

119TH CONGRESS
2D SESSION

S. _____

To incentivize, streamline, and sustain United States foreign government partner procurement of United States-origin cyber and digital technologies.

IN THE SENATE OF THE UNITED STATES

Mrs. SHAHEEN (for herself and Mr. RICKETTS) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To incentivize, streamline, and sustain United States foreign government partner procurement of United States-origin cyber and digital technologies.

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 “U.S. Technology Pro-
5 curement and Access to Trusted Hardware Act” or the
6 “U.S. Tech PATH Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Foreign Relations in
5 the Senate; and

6 (B) the Committee on Foreign Affairs in
7 the House of Representatives.

8 (2) FOREIGN COUNTRY OF CONCERN.—The
9 term “foreign country of concern” has the meaning
10 given the term “covered nation” in section 4872(f)
11 of title 10, United States Code

12 (3) FOREIGN GOVERNMENT PARTNER.—The
13 term “foreign government partner” includes inter-
14 national organizations.

15 (4) INTERNATIONAL ORGANIZATIONS.—The
16 term “international organizations” has the meaning
17 given the term in section 1 of the International Or-
18 ganizations Immunities Act (22 U.S.C. 288).

19 (5) TRUSTED CYBER AND DIGITAL TECH-
20 NOLOGIES.—The term “trusted cyber and digital
21 technologies” means technologies, including equip-
22 ment, services, hardware, or software used in infor-
23 mation and communications technology networks,
24 for which the Secretary of State, in coordination
25 with the Secretary of Commerce, has determined—

1 (A) the provider, supplier, or manufacturer
2 is not owned by, controlled by, or subject to the
3 influence of a foreign country of concern; and

4 (B) do not pose an unacceptable risk to
5 the national security of the United States or
6 the security and safety of United States per-
7 sons.

8 (6) PAX SILICA INITIATIVE.—The term “Pax
9 Silica *initiative*” refers to the Department of State-
10 led diplomatic, economic security, and supply chain
11 initiative, announced on December 11, 2025, to
12 strengthen cooperation among the United States, al-
13 lied countries, partner countries, industry, and other
14 relevant stakeholders for the purpose of developing
15 and securing trusted supply chains and infrastruc-
16 ture necessary for artificial intelligence, semiconduc-
17 tors, advanced manufacturing, and other tech-
18 nologies determined by the Secretary of State to be
19 essential to United States national security, eco-
20 nomic security, and technological competitiveness.

21 **SEC. 3. SENSE OF CONGRESS.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that—

24 (1) foreign government partners are increas-
25 ingly turning towards strategic competitors like the

1 People's Republic of China to procure cyber and dig-
2 ital technologies due to their low-cost, acceptable ef-
3 ficiency, and associated training and maintenance;

4 (2) foreign government partner procurement of
5 cyber and digital technologies from suppliers aligned
6 with strategic competitors of the United States poses
7 significant and distinct risks, including—

8 (A) supply chain vulnerabilities created by
9 dependence on strategic competitors whose gov-
10 ernments may compel access to data, networks,
11 or systems, undermining the cybersecurity and
12 strategic autonomy of the procuring govern-
13 ment;

14 (B) the erosion of interoperability and
15 alignment with United States cybersecurity
16 frameworks, standards, and best practices, re-
17 ducing the ability of foreign government part-
18 ners to operate securely alongside United States
19 systems and those of United States allies; and

20 (C) the adoption of digital governance
21 practices that are inconsistent with United
22 States economic and national security interests;

23 (3) United States foreign government partners
24 consistently signal strong demand for cyber and dig-

1 ital technologies from trusted United States sup-
2 pliers;

3 (4) United States initiatives such as Pax Silica
4 should facilitate technology procurements by build-
5 ing enduring technology partnerships between for-
6 eign government partners and United States sup-
7 pliers, including by—

8 (A) assisting foreign government partners
9 in navigating regulatory, logistical, and tech-
10 nical hurdles to cyber and digital technology
11 procurement;

12 (B) providing foreign government partners
13 with strategic direction from the United States
14 Government;

15 (C) incorporating foreign government part-
16 ner needs into program development from the
17 outset; and

18 (D) maintaining long-term engagement
19 with foreign government partners throughout
20 the procurement cycle of trusted cyber and dig-
21 ital technologies; and

22 (5) as the United States seeks to maintain its
23 global competitive edge in critical and emerging
24 technologies, including artificial intelligence, ad-
25 vanced telecommunications, and robotics, it is in the

1 interest of the United States Government to estab-
2 lish policies and procedures that streamline foreign
3 government partners' ability to procure trusted and
4 reliable technologies from the United States and
5 United States allies and partners.

