

Science and Security Legislative Actions in the 116th Congress

Updated 6/1/20

 Indicates provision is in play  Indicates provision was enacted

The legislative actions table for the 115th Congress can be found [here](#).

BILL TITLE/NO. OR ACTION	BRIEF DESCRIPTION	KEY POINTS, CONCERNS, ACTIONS TAKEN
<p>H.R. 704 / S. 2 Fair Trade with China Enforcement Act</p> <p>Sponsors: Rep. Conaway (R-TX) / Rep. Ryan (D-OH) and Sen. Rubio (R-FL) / Sen. Baldwin (D-WI)</p> <p>Cosponsors: 2 in House and 2 in Senate</p>	<p>Safeguards certain technology and intellectual property in the United States from export to or influence by the People's Republic of China and protects United States industry from unfair competition by the People's Republic of China.</p>	<ul style="list-style-type: none"> -Imposes restrictions and taxes on Chinese investment in the U.S. -Creates list of products receiving support from the Chinese government. -Prohibits the export of nat. security sensitive technology or IP to China. -Prohibits use of certain telecommunications services or equipment (similar to Sec. 889 of the FY19 NDAA). -One year after enactment, requires the Secretary of Commerce to submit a report to Congress on sales by China of covered telecommunications equipment or services. -House version includes a surtax on certain income from China and clarifies the application of U.S. law to foreign entities operating in the U.S. <p>Last Action: House – 3/4/19 Referred to the Judiciary Subcommittee on Courts, Intellectual Property, and the Internet. Senate – 2/27/19 Committee on Small Business and Entrepreneurship. Hearings Held.</p>
<p>H.R. 618 / S. 29 A bill to establish the Office of Critical Technologies and Security, and for other purposes</p> <p>Sponsors: Rep. Ruppberger (D-MD) and Sen. Warner (D-VA) / Sen. Rubio (R-FL)</p> <p>Cosponsors: 5 in House and 9 in Senate</p>	<p>Establishes the Office of Critical Technologies and Security in the White House to 1) coordinate security policy relating to critical emerging, foundational, and dual-use technologies between the National Security Council and the National Economic Council and interface with international, Federal, State, and local entities and 2) create a strategic plan to stop the transfer of such technologies to foreign adversaries.</p>	<ul style="list-style-type: none"> -The Director of the Office is appointed by and reports directly to the President. -The Director serves as a central point in the WH to coordinate federal policy and action in partnership with national security, economic, and science agencies including stopping the transfer of critical technology to countries that pose a national security risk and maintaining U.S. technological leadership. -The Director facilitates coordination with various stakeholders including academia. <p>Last Action: House – 1/24/19 Referred to the HASC Subcommittee on Intelligence and Emerging Threats and Capabilities. Senate - 1/4/19 Referred to Committee on Homeland Security and Government Affairs.</p>

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<p>H.R. 602 / S. 152 Telecommunications Denial Order Enforcement Act</p> <p>Sponsors: Rep. Gallagher (R-WI) / Rep. Gallego (D-AZ) and Sen. Cotton (R-AR) / Sen. Van Hollen (D-MD)</p> <p>Cosponsors: 7 in House and 5 in Senate</p>	<p>Directs the President to impose penalties pursuant to denial orders with respect to certain Chinese telecommunications companies that are in violation of the export control or sanctions laws of the United States, and for other purposes.</p>	<p>-Prohibits any actor of a telecommunications company that has been found in violation of an export control or U.S. sanctions from engaging in any export activity subject to U.S. Export Administration Regulations.</p> <p>-One year after enactment, requires the President to submit an annual report to Congress on the implementation of the act.</p> <p>Last Action: House - 1/16/2019 Referred to the Committee on Foreign Affairs. Senate - 1/16/2019 Referred to the Committee on Banking, Housing, and Urban Affairs.</p>
<p>S. 480 Countering the Chinese Government and Communist Party's Political Influence Operations Act</p> <p>Sponsors: Sen. Rubio (R-FL)</p> <p>Cosponsors: 6 in Senate</p>	<p>Requires an unclassified interagency report on the political influence operations of the Government of China and the Communist Party of China with respect to the United States, and for other purposes.</p>	<p>-Requires the Secretary of State and the Director of National Intelligence (DNI) to organize an interagency task force to compile an unclassified report on China's disinformation, press manipulation, economic coercion and influence operations in the U.S.</p> <p>-Requires a strategy to counter China's growing influence in the U.S.</p> <p>Last Action: Senate – 2/13/2019 Referred to the Committee on Foreign Relations.</p>
<p>H.R. 1678 Protect Our Universities Act</p> <p>Sponsors: Rep. Jim Banks (R-IN)</p> <p>Cosponsors: 6 in House</p>	<p>Establishes a Department of Education-led interagency task force to address the threat of foreign government influence and threats to academic research integrity on college campuses, and for other purposes.</p>	<p>-Directs the task force to manage a list of Sensitive Research Projects relative to the Commerce Control List, the U.S. Munitions List, and foundational principles developed for advanced military technologies.</p> <p>-Prohibits technology developed by Huawei, ZTE, Kaspersky, and others, from being used in federally-funded sensitive research projects.</p> <p>Last Action: House – 3/12/2019 Referred to the Committee on Education and Labor in addition to the Committees on Intelligence (Permanent Select), Armed Services, and Science, Space, and Technology.</p>

