 DP- (5 U.S.C. Sec

Agencies with no comments: **Ex 5 DP- (5 U.S.C. Sec**

Late comments expected: **Ex 5 DP- (5 U.S.C. Sec**

Please review the spreadsheet and let us know by COB Friday, March 18th, whether you concur or have any concerns with the comments. Please also let us know if you have any other major concerns with the bill that are not captured here.

Thank you,
Kimie


Kimie Matsuo
Legislative Analyst
Legislative Reference Division
Office of Management and Budget
Ex 6 - (5

FW: Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process on H.R. 4521 America COMPETES Act of 2022 [KLM-117-102] -- Response requested by COB Friday, 3/18/22

From: "Sierra, Leticia EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process>
To: "Sierra, Leticia EOP/OMB" <Ex 6 - (5 U.S.C. Sec 552(b)(5)) Deliberative Process>
Date: Fri, 18 Mar 2022 10:32:35 -0400
Attachments: H.R. 4521 America COMPETES Act of 2022 Interagency comments.xlsx (112.77 kB);
BILLS-117hr4521eh.pdf (5.46 MB); Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process in COMPETES Act 31622.docx (42.67 kB)

Ex 5 DP- (5) - partial list.

Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process



From: Matsuo, Kimie L. EOP/OMB

Sent: Wednesday, March 16, 2022 2:37 PM

To: Martin, Carmel M. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Gupta, Pronita EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Landrieu, Grace G. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]>; Smith, Melissa K. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Stich, Brittany A. EOP/WHO <Ex 6 - (5 U.S.C. Sec [REDACTED])>; DL WHO NEC LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]>; Branson, Michael D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]>; Weisshaar, David M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]>; Didlo, Amie M. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Sierra, Leticia EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>; Spavins, Rebecca L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) [REDACTED]>; Feagans, Louis E. EOP/OMB <Ex 6 - (5 U.S.C. Sec [REDACTED])>

Subject: Ex 5 DP- (5 [REDACTED]) on H.R. 4521 America COMPETES Act of 2022 [KLM-117-102] -- Response requested by COB Friday, 3/18/22

Good afternoon,

Sharing late Ex 5 DP- (5 [REDACTED]) on H.R. 4521 America COMPETES Act of 2022. I have not incorporated these into the Excel file yet. Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Ex 5 DP-

Thank you,
Kimie

From: Matsuo, Kimie L. EOP/OMB

Sent: Monday, March 14, 2022 3:15 PM

To: Vahlsing, Candace M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Schory, Daniel K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Pasquantino, John C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Shawcross, Paul J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Pei, Yi EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Mok, Emily A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; August, Lisa L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hu, Grace EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL OMB ESWD EB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Lucas, Adrienne E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hickey, Mike J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Burgess, Scott H. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ross, Andrea L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL OMB NRD AB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Fischietto, Mary S. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Connors, Kyle F. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Berrey, Katherine R. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Glass, Jacob S. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Patterson, Tia B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Clark, Damon J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Enger, Michelle A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Turner, Austin F. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Clark, Michael C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Gonzalez, Anthony A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hoy, Peter G. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Jones, Lauren H. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Miller, Kimberly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; McNeal, Chris G. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Curtis, Tyler T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ghavalyan, Mariam EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Klein, Robert T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Lachman, Sherry E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Feldman, Iris T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Bomberger, Melissa B. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Cassell, Mary I. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Derbes, Catherine A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Patel, Jagir D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Branson, Michael D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Sierra, Leticia EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Spavins, Rebecca L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Weisshaar, David M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Spiro, Topher J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hill, Frankie F. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Reilly, Tom M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL OMB HHSB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL OMB PHB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; De Los Santos, Karen EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Abrams, Andrew D. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Berger, Joseph J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Brant, Alex M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Cramer, Drew W. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hourigan, Clinton T. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Cathopoulos, Terry J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Mergen, Margaret C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Crow, Rose C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; MacMaster, Ryan J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Roy, Amanda E. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>;

