

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 6331  
OFFERED BY MR. MILLER OF OHIO**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Addressing Dangerous  
3 Vulnerabilities in Exports and Research to Strategic Ad-  
4 versaries, Regimes, and Industrial Entities of Security  
5 Concern” or the “ADVERSARIES Act”.

**6 SEC. 2. ANALYSIS OF THREATS POSED BY FOREIGN ADVER-  
7 SARY ACCESS TO CONTROLLED ITEMS WITH-  
8 IN THE UNITED STATES.**

9 (a) IN GENERAL.—The Under Secretary of the Bu-  
10 reau of Industry and Security of the Department of Com-  
11 merce, acting through the Executive Director of the Office  
12 of Information and Communications Technology and Serv-  
13 ices (OICTS) shall, not later than 90 days after the date  
14 of the enactment of this Act, complete a review of the im-  
15 pact on United States export control effectiveness by oper-  
16 ations of United States-domiciled affiliates of entities de-  
17 scribed in subsection (b)(1)(B) and the national security  
18 threats posed by foreign adversary exploitation of

1 vulnerabilities in information and communications tech-  
2 nology and services (ICTS).

3 (b) CONTENTS.—The review required by subsection  
4 (a) shall address the following:

5 (1)(A) Whether United States-domiciled affili-  
6 ates (defined as owned 50 percent or more in the ag-  
7 gregate, directly or indirectly) of the entities de-  
8 scribed in subparagraph (B) can acquire items that  
9 their ultimate parent companies are restricted from  
10 accessing due to United States export controls.

11 (B) The entities described in this subparagraph  
12 are—

13 (i) entities identified on the Entity List; or

14 (ii) entities identified on the Military End  
15 User List.

16 (2) If the review concludes affirmatively the  
17 question posed in paragraph (1), the impact on the  
18 effectiveness of United States export controls.

19 (3) The risks to United States national security  
20 or export control effectiveness, if any, posed by the  
21 operation of foreign-adversary controlled ICTS.

22 (4) Whether any specific sectors of foreign-ad-  
23 versary controlled ICTS pose undue risk, such as by  
24 undermining export control effectiveness.

1           (5) What steps, if any, the Under Secretary of  
2           the Bureau of Industry and the Executive Director  
3           of the OICTS intend to take within the next year to  
4           address the threats found in paragraphs (1) through  
5           (4).

6           (6) Any recommended change to United States  
7           law that would help address any threats found from  
8           this review.

9           (c) REPORT.—The Under Secretary of the Bureau of  
10          Industry and Security of the Department of Commerce,  
11          acting through the Executive Director of the Office of In-  
12          formation and Communications Technology and Services  
13          (OICTS) shall, not later than 30 days after completing  
14          the review required by subsection (a), provide the results  
15          of the review to Committee on Foreign Affairs in the  
16          House of Representatives and the Committee on Banking,  
17          House, and Urban Affairs in the Senate.

18          (d) DEFINITIONS.—In this section—

19               (1) the term “Entity List” means the list re-  
20               quired pursuant to Supplement No. 4 to part 744 of  
21               title 15, Code of Federal Regulations, or successor  
22               regulations by the Bureau of Industry and Security  
23               of the Department of Commerce; and

24               (2) the term “Military End User List” means  
25               the list required pursuant to Supplement No. 7 to

1 part 744 of title 15, Code of Federal Regulations, or  
2 successor regulations by the Bureau of Industry and  
3 Security of the Department of Commerce.

