

with substantial operations in the United States.

(2) Corporations, partnerships, associations, or any other organized groups with a physical presence of any kind in the United States.

(3) Foreign domiciled corporations, partnerships, associations, or any other organized groups with a physical presence of any kind in the United States.

(c) Information requested

To the extent authorized by section 4555 of title 50 and section¹ 702 of title 15, Code of Federal Regulations, the information sought from a responding entity specified in subsection (b) shall include, at minimum, information on the following with respect to the manufacture, design, or end use of microelectronics by such entity:

(1) An identification of the geographic scope of operations.

(2) Information on relevant cost structures.

(3) An identification of types of microelectronics development, manufacture, assembly, test, and packaging equipment in operation at such an entity.

(4) An identification of all relevant intellectual property, raw materials, and semi-finished goods and components sourced domestically and abroad by such an entity.

(5) Specifications of the microelectronics manufactured or designed by such an entity, descriptions of the end-uses of such microelectronics, and a description of any technical support provided to end-users of such microelectronics by such an entity.

(6) Information on domestic and export market sales by such an entity.

(7) Information on the financial performance, including income and expenditures, of such an entity.

(8) A list of all foreign and domestic subsidies, and any other financial incentives, received by such an entity in each market in which such entity operates.

(9) A list of regulatory or other informational requests about the respondents' operations, sales, or other proprietary information by the People's Republic of China entities under its direction or officials of the Chinese Communist Party, a description of the nature of each request, and the type of information provided.

(10) Information on any joint ventures, technology licensing agreements, and cooperative research or production arrangements of such an entity.

(11) A description of efforts by such an entity to evaluate and control supply chain risks.

(12) A list and description of any sales, licensing agreements, or partnerships between such an entity and the People's Liberation Army or People's Armed Police, including any business relationships with entities through which such sales, licensing agreements, or partnerships may occur.

(d) Report

(1) In general

The Secretary shall, in consultation with the heads of other appropriate Federal depart-

ments and agencies, as appropriate, including the Secretary of Defense, Secretary of Homeland Security, and Secretary of Energy, submit to Congress a report on the results of the review required by subsection (a). The report shall include the following:

(A) An assessment of the results of the review.

(B) A list of critical technology areas impacted by potential disruptions in production of microelectronics, and a detailed description and assessment of the impact of such potential disruptions on such areas.

(C) A description and assessment of gaps and vulnerabilities in the microelectronics supply chain and the national industrial supply base.

(2) Form

The report required by paragraph (1) may be submitted in classified form.

(Pub. L. 116-283, div. H, title XCIX, §9904, Jan. 1, 2021, 134 Stat. 4852.)

§ 4655. Funding for development and adoption of measurably secure semiconductors and measurably secure semiconductors supply chains

(a) Multilateral Semiconductors Security Fund

(1) Establishment of fund

The Secretary of the Treasury is authorized to establish a trust fund, to be known as the "Multilateral Semiconductors Security Fund" (in this section referred to as the "Fund"), consisting of any appropriated funds credited to the Fund for such purpose.

(2) Reporting requirement

If the Fund authorized under subsection (a)(1) is not established, 180 days after January 1, 2021, and annually thereafter until such Fund is established, the Secretary of the Treasury, in coordination with the Secretary of State, shall provide, in writing, to the appropriate committees of Congress a rationale for not establishing the Fund.

(3) Investment of amounts

(A) Investment of amounts

If the Fund authorized under subsection (a)(1) is established, the Secretary of the Treasury shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(B) Interest and proceeds

The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(4) Use of Fund

(A) In general

Subject to subparagraph (B), amounts in the Fund shall be available, as provided in advance in an appropriations Act, to the Secretary of State—

(i) to provide funding through the common funding mechanism described in sub-

section (b)(1) to support the development and adoption of measurably secure semiconductors and measurably secure semiconductors supply chains; and
(ii) to otherwise carry out this section.

(B) Availability contingent on international arrangement or agreement

(i) In general

Amounts in the Fund shall be available to the Secretary of State, subject to appropriation, on and after the date on which the Secretary of State enters into an arrangement or agreement with the governments of countries that are partners of the United States to participate in the common funding mechanism under paragraph (1) of subsection (b).

(ii) Consultation

Before entering into an arrangement or agreement as described clause (i), the Secretary of State, in consultation with the Secretary of Commerce, shall ensure any partner government maintains export control licensing policies on semiconductor technology substantively equivalent to the United States with respect to restrictions on such exports to the People's Republic of China.

(b) Common funding mechanism for development and adoption of measurably secure semiconductors and measurably secure semiconductors supply chains

(1) In general

The Secretary of State, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of the Treasury, the Secretary of Energy, and the Director of National Intelligence, is authorized to establish a common funding mechanism, in coordination with foreign partners, that uses amounts from the Fund to support the development and adoption of secure semiconductors and secure semiconductors supply chains, including for use in research and development collaborations among partner countries participating in the common funding mechanism. In establishing and sustaining a common funding mechanism, the Secretary of State should leverage United States funding in order to secure contributions and commitments from trusted foreign partners, including cost sharing and other cooperative measures leading to the development and adoption of secure semiconductors and secure microelectronic supply chains.

