

**AMENDMENT TO RULES COMM. PRINT 119-33**  
**OFFERED BY MR. BAIRD OF INDIANA**

At the end of subtitle B of title XVII, insert the following:

1 **SEC. 17\_\_ . INTERAGENCY COORDINATION IN EXPORT**  
2 **CONTROLS.**

3 (a) INTERAGENCY RULEMAKING PROPOSALS.—Sec-  
4 tion 1754 of the Export Control Reform Act of 2018 (50  
5 U.S.C. 4813) is amended—

6 (1) in subsection (a), by striking “consultation”  
7 and inserting “coordination”; and

8 (2) by adding at the end, the following new sub-  
9 section:

10 “(g) INTERAGENCY RULEMAKING PROPOSALS.—

11 “(1) SUBMISSION OF PROPOSALS.—The Sec-  
12 retary of State, Defense, or Energy may submit to  
13 the Export Administration Review Board (or its suc-  
14 cessor) (hereinafter the ‘Board’) a proposal for a  
15 new rule, or an amendment to an existing rule,  
16 under the Export Administration Regulations.

17 “(2) APPROVAL OF PROPOSALS.—

18 “(A) IN GENERAL.—Except as provided  
19 under subparagraph (B), not later than days 30

1 days after a proposal is submitted under para-  
2 graph (1), the Board shall vote to accept or re-  
3 ject the proposal. The Secretary shall initiate  
4 the rulemaking process for each proposal ac-  
5 cepted by a simple majority vote of the Board.

6 “(B) EXCEPTION.—A Board member may  
7 extend the deadline described in subparagraph  
8 (A) by an additional 30 days if—

9 “(i) a Board member requires addi-  
10 tional information regarding the proposal  
11 with respect to which such extension is  
12 sought; and

13 “(ii) the Board member that issued  
14 such proposal agrees to such extension.

15 “(3) SUNSET.—The requirements of this sub-  
16 section shall terminate on the date that is three  
17 years after the date of the enactment of this sub-  
18 section.”.

19 (b) STATE DEPARTMENT EVALUATION.—

20 (1) EVALUATION OF CHINA’S MILITARY CIVIL  
21 FUSION STRATEGY.—Not later than 30 days after  
22 the date of the enactment of this Act, the Secretary  
23 shall, in consultation with each agency that is rep-  
24 resented by a member of the Operating Committee  
25 for Export Policy, complete a review of the implica-

1 tions of the military-civil fusion strategy of the Peo-  
2 ple's Republic of China (in this Act referred to as  
3 the "PRC") for the export control policy of the  
4 United States and for the national security of the  
5 United States, including a review of the following  
6 topics:

7 (A) The exploitation of United States and  
8 allied technology and talent by the PRC to  
9 modernize the PRC's military.

10 (B) Whether any entity in the PRC can be  
11 considered, in the context of United States na-  
12 tional security and export control policy, a pure-  
13 ly civilian entity.

14 (C) The reliability of end-use checks and  
15 end-use conditions for exports, reexports, and  
16 in-country transfers to entities that are located  
17 or headquartered in, or the ultimate parent  
18 company of which is headquartered in, the  
19 PRC.

20 (D) The relationship between the PRC's  
21 strategic technology sectors (such as artificial  
22 intelligence, semiconductor, quantum, robotics,  
23 biotechnology) and the PRC's military.

24 (E) Whether the addition of any entity to  
25 the Military End-User List would address to

1 any extent the national security risks posed by  
2 the military-civil fusion strategy of the PRC.

3 (F) Due diligence required by exporters to  
4 prevent the PRC's military from accessing  
5 United States technology.

6 (G) Whether any change to United States  
7 export control policy would address to any ex-  
8 tent the national security risks posed by the  
9 military-civil fusion strategy of the PRC.

10 (H) Any other topic the Secretary deter-  
11 mines is relevant for this review.

12 (2) REVIEW OF STRATEGIC TRADE AUTHORIZA-  
13 TION LICENSE EXCEPTION.—Not later than 90 days  
14 after the date of the enactment of this Act, the Sec-  
15 retary shall, in consultation with each agency that is  
16 represented by a member of the Operating Com-  
17 mittee for Export Policy, complete a review of if any  
18 countries have aligned their export controls suffi-  
19 ciently to qualify for a license exemption outlined in  
20 section 740.20 of the Export Administration Regula-  
21 tions.

22 (3) PROPOSED CHANGES TO POLICY.—

23 (A) IN GENERAL.—Not later than 90 days  
24 after the date of the enactment of this Act, the  
25 Secretary shall consider proposing to the Ex-

1 port Administration Review Board (or any suc-  
2 cessor entity) any change to United States ex-  
3 port control policy identified pursuant to the re-  
4 view required by paragraphs (1) and (2), which  
5 may include—

6 (i) additions to the Military End-User  
7 List;

8 (ii) changes to export control restric-  
9 tions on certain military end uses;

10 (iii) new rules or amendments to the  
11 Export Administration Regulations;

12 (iv) a final rule pursuant to the pro-  
13 posed rule published in the Federal Reg-  
14 ister entitled “End-Use and End-User  
15 Based Export Controls, Including U.S.  
16 Persons Activities Controls: Military and  
17 Intelligence End Uses and End Users” (89  
18 Fed. Reg. 60985 (July 29, 2024));

19 (v) any other policy the Secretary de-  
20 termines would address the national secu-  
21 rity risks posed by the military-civil fusion  
22 strategy of the PRC; and

23 (vi) additions or changes to the license  
24 exemptions described in section 740.20 of  
25 the Export Administration Regulations.

1           (B) INTERAGENCY VOTE.—The Board  
2 shall vote on the adoption of each change pro-  
3 posed pursuant to subparagraph (A) in the  
4 manner described in subsection (g)(2) of section  
5 1754 of the Export Control Reform Act of  
6 2018 (50 U.S.C. 4813), as added by subsection  
7 (a).

8           (4) REPORT TO CONGRESS.—Not later than  
9 150 days after the date of the enactment of this Act,  
10 the Secretary shall submit to the appropriate con-  
11 gressional committees a report that includes the fol-  
12 lowing:

13           (A) The review required by paragraph (1).

14           (B) Any proposed rules required by para-  
15 graph (3).

16           (C) Any change in United States policy ap-  
17 proved by the Export Administration Review  
18 Board.

19           (D) Any recommended change to United  
20 States law that would help address the national  
21 security risks posed by the military-civil fusion  
22 strategy of the PRC.

23           (e) DEFINITIONS.—In this section:

1           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
2           TEES.—The term “appropriate congressional com-  
3           mittees” means—

4                   (A) the Committee on Foreign Affairs of  
5           the House of Representatives; and

6                   (B) the Committee on Banking, Housing,  
7           and Urban Affairs of the Senate.

8           (2) MILITARY END-USER LIST.—The term  
9           “Military End-User List” means the list maintained  
10          by the Bureau of Industry and Security of the De-  
11          partment of Commerce and set forth in Supplement  
12          No. 7 to part 744 of title 15, Code of Federal Regu-  
13          lations, or successor regulations.

14          (3) OPERATING COMMITTEE FOR EXPORT POL-  
15          ICY.—The term “Operating Committee for Export  
16          Policy” means the Operating Committee for Export  
17          Policy referred to in section 1763(c) of the John S.  
18          McCain National Defense Authorization Act for Fis-  
19          cal Year 2019 (50 U.S.C. 4822(c)).

20          (4) SECRETARY.—The term “Secretary” means  
21          the Secretary of State.

