

# SCIENCE AND TECHNOLOGY AGREEMENT ENHANCED CONGRESSIONAL NOTIFICATION ACT OF 2024

Mr. BARR. Mr. Speaker, I move to suspend the rules and pass the bill (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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5245

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Science and Technology Agreement Enhanced Congressional Notification Act of 2024".

## SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) The signing and implementation of the agreement between the United States and the People's Republic of China, known as the "Agreement between the Government of the United States of America and the Government of the People's Republic of China on Cooperation in Science and Technology", signed in Washington on January 31, 1979 ("CST Agreement"), and its many subsequent implementing arrangements, has led to the development of many science and technology programs.

(2) Section 1207 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (22 U.S.C. 6901 note) required the Secretary of State to publish biennial reports detailing how the CST Agreement has benefited the economy, military, and industrial base of the People's Republic of China, a requirement that was repealed by Congress in 2016.

(3) The CST Agreement was last extended in 2018 by the Trump Administration after amending it to address United States concerns about the science and technology practices of the People's Republic of China.

(4) The People's Republic of China has restricted United States researcher access in China despite its commitments in the CST Agreement otherwise. This includes reportedly withholding avian influenza strains vital for United States vaccine development and cutting off United States access to coronavirus research in 2019, including United States-funded work at the Wuhan Institute of Virology.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) science and technology cooperation with the People's Republic of China can be a useful tool of United States foreign policy and should be pursued when it reinforces and advances the values and interests of the United States;

(2) no research undertaken as part of a science and technology agreement should enable the People's Republic of China's development of dual-use and critical technologies that threaten United States national security;

(3) a science and technology agreement with the People's Republic of China should include human rights protections and projects undertaken as part of it should not directly or indirectly enable human rights abuses, including the persecution of Uyghurs in Xinjiang;

(4) a science and technology agreement with the People's Republic of China should include provisions to safeguard the safety of United States researchers and their intellectual property, as well as enhance their research access in China; and

(5) any renewal, extension, or changes to the CST Agreement should be made to ensure that United States and Chinese joint research is safer and remains beneficial for United States interests.

## SEC. 3. ENHANCED CONGRESSIONAL NOTIFICATION REGARDING SCIENCE AND TECHNOLOGY AGREEMENTS WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) NOTIFICATION REQUIRED.—Not later than 15 days before the date on which a renewal or extension of the CST Agreement, or the entry into or a renewal or extension of any other science and technology agreement with the Government of the People's Republic of China or an entity of the People's Republic of China, enters into effect, the Secretary of State shall submit to the appropriate congressional committees a notification containing each of the matters described in subsection (b).

(b) MATTERS DESCRIBED.—The matters described in this subsection are, with respect to the science and technology agreement for which a notification is submitted under subsection (a), the following:

(1) The full text of such agreement and any annexes or side letters.

(2) A detailed justification for such agreement, including an explanation of the reasons for which entering into, renewing, or extending such agreement, as applicable, is in the national interest of the United States.

(3) An assessment of any risks posed by such agreement, and the checks it includes to prevent the transfer of technology or intellectual property capable of—

(A) harming the national security interests of the United States; or

(B) enabling of the People's Republic of China's military-civil fusion strategy.

(4) An explanation for how the Secretary of State intends to build in human rights protections for any scientific and technology collaboration conducted under such agreement.

(5) An assessment of the ways in which the Secretary will be able to prescribe terms for, and continuously monitor, the commitments and contracts made by the Government of the People's Republic of China or entity of the People's Republic of China under such agreement.

(6) A summary of changes or updates to the agreement that were secured to strengthen the United States ability to engage in science cooperation with the People's Republic of China in a way that is safer, more beneficial for the United States, or allows for stronger United States oversight over joint research.

(7) Such other information relating to such agreement as the Secretary of State may determine appropriate.

(c) APPLICABILITY.—

(1) IN GENERAL.—The notification requirements under subsection (a) shall apply with respect to any science and technology agreements entered into, renewed, or extended on or after the date of the enactment of this Act.

(2) EXISTING AGREEMENTS.—For any science and technology agreement between the United States Government and the People's Republic of China that is in effect as of the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that includes each of the matters described in subsection (b) with respect to such existing agreement, not later than 90 days after the date of the enactment of this Act.

## SEC. 4. ANNUAL REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Secretary of State, in consultation with the heads of other appropriate Federal departments and agencies, shall submit to Congress a report on—

(1) the implementation of each science and technology agreement with the People's Republic of China, including implementing arrangements, entered into pursuant to the notification requirements under section 3; and

(2) all activities conducted under each such agreement.

