

**AMENDMENT TO RULES COMM. PRINT 119-33**

**OFFERED BY M**\_\_ . \_\_\_\_\_

Add at the end of subtitle G of title XII the following:

1 **SEC. 12** \_\_ . **PROHIBITION ON FEDERALLY FUNDED RE-**  
2 **SEARCH RELATIONSHIPS WITH CERTAIN**  
3 **FOREIGN ENTITIES.**

4 (a) PROHIBITION.—No Federal funds awarded  
5 through a grant, contract, cooperative agreement, or any  
6 other form of Federal financial assistance or other awards  
7 issued under other transaction authority (in this section  
8 referred to as a “federally funded research award”) may  
9 be used by an individual or entity described in subsection  
10 (b) to enter into, support, or carry out any research col-  
11 laboration with either—

12 (1) an entity listed on a United States Govern-  
13 ment restricted entity list; or

14 (2) an individual associated with such an entity.

15 (b) INDIVIDUAL OR ENTITY.—An individual or entity  
16 described in this subsection is an individual or entity par-  
17 ticipating in, receiving, or performing work under a feder-  
18 ally funded research award.

1 (c) GUIDANCE.—To carry out this section, the Direc-  
2 tor of the Office of Science and Technology Policy, in con-  
3 sultation with the heads of relevant Federal research agen-  
4 cies, shall issue Government-wide implementation guid-  
5 ance to ensure standardized compliance requirements,  
6 definitions, and enforcement mechanisms.

7 (d) WAIVER AUTHORITY.—

8 (1) IN GENERAL.—The head of a Federal agen-  
9 cy may waive the prohibition under subsection (a),  
10 on a case-by-case basis, if such head determines—

11 (A) such waiver is necessary to advance  
12 the national security interests of the United  
13 States; or

14 (B) the research collaboration under sub-  
15 section (a) that is the subject of such waiver is  
16 essential for a clearly defined scientific, public  
17 health, or national security purpose that cannot  
18 reasonably be achieved without such collabora-  
19 tion.

20 (2) REPORT.—Not later than 30 days after  
21 granting a waiver under paragraph (1), the head of  
22 the Federal agency who so granted such waiver shall  
23 submit to Congress a written notification that in-  
24 cludes the following:

1 (A) The identity of the individual or entity  
2 that is the subject of waiver.

3 (B) The justification for such waiver.

4 (C) The mitigation measures implemented  
5 to protect the national security interests of the  
6 United States, if applicable.

7 (e) DEFINITIONS.—In this section:

8 (1) RESEARCH COLLABORATION.—

9 (A) IN GENERAL.—Except as provided in  
10 subparagraph (B), the term “research collabo-  
11 ration” means any activity conducted as part of  
12 a federally funded research award, including the  
13 following:

14 (i) Joint research activities or  
15 projects.

16 (ii) Co-authorship of scholarly publica-  
17 tions, technical reports, or research out-  
18 puts.

19 (iii) Data sharing or processing, mate-  
20 rial transfer, or exchange of research re-  
21 sults, including access to datasets, soft-  
22 ware, or research infrastructure.

23 (iv) Joint laboratories, research cen-  
24 ters, or institutes.

1 (v) Personnel exchanges, visiting  
2 scholar appointments, or joint supervision  
3 of students or researchers.

4 (vi) Any other arrangement deter-  
5 mined by the head of the relevant Federal  
6 research funding agency to constitute re-  
7 search collaboration.

8 (B) EXCEPTIONS.—

9 (i) CO-AUTHORSHIP.—Co-authorship  
10 under clause (ii) of subparagraph (A) does  
11 not include the following:

12 (I) The inclusion of an individ-  
13 ual's name on a scholarly publication,  
14 technical report, or other research  
15 output without the knowing consent of  
16 such individual.

17 (II) The inclusion of an individ-  
18 ual's name on a scholarly publication,  
19 technical report, or other research  
20 output produced through a scientific  
21 consortium, collaboration, or experi-  
22 ment involving 25 or more co-authors,  
23 ten or more participating institutions,  
24 or both.

