118TH CONGRESS 2D Session

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To advance a competitive strategy against the People's Republic of China, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. RISCH (for himself, Mr. RICKETTS, Mr. YOUNG, Mr. BARRASSO, Mr. CRAPO, Mr. CASSIDY, Mr. SULLIVAN, Mr. ROMNEY, Mr. CORNYN, and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on ______

A BILL

To advance a competitive strategy against the People's Republic of China, 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; TABLE OF CONTENTS.

- 4 (a) SHORT TITLE.—This Act may be cited as the
- 5 "STRATEGIC Act of 2024".
- 6 (b) TABLE OF CONTENTS.—The table of contents for
- 7 this Act is as follows:

Sec. 1. Short title; table of contents. Sec. 2. Definitions.

TITLE I—COUNTERING CHINESE COMMUNIST PARTY MALIGN INFLUENCE

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Subtitle A—Amendments to the Foreign Agents Registration Act of 1938

- Sec. 101. Definitions.
- Sec. 102. Treatment of certain exemptions under the Foreign Agents Registration Act of 1938.
- Sec. 103. Foreign agents registration criminal enforcement.
- Sec. 104. Foreign agents registration civil enforcement.
- Sec. 105. Authorizing the Attorney General to issue civil investigative demands to promote enforcement of disclosure requirements for agents of foreign principals.
- Sec. 106. Effective date.

Subtitle B—Other Actions to Counter CCP Malign Influence

- Sec. 111. Prohibition on certain gifts and contracts from the PRC to certain United States institutions.
- Sec. 112. Requirement for think tanks to disclose foreign funding.
- Sec. 113. Amendment to the Mutual Education and Cultural Exchange Act of 1961.
- Sec. 114. Establishment of Countering the People's Republic of China Influence Fund.
- Sec. 115. Notification requirement for participation of Department of State and USAID officials in private events that include the participation of specially designated and blocked persons.
- Sec. 116. Determination with respect to imposition of sanctions with respect to United Front Work Department of Chinese Communist Party.
- Sec. 117. Department of State list of foreign talent recruitment programs of the PRC.
- Sec. 118. Oversight on climate cooperation with the PRC.
- Sec. 119. Restriction on issuance of visas.
- Sec. 120. Modifying information about countries exporting methamphetamine included in the annual international narcotics control strategy report.
- Sec. 121. Report on violations of American Diplomatic Corps privileges and immunities.
- Sec. 122. Annual report on the PRC's diplomatic mission engagements.
- Sec. 123. Restrictions on foreign missions of the PRC in elementary and secondary schools in the United States.
- Sec. 124. Office of the Special Envoy for Critical and Emerging Technology.
- Sec. 125. Enhanced congressional notification regarding science and technology agreements with the PRC.

TITLE II—ADVANCING UNITED STATES AND PARTNER ECONOMIC PROSPERITY

- Sec. 201. Defined term.
- Sec. 202. Authorization of partnership for global infrastructure and investment.
- Sec. 203. Global Strategic Infrastructure Investment Fund.
- Sec. 204. Infrastructure transaction and assistance network.
- Sec. 205. Regulatory exchanges with allies and partners.
- Sec. 206. Authorization to assist United States companies with global supply chain diversification and management.
- Sec. 207. Investing in talent in Southeast Asia, the Pacific Islands, Sub-saharan Africa, and Latin America.
- Sec. 208. Pilot program to audit barriers to commerce in developing partner countries.

- Sec. 209. Promoting adoption of United Nations convention on the assignment of receivables in international trade.
- Sec. 210. Opposing the provision of assistance to the People's Republic of China by the multilateral development banks.
- Sec. 211. Prohibiting funding for the Montreal Protocol on substances that deplete the ozone layer and the United Nations framework convention on climate change until China is no longer defined as a developing country.

TITLE III—COUNTERING CHINA'S PREDATORY ECONOMIC PRACTICES

Subtitle A—Countering Economic Coercion

- Sec. 301. Short title.
- Sec. 302. Sense of Congress.
- Sec. 303. Definitions.
- Sec. 304. Determination of economic coercion.
- Sec. 305. Authorities to respond to economic coercion.
- Sec. 306. Coordination with allies and partners.
- Sec. 307. Expedited consideration of economic coercion response package.
- Sec. 308. Process for joint resolutions of disapproval.