6 **SEC. 4. UNITED STATES TECHNOLOGY PROCUREMENT PRO-**
7 **GRAM.**

8 (a) **ESTABLISHMENT.**—There is established in the
9 Department of State the United States Cyber and Digital
10 Technology Procurement Program (referred to in this Act
11 as the “Program”), which shall be administered by the
12 Bureau for Cyberspace and Digital Policy, and which may
13 support Pax Silica and other related initiatives. To the
14 maximum extent practicable, the Program shall seek to
15 serve as a demand-driven mechanism in response to cyber
16 and digital technology needs as determined by the partici-
17 pating foreign government partner.

18 (b) **PURPOSES.**—The purposes of the Program shall
19 include the following:

20 (1) To streamline foreign government partner
21 procurement of trusted cyber and digital tech-
22 nologies, including commercial off-the-shelf tech-
23 nologies, consistent with United States export con-
24 trol laws and cybersecurity standards.

1 (2) To establish long-term cyber and digital
2 technology procurement pipelines with United States
3 providers, including after the termination of the Pro-
4 gram.

5 (3) To identify the appropriate United States
6 Government financing mechanisms to address chal-
7 lenges associated with affordability.

8 (4) To provide a comprehensive package to for-
9 eign government partners that eases the navigation
10 of cyber and digital technology procurement require-
11 ments, technical and system complexity, absorptive
12 capacity, and foreign government partner-specific
13 logistical and export controls, including by—

14 (A) designing and implementing logistics,
15 procurement, deployment, and technical knowl-
16 edge-transfer plans that enable the partici-
17 pating foreign government partner to modernize
18 and secure systems;

19 (B) providing clear guidelines for United
20 States and trusted foreign supplier entry and
21 eligibility;

22 (C) conducting assessments related to the
23 participating foreign government partner's
24 workforce or technological needs, including any
25 gaps in absorptive capacity, including—

1 (i) feasibility studies to identify, de-
2 sign, and implement the deployment of
3 cyber and digital technology solutions; and

4 (ii) sustainability assessments to de-
5 termine the participating foreign govern-
6 ment partner's ability to procure and in-
7 vest in trusted cyber and digital tech-
8 nologies, including the ability to sustain
9 such investments in the long-term;

10 (D) providing capacity building to ensure
11 that the participating foreign government part-
12 ner obtains the relevant skills for requirements
13 identification and assessment, integration of
14 United States procurements into existing oper-
15 ating environments, research and procurement,
16 logistics, deployment, and configuration to en-
17 sure a long-term arrangement with the United
18 States suppliers; and

19 (E) assisting the participating foreign gov-
20 ernment partner in developing a long-term
21 strategy to procure and budget for trusted
22 cyber and digital technology procurements, in-
23 cluding beyond the end of the Program's
24 lifecycle.

1 (5) To assess the risks and tradeoffs of foreign
2 government partners adopting cyber and digital
3 technologies from foreign countries of concern and
4 prioritize foreign government partners for outreach
5 efforts based on that risk assessment.

6 (c) COVERED CYBER AND DIGITAL TECH-
7 NOLOGIES.—In implementing the Program, the Secretary
8 of State shall, in coordination with the participating for-
9 eign government partner, prioritize the following cyber
10 and digital technologies, as well as any other cyber and
11 digital technologies designated by the Secretary pursuant
12 to subsection (d):

13 (1) Software and its associated subscriptions
14 and licensing, including—

15 (A) operating systems;

16 (B) enterprise management software;

17 (C) cloud-based storage solutions and com-
18 pute access;

