

119TH CONGRESS
1ST SESSION

S. _____

To amend the Export Control Reform Act of 2018 to prohibit the issuance of licenses for the export, reexport, or in-country transfer of advanced integrated circuits to or in foreign adversaries.

IN THE SENATE OF THE UNITED STATES

Mr. RICKETTS (for himself, Mr. COONS, Mr. COTTON, Mrs. SHAHEEN, Mr. McCORMICK, and Mr. KIM) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Export Control Reform Act of 2018 to prohibit the issuance of licenses for the export, reexport, or in-country transfer of advanced integrated circuits to or in foreign adversaries.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Secure and Feasible
5 Exports of Chips Act of 2025” or the “SAFE Chips Act
6 of 2025”.

1 **SEC. 2. CONTROL OF EXPORTS OF ADVANCED INTEGRATED**
2 **CIRCUITS.**

3 Part I of Export Control Reform Act of 2018 (50
4 U.S.C. 4811 et seq.) is amended by inserting after section
5 1758 the following:

6 **“SEC. 1758A. CONTROL OF EXPORTS OF ADVANCED INTE-**
7 **GRATED CIRCUITS.**

8 “(a) LICENSE REQUIREMENT.—On and after the
9 date of the enactment of this section, the Secretary shall—

10 “(1) require a license for the export, reexport,
11 or in-country transfer of an advanced integrated cir-
12 cuit—

13 “(A) to or in a foreign adversary country;
14 or

15 “(B) to an entity located in any country if
16 the entity, or the ultimate parent company of
17 the entity, has its headquarters in a foreign ad-
18 versary country; and

19 “(2) deny any application for such a license.

20 “(b) EXCLUSION.—Subsection (a) shall not apply to
21 an advanced integrated circuit or product containing such
22 a circuit that is not designed or marketed for data centers.

23 “(c) DEFINITIONS.—In this section:

24 “(1) ADVANCED INTEGRATED CIRCUIT.—

1 “(A) IN GENERAL.—Subject to subpara-
2 graphs (B) and (C), the term ‘advanced inte-
3 grated circuit’ means—

4 “(i) an integrated circuit, computer,
5 or other product—

6 “(I) classified under Export Con-
7 trol Classification Number 3A090 or
8 4A090 or a related Export Control
9 Classification Number; or

10 “(II) that is functionally equiva-
11 lent or substantially similar to a cir-
12 cuit, computer, or product described
13 in subclause (I); or

14 “(ii) an integrated circuit that has
15 one or more digital processing units with—

16 “(I) a total processing perform-
17 ance of 4,800 or more;

18 “(II) a total processing perform-
19 ance of 2,400 or more and a perform-
20 ance density of 1.6 or more;

21 “(III) a total processing perform-
22 ance of 1,600 or more and a perform-
23 ance density of 3.2 or more;

1 “(IV) a total DRAM bandwidth
2 of 4,100 gigabytes per second or
3 more;

4 “(V) an interconnect bandwidth
5 of 1,100 gigabytes per second or
6 more; or

7 “(VI) a combination of DRAM
8 bandwidth and interconnect band-
9 width of 5,000 gigabytes per second
10 or more.

11 “(B) AUTHORITY TO UPDATE TECHNICAL
12 PARAMETERS.—Beginning 30 months after the
13 date of the enactment of this section, subject to
14 subparagraph (C), and after approval by a ma-
15 jority vote of the End-User Review Committee,
16 the Secretary may modify the technical param-
17 eters for the definition of ‘advanced integrated
18 circuit’ for purposes of this section through a
19 notice in the Federal Register.

20 “(C) BRIEFING REQUIRED.—Not later
21 than 30 days before any modification to the
22 definition of ‘advanced integrated circuit’ under
23 subparagraph (B) is published in the Federal
24 Register, the Secretary shall provide a briefing
25 to the Committee on Banking, Housing, and

1 Urban Affairs of the Senate and the Committee
2 on Foreign Affairs of the House of Representa-
3 tives that includes—

4 “(i) a description of the planned
5 modification;

6 “(ii) the date that the planned modi-
7 fication is expected to be published in the
8 Federal register;

9 “(iii) a detailed justification for why
10 planned modification is in the national in-
11 terest of the United States;

12 “(iv) an assessment of how the
13 planned modification and resulting sales to
14 the People’s Republic of China would—

15 “(I) affect the capabilities of
16 leading Chinese artificial intelligence
17 firms; and

18 “(II) alter the military, cyber, or
19 other offensive capabilities of the Peo-
20 ple’s Republic of China; and

21 “(v) an analysis of how and to what
22 extent the United States will continue to
23 maintain an advantage in computing rel-
24 ative to the People’s Republic of China.

1 “(2) FOREIGN ADVERSARY COUNTRY.—The
2 term ‘foreign adversary country’—

3 “(A) means a country specified in section
4 4872(f)(2) of title 10, United States Code; and

5 “(B) includes the Macau Special Adminis-
6 trative Region and the Hong Kong Special Ad-
7 ministrative Region of the People’s Republic of
8 China.

9 “(3) PERFORMANCE DENSITY; TOTAL PROC-
10 ESSING PERFORMANCE.—The terms ‘performance
11 density’ and ‘total processing performance’ have the
12 meanings given those terms in, and are calculated as
13 provided for under, Export Control Classification
14 Number 3A090 in the Commerce Control List set
15 forth in Supplement No. 1 to part 774 of the Export
16 Administration Regulations (as in effect on the day
17 before the date of the enactment of this section).”.