(b) CONTENTS.—Each report required by subsection (a) shall also include each of the following:

(1) An accounting of all joint projects and initiatives conducted under the CST Agreement and its implementing arrangements since the previous report (or, in the case of the first report, since the CST Agreement was entered into), including the name of each project, agreement, or implementing arrangement.

(2) An evaluation of the benefits of the CST Agreement to the United States economy, scientific leadership, innovation capacity, and industrial base of the United States.

(3) An estimate of the costs to the United States to administer the CST Agreement during the period covered by the report.

(4) An evaluation of the benefits of the CST Agreement to the economy, to the military, and to the industrial base of the People's Republic of China.

(5) An assessment of how the CST Agreement has influenced the foreign and domestic policies and scientific capabilities of the People's Republic of China.

(6) Any plans of the Secretary of State for improving the monitoring of the activities and the People's Republic of China's commitments established under the CST Agreement.

(7) An assessment of any potential risks posed by ongoing science cooperation with the People's Republic of China.

(c) FORM.—Each report required by subsection (a) shall be submitted in unclassified form and may include a classified annex.

## SEC. 5. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) CST AGREEMENT.—The term "CST Agreement" means the agreement between the United States and the People's Republic of China known as the "Agreement between the Government of the United States of America and the Government of the People's Republic of China on Cooperation in Science and Technology", signed in Washington on January 31, 1979, and its protocols, as well as any sub-agreements entered into pursuant to such Agreement on or before the date of the enactment of this Act.

(3) IMPLEMENTING ARRANGEMENT.—The term "implementing arrangement", with respect to the CST Agreement or any other science and technology agreement, includes any sub-agreement or sub-arrangement entered into under the CST Agreement or other science and technology agreement between—

(A) any Federal governmental entity of the United States; and

(B) any governmental entity of the People's Republic of China, including state-owned research institutions.

(4) SCIENCE AND TECHNOLOGY AGREEMENT.—The term "science and technology agreement" means any treaty, memorandum of

understanding, or other contract or agreement between the United States and 1 or more foreign countries for the purpose of collaborating on or otherwise engaging in joint activities relating to scientific research, technological development, or the sharing of scientific or technical knowledge or resources between such countries.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. BARR) and the gentleman from New York (Mr. MEEKS) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

#### GENERAL LEAVE

Mr. BARR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extra-neous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BARR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of my bill, H.R. 5245, the Science and Technology Agreement Enhanced Congressional Notification Act.

In 2012, General Keith Alexander said that China's theft of industrial information and intellectual property through cyber espionage constituted the greatest transfer of wealth in history. The annual cost to the U.S. economy of China's intellectual property theft is between \$225 billion and \$600 billion.

China is using this access to American science and technology, including academic and research partnerships, to support state-owned or controlled national champions in key dual-use technologies.

In 1979, the United States and China signed a bilateral agreement to build science and technology ties between the two countries.

In 2018, the agreement was amended to address U.S. concerns about China's approach to technology, innovation, and practices of concern, including IP theft and forced technology transfer.

In February of 2024, the two sides agreed to another 6-month extension of the agreement to negotiate renewal terms, which actually expired on August 27.

This current lapse in the agreement provides the ideal context for Congress to assert our oversight responsibilities to ensure that any subsequent agreement does not threaten U.S. national security and American intellectual property.

Let's take a step back and review why we are here at this moment. Why is this a problem today?

Well, in his authoritative and influential book, "The Hundred-Year Marathon," Michael Pillsbury recounts key historical events since the Chinese Communist Revolution of 1949, in which China embarked on this 100-year marathon to displace the United States as the world's global superpower.

In this book, he writes about this science and technology agreement and the mistake that was made, dating back to 1978.

Here is what he says: "In 1978, relations with the United States moved toward normalization—that is, official American recognition of Communist China as the legitimate government of the Chinese people. That year, Deng focused immediately on what was at the top of his American wish list: science and technology. This was an example of the Warring States concept known as *wu wei*, or having others do your work.

"As he formulated a strategy in 1978, Deng understood, as he put it, that 'technology is the number one productive force' for economic growth. The only way China could pass the United States as an economic power, Deng believed, was through massive scientific and technological development. An essential shortcut would be to take what the Americans already had. Deng found a willing partner in that effort in a new American President, Jimmy Carter, who was eager to achieve the diplomatic coup of a formal Sino-American partnership."

