AMENDMENT TO
RULES COMMITTEE PRINT 117–54
OFFERED BY MR. BANKS OF INDIANA

At the end of subtitle A of title XIII, insert the following new section:

SEC. 13. LIMITATION ON AVAILABILITY OF FUNDS FOR COLLABORATION WITH CERTAIN ENTITIES LINKED TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for a covered fiscal year for the Department of Defense may be—

(1) provided to an entity described in subsection (d);

(2) used to carry out activities in collaboration with such an entity; or

(3) provided to an institution of higher education that directly, indirectly, formally, or informally carries out activities in collaboration with such an entity.

(b) WAIVER.—
(1) **IN GENERAL.**—The Secretary of Defense may waive the limitation under subsection (a) with respect to an institution of higher education, on a case-by-case basis, only if the Secretary in consultation with the Under Secretary of Defense for Intelligence and Security, the Under Secretary of Defense for Research and Engineering, and relevant agencies in the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) determines such a waiver would not compromise the national security of the United States.

(2) **MANAGEMENT PROCESS.**—If the Secretary issues a waiver under paragraph (1), the academic liaison designated pursuant to subsection (g) of section 1286 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 4001 note), shall manage the waiver process on behalf of the Secretary.

(e) **REPORTING.**—

(1) **ANNUAL CERTIFICATIONS AND DISCLOSURES.**—The Secretary of Defense shall require the head of each institution of higher education that receives funds from the Department of Defense—
(A) to certify on an annual basis that the institution is not carrying out activities in collaboration with an entity described in subsection (d); and

(B) to disclose on an annual basis any direct, indirect, formal, or informal collaboration between the institution and a person or entity associated with the Government of the People’s Republic of China (including Hong Kong).

(2) REPORT TO CONGRESS.—The Secretary of Defense shall report to Congress on annual basis—

(A) the justification for each waiver issued under subsection (b);

(B) detail the nature and extent of the any collaboration between the institution of higher education covered by the waiver and the entities described in subsection (d).

(3) FORM; PUBLIC AVAILABILITY OF INFORMATION.—Each certification, disclosure, and report required under this subsection shall be submitted in unclassified form and shall be made available on a publicly available website of the Federal Government.

(d) ENTITIES DESCRIBED.—The entities described in this subsection are the following:
(1) Any academic institution of the Chinese military or Chinese law enforcement, including—
   (A) any academic institution affiliated with the People’s Liberation Army, including—
      (i) National Defense University;
      (ii) National University of Defense Technology;
      (iii) Air Force Aviation University;
      (iv) Air Force Command College;
      (v) Air Force Communications Non-commissioned Officer School;
      (vi) Air Force Early Warning College;
      (vii) Air Force Engineering University;
      (viii) Air Force Harbin Flight Academy;
      (ix) Air Force Medical University (Fourth Military Medical University);
      (x) Air Force Service College;
      (xi) Air Force Shijiazhuang Flight Academy;
      (xii) Air Force Xi’an Flight Academy;
      (xiii) Army Armored Force Academy;
      (xiv) Army Artillery and Air Defense Academy;
(xv) Army Aviation College;
(xvi) Army Border and Coastal Defense Academy;
(xvii) Army Chemical Defense Academy in Beijing;
(xviii) Army Command Academy;
(xix) Army Engineering University;
(xx) Army Infantry Academy;
(xxi) Army Medical University (Third Military Medical University);
(xxii) Army Military Transportation Academy;
(xxiii) Army Service Academy;
(xxiv) Army Special Operations Academy;
(xxv) Dalian Naval Ship Academy;
(xxvi) Naval Aviation University;
(xxvii) Naval Command College;
(xxviii) Naval Engineering University;
(xxix) Naval Medical University (Second Military Medical University);
(xxx) Naval Non-commissioned Officer School;
(xxxi) Naval Service Academy;
(xxxii) Naval Submarine Academy;
(xxxiii) Rocket Force Command College;

(xxxiv) Rocket Force Non-commissioned Officer School;

(xxxv) Rocket Force University of Engineering;

(xxxvi) Strategic Support Force Information Engineering University; and

(xxxvii) Strategic Support Force Space Engineering University;

(B) any research institution affiliated with the People Liberation Army, including—

(i) Academy of Military Sciences;

(ii) Air Force Research Academy;

(iii) Army Research Academy;

(iv) Naval Research Academy;

(v) Rocket Force Research Academy;

and

(vi) Strategic Support Force Battlefield Environment Research Institute;

(C) any academic institution affiliated with the People’s Armed Police, including—

(i) People’s Armed Police Force Academy;
(ii) People’s Armed Police Force Engineering University;
(iii) People’s Armed Police Force Logistics Academy;
(iv) People’s Armed Police Force Non-commissioned Officer School;
(v) People’s Armed Police Force Officers Academy; and
(vi) People’s Armed Police Force Special Police Academy;
(D) any academic institution affiliated with Public Security or Chinese law enforcement, including—
(i) People’s Public Security University of China;
(ii) Chinese People’s Police University;
(iii) Criminal Investigation University of China;
(iv) Railway Police College; and
(v) Nanjing Forest Police College.
(2) Any entity on the list of Chinese military companies published by Department of Defense in accordance with section 1260H of the William M.

(3) Any entity in China included on the entity list maintained by the Bureau of Industry and Security and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations.

(4) Any agent or instrumentality of an entity described in paragraphs (1) through (3).

(e) DEFINITIONS.—In this section:

(1) The term “covered fiscal year” means the first fiscal year that begins after the date that is 12 months after the date of the enactment of this Act and each subsequent fiscal year.

(2) The term “institution of higher education” has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002) and includes any department, program, project, faculty, researcher, or other individual, entity, or activity of such institution.