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 A. EOP/OMB <Ex 6 - (5 U.S.C. Sec >; O'Brien, Erin L. EOP/OMB
 <Ex 6 - (5 U.S.C. Sec >; DL OMB BRD PAYGO CREW
 <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB BRD BAB Credit
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 Mathew C. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Field, Lesley A. EOP/OMB
 <Ex 6 - (5 U.S.C. Sec >; McCrary, Jeremy P. EOP/OMB
 <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Mancini, Dominic J. EOP/OMB
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 Seehra, Jasmeet K. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Fraser, Nicholas A. EOP/OMB
 <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Moncada, Kirsten J. EOP/OMB
 <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Hill, Jonathan W. EOP/OMB
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 DL OMB PPM Personnel Team <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB OFFM
 <Ex 6 - (5 U.S.C. Sec >; DL OMB OFCIO Legislative
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 <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Martorana, Clare A. EOP/OMB
 <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; DL OMB MOD MIAO Staff
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 EOP/OSTP <Ex 6 - (5 U.S.C. Sec >; DL NSC LRM <Ex 6 - (5 U.S.C. Sec >; DL NSC
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 <Ex 6 - (5 U.S.C. Sec >; Gupta, Pronita EOP/WHO <Ex 6 - (5 U.S.C. Sec >;
 Landrieu, Grace G. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Smith, Melissa K. EOP/WHO
 <Ex 6 - (5 U.S.C. Sec >; Stich, Brittany A. EOP/WHO <Ex 6 - (5 U.S.C. Sec >;
 Blazek, Kelliann M. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6)) >; Kovacs, Tricia S. EOP/WHO

<Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Tracey-Mooney, Maureen EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Young, Christen Linke L. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ford, Sandi E. M.D. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Oakar, Catherine R. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Bains, Chiraag EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Washburn, Libby R. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DPImmigration <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL-OVP-LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Irby, Ike D. EOP/OVP <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL-CEA-LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL-CEQ-LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL IPEC LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Thomas, Maggie M. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Sanchez, Roque T. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Hayes, David J. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Jacquez, Alex S. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Fazili, Sameera EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Reynolds, Liz B. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Gamble, Joelle C. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL WHO NEC LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Wu, Tim EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; DL WHO WHCO LRM <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Deeks, Ashley S. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ceronsky, Megan M. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>

Cc: Slevin, Christopher J. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Demers, Kaitlyn H. EOP/WHO <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Healton, Kelly A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ward, Benjamin A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Vaeth, Matt J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Menard, Barbara A. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Leon, Bryan P. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Ventura, Alexandra EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Gonzalez, Oscar EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Bronack, Candice M. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Woroszylo, Nicholas J. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>; Matsuo, Kimie L. EOP/OMB <Ex 6 - (5 U.S.C. Sec 552(b)(6))>

Subject: FOR REVIEW: Interagency feedback on H.R. 4521 America COMPETES Act of 2022 [KLM-117-102] -- Response requested by COB Friday, 3/18/22

Good afternoon,

Please see attached a compilation of comments LRD received in response to the request for views on H.R. 4521, the "America COMPETES Act of 2022." The bill passed the House on 2/4/22.

The first sheet in the file includes all interagency comments, while the second sheet <Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Here's a rundown of agency responses --

Comments

Agencies: <Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
<Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
OMB comments: <Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process
<Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative Process

Other EOP comments: Ex 5 DP- (5 U.S.C. Sec 552(b)(5)) Deliberative

Ex 5 DP- (5 U.S.C. Sec

Agencies with no comments: Ex 5 DP- (5 U.S.C. Sec

Late comments expected: Ex 5 DP- (5 U.S.C. Sec

Please review the spreadsheet and let us know by COB Friday, March 18th, whether you concur or have any concerns with the comments. Please also let us know if you have any other major concerns with the bill that are not captured here.

Thank you,
Kimie

Kimie Matsuo
Legislative Analyst
Legislative Reference Division
Office of Management and Budget

Ex 6 - (5 U.S.C. Sec 552(b)(5))