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<p>H.R. 1811 Countering the Chinese Government and Communist Party's Political Influence Operations Act</p> <p>Sponsors: Rep. Chris Smith (R-NJ)</p> <p>Cosponsors: 10 in House</p>	<p>Requires an unclassified interagency report on the political influence operations of the Government of China and the Communist Party of China with respect to the United States, and for other purposes.</p>	<p>-Requires Confucius Institutes and other Chinese government funded entities to register under the Foreign Agents Registration Act (FARA).</p> <p>-Supports the protection of the Chinese-American community and members of the Chinese, Uyghur, and Tibetan diasporas (including visiting Chinese students) from being targeted by China's political influence operations.</p> <p>Last Action: House – 5/3/19 Referred to the Judiciary Subcommittee on Constitution, Civil Rights, and Civil Liberties.</p>
<p>S. 939 Concerns Over Nations Funding University Campus Institutes in the United States "CONFUCIUS" Act</p> <p>Sponsors: Sen. Kennedy (R-LA)</p>	<p>A bill to establish limitations regarding Confucius Institutes, and for other purposes.</p>	<p>-Restricts federal funds (except title IV student aid) unless an institution ensures that any contract or agreement between the institution and a Confucius Institute includes clear provisions to protect academic freedom at the institution, prohibits application of any foreign law on campus, and grants full managerial authority of Confucius Institutes' teaching plans, activities, research grants, and employees to the university.</p> <p>Last Action: Senate – 3/28/2019 Referred to the Committee on Health, Education, Labor, and Pensions.</p>
<p>S. 937 Protecting American Technology Act</p> <p>Sponsors: Sen. Kennedy (R-LA)</p>	<p>A bill to direct the Secretary of Commerce to require institutions of higher education and other research facilities to obtain deemed export licenses for foreign nationals conducting scientific research at such institutions and facilities, and for other purposes.</p>	<p>-Requires a deemed export license to be in place before foreign nationals can conduct scientific research in university labs.</p> <p>Last Action: Senate – 6/4/19 Committee on Banking, Housing, and Urban Affairs. Hearings held.</p>

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<p>H.R. 2244 Higher Education Transparency Act</p> <p>Sponsors: Rep. Gosar (R-AZ)</p> <p>Cosponsors: 5 in House</p>	<p>To amend the Higher Education Act of 1965 to require the disclosure of agreements between institutions of higher education and certain foreign sources, and for other purposes.</p>	<p>-Requires institutions make available, on a publicly accessible website of the institution, the full content of any agreement between the institution and a foreign source that provides, or intends to provide, language and cultural teaching resources and services to students of the institution.</p> <p>Last Action: House – 4/10/2019 Referred to the Committee on Education and Labor.</p>
<p>S. 1451 / H.R. 2713 People’s Liberation Army (PLA) Visa Security Act</p> <p>Sponsors: Sen. Cotton (R-AL) and Rep. Gallagher (R-WI)</p> <p>Cosponsors: 5 in Senate and 1 in House</p>	<p>A bill to prohibit the issuance of F or J visas to researchers affiliated with the Chinese People’s Liberation Army.</p>	<p>-Requires the U.S. government to develop a list of scientific and engineering institutions affiliated with the Chinese People's Liberation Army (PLA). -Prohibits individuals employed or sponsored by these Chinese military institutions from receiving student or research visas to the United States.</p> <p>Last Action: Senate – 5/14/2019 Referred to the Committee on the Judiciary. House – 6/26/19 Referred to the Judiciary Subcommittee on Immigration and Citizenship.</p>
<p>H.R. 3038 Securing American Science and Technology Act (SASTA)</p> <p>Sponsors: Rep. Sherrill (D-NJ) and Rep. Gonzalez (R-OH)</p> <p>Cosponsors: 37 in House</p>	<p>To establish an interagency working group to coordinate activities and develop policy guidance to protect federally funded research and development from foreign interference, and for other purposes.</p>	<p>-The bill is the result of efforts to proactively and constructively develop ideas to protect the U.S. scientific enterprise from foreign interference, cyberattacks, theft, and espionage. -Establishes an interagency working group of federal science, intelligence, and security agencies under the direction of the White House Office of Science and Technology Policy (OSTP). The working group would be tasked with identifying and assessing existing mechanisms for control of federally funded research, taking inventory of current control definitions, and developing and updating a framework to assist federal agencies and grantees in defending against threats. The working group would report their findings every two years. -Creates a new Science, Technology, and Security Roundtable, convened by the National Academies of Science, Engineering and Medicine, that will bring together key stakeholders from the scientific enterprise including federal agencies, universities, and industry.</p> <p>Last Action: 12/20/2019 Passed as part of FY20 National Defense Authorization Act Package, PL 116-92.</p>

