

AMENDMENT TO RULES COMM. PRINT 119-33

OFFERED BY MR. McCAUL OF TEXAS

Add at the end of subtitle A of title XVII the following:

1 **SEC. 17 ____ . BUREAU OF INDUSTRY AND SECURITY LICENSE**

2 **ADMINISTRATION ENHANCEMENT.**

3 (a) ENHANCEMENT OF ADMINISTRATION OF EXPORT
4 CONTROL LICENSES.—Part I of the Export Control Re-
5 form Act of 2018 (50 U.S.C. 4801 et. seq.) is amended
6 by adding at the end the following:

7 **“SEC. 1769. ENHANCEMENT OF ADMINISTRATION OF EX-**
8 **PORT CONTROL LICENSES.**

9 “(a) ENHANCEMENT OF ADMINISTRATION OF CER-
10 TAIN COMMUNICATIONS.—

11 “(1) IN GENERAL.—The Secretary shall admin-
12 ister any export control license or other authoriza-
13 tion considered pursuant to an is-informed letter or
14 similar targeted regulatory guidance or supplemental
15 license requirement communication sent to a United
16 States person or foreign person by the same inter-
17 agency process as any license or other authorization
18 administered pursuant to the Export Administration
19 Regulations.

1 “(2) PUBLICATION.—Not later than 60 days
2 after issuing a license or other authorization de-
3 scribed in paragraph (1), the is-informed letter or
4 similar targeted regulatory guidance or supplemental
5 license requirement communication with respect to
6 the license or authorization shall terminate unless
7 the Secretary, in consultation with the Secretary of
8 State, the Secretary of Defense, and the Secretary
9 of Energy, publishes in the Code of Federal Regula-
10 tions a regulation that provides for the parameters
11 of the letter or guidance or publishes in the Federal
12 Register the communication.

13 “(b) STANDARDS AND FACTORS FOR PRESUMPTION
14 OF DENIAL STANDARD.—

15 “(1) IN GENERAL.—Not later than 90 days
16 after the date of the enactment of this section, the
17 Secretary shall publish in the Federal Register the
18 standards and factors that licensing officers should
19 consider when considering a license under a pre-
20 sumption of denial standard.

21 “(2) SUBMISSION TO CONGRESS.—Not later
22 than 7 days prior to the date the Secretary publishes
23 or otherwise makes available to the public such
24 standards and factors, the Secretary shall submit
25 such standards and factors to—

1 “(A) the Committee on Foreign Affairs of
2 the House of Representatives; and

3 “(B) the Committee on Banking, Housing,
4 and Urban Affairs of the Senate.”.

5 (b) EXPORT CONTROL TECHNICAL ADVISORY COM-
6 MITTEES.—Section 1754 of the Export Control Reform
7 Act of 2018 (50 U.S.C. 4813) is amended by adding at
8 the end the following new subsection:

9 “(g) TECHNICAL ADVISORY COMMITTEES.—

10 “(1) DUTIES.—The technical advisory commit-
11 tees shall advise the Secretary on—

12 “(A) the security and stability of global
13 technology supply chains;

14 “(B) national security challenges for the
15 United States related to particular technologies;

16 “(C) technical parameters for export con-
17 trols;

18 “(D) the extent to which existing and pro-
19 posed export controls achieve the policy of the
20 United States described in section 1752;

21 “(E) the identification of emerging and
22 foundational technologies pursuant to section
23 1758;

1 “(F) improvements to export licensing pro-
2 cedures, compliance mechanisms, and export
3 enforcement strategies; and

4 “(G) any other matter requested by the
5 Secretary.

6 “(2) REQUIRED COMMITTEES.—The Secretary
7 shall appoint a technical advisory committee for each
8 of the following topics:

9 “(A) Computing technologies and informa-
10 tion systems, including semiconductors, micro-
11 electronics, artificial intelligence, and quantum
12 computing.

13 “(B) Biotechnologies.

14 “(C) Automation, including robotics, ad-
15 vanced manufacturing, and autonomous sys-
16 tems.

17 “(D) Aerospace and space technologies.

18 “(E) Advanced materials.

19 “(F) Weapons of mass destruction.

20 “(G) Emerging and foundational tech-
21 nologies.

22 “(H) Regulations and procedures.

23 “(3) SUBCOMMITTEES.—The Secretary may ap-
24 point subcommittees for any technical advisory com-
25 mittee.