Subtitle B—Other Matters to Counter Predatory Economic Practices by the People's Republic of China

- Sec. 311. Predatory pricing by entities owned, controlled, or directed by a foreign state.
- Sec. 312. Expansion of offense of theft of trade secrets to include unauthorized development of products and digital articles.
- Sec. 313. Review of petitions related to intellectual property theft and forced technology transfer.
- Sec. 314. Fostering energy development aligned with partner country needs.
- Sec. 315. Opposition of United States to an increase in weight of Chinese renminbi in Special Drawing Rights basket of International Monetary Fund.
- Sec. 316. Strengthening congressional oversight of Special Drawing Rights at International Monetary Fund.
- Sec. 317. Security and oversight for international landholdings.
- Sec. 318. Intellectual property violators list.
- Sec. 319. Annual review of the presence of Chinese companies in United States capital markets.
- Sec. 320. Prohibition on availability of funds for procurement of certain batteries.
- Sec. 321. Ending support for PRC contracts at the World Bank.
- Sec. 322. Report on United States development efforts to counter the PRC's Belt and Road Initiative.

TITLE IV—STRENGTHENING SECURITY ALLIANCES AND PARTNERSHIPS

Subtitle A—International Security Partners

- Sec. 401. Defined term.
- Sec. 402. Restriction on Track 1.5 dialogues with the People's Republic of China.
- Sec. 403. Refocusing international security efforts for strategic competition.

- Sec. 404. Report on diplomatic outreach with respect to PRC military installations overseas.
- Sec. 405. Limitation on assistance to countries hosting PRC military installations.
- Sec. 406. Amendment to the Stop Harboring Iranian Petroleum Act.
- Sec. 407. Missile Technology Control Regime provisions.
- Sec. 408. Strengthening extended nuclear deterrence in the Korean theater of operations.

Subtitle B—Indo-Pacific Allies and Partners

PART I—TAIWAN

- Sec. 411. Development of economic tools to deter aggression by People's Republic of China against Taiwan.
- Sec. 412. Treatment of the Government of Taiwan.
- Sec. 413. War reserve stock program for Taiwan.
- Sec. 414. Proper treatment of Taiwan government representatives.
- Sec. 415. American Institute in Taiwan.

PART II—South China and East China Sea Sanctions

- Sec. 421. Short title.
- Sec. 422. Sanctions with respect to Chinese persons responsible for China's activities in the South China Sea and the East China Sea.
- Sec. 423. Sense of Congress regarding portrayals of the South China Sea or the East China Sea as part of China.
- Sec. 424. Sense of Congress on 2016 Permanent Court of Arbitration's tribunal ruling on arbitration case between the Philippines and the People's Republic of China.
- Sec. 425. Report on countries that recognize Chinese sovereignty over the South China Sea or the East China Sea.

PART III—PACIFIC ISLANDS

- Sec. 431. Establishing a senior official for the compacts of free association at the Department of State.
- Sec. 432. Enhancement of diplomatic support and economic engagement with Pacific island countries.

PART IV—INDIAN OCEAN REGION STRATEGIC REVIEW

- Sec. 441. Short title.
- Sec. 442. Findings.
- Sec. 443. Statement of policy.
- Sec. 444. Definitions.
- Sec. 445. Strategy and implementation plan relating to the Indian Ocean region.
- Sec. 446. Modification to United States-China Economic and Security Review Commission.

Subtitle C—Countering Espionage and Surveillance Entities in Cuba

- Sec. 451. Short titles.
- Sec. 452. Imposition of sanctions with respect to military and intelligence facilities of the People's Republic of China in Cuba.
- Sec. 453. Codification of Cuba restricted list.

Subtitle D—Countering China Globally

- Sec. 461. Sense of Congress regarding China's support for Russia in Ukraine.
- Sec. 462. Enhancing United States-Africa trade and investment for prosperity.
- Sec. 463. Report on Horn of Africa.
- Sec. 464. Amendment to Jackson-Vanik amendment.