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<p>S. 2133 Secure American Research Act</p> <p>Sponsors: Sen. Cornyn (R-TX)</p> <p>Cosponsors: 7 in Senate</p>	<p>To establish an interagency working group for coordination and development of Federal research protection, and for other purposes.</p>	<ul style="list-style-type: none"> -Includes provisions also found in H.R. 3038, SASTA. -Beyond the SASTA provisions, the bill adds new interagency working group responsibilities on cybersecurity. -Requires OSTP-led working group to develop guidelines for consistent cybersecurity policies across various federal agencies based on the NIST framework and CUI requirements. -Requires each federal agency to issue its own cyber standards and be responsible for ensuring to meeting those standards. Agencies are required to make compliance mandatory in each grant or cooperative agreement with a grantee. <p>Last Action: Senate – 7/16/2019 Referred to the Committee on Homeland Security and Government Affairs.</p>
<p>S. 1879 Protect Our Universities Act</p> <p>Sponsors: Sen. Hawley (R-MO)</p>	<p>Calls on the Secretary of Homeland Security to lead a task force to address the threat of foreign government influence and threats to academic research integrity on college campuses, and for other purposes.</p>	<ul style="list-style-type: none"> -Establishes the National Security Technology Task Force under the direction of DHS Secretary to address the threat of espionage, targeting research and development at institutions of higher education funded by a related agency. -Participants in the task force include three representatives from the Department of Education but none from the Department of Commerce BIS office. -Establishes a “Sensitive Research Topics List” <p>Last Action: Senate – 6/18/2019 Referred to the Committee on Homeland Security and Government Affairs.</p>
<p>H.R. 4892 / S. 2728 Homeland Security Counterintelligence Threat Reduction Act</p> <p>Sponsors: Rep. Walker (R-NC) and Sen. Hawley (R-MO)</p>	<p>To establish a Department of Homeland Security counterintelligence vetting task force, and for other purposes.</p>	<ul style="list-style-type: none"> -Requires the U.S. Secretary of Homeland Security to form a task force within the Department of Homeland Security (DHS) to review programs and make recommendations to improve counterintelligence vetting. -Requires the Secretary to convene HSAAC and receive recommendations on the counterintelligence training program. -Would make it mandatory for the Secretary to develop counterintelligence awareness training for certain faculty of colleges and universities. -Requires enhancements to SEVP operated by ICE including mandatory counterintelligence training for appropriate SEVP certified academic faculty, the identification of sensitive fields of study, and tracking when a foreign student changes their field of study. <p>Last Action: House – 10/28/2019 Referred to the Committee on Homeland Security. Senate – 10/29/2019 Referred to the Committee on Homeland Security and Governmental Affairs.</p>