19 (D) industrial control and automation soft-
20 ware, including Supervisory Control and Data
21 Acquisition (SCADA), distributed control sys-
22 tems (DCS), and programmable logic controller
23 (PLC) programming environments;

24 (E) digital twin, simulation, and modeling
25 software; and

- 1 (F) cloud and edge orchestration platforms
2 for robotic and operational technology (OT) de-
3 vice management.
- 4 (2) Hardware, including—
- 5 (A) processors;
- 6 (B) human-machine interfaces (HMIs) and
7 operator consoles;
- 8 (C) networking equipment, including
9 switches, routers, and gateways;
- 10 (D) industrial networking equipment;
- 11 (E) biotechnology equipment, including
12 genomic sequencers and related hardware; and
- 13 (F) other related technologies.
- 14 (3) Cybersecurity products, including—
- 15 (A) firewalls;
- 16 (B) intrusion detection and prevention sys-
17 tems;
- 18 (C) Security Information and Event Man-
19 agement (SIEM) systems;
- 20 (D) threat intelligence and monitoring sys-
21 tems;
- 22 (E) endpoint detection systems;
- 23 (F) Security Operations Centers (SOC);
- 24 and
- 25 (G) secure authentication systems.

1 (4) Telecommunications equipment, including—

2 (A) subsea fiber-optic cable and associated
3 equipment;

4 (B) cellular equipment, including open
5 radio access network (ORAN) equipment; and

6 (C) satellite-enabling infrastructure.

7 (5) Equipment and related products to enable
8 the adoption of artificial intelligence (AI) solutions,
9 including—

10 (A) compute;

11 (B) storage;

12 (C) memory;

13 (D) models, including both closed- and
14 open-weight models;

15 (E) AI model licenses;

16 (F) edge AI capabilities, including next-
17 generation smartphone technology and relevant
18 mobile operating systems; and

19 (G) AI model applications.

20 (d) ANNUAL REVIEW OF COVERED CYBER AND DIG-
21 ITAL TECHNOLOGIES.—The Secretary of State shall con-
22 duct an annual assessment to identify the inclusion or re-
23 moval of technologies under subsection (c) based on the
24 national security risk to the United States of a foreign
25 country of concern gaining significant market share of

1 such technology within a foreign government partner
2 country.

3 (e) RISK MITIGATION REQUIREMENTS.—Before ap-
4 proving a partnership under the Program, the Secretary
5 shall—

6 (1) conduct an assessment of technology misuse
7 and diversion risks, including—

8 (A) the foreign government partner's ex-
9 port control enforcement capacity;

10 (B) the foreign government partner's his-
11 tory of technology transfer to foreign countries
12 of concern, including permitting remote access
13 to technology; and

14 (C) investments by foreign countries of
15 concern in the foreign government partner's
16 critical sectors;

17 (2) establish monitoring and mitigation require-
18 ments proportional to the risk assessed under para-
19 graph (1);

20 (3) include end-use monitoring provisions in all
21 Program agreements; and

22 (4) coordinate with the intelligence community
23 and the Department of Defense regarding counter-
24 intelligence and national security risks.

1 (f) FOREIGN GOVERNMENT PARTNER CONTRIBU-
2 TION.—For any partnership with a foreign government
3 partner under the Program, the Secretary shall, to the
4 maximum extent practicable, seek to ensure cost-sharing
5 with the foreign government partner to facilitate the for-
6 eign government partner’s long-term buy-in and sustained
7 procurements of cyber and digital technologies.

8 (g) ADDITIONAL INTERAGENCY COORDINATION.—In
9 implementing the Program, to address challenges associ-
10 ated with affordability, financing, technical evaluations,
11 procurement requirements, and long-term capacity build-
12 ing, the Secretary of State shall, on a case-by-case basis,
13 coordinate, as appropriate, with the relevant Federal agen-
14 cies, including the Department of Commerce, the Depart-
15 ment of Homeland Security, the Export-Import Bank of
16 the United States, the United States International Devel-
17 opment Finance Cooperation, and the United States
18 Trade and Development Agency.

