House Foreign Affairs Committee ECRA Disclosure | 11.19.2026

Pursuant to 50 U.S.C. 4820(h)(2)(b)(ii), the House Foreign Affairs Committee determines that the withholding of the following information is contrary to the national interest:

- According to a BIS summary provided to the House Foreign Affairs Committee dated May 11, 2026, as of that date, BIS received applications to sell 3,444,160 covered integrated circuits[i] to PRC companies.[ii] These applications included requests for the export, re-export, or transfer (in-country) of covered integrated circuits to multiple companies identified as Chinese Military Companies in the Department of War's latest 1260H list from June 2026: 948,950 covered integrated circuits for Alibaba and its subsidiaries, 150,000 for Tencent and its subsidiaries, 43,000 for Baidu, and 4,000 for BYD.
    - The House Foreign Affairs Committee also has in its possession other license applications provided by BIS that were not fully reflected in the May 11, 2026, summary document. For example, NVIDIA applied on December 19, 2025, to export 445,000 H200s to Tencent.
- BIS approved the export, re-export, or transfer (in-country) of 879,868 covered integrated circuits to PRC companies across 21 license applications, as of May 11, 2026. This includes 75,000 for Alibaba, 150,000 for Tencent and its subsidiaries, 43,000 for Baidu, and 4,000 for BYD.
- All but two NVIDIA license applications for the export, re-export, or transfer (in country) of covered integrated circuits to PRC companies provided to the House Foreign Affairs Committee list Maginfra Co., Ltd., Beijing New Matrix Information Technologies, ZTE Kangxun Telecom Co., Ltd., and Lenovo or its subsidiaries as entities that "may install the systems in the datacenter."
    - Other entities listed for the same role on multiple NVIDIA applications include Aivres Systems Inc., XFusion Technologies International Co., Ltd., Cloudnine Information Technologies Co. Ltd, and Changkuai Computing Information Industry (Beijing) Co. Ltd. (a.k.a. SmoothCompute).
    - There have been public reports raising questions about diversion risks posed by Maginfra Co., Ltd., Beijing New Matrix Information Technologies, and Aivres Systems Inc.[iii]
    - Some of the above-stated companies appeared as ultimate consignees on multiple AMD applications.
    - Every NVIDIA and AMD application stated that the proposed transfer posed a "low" risk of diversion.

[i] Covered integrated circuits are the following products: NVIDIA's H200 and AMD's MI325X.
[ii] The term "PRC companies" includes entities that are located or headquartered in, or the ultimate parent company of which is headquartered in, the People's Republic of China.
[iii] https://www.nytimes.com/2026/11/07/business/economy/nvidia-chips-chinese-firms.html, https://www.nytimes.com/2026/09/06/technology/ai-chips-china-blacklist.html.