Later in that same chapter, he continues: "On January 31, 1979, during his visit to the United States, Deng and Fang Yi, director of the State Science and Technology Commission, signed agreements with the U.S. Government to speed up scientific exchanges. That year, the first 50 Chinese students flew to America. In the first 5 years of exchanges, some 19,000 Chinese students would study at American universities, mainly in the physical sciences, health sciences, and engineering, and their numbers would continue to increase.

"Carter and Deng also signed agreements on consular offices, trade, science, and technology—with the United States providing all sorts of scientific and technical knowledge to Chinese scientists in what would amount to the greatest outpouring of American scientific and technological expertise in history."

Mr. Speaker, we now know that was a massive, massive mistake. This bill establishes new oversight tools to create transparency and accountability in U.S.-China relations by requiring congressional notification of any scientific and technological partnership agreements between the two nations.

Under this bill, the State Department would be required to inform the House Foreign Affairs Committee 15 days before renewing the agreement, including the contents of the deal, national security concerns, and how the agreement addresses human rights concerns.

Science and technology are central to U.S.-China strategic competition, which are shaping the course of this century. Thus, Congress must exercise its oversight authority to ensure that U.S. national security and foreign policy interests are protected.

Mr. Speaker, I urge my colleagues to support the Science and Technology

Agreement Enhanced Congressional Notification Act, and I reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I rise in strong support of H.R. 5245, as amended, and yield myself such time as I may consume.

First, let me thank Representatives ANDY BARR and DINA TITUS for their leadership in developing this bill. I also thank Chairman MCCAUL for his collaboration in bringing this bill to a bipartisan consensus, ensuring that we have the necessary oversight over any U.S.-China governmental science cooperation.

We all know the challenges posed by the People's Republic of China. The Biden-Harris administration and this body are clear-eyed that the PRC is the only competitor with intent and means to reshape the rules-based international order.

To advance our interests, we must manage this critical relationship with shrewd diplomacy, not fear. This is why we must continue to engage China and find areas of cooperation where possible, even as we vigorously compete with and, where necessary, confront Beijing.

Since the U.S.-China Science and Technology Agreement was originally signed in 1979, the first bilateral agreement following our diplomatic recognition of the People's Republic of China, it has benefited the United States, China, and the global community.

Research collaborations have prevented disease, reduced pollution, and deepened our understanding of the Earth's history. The agreement has been renewed every 5 years or so under both Republican and Democratic administrations.

Mr. BARR's bill allows Congress to address robust oversight over the current and any updated U.S.-China Science and Technology Agreement, and it requires the State Department to ensure the agreement benefits the United States and includes standards and safeguards to protect the United States' interests.

It also enables Congress to monitor and track projects taking place under the agreement to ensure that they are consistent with U.S. values and interests. Therefore, it is for these reasons that we must pass H.R. 5245. This bill will allow Congress to effectively monitor the limited joint projects we do have with China, assess whether Beijing is living up to its commitments as part of the agreement, and ensure that American researchers, intellectual property, and data are adequately protected.

Mr. Speaker, I encourage all of my colleagues to support this bill, and I reserve the balance of my time.

Mr. BARR. Mr. Speaker, I have no additional speakers. I am prepared to close.

Mr. MEEKS. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, I urge the House to pass H.R. 5245, as amended, so that we may

strengthen oversight of any U.S.-China science and technological agreements. These are routine mechanisms that lay out the rules of the road for government-to-government cooperation, providing a set of bilateral accepted standards, rules, and protections that guide any collaboration and provide access and protection for researchers, for data, and intellectual property.

We must continue to modernize the safeguards for government-to-government cooperation to manage the heightened risks in the case of China, while preserving space for scientific inquiry and innovations that may benefit us all.

Mr. Speaker, I urge my colleagues to support this bill. I yield back the balance of my time.

Mr. BARR. Mr. Speaker, I yield myself the balance of my time.

In closing, I thank Chairman MCCAUL, Ranking Member MEEKS, and the bipartisan membership of the Foreign Affairs Committee, who voted 50-0 to move this bill forward.

Regrettably, in the 1970s, when the United States extended the hand of peace, extended the hand of cooperation in advancement of science and technology for the advancement of mankind, that was not reciprocated. In fact, instead, the Chinese Communist Party rejected peace and cooperation and stole intellectual property and militarized that technology in a very hostile way.