19 (h) USE OF FUNDS.—Funds made available to carry
20 out the Program shall be used—

21 (1) to provide assistance or financing—

22 (A) to foreign government partner civilian
23 government agencies; or

24 (B) to law enforcement or military agen-
25 cies, only if such entities are the owners and

1 operators of the foreign government partner's
2 civilian critical infrastructure; and

3 (2) to develop blended finance mechanisms, co-
4 developed with the participating foreign government
5 partner, that partners with fund managers, project
6 developers, third-party investors, infrastructure pro-
7 viders, and other private partners to advance the ob-
8 jections outlined in subsection (b).

9 (i) PARTNER DISQUALIFICATION.—

10 (1) PROHIBITION ON THE USE OF FUNDS.—No
11 funds shall be made available under this Act to—

12 (A) a foreign country of concern;

13 (B) any country, entity, or person—

14 (i) upon which sanctions are imposed
15 by the United States Department of Treas-
16 ury; or

17 (ii) that is an entity or person on the
18 Entity List maintained by the Bureau of
19 Industry and Security of the Department
20 of Commerce and set forth in Supplement
21 No. 4 to part 744 of title 14, Code of Fed-
22 eral Regulations.

23 (2) VETTING.—The Secretary of State shall vet
24 foreign government partners to determine whether
25 there is credible information that such partner—

1 (A) has committed serious human rights
2 abuses or engaged in corruption, as defined by
3 section 1 of Executive Order 13818 (50 U.S.C.
4 1701 note; relating to blocking the property of
5 persons involved in serious human rights abuse
6 or corruption), or is determined to be ineligible
7 for assistance pursuant to section 620M of the
8 Foreign Assistance Act of 1961 (22 U.S.C.
9 2378d); and

10 (B) uses or is likely to use technologies
11 outlined in subsection (c) and supported by this
12 Act to engage in—

- 13 (i) violations of human rights;
- 14 (ii) targeted or bulk surveillance in
15 violation of rule of law principles or funda-
16 mental freedoms;
- 17 (iii) the monitoring of journalists, ac-
18 tivists, human rights defenders, opposition
19 parties, or political dissidents;
- 20 (iv) internet shutdowns or to limit or
21 control elections or protests;
- 22 (v) political censorship or the tar-
23 geting and suppression of political speech
24 or political opponents;

1 (vi) denial of access to technology or
2 services based on race, ethnicity, gender,
3 religion, or other discriminatory factors;
4 and

5 (vii) acts of transnational repression.

6 (3) DISQUALIFICATION.—Any foreign govern-
7 ment partner determined by the Secretary of State
8 to engage in the activities described in paragraph
9 (2)(B) shall be ineligible for support or assistance
10 under this Act.

11 (j) REGIONAL TECHNOLOGY OFFICERS.—The Sec-
12 retary of State shall, to the maximum extent practicable,
13 leverage the Department of State's Regional Technology
14 Officer Program, pursuant to section 9508 of the Depart-
15 ment of State Authorization Act of 2022 (22 U.S.C.
16 10305), to assist United States overseas missions in iden-
17 tifying foreign government partners to participate in the
18 Program.

19 (k) FOREIGN COMMERCIAL OFFICERS.—As appro-
20 priate, the Secretary of State shall, in coordination with
21 the Secretary of Commerce, seek to leverage the Foreign
22 Commercial Officer Program to assist United States over-
23 seas missions in identifying foreign government partners
24 to participate in the Program.

1 (l) CONGRESSIONAL NOTIFICATION REQUIRE-
2 MENT.—Not later than 15 days before amounts from the
3 Cyberspace, Digital Connectivity, and Related Tech-
4 nologies (CDT) Fund are obligated for purposes of car-
5 rying out this section, the Secretary of State shall submit
6 notification of such obligation to—

7 (1) the Committee on Foreign Relations in the
8 Senate;

9 (2) the Committee on Appropriations of the
10 Senate;

11 (3) the Committee on Foreign Affairs in the
12 House of Representatives; and

13 (4) the Committee on Appropriations of the
14 House of Representatives.

