

118TH CONGRESS
1ST SESSION

H. R. 5245

To amend the State Department Basic Authorities Act of 1956 to require certain congressional notification prior to entering into, renewing, or extending a science and technology agreement with the People’s Republic of China, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 22, 2023

Mr. BARR (for himself, Mr. DUNN of Florida, and Mr. WITTMAN) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the State Department Basic Authorities Act of 1956 to require certain congressional notification prior to entering into, renewing, or extending a science and technology agreement with the People’s Republic of China, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Science and Tech-
5 nology Agreement Enhanced Congressional Notification
6 Act of 2023”.

1 **SEC. 2. ENHANCED CONGRESSIONAL NOTIFICATION RE-**
2 **GARDING SCIENCE AND TECHNOLOGY**
3 **AGREEMENTS WITH THE PEOPLE'S REPUBLIC**
4 **OF CHINA.**

5 (a) NOTIFICATION REQUIRED.—Title I of the State
6 Department Basic Authorities Act of 1956 (22 U.S.C.
7 2651a et seq.) is amended by adding at the end the fol-
8 lowing new section:

9 **“SEC. 64. CONGRESSIONAL NOTIFICATION REGARDING**
10 **SCIENCE AND TECHNOLOGY AGREEMENTS**
11 **WITH THE PEOPLE'S REPUBLIC OF CHINA.**

12 “(a) NOTIFICATION REQUIRED.—The Secretary of
13 State may not enter into, renew, or extend any science
14 and technology agreement with the People's Republic of
15 China until—

16 “(1) the Secretary submits to the appropriate
17 congressional committees a notification containing
18 each of the matters described in subsection (b); and

19 “(2) a period of not less than 30 days has
20 elapsed following such submission.

21 “(b) MATTERS DESCRIBED.—The matters described
22 in this subsection are, with respect to the science and tech-
23 nology agreement for which the notification is submitted,
24 the following:

25 “(1) A written notice of such agreement, in-
26 cluding the full text of such agreement.

1 “(2) A detailed justification for such agree-
2 ment, including an explanation as to why such
3 agreement is in the national security interests of the
4 United States.

5 “(3) An assessment of the risks and potential
6 effects of such agreement, including any potential
7 for the transfer under such agreement of technology
8 or intellectual property capable of harming the na-
9 tional security interests of the United States.

10 “(4) A detailed justification for how the Sec-
11 retary intends to address human rights concerns in
12 any scientific and technology collaboration proposed
13 to be conducted under such agreement.

14 “(5) An assessment of the extent to which the
15 Secretary will be able to continuously monitor the
16 commitments made by the People’s Republic of
17 China under such agreement.

18 “(6) Such other information relating to such
19 agreement as may be determined appropriate.

20 “(c) DEFINITIONS.—In this section:

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

24 “(A) the Committee on Foreign Affairs of
25 the House of Representatives; and

1 “(B) the Committee on Foreign Relations
2 of the Senate.

3 “(2) SCIENCE AND TECHNOLOGY AGREE-
4 MENT.—The term ‘science and technology agree-
5 ment’ means any treaty, memorandum of under-
6 standing, or other contract or agreement between
7 the United States and one or more foreign countries
8 for the purpose of collaborating on or otherwise en-
9 gaging in joint activities relating to scientific re-
10 search, technological development, or the sharing of
11 scientific or technical knowledge or resources be-
12 tween such countries.”.

13 (b) APPLICABILITY.—

14 (1) IN GENERAL.—The requirements under sec-
15 tion 64 of the State Department Basic Authorities
16 Act of 1956, as added by subsection (a), shall apply
17 with respect to science and technology agreements
18 entered into, renewed, or extended on or after the
19 date of the enactment of this Act.

20 (2) EXISTING AGREEMENTS.—Any science and
21 technology agreement between the Secretary of State
22 and the People’s Republic of China in effect as of
23 the date of the enactment of this Act shall be re-
24 voked unless, not later than 60 days after the date
25 of the enactment of this Act, the Secretary of State

1 submits to the appropriate congressional committees
2 a notification of such agreement containing each of
3 the matters described in subsection (b) of such sec-
4 tion 64.

5 (3) DEFINITIONS.—In this subsection, the
6 terms “appropriate congressional committees” and
7 “science and technology agreement” have the mean-
8 ings given such terms in subsection (c) of such sec-
9 tion 64.

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