

118TH CONGRESS
2D SESSION

S. 4085

To establish the Export Enforcement Coordination Center in the Department of Homeland Security, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 9, 2024

Mr. ROMNEY (for himself and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To establish the Export Enforcement Coordination Center in the Department of Homeland Security, 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 “Export Controls En-
5 forcement Improvement Act of 2024”.

6 **SEC. 2. ESTABLISHMENT OF EXPORT ENFORCEMENT CO-**
7 **ORDINATION CENTER.**

8 (a) ESTABLISHMENT.—The Secretary of Homeland
9 Security shall establish, within the Department of Home-

1 land Security for administrative purposes, an interagency
2 Federal Export Enforcement Coordination Center (in this
3 Act referred to as the “Center”).

4 (b) PURPOSES.—The Center shall coordinate on mat-
5 ters relating to export enforcement among the following:

6 (1) The Department of State.

7 (2) The Department of the Treasury.

8 (3) The Department of Defense.

9 (4) The Department of Justice.

10 (5) The Department of Commerce.

11 (6) The Department of Energy.

12 (7) The Department of Homeland Security.

13 (8) The Office of the Director of National Intel-
14 ligence.

15 (9) Such other executive branch departments,
16 agencies, or offices as the President, from time to
17 time, may designate.

18 (c) FUNCTIONS.—The Center shall—

19 (1) serve as the primary forum within the Fed-
20 eral Government for executive departments and
21 agencies—

22 (A) to coordinate and enhance the export
23 control enforcement efforts of those depart-
24 ments and agencies; and

1 (B) to identify and resolve conflicts that
2 have not been otherwise resolved in criminal
3 and administrative investigations and actions
4 involving violations of the export control laws of
5 the United States;

6 (2) serve as a conduit between Federal law en-
7 forcement agencies and the intelligence community
8 (as defined in section 3(4) of the National Security
9 Act of 1947 (50 U.S.C. 3003(4))) for the exchange
10 of information related to potential violations of
11 United States export controls;

12 (3) serve as a primary point of contact between
13 enforcement authorities and agencies engaged in ex-
14 port licensing;

15 (4) coordinate law enforcement public outreach
16 activities related to United States export controls;
17 and

18 (5) establish governmentwide statistical track-
19 ing capabilities for United States criminal and ad-
20 ministrative export control enforcement activities, to
21 be conducted by the Department of Homeland Secu-
22 rity with information provided by and shared with
23 all relevant departments and agencies participating
24 in the Center.

25 (d) DIRECTOR; OTHER PERSONNEL.—

1 (1) DIRECTOR.—

2 (A) IN GENERAL.—The Center shall have
3 a Director, who shall be a full-time senior offi-
4 cer or employee of the Department of Home-
5 land Security, designated by the Secretary of
6 Homeland Security.

7 (B) FUNCTIONS OF DIRECTOR.—The Di-
8 rector shall—

9 (i) convene and preside at meetings of
10 the Center;

11 (ii) determine the agenda for those
12 meetings;

13 (iii) direct the work of the Center; and

14 (iv) as appropriate to particular sub-
15 ject matters, organize and coordinate sub-
16 groups of the members of the Center.

17 (2) DEPUTY DIRECTORS.—The Center shall
18 have 2 Deputy Directors, who shall be full-time sen-
19 ior officers or employees of the Department of Com-
20 merce and the Department of Justice, designated by
21 the Secretary of Commerce and the Attorney Gen-
22 eral, respectively, detailed to the Center and report-
23 ing to the Director.

24 (3) INTELLIGENCE COMMUNITY LIAISON.—The
25 Center shall have an Intelligence Community Liai-

1 son, who shall be a full-time senior officer or em-
2 ployee of the Federal Government, designated by the
3 Director of National Intelligence, and detailed or as-
4 signed to the Center.

5 (4) STAFF.—

6 (A) IN GENERAL.—The Center shall have
7 a full-time staff reporting to the Director.

8 (B) DETAILEES.—Executive departments
9 and agencies specified in subsection (b) shall
10 detail or assign their employees to the Center.

11 (e) ADMINISTRATION.—The Department of Home-
12 land Security shall operate and provide funding and ad-
13 ministrative support for the Center to the extent permitted
14 by law and subject to the availability of appropriations.

15 (f) WEBSITE.—The Director of the Center may es-
16 tablish a publicly accessible website for the Center with
17 a domain name that is independent of websites of the De-
18 partment of Homeland Security.

19 **SEC. 3. UNLAWFUL TRANSSHIPMENT AND DIVERSION OF**
20 **EXPORTS.**

21 (a) IN GENERAL.—The Center shall—

22 (1) serve as a primary forum for the coordina-
23 tion of export control enforcement efforts focused on
24 unlawful transshipment and diversion of exports;
25 and

1 (2) develop best practices for executive depart-
2 ments and agencies to improve efforts to combat the
3 unlawful transshipment and diversion of exports.

4 (b) AREAS OF FOCUS.—In carrying out the duties de-
5 scribed in subsection (a), the Center shall focus its efforts
6 on, among other matters—

7 (1) sensitive technologies, including technologies
8 relating to—

9 (A) semiconductors;

10 (B) the development of advanced artificial
11 intelligence capabilities; and

12 (C) the development of quantum tech-
13 nology components and capabilities; and

14 (2) the unlawful transshipment and diversion of
15 exports to—

16 (A) the People’s Republic of China;

17 (B) the Russian Federation;

18 (C) the Islamic Republic of Iran; and

19 (D) the Democratic People’s Republic of
20 Korea.

21 (c) NOTICE TO THE PRIVATE SECTOR.—In carrying
22 out the duties described in subsection (a), the Center shall
23 develop best practices for and support the dissemination
24 of specific and actionable information about trans-

1 shipment and diversion risks to relevant private sector en-
2 tities on a timely basis, as appropriate.

3 **SEC. 4. REPORTS ON POSTINGS OF UNITED STATES AND**
4 **FOREIGN LAW ENFORCEMENT OFFICIALS.**

5 (a) REPORT ON FOREIGN POSTINGS OF LAW EN-
6 FORCEMENT AGENTS.—Not later than 180 days after the
7 date of the enactment of this Act, the Director of the Cen-
8 ter shall submit to Congress a report that includes—

9 (1) an assessment of the value of increasing the
10 number of law enforcement officials posted in for-
11 eign countries to enhance export control enforcement
12 efforts focused on the unlawful transshipment and
13 diversion of exports;

14 (2) an analysis of specific countries, regions,
15 and shipping routes that pose a heightened risk with
16 respect to such transshipment and diversion; and

17 (3) an assessment of resources required to in-
18 crease the number of law enforcement officials post-
19 ed in foreign countries pursuant to paragraph (1).

20 (b) REPORT ON POSTINGS OF FOREIGN OFFICIALS
21 AT THE CENTER.—Not later than one year after the date
22 of the enactment of this Act, the Director of the Center
23 shall submit to Congress a report that includes—

24 (1) an assessment of the value of hosting for-
25 eign law enforcement or other officials at the Center;

1 (2) an assessment of which countries would pro-
2 vide the most value for the United States Govern-
3 ment in posting officials at the Center; and

4 (3) an assessment of what, if any, changes to
5 statute, regulation, or policy would be required to
6 host foreign officials at the Center.

7 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated to the Sec-
9 retary of Homeland Security for fiscal year 2025
10 \$25,000,000 for the costs of establishing the Center.

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