Subtitle E—United States Interests in International Organizations

- Sec. 471. Global peace operations initiative.
- Sec. 472. Office on Multilateral Strategy and Personnel.
- Sec. 473. Authorization of appropriations for Junior Professional Officer positions and United States candidates for leadership positions in multilateral institutions.
- Sec. 474. Safeguarding the integrity of the United Nations system.
- Sec. 475. Department of State report on the People's Republic of China's United Nations peacekeeping efforts.

TITLE V—INVESTING IN OUR VALUES THROUGH SANCTIONS AND UNITED NATIONS REFORMS

- Sec. 501. Imposition of sanctions with respects to systematic rape, coercive abortion, forced sterilization, or involuntary contraceptive implantation in the Xinjiang Uyghur Autonomous Region.
- Sec. 502. Removal of members of the United Nations Human Rights Council that commit human rights abuses.
- Sec. 503. United Nations policy and international engagement on the reincarnation of the Dalai Lama and religious freedom of Tibetan Buddhists.

TITLE VI—ADVANCING OVERSIGHT OF INTERNATIONAL LIFE SCIENCES RESEARCH

- Sec. 601. Short title.
- Sec. 602. Definitions.
- Sec. 603. Statement of policy.
- Sec. 604. Amendments to the Secretary of State's authority under the Arms Control and Disarmament Act.
- Sec. 605. Report on threats related to specific dual use research of concern and other international life sciences research of concern.
- Sec. 606. Report on United States funding research with the PRC.
- Sec. 607. Biological and toxin weapons review conference.
- Sec. 608. Annual report by the United States Agency for International Development.
- Sec. 609. United Nations agencies, programs, and funds.
- Sec. 610. Rule of construction.

1 SEC. 2. DEFINITIONS.

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT4 TEES.—Except as provided in sections 125(b), 210,
5 211, 303, 313, 323, 411, and 452, part IV of sub-

1	title B of title IV, and title VI, the term "appro-
2	priate congressional committees" means—
3	(A) the Committee on Foreign Relations of
4	the Senate; and
5	(B) the Committee on Foreign Affairs of
6	the House of Representatives.
7	(2) PRC.—The term "PRC" means the Peo-
8	ple's Republic of China.
9	(3) Secretary.—The term "Secretary" means
10	the Secretary of State.
11	TITLE I—COUNTERING CHINESE
12	COMMUNIST PARTY MALIGN
14	
12	INFLUENCE
13	INFLUENCE Subtitle A—Amendments to the
13	
13 14	Subtitle A—Amendments to the
13 14 15	Subtitle A—Amendments to the Foreign Agents Registration Act
13 14 15 16	Subtitle A—Amendments to the Foreign Agents Registration Act of 1938
 13 14 15 16 17 	Subtitle A—Amendments to the Foreign Agents Registration Act of 1938 SEC. 101. DEFINITIONS.
 13 14 15 16 17 18 	Subtitle A—Amendments to the Foreign Agents Registration Act of 1938
 13 14 15 16 17 18 19 	 Subtitle A—Amendments to the Foreign Agents Registration Act of 1938 SEC. 101. DEFINITIONS. Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended—
 13 14 15 16 17 18 19 20 	Subtitle A—Amendments to the Foreign Agents Registration Act of 1938 SEC. 101. DEFINITIONS. Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended— (1) by striking the matter preceding subsection
 13 14 15 16 17 18 19 20 21 	Subtitle A—Amendments to the Foreign Agents Registration Act of 1938 SEC. 101. DEFINITIONS. Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended— (1) by striking the matter preceding subsection (a) and inserting the following: "In this Act:";