1 (ii) DATA SHARING OR PROCESSING.—

2 Data sharing or processing under clause  
3 (iii) of subparagraph (A) does not include  
4 the use, access, citation, download, anal-  
5 ysis, or processing of information, data,  
6 publications, software, or other materials  
7 that are lawfully and publicly available to  
8 any person without restriction.

9 (2) NATIONAL LABORATORY.—The term “Na-  
10 tional Laboratory” has the meaning given such term  
11 in section 2 of the Energy Policy Act of 2005 (42  
12 U.S.C. 15801).

13 (3) UNITED STATES GOVERNMENT RESTRICTED  
14 ENTITY LISTS.—The term “United States Govern-  
15 ment restricted entity list” includes the following:

16 (A) The Department of Commerce Bureau  
17 of Industry and Security Entity List (Supple-  
18 ment No. 4 to Part 744 of the Export Adminis-  
19 tration Regulations).

20 (B) The Department of Commerce Bureau  
21 of Industry and Security Military End User  
22 List.

23 (C) The Department of the Treasury Of-  
24 fice of Foreign Assets Control Specially Des-  
25 ignated Nationals List.

1 (D) The Denied Persons List maintained  
2 by the Bureau of Industry and Security of the  
3 Department of Commerce and described in sec-  
4 tion 764.3(a)(2) of the Export Administration  
5 Regulations.

6 (E) The Department of Defense Chinese  
7 Military Companies List maintained pursuant  
8 to section 1260H of the National Defense Au-  
9 thorization Act for Fiscal Year 2021 (10 U.S.C.  
10 113 note).

11 (F) the Debarred Parties List maintained  
12 by the Directorate of Defense Trade Controls of  
13 the Department of State.

14 (G) The list of telecommunications compa-  
15 nies of the People's Republic of China des-  
16 ignated under section 889 of the John S.  
17 McCain National Defense Authorization Act for  
18 Fiscal Year 2019 (Public Law 115-232) as  
19 posing national security risks to the United  
20 States.

21 (H) The list of institutions of higher edu-  
22 cation and other entities determined to be affili-  
23 ated with, or supporting, the People's Republic  
24 of China's military-civil fusion strategy main-  
25 tained pursuant to section 1286 of the John S.

1 McCain National Defense Authorization Act for  
2 Fiscal Year 2019 (10 U.S.C. 2358 note).

3 (I) The list of semiconductor companies of  
4 the People’s Republic of China and affiliates  
5 designated under section 5949 of the James M.  
6 Inhofe National Defense Authorization Act for  
7 Fiscal Year 2023 (Public Law 117–263; 41  
8 U.S.C. 4713 note) as posing national security  
9 risks to the United States.

10 (J) The Annex to Executive Order (EO)  
11 14032, “Addressing the Threat from Securities  
12 Investments That Finance Certain Companies  
13 of the People’s Republic of China,” dated June  
14 3, 2021, or superseding Executive Order.

15 (K) The list maintained by the Federal  
16 Communications Commission of equipment and  
17 services covered by section 2 of the Secure and  
18 Trusted Communications Networks Act of 2019  
19 (47 U.S.C. 1601; commonly referred to as the  
20 “FCC Covered List”).

21 (L) Any foreign entity included on the De-  
22 partment of Commerce Unverified List.

23 (M) The Uyghur Forced Labor Prevention  
24 Act Entity List maintained by the Forced  
25 Labor Enforcement Task Force pursuant to

1 section 2(d)(2)(B) of the Uyghur Forced Labor  
2 Prevention Act (Public Law 117–78).

3 (N) The list of biotechnology company of  
4 concern pursuant to section 851 of the National  
5 Defense Authorization Act for Fiscal Year 2026  
6 (Public Law 119–60).

7 (O) Any other entity list designated by the  
8 President, the Secretary of Commerce, the Sec-  
9 retary of the Treasury, or the Secretary of De-  
10 fense as restricting or prohibiting transactions  
11 with foreign entities for national security, for-  
12 eign policy, or human rights reasons.