15 (m) ANNUAL REPORT.—Not later than one year after
16 the date of the enactment of this Act and annually there-
17 after, the Secretary of State, in coordination with the Sec-
18 retary of Commerce, shall submit to the appropriate con-
19 gressional committees a report that includes—

20 (1) a complete list of participating foreign gov-
21 ernment partners in the Program;

22 (2) progress and results achieved in the pre-
23 vious calendar year;

1 (3) the overall amount of purchases or invest-
2 ments each foreign government partner has made
3 since initial participation in the Program;

4 (4) specific cyber and digital technologies pro-
5 vided to participating foreign government partners,
6 including—

7 (A) the name of the provider company or
8 companies;

9 (B) the total value of the procurements;

10 (C) description of the capability; and

11 (D) how the procured capability addresses
12 the original request submitted by the foreign
13 government partner, if applicable;

14 (5) next steps for each participating foreign
15 government partner in their respective Program
16 pipeline;

17 (6) any challenges for a foreign government
18 partner's participation in the Program, including
19 how those challenges are being addressed; and

20 (7) how risks related to technology transfer, if
21 applicable, are being mitigated.

22 (n) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated \$500,000,000 for fiscal year
24 2026 through fiscal year 2031 to the Cyberspace, Digital
25 Connectivity, and Related Technologies (CDT) Fund

1 under section 592 of the Foreign Assistance Act for Fiscal
2 Year 1961 (22 U.S.C. 2349cc-1) for purposes of carrying
3 out this section.

4 (o) SUNSET.—The Program and its associated au-
5 thorities established under this section shall terminate on
6 the date that is eight years after the date of the enactment
7 of this Act.

8 **SEC. 5. OFFICE OF UNITED STATES TECHNOLOGY PRO-**
9 **CUREMENT.**

10 (a) DESIGNATION OF RESPONSIBILITY.—The Sec-
11 retary of State shall designate an existing office within
12 the Bureau for Cyberspace and Digital Policy of the De-
13 partment of State, or newly establish an Office of United
14 States Technology Procurement (referred to in this Act
15 as the “Office”), which shall be responsible for admin-
16 istering the Program.

17 (b) PERSONNEL.—

18 (1) COMPOSITION.—The Office shall be com-
19 prised of a Director, a Deputy Director, and such
20 other staff as the Secretary deems appropriate.

21 (2) STAFFING.—The Office shall include per-
22 sonnel with expertise or experience in performing the
23 following functions:

24 (A) Grant design and management.

1 (B) Program monitoring, evaluation, and
2 learning.

3 (3) DIRECTOR.—The Director of the Office
4 shall fulfill the following responsibilities:

5 (A) Identify, on an annual basis, specific
6 strategic priorities for the Program consistent
7 with United States national security priorities
8 and objectives.

9 (B) In coordination with the other relevant
10 officials, select and approve all partnerships
11 with foreign government partners under the
12 Program.

13 (C) Conduct oversight, monitoring, and
14 evaluation of the effectiveness of the Program,
15 including long-term outcome assessments, to
16 ensure the Program advances United States
17 foreign policy and national security interests
18 and to ensure monitoring, evaluation, and
19 learning results directly inform future grant de-
20 cisions.

21 (D) Ensure, to the maximum extent prac-
22 ticable, that all Program activities are carried
23 out in coordination with other Federal efforts to
24 promote the United States technology stack
25 overseas.

1 (E) Compiling and submitting the list re-
2 quired by section 4(m).

3 (4) DEPUTY DIRECTOR.—The Deputy Director
4 of the Office may have responsibility for policy and
5 programming to assist the Director, particularly
6 with respect to coordination with other United
7 States departments and agencies.

8 (c) SPECIAL HIRING AUTHORITIES.—For the two
9 years following the date of the enactment of this Act for
10 the purposes of supporting the Director in carrying out
11 the responsibilities of the Office as defined in subsection
12 (b)(3), the Secretary of State may—

13 (1) appoint up to 10 employees to positions
14 without regard to the provisions of subchapter 1 of
15 chapter 33 of title 5, United States Code, regarding
16 appointments in the competitive service; and

17 (2) fix the rates of basic pay of such employees
18 without regard to chapter 51 and subchapter III of
19 chapter 53 of such title regarding classification and
20 General Schedule pay rates, provided that the rates
21 for such positions do not exceed the annual rate of
22 basic pay in effect for a position at level IV of the
23 Executive Schedule under section 5315 of title 5,
24 United States Code.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated \$2,000,000 for fiscal years
3 2026 through 2028 for the purposes of implementing the
4 Office.