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1	(3) in subsection (b), by redesignating para-
2	graphs (1) , (2) , and (3) as subparagraphs (A) , (B) ,
3	and (C);
4	(4) by striking subsections (c) and (d);
5	(5) by redesignating subsections (a), (b), (e),
6	(f), (g), (h), (i), (k), (l), (m), (n), (o), and (p) as
7	paragraphs (11), (6), (7), (5), (16), (15), (8), (17),
8	(2), (18), (14), (12), and (13), respectively, arrang-
9	ing such paragraphs in numerical order, and moving
10	each such paragraph 2 ems to the right;
11	(6) by inserting before paragraph (2), as redes-
12	ignated, the following:
13	"(1) The term 'agent of a foreign principal'—
14	"(A) means any person who—
15	((i)(I) acts as an agent, representa-
16	tive, employee, servant, or in any other ca-
17	pacity at the order, request, or under the
18	direction or control, of—
19	"(aa) a foreign principal; or
20	"(bb) a person any of whose ac-
21	tivities are directly or indirectly super-
22	vised, directed, controlled, financed, or
23	subsidized in whole or in major part
24	by a foreign principal; and

"(II) directly or through any other 1 2 person-3 "(aa) engages within the United 4 States in political activities for or in 5 the interests of such foreign principal; 6 "(bb) acts within the United 7 States as a public relations counsel, agent, information-service 8 publicity 9 employee, or political consultant for or 10 in the interests of such foreign prin-11 cipal; "(cc) within the United States, 12 13 solicits, collects, disburses, or dis-14 penses contributions, loans, money, or 15 other things of value for or in the in-16 terest of such foreign principal; or 17 "(dd) within the United States 18 represents the interests of such for-19 eign principal before any agency or of-20 ficial of the Government of the United 21 States; or 22 "(ii) agrees, consents, assumes or pur-23 ports to act as, or who is or holds himself 24 or herself out to be, whether or not pursu-

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1	ant to contractual relationship, a person
2	described in clause (i); and
3	"(B) does not include—
4	"(i) any news or press service or asso-
5	ciation organized under the laws of the
6	United States or of any State or other
7	place subject to the jurisdiction of the
8	United States if such entity—
9	"(I) is at least 80 percent bene-
10	ficially owned by, and its officers and
11	directors, if any, are, citizens of the
12	United States; and
13	"(II) is not owned, directed, su-
14	pervised, controlled, subsidized, or fi-
15	nanced, and none of its policies are
16	determined, by any foreign principal
17	or by any agent of a foreign principal
18	required to register under this Act; or
19	"(ii) any newspaper, magazine, peri-
20	odical, or other publication for which there
21	is on file with the United States Postal
22	Service information in compliance with sec-
23	tion 3685 of title 39, United States Code,
24	published in the United States, solely by
25	virtue of any bona fide news or journalistic

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1	activities, including the solicitation or ac-
2	ceptance of advertisements, subscriptions,
3	or other compensation if it meets the con-
4	ditions set forth in subclause (I) and (II)
5	of clause (i).";
6	(7) by inserting after paragraph (2) , as redesig-
7	nated, the following:
8	"(3) The term 'appropriate committees of Con-
9	gress' means—
10	"(A) the Committee on the Judiciary of
11	the Senate;
12	"(B) the Committee on Foreign Relations
13	of the Senate;
14	"(C) the Committee on the Judiciary of
15	the House of Representatives; and
16	"(D) the Committee on Foreign Affairs of
17	the House of Representatives.
18	"(4) The term 'documentary material' includes
19	the original or any copy of any book, record, report,
20	memorandum, paper, communication, tabulation,
21	chart, or other document, or data compilations
22	stored in or accessible through computer or other in-
23	formation retrieval systems, together with instruc-
24	tions and all other materials necessary to use or in-