(2) Commitments

In creating and sustaining a common funding mechanism described in paragraph (1), the Secretary of State should promote efforts among foreign partners to—

(A) establish transparency requirements for any subsidies or other financial benefits (including revenue foregone) provided to semiconductors firms located in or outside such countries;

(B) establish consistent policies with respect to countries that—

(i) are not participating in the common funding mechanism; and

(ii) do not meet transparency requirements established under subparagraph (A);

(C) promote harmonized treatment of semiconductors and verification processes for items being exported to a country considered a national security risk by a country participating in the common funding mechanism;

(D) establish consistent policies and common external policies to address nonmarket economies as the behavior of such countries pertains to semiconductors;

(E) align policies on supply chain integrity and semiconductors security, including with respect to protection and enforcement of intellectual property rights; and

(F) promote harmonized foreign direct investment screening measures and export control policies with respect to semiconductors to align with national, multilateral, and plurilateral security priorities.

(c) Annual report to Congress

Not later than one year after January 1, 2021, and annually thereafter for each fiscal year during which amounts in the Fund are available under subsection (a)(4), the Secretary of State shall submit to the appropriate committees of Congress a report on the status of the implementation of this section that includes a description of—

(1) any commitments made by the governments of countries that have entered into an arrangement or agreement with the United States to provide funding for the common funding mechanism described in subsection (b)(1) and the specific amount so committed and other cooperative measures being taken by such countries as part of the common funding mechanism;

(2) the criteria established for expenditure of funds through the common funding mechanism;

(3) how, and to whom, amounts have been expended from the Fund and a description of progress made utilizing the Fund to support the objectives described in subsection (b)(1);

(4) amounts remaining in the Fund;

(5) the progress of the Secretary of State toward entering into an arrangement or agreement with the governments of countries that are partners of the United States to participate in the common funding mechanism and the commitments described in subsection (b)(2); and

(6) any additional authorities needed to enhance the effectiveness of the Fund in achieving the security goals of the United States.

(d) Notifications to be provided by the Fund

(1) In general

Not later than 15 days prior to the Fund making a financial commitment associated with the provision of expenditures under subsection (a)(4)(A) in an amount in excess of \$1,000,000, the Secretary of State shall submit to the appropriate committees of Congress report in writing that contains the information required by paragraph (2).

(2) Information required

The information required by this subsection includes—

- (A) the amount of each such expenditure;
- (B) an identification of the recipient or beneficiary; and
- (C) a description of the project or activity and the purpose to be achieved by an expenditure of the Fund.

(3) Arrangements or agreements

The Secretary of State shall notify the appropriate committees of Congress not later than 30 days after entering into a new bilateral or multilateral arrangement or agreement described in subsection (a)(4)(B).

(Pub. L. 116-283, div. H, title XCIX, §9905, Jan. 1, 2021, 134 Stat. 4854.)

§ 4656. Advanced microelectronics research and development

(a) Subcommittee on microelectronics leadership

(1) Establishment required

The President shall establish in the National Science and Technology Council a subcommittee on matters relating to leadership and competitiveness of the United States in microelectronics technology and innovation (in this section referred to as the “Subcommittee”).

(2) Membership

The Subcommittee shall be composed of the following members:

- (A) The Secretary of Defense.
- (B) The Secretary of Energy.
- (C) The Director of the National Science Foundation.
- (D) The Secretary of Commerce.
- (E) The Secretary of State.
- (F) The Secretary of Homeland Security.
- (G) The United States Trade Representative.
- (H) The Director of National Intelligence.
- (I) The heads of such other departments and agencies of the Federal Government as the President determines appropriate.

(3) Duties

The duties of the Subcommittee are as follows:

(A) National strategy on microelectronics research

(i) In general

In consultation with the advisory committee established in (b), and other appropriate stakeholders in the microelectronics industry and academia, the Subcommittee shall develop a national strategy on microelectronics research, development, manufacturing, and supply chain security to—

- (I) accelerate the domestic development and production of microelectronics and strengthen the domestic microelectronics workforce; and
- (II) ensure that the United States is a global leader in the field of microelectronics research and development.

(ii) Elements

The strategy developed under this subparagraph shall address—

(I) activities that may be carried out to strengthen engagement and outreach between the Department of Defense and industry, academia, international partners of the United States, and other departments and agencies of the Federal Government on issues relating to microelectronics;

(II) priorities for research and development to accelerate the advancement and adoption of innovative microelectronics and new uses of microelectronics and components;

(III) the role of diplomacy and trade in maintaining the position of the United States as a global leader in the field of microelectronics;

(IV) the potential role of a Federal laboratory, center, or incubator exclusively focused on the research and development of microelectronics, as described in section 231(b)(15) of the National Defense Authorization Act for Fiscal Year 2017 (as added by section 276 of this Act) in carrying out the strategy and plan required under this subparagraph; and

(V) such other activities as the Subcommittee determines may be appropriate to overcome future challenges to the innovation, competitiveness, and supply chain integrity of the United States in the field of microelectronics.

(B) Fostering coordination of research and development

The Subcommittee shall coordinate microelectronics related research, development, manufacturing, and supply chain security activities and budgets of Federal agencies and ensure such activities are consistent with the strategy required under subparagraph (A).

(C) Reporting and updates

(i) Progress briefing

Not later than one year after January 1, 2021, the President shall provide to the appropriate committees of Congress a briefing on the progress of the Subcommittee in developing the strategy required under subparagraph (A).

(ii) Strategy update

Not less frequently than once every 5 years, the Subcommittee shall update the strategy developed under subparagraph (A) and submit the revised strategy to the appropriate committees of Congress.

(4) Sunset

The Subcommittee shall terminate on the date that is 10 years after January 1, 2021.

(b) Industrial advisory committee

(1) Establishment

The Secretary of Commerce, in consultation with the Secretary of Defense, the Secretary of Energy, and the Secretary of Homeland Security, shall establish an advisory committee to be composed of not fewer than 12 members, including representatives of industry, federal laboratories, and academic institutions, who