

119TH CONGRESS
1ST SESSION

S. _____

To prohibit National Laboratories from admitting certain foreign nationals,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. COTTON (for himself, Mr. LEE, Ms. COLLINS, Mr. BARRASSO, and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To prohibit National Laboratories from admitting certain
foreign nationals, and for other purposes.

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 “Guarding American
5 Technology from Exploitation Act of 2025” or the “GATE
6 Act of 2025”.

7 **SEC. 2. PROHIBITION ON NATIONAL LABORATORIES AD-**
8 **MITTING CERTAIN FOREIGN NATIONALS.**

9 (a) DEFINITIONS.—In this section:

1 (1) ASSIGNEE.—The term “assignee” means an
2 individual who is seeking approval from, or has been
3 approved by, a National Laboratory to access the
4 premises, information, or technology of the National
5 Laboratory for a period of more than 30 consecutive
6 days.

7 (2) COVERED FOREIGN NATIONAL.—

8 (A) IN GENERAL.—The term “covered for-
9 eign national” means a foreign national of any
10 of the following countries:

11 (i) The People’s Republic of China.

12 (ii) The Russian Federation.

13 (iii) The Islamic Republic of Iran.

14 (iv) The Democratic People’s Republic
15 of Korea.

16 (v) The Republic of Cuba.

17 (B) EXCLUSION.—The term “covered for-
18 eign national” does not include an individual
19 that is—

20 (i) lawfully admitted for permanent
21 residence (as defined in section 101(a) of
22 the Immigration and Nationality Act (8
23 U.S.C. 1101(a))); or

24 (ii) a citizen of the United States.

1 (3) FOREIGN NATIONAL.—The term “foreign
2 national” has the meaning given the term “alien” in
3 section 101(a) of the Immigration and Nationality
4 Act (8 U.S.C. 1101(a)).

5 (4) NATIONAL LABORATORY.—The term “Na-
6 tional Laboratory” has the meaning given the term
7 in section 2 of the Energy Policy Act of 2005 (42
8 U.S.C. 15801).

9 (5) SENIOR COUNTERINTELLIGENCE OFFI-
10 CIAL.—The term “senior counterintelligence official”
11 means—

12 (A) the Director of the Federal Bureau of
13 Investigation;

14 (B) the Deputy Director of the Federal
15 Bureau of Investigation;

16 (C) the Executive Assistant Director of the
17 National Security Branch of the Federal Bu-
18 reau of Investigation; and

19 (D) the Assistant Director of the Counter-
20 intelligence Division of the Federal Bureau of
21 Investigation.

22 (6) VISITOR.—The term “visitor” means an in-
23 dividual who is seeking approval from, or has been
24 approved by, a National Laboratory to access the
25 premises, information, or technology of the National

1 Laboratory for any period shorter than a period de-
2 scribed in paragraph (1).

3 (b) PROHIBITION.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), beginning on the date of enactment of
6 this Act, a National Laboratory—

7 (A) shall not admit as a visitor or assignee
8 any covered foreign national; and

9 (B) shall prohibit access to any visitor or
10 assignee that is a covered foreign national and
11 has sought or obtained approval to access the
12 premises, information, or technology of the Na-
13 tional Laboratory as of that date.

14 (2) WAIVER.—Paragraph (1) shall not apply to
15 a National Laboratory with respect to a covered for-
16 eign national if the Secretary of Energy, in consulta-
17 tion with the Director of the Office of Intelligence
18 and Counterintelligence of the Department of En-
19 ergy and a senior counterintelligence official—

20 (A) certifies that the benefits to the United
21 States of admittance or access to the National
22 Laboratory by the covered foreign national out-
23 weigh the national security and economic risks
24 to the United States; and

1 (B) issues to the National Laboratory, in
2 writing, a waiver of paragraph (1) with respect
3 to the covered foreign national.

4 (3) NOTIFICATION TO CONGRESS.—Not later
5 than 30 days after the date on which a waiver is
6 issued under paragraph (2), the Secretary of Energy
7 shall submit to the Select Committee on Intelligence
8 of the Senate, the Committee on Energy and Nat-
9 ural Resources of the Senate, the Committee on
10 Commerce, Science, and Transportation of the Sen-
11 ate, the Permanent Select Committee on Intelligence
12 of the House of Representatives, the Committee on
13 Energy and Commerce of the House of Representa-
14 tives, and the Committee on Science, Space, and
15 Technology of the House of Representatives a notifi-
16 cation describing the waiver, including—

17 (A) the country of origin of the covered
18 foreign national who is the subject of the waiv-
19 er;

20 (B) the date of the request by the covered
21 foreign national for admission or access to the
22 National Laboratory;

23 (C) the date on which the decision to issue
24 the waiver was made; and

1 (D) the specific reasons for issuing the
2 waiver.