Congress must ensure that any new science and technology agreements with China safeguard the interests, the property, and the values of the American people.

Mr. Speaker, for that reason, I urge unanimous support for this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. BARR) that the House suspend the rules and pass the bill, H.R. 5245, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### SANCTIONS LISTS HARMONIZATION ACT

Mr. BARR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5613) to require a review of whether individuals or entities subject to the imposition of certain sanctions through inclusion on certain sanctions lists should also be subject to the imposition of other sanctions and included on other sanctions lists, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5613

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Sanctions Lists Harmonization Act”.

#### SEC. 2. REQUIREMENTS TO INCLUDE INDIVIDUALS AND ENTITIES SUBJECT TO UNITED STATES SANCTIONS ON CERTAIN OTHER SANCTIONS LISTS.

(a) NOTIFICATION TO OTHER FEDERAL OFFICIALS.—Not later than 30 days after the date on which an individual or entity is included on one of the lists described in subsection (d), the Federal official responsible for administering such list shall notify the Federal officials responsible for administering the other lists described in subsection (d) of the inclusion of the individual or entity on such list.

(b) DETERMINATION AND OTHER REQUIREMENTS OF OTHER FEDERAL OFFICIAL.—

(1) REVIEW.—Not later than 30 days after the date on which a Federal official receives a notification under subsection (a) of the inclusion of an individual or entity on one of the lists described in subsection (d), such Federal official shall initiate a review regarding whether such individual or entity warrants inclusion on such other lists.

(2) DETERMINATION.—Not later than 90 days after the date on which a Federal official receives a notification under subsection (a) of the inclusion of an individual or entity on one of the lists described in subsection (d), such Federal official shall make a determination of whether to include such individual or entity on such other lists.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the enactment of this Act, each Federal agency maintaining a list described in subsection (d) shall submit to the appropriate congressional committees a report—

(A) certifying compliance with subsections (a) and (b) of this section;

(B) explaining the agency’s deliberative process to meet the requirements in subsections (a) and (b); and

(C) enumerating any instances in which the requirements in subsections (a) and (b) led to the inclusion of additional individuals or entities to one of the lists described in subsection (d).

(2) FORM.—The report required by this subsection shall be submitted in unclassified form, but may contain a classified annex.

(d) LISTS DESCRIBED.—The lists described in this subsection are the following:

(1) The list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury.

(2) The list maintained and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations (commonly known as the “Entity List”).

(3) The Department of Defense’s list maintained and published under 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note).

(4) The Non-SDN Chinese Military-Industrial Complex Companies (NS-CMIC) List of the Office of Foreign Assets Control of the Department of the Treasury.

(5) The Sectoral Sanctions List of the Office of Foreign Assets Control of the Department of the Treasury.

(6) The Military End User List of the Bureau of Industry and Security of the Department of Commerce.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Foreign Relations, and the Committee on Finance of the Senate.

(2) EXPORT ADMINISTRATION REGULATIONS.—The term “Export Administration Regulations” means the regulations set forth in subchapter C of chapter VII of title 15, Code of Federal Regulations, or successor regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. BARR) and the gentleman from New York (Mr. MEEKS) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

#### GENERAL LEAVE

Mr. BARR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BARR. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. WALTZ), the author of this bill.

Mr. WALTZ. Mr. Speaker, I rise today to urge passage of my bill, H.R. 5613, the Sanctions Lists Harmonization Act.

Mr. Speaker, sanctions are a critical tool in America’s foreign policy toolkit, and that has been the case really since the end of World War II.

Unfortunately, the U.S. faces significant challenges in coordinating its sanction policy to support our national security objectives. For example, entities that we sanction in the U.S. are not similarly sanctioned by our allies in Europe, even when our policies are aligned. We spend a significant amount of time and effort coordinating these actions to target actors like Iran and other malign actors, even when we are all rowing in the same direction.

Mr. Speaker, it is often even worse than that. We don’t even coordinate within our own government. Under current law, our Federal agencies are not required to communicate with each other when foreign entities are added to their sanctions lists.

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For example, if the Department of Defense has concerns and they communicate those concerns, an entity may be denied an export license by the Department of Commerce but then still allowed to conduct banking transactions regulated by Treasury.

Mr. Speaker, there are many other examples, but at the very least, our agencies should proactively notify and coordinate with one another to maximize the penalties to these bad actors when it makes sense.

My bill simply requires the Department of Treasury, the Department of Commerce, and the Department of Defense to notify each other and communicate with each other within 30 days