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<p>S. 2972 UIGHUR Protection Act</p> <p>Sponsors: Sen. Cornyn (R-TX) / Sen. Warner (D-VA)</p>	<p>To restrict the export, re-export, and in-country transfers of certain items that provide a critical capability to the Government of the People’s Republic of China to suppress individual privacy, freedom, and other basic human rights.</p>	<p>-Calls on the U.S. government to identify items that provide a critical capability to the PRC, or any person acting on behalf of the PRC, to suppress individual privacy, freedom of movement, and other basic human rights and would require them to be added to the Commerce Control List in a separate category.</p> <p>-Would require a license or other authorization for the for the export, re-export, or in-country transfer of any items on the Control List.</p> <p>Last Action: Senate – 12/4/2019 Referred to the Committee on Banking, Housing, and Urban Affairs.</p>
<p>H.R. 5733 Foreign Influence Registration Modernization (FIRM) Act</p> <p>Sponsors: Rep. Moulton (D-MA)</p> <p>Cosponsors: 1 in House</p>	<p>To amend the Foreign Agents Registration Act of 1938, as amended to waive the application of the Act to agents representing foreign enterprises which are not under the control or direction of foreign governments or foreign political parties, to exclude agents who represent foreign governments which engage in a pattern of gross violations of human rights from the exemption provided under the Act for agents engaged in scholastic and certain other pursuits, and for other purposes.</p>	<p>-Limits the academic exemption from the Foreign Agents Registration Act of 1938 (FARA).</p> <p>Last Action: House – 1/30/2020 Referred to the Committee on the Judiciary.</p>
<p>S. 3313 Foreign Influence and Transparency Act</p> <p>Sponsors: Sen. Rubio (R-FL) / Sen. Cotton (R-AR) / Sen. Portman (R-OH)</p>	<p>To amend the Foreign Agents Registration Act of 1938 to limit the exemption from the registration requirements of such Act for persons engaging in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or the fine arts to activities which do not promote the political agenda of a foreign government, to amend the Higher Education Act of 1965 to clarify the disclosures of foreign gifts by institutions, and for other purposes.</p>	<p>-Limits the academic exemption from the Foreign Agents Registration Act of 1938 (FARA).</p> <p>-Amends HEA Section 117 to lower the reporting threshold from \$250,000 to \$50,000.</p> <p>Last Action: Senate – 2/13/2020 Referred to the Committee on Foreign Relations.</p>

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<p>S. 3837 COVID-19 Vaccine Protection Act</p> <p>Sponsors: Sen. Scott (R-FL) / Sen. Cruz (R-TX)</p> <p>Cosponsors: 4</p>	<p>A bill to require a thorough national security evaluation and clearance by the DHS, State, and FBI of all Chinese student visa holders current in the U.S. before issuing any new student visas to Chinese nationals.</p>	<ul style="list-style-type: none"> -Requires a national security evaluation and clearance by the Department of Homeland Security, Department of State, and the FBI of all Chinese student visa holders taking part in activities related to COVID-19 vaccine research and who are currently in the U.S. -Requires DHS, in consultation with State, DOJ, FBI, CISA, USCIS, ODNI, and HHS, to complete an enhanced vetting of nationals of the PRC currently in the U.S. as nonimmigrants under F, J, or M student visas to determine if any student visa holders are a national security threat. -Authorizes DHS, in consultation with the other agencies, to continuously monitor all nonimmigrant student visa holders (F, M, J) who are nationals of the PRC while in the U.S. and are engaged in, or have access to, the research of any potential COVID-19 vaccine or COVID-19 related materials. -Requires a briefing to Congress on the results of the review. <p>Last Action: Senate – 5/21/2020 Referred to the Committee on the Judiciary.</p>
<p>S. __ / H.R. 7033 SECURE CAMPUS Act</p> <p>Sponsors: Sen. Cotton (R-AR) / Sen. Blackburn (R-TN)</p> <p>Sponsors: Rep. Kustoff (R-TN)</p>	<p>To secure the research enterprise of the United States from the Chinese Communist Party, and for other purposes.</p>	<ul style="list-style-type: none"> -Bars PRC nationals from receiving student or research visas to the U.S. for graduate or post-graduate studies in STEM fields. -Prohibits PRC nationals and participants in China’s foreign talent recruitment programs from receiving or working on federal R&D grants in STEM fields -Requires universities, laboratories, and research institutes receiving federal funding to attest that they will not knowingly employ participants in China’s foreign talent recruitment programs. -Mandates that participants in China’s foreign talent recruitment programs register under FARA. -Expands the definition of “economic espionage” under U.S. Code to more accurately reflect the range of institutions that the CCP uses to steal technology from the U.S. -Mandates that the Secretary of State develop and publish a list of China’s foreign talent recruitment programs. <p>Last Action: Senate – 5/27/2020. House – 5/27/2020 Referred to the Committee on the Judiciary and the Committees on Science, Space, and Technology; Education and Labor; and Foreign Affairs.</p>

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<p>H.R. 7063</p> <p>Sponsors: Rep. Wilson (R-SC)</p>	<p>To amend the Foreign Agents Registration Act of 1938 to limit the exemption from the registration requirements of such Act for persons engaging in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or the fine arts to activities which do not promote the political agenda of a foreign government, to amend the Higher Education Act of 1965 to clarify the disclosures of foreign gifts by institutions, and for other purposes.</p>	<p>Last Action: House – 5/28/2020 Referred to the Committee on the Judiciary and the Committee on Education and Labor.</p>