5 **SEC. 6. EXPANDING NECESSARY TECHNOLOGY AND RE-**
6 **LATED EXPERTISE AT UNITED STATES OVER-**
7 **SEAS MISSIONS.**

8 (a) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that, for the United States Government to success-
10 fully implement the Program, it is vital that the United
11 States recruit and retain the necessary talent to facilitate
12 such partnerships.

13 (b) IN GENERAL.—The Secretary of State shall, to
14 the maximum extent possible, take measures to ensure
15 that United States overseas missions in countries that are
16 participating in the Program host at least one full-time
17 personnel with demonstrated proficiency in matters re-
18 lated to cybersecurity, technology, and other related exper-
19 tise to sufficiently carry out the Program.

20 **SEC. 7. EXTENDING AUTHORIZATION OF APPROPRIATIONS**
21 **FOR THE REGIONAL TECHNOLOGY OFFICER**
22 **PROGRAM.**

23 Subsection (d) of section 9508 of the Department of
24 State Authorization Act of 2022 (22 U.S.C. 10305) is
25 amended by striking “2027” and inserting “2032”.

1 **SEC. 8. PRESERVING MARKET-BASED COMPETITION FOR**
2 **CYBER AND DIGITAL TECHNOLOGIES.**

3 (a) STATEMENT OF POLICY.—It is the policy of the
4 United States to support market-based mechanisms for
5 the export and adoption of United States cyber and digital
6 technologies abroad, and to oppose state-directed or state-
7 controlled economic models that risk to displace or crowd
8 out private-sector competition in cyber and digital tech-
9 nology markets.

10 (b) IN GENERAL.—Nothing in this Act shall be con-
11 strued to permit the Secretary of State, in coordination
12 with other relevant Federal agencies, in carrying out the
13 program outlined in section 4(a)—

14 (1) to unduly interfere with, or seek to sub-
15 stitute for, market-based competition among United
16 States cyber and digital technology providers;

17 (2) to condition access to program support on
18 the acceptance of commercial terms, partnerships, or
19 business arrangements that United States cyber and
20 digital technology providers would not voluntarily ac-
21 cept in an arm's length commercial transaction; or

22 (3) to require foreign government partners to
23 receive approval from the United States Government
24 for procurements from United States cyber and dig-
25 ital technology providers pursued outside the Pro-

1 gram, except as otherwise required by any other reg-
2 ulations or Federal law.

3 (c) CYBER AND DIGITAL TECHNOLOGY SMALL BUSI-
4 NESS OWNERS.—Notwithstanding subsection (a), in car-
5 rying out the Program, the Secretary of State may provide
6 targeted assistance, including capacity-building support
7 and the facilitation of foreign government partner engage-
8 ment, to United States small businesses and companies
9 that lack the global reach, existing relationships, or re-
10 sources to compete independently in foreign government
11 partner procurement markets, provided that such assist-
12 ance does not confer an unfair competitive advantage over
13 other United States cyber and digital technology pro-
14 viders.

15 **SEC. 9. GOVERNMENT ACCOUNTABILITY OFFICE REPORT.**

16 Not later than one year after the date of the enact-
17 ment of this Act, and not less frequently than every two
18 years until the termination of the Program's authorities,
19 the Comptroller General of the United States shall con-
20 duct and submit to the appropriate congressional commit-
21 tees a review of the Program. The review shall include an
22 assessment of the Department of State's implementation
23 of the Program, including—

1 (1) the Department of State's capacity to im-
2 plement the Program, including personnel and budg-
3 etary resources;

4 (2) whether the Department of State has estab-
5 lished the necessary processes and procedures to
6 successfully achieve the Program objectives outlined
7 in section 4;

8 (3) the Department of State's ability to conduct
9 appropriate monitoring and evaluation of Program
10 implementation;

11 (4) any technologies added or removed from the
12 list under section 4(e) of covered cyber and digital
13 technologies; and

14 (5) any other elements deemed necessary by the
15 Comptroller General of the United States.