

AMENDMENT TO RULES COMM. PRINT 119–33
OFFERED BY MR. STANTON OF ARIZONA

At the end of subtitle B of title XVII of division A,
add the following:

1 **SEC. 17__ . REPORT ON IMPACT AND EFFECTIVENESS OF**
2 **SEMICONDUCTOR AND ADVANCED COM-**
3 **PUTING EXPORT CONTROLS.**

4 (a) IN GENERAL.—Not later than 360 days after the
5 date of the enactment of this Act, the Assistant Secretary
6 of State for Intelligence and Research (in this section re-
7 ferred to as the “Assistant Secretary”), in coordination
8 with the Under Secretary of Commerce for Industry and
9 Security and the Director of National Intelligence, shall
10 submit to the appropriate congressional committees a re-
11 port on the impact and effectiveness of United States
12 semiconductor export controls on the People’s Republic of
13 China (PRC).

14 (b) ELEMENTS.—The report required by subsection
15 (a) shall include a comprehensive inventory of all United
16 States export controls concerning semiconductors and
17 semiconductor manufacturing equipment (SME) destined
18 for the PRC. For each such control, the report should de-
19 tail the following:

1 (1) A short description of the control and when
2 it was imposed.

3 (2) Whether the control constitutes a tech-
4 nology control, an end-use control, or an end-user
5 control.

6 (3) Whether such control is unilateral in nature
7 or has been implemented by any international part-
8 ners and allies.

9 (4) An analysis, including quantitative data and
10 evidence to the maximum extent practicable, on—

11 (A) the intended goal or stated purpose of
12 the control when it was originally imposed;

13 (B) the impact of the control on the PRC's
14 military, intelligence, and surveillance capabili-
15 ties;

16 (C) the impact of the control on the PRC's
17 ability to develop, manufacture, and acquire ad-
18 vanced integrated circuits;

19 (D) the impact of the control on the broad-
20 er PRC indigenous semiconductor industry, its
21 revenue, and global market share;

22 (E) the impact of the control on PRC arti-
23 ficial intelligence capabilities, including, but not
24 limited to, computing capacity, model usage,
25 and data-processing capacity;

1 (F) the impact of the control on the rev-
2 enue and global market share of United States
3 companies, and, if negatively impacted, whether
4 that revenue went to companies headquartered
5 in allied countries or to PRC companies;

6 (G) the impact of the control on United
7 States long-term technology leadership and
8 global competitiveness; and

9 (H) a determination as to whether the con-
10 trol has been and remains effective in achieving
11 its stated national security objective.

12 (5) An analysis of whether the availability of
13 comparable items, software, or technology from
14 sources outside the United States has undermined
15 the effectiveness of the control. In detailing such for-
16 eign availability, the Assistant Secretary shall in-
17 clude whether the foreign availability originates from
18 within the PRC or from allies and partners of the
19 United States.

20 (c) ADDITIONAL ELEMENTS.—The report required
21 by subsection (a) shall also identify—

22 (1) controls that have been the most successful
23 in constraining the PRC's strategic capabilities;

24 (2) a list of controls, if any, that have failed to
25 constrain the PRC and disproportionately harm

1 United States industry without a corresponding ad-
2 vancement in United States national security and
3 foreign policy, and the reason for why the control
4 has failed to constrain the PRC;

5 (3) recommendations on how to bolster coopera-
6 tion with United States industry to enhance compli-
7 ance with the controls and the overall effectiveness
8 of controls; and

9 (4) a set of recommendations to improve the ef-
10 ficacy of the export control regime, including—

11 (A) specific refinements to existing con-
12 trols;

13 (B) methods for bolstering enforcement ef-
14 forts; and

15 (C) recommendations for closing diversion
16 loopholes.

17 (d) **STAKEHOLDER ENGAGEMENT.**—In carrying out
18 the requirements under subsection (a), the Assistant Sec-
19 retary shall engage relevant stakeholders to inform the as-
20 sessment of United States export controls, including—

21 (1) relevant Federal departments and agencies;

22 (2) private sector entities from the United
23 States semiconductor, semiconductor manufacturing
24 equipment, and advanced computing sectors; and

1 (3) individuals from academic institutions,
2 think tanks, and other research organizations with
3 relevant expertise;

4 (e) FORM.—The report required by subsection (a)
5 shall be submitted in unclassified form and posted on the
6 Department’s website. The Assistant Secretary of State
7 for Intelligence and Research may include a classified
8 annex as appropriate.