1 “(4) COMMITTEE REVIEW.—Beginning on the
2 date that is 2 years after the date of the enactment
3 of this subsection, the Secretary may, in coordina-
4 tion with the Secretary of State, the Secretary of
5 Defense, and the Secretary of Energy, revise the
6 number of technical advisory committees or adjust
7 the topics of existing committees as necessary.

8 “(5) CHOOSING COMMITTEES.—The Secretary,
9 in coordination with the Secretary of State, the Sec-
10 retary of Defense, and the Secretary of Energy,
11 shall adjust the topics of the technical advisory com-
12 mittees to reflect relevant executive branch strate-
13 gies and critical technology lists, such as the Na-
14 tional Security Strategy and the National Defense
15 Strategy.

16 “(6) MEMBERSHIP.—

17 “(A) IN GENERAL.—Each technical advi-
18 sory committee shall consist of technical spe-
19 cialists from a relevant industry, national secu-
20 rity experts, and academic experts in a relevant
21 field.

22 “(B) TERM.—The term of a member on a
23 technical advisory committee shall be 3 years.

24 “(C) NON-DISCLOSURE AGREEMENT.—No
25 individual may serve as a member of a technical

1 advisory committee unless such individual has
2 entered into a binding non-disclosure agreement
3 with the Secretary that prohibits the individual
4 from making an unauthorized disclosure of pro-
5 prietary information, policy deliberations, and
6 national security information communicated
7 through or related to a technical advisory com-
8 mittee.

9 “(D) STAFFING.—The Secretary shall
10 process applications to join any technical advi-
11 sory committee in a timely manner.

12 “(7) MEETINGS.—Each technical advisory com-
13 mittee shall meet not less frequently than once every
14 120 days.

15 “(8) WEBPAGE.—The Bureau of Industry and
16 Security shall maintain on the website of the Bureau
17 a webpage describing each technical advisory com-
18 mittee, including the membership of each such com-
19 mittee.

20 “(9) TECHNOLOGY AND POLICY ASSESSMENT.—
21 Each technical advisory committee shall, not less
22 frequently than annually, submit to the Secretary,
23 the Secretary of State, the Secretary of Defense, the
24 Secretary of Energy, and the appropriate congres-
25 sional committees—

1 “(A) an assessment of developments within
2 the purview of the technical advisory committee;
3 and

4 “(B) recommendations related to the pur-
5 view of the technical advisory committee for ad-
6 vancing the national security and foreign policy
7 interests of the United States.

8 “(10) DEFINITIONS.—In this subsection:

9 “(A) APPROPRIATE CONGRESSIONAL COM-
10 MITTEES.—The term ‘appropriate congressional
11 committees’ means the Committee on Foreign
12 Affairs of the House of Representatives and the
13 Committee on Banking, Housing, and Urban
14 Affairs of the Senate.

15 “(B) TECHNICAL ADVISORY COMMITTEE.—
16 The term ‘technical advisory committee’ means
17 a technical advisory committee appointed pursu-
18 ant to subsection (a)(13).”.

19 (c) REVIEW AND REPORT REGARDING CONTROLLED
20 INTEGRATED CIRCUITS.—

21 (1) REVIEW.—The Secretary of Commerce, in
22 consultation with the Secretary of State, Secretary
23 of Defense, and Secretary of Energy, shall review
24 the implementation of the interim final rule of the
25 Bureau of Industry and Security of the Department

1 of Commerce entitled “Implementation of Additional
2 Due Diligence Measures for Advanced Computing
3 Integrated Circuits; Amendments and Clarifications;
4 and Extension of Comment Period”, published in
5 the Federal Register on January 16, 2025 (90 Fed.
6 Reg. 5298; Docket No. 250108–0013), or any sub-
7 stantially similar successor rule, and consider any
8 appropriate update or change to such rule to ensure
9 that such rule is implemented effectively and fulfills
10 the initial policy intent of such rule.

11 (2) REPORT.—Not later than 120 days after
12 the date of the enactment of this Act, Secretary of
13 Commerce, in consultation with the Secretary of
14 State, the Secretary of Defense, and the Secretary
15 of Energy, shall submit to the appropriate congress-
16 sional committees a report on—

17 (A) the findings of the review required
18 under paragraph (1); and

19 (B) any change to the rule described in
20 such paragraph that has been made.

21 (d) DEFINITIONS.—In this section:

22 (1) The term “appropriate congressional com-
23 mittees” means—

24 (A) the Committee on Foreign Affairs of
25 the House of Representatives; and

1 (B) the Committee on Banking, Housing,
2 and Urban Affairs of the Senate.

3 (2) The term “Secretary” means the Secretary
4 of Commerce acting through the Under Secretary
5 for Industry and Security.

