

118TH CONGRESS  
1ST SESSION

# S. 2894

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.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2023

Mr. RICKETTS (for himself, Mr. RISCH, Mr. SCOTT of South Carolina, Mrs. FISCHER, Mr. RUBIO, Mr. CORNYN, Mr. YOUNG, Mrs. BRITT, Ms. ERNST, Mr. DAINES, Ms. LUMMIS, Mr. LANKFORD, Mr. TILLIS, Mr. CRUZ, Mr. BUDD, and Mr. ROMNEY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## 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 Relations  
25                   of the Senate; and

1           “(B) the Committee on Foreign Affairs of  
2           the House of Representatives.

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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