1	terpret such data compilations, and any product of
2	discovery.";
3	(8) by inserting after paragraph (8), as redesig-
4	nated, the following:
5	"(9) The term 'investigation' means any inquiry
6	conducted for the purpose of ascertaining whether
7	any person is or has been engaged in any violation
8	of this Act.
9	"(10) The term 'Lobbying Disclosure Act ex-
10	emption' means the exemption set forth in section
11	3(h).".
12	SEC. 102. TREATMENT OF CERTAIN EXEMPTIONS UNDER
13	THE FOREIGN AGENTS REGISTRATION ACT
14	OF 1938.
14 15	OF 1938. (a) IN GENERAL.—Section 3 of the Foreign Agents
15 16	(a) IN GENERAL.—Section 3 of the Foreign Agents
15 16	(a) IN GENERAL.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613)
15 16 17	 (a) IN GENERAL.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613) is amended—
15 16 17 18	 (a) IN GENERAL.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613) is amended— (1) in the matter preceding subsection (a), by
15 16 17 18 19	 (a) IN GENERAL.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613) is amended— (1) in the matter preceding subsection (a), by inserting ", except as provided in subsection (i)"
15 16 17 18 19 20	 (a) IN GENERAL.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613) is amended— (1) in the matter preceding subsection (a), by inserting ", except as provided in subsection (i)" after "principals"-; and
 15 16 17 18 19 20 21 	 (a) IN GENERAL.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613) is amended— (1) in the matter preceding subsection (a), by inserting ", except as provided in subsection (i)" after "principals"-; and (2) by adding at the end the following:
 15 16 17 18 19 20 21 22 	 (a) IN GENERAL.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613) is amended— (1) in the matter preceding subsection (a), by inserting ", except as provided in subsection (i)" after "principals"-; and (2) by adding at the end the following: "(i) LIMITATIONS.—
 15 16 17 18 19 20 21 22 23 	 (a) IN GENERAL.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613) is amended— (1) in the matter preceding subsection (a), by inserting ", except as provided in subsection (i)" after "principals"-; and (2) by adding at the end the following: "(i) LIMITATIONS.— "(1) IN GENERAL.—The exemptions under sub-

1	under the law of or has its principal place of busi-
2	ness or residence in 1 of the identified countries list-
3	ed in paragraph (2).
4	"(2) Identified countries.—The countries
5	described in this paragraph are:
6	"(A) the People's Republic of China.
7	"(B) the Russian Federation.
8	"(C) the Islamic Republic of Iran.".
9	(b) Modification to Countries.—
10	(1) IN GENERAL.—The Secretary, in consulta-
11	tion with the Attorney General of the United States,
12	may propose the addition or deletion of countries
13	listed in section $3(i)(2)$ of the Foreign Agents Reg-
14	istration Act of 1938, as amended, as added by sub-
15	section (a).
16	(2) SUBMISSION.—Any proposal described in
17	paragraph (1)—
18	(A) shall be submitted to the Chairman
19	and Ranking Member of the Committee on For-
20	eign Relations of the Senate and the Chairman
21	and Ranking Member of the Committee on the
22	Judiciary of the House of Representatives; and
23	(B) shall become effective upon enactment
24	of a joint resolution of approval as described in
25	subsection (c).

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1	(c) JOINT RESOLUTION OF APPROVAL.—
2	(1) IN GENERAL.—For purposes of subsection
3	(b), the term "joint resolution of approval" only
4	means a joint resolution—
5	(A) that does not have a preamble;
6	(B) that includes in the matter after the
7	resolving clause the following: "That Congress
8	approves the modification of countries relating
9	to the treatment of certain exemptions under
10	the Foreign Agents Registration Act of 1938,
11	as amended, as submitted by the Secretary on
12	; and section 3(i) of the Foreign
13	Agents Registration Act of 1938, as amended
14	(22 U.S.C. 613) is amended by
15	", the blank spaces being appro-
16	priately filled in with the appropriate date and
17	the amendatory language required to add or de-
18	lete 1 or more countries from the list of coun-
19	tries described in section 3(i) of the Foreign
20	Agents Registration Act of 1938, as amended,
21	as added by subsection $(a)(2)$, respectively; and
22	(C) the title of which is as follows: "Joint
23	resolution approving modifications to countries
24	relating to the treatment of certain exemptions

1	under the Foreign Agents Registration Act of
2	1938, as amended.".
3	(2) Referral.—
4	(A) SENATE.—A resolution described in
5	paragraph (1) that is introduced in the Senate
6	shall be referred to the Committee on Foreign
7	Relations of the Senate.
8	(B) House of representatives.—A
9	resolution described in paragraph (1) that is in-
10	troduced in the House of Representatives shall
11	be referred to the Committee on the Judiciary
12	of the House of Representatives.
13	(d) SUNSET.—This section and the amendments
14	made by this section shall terminate on October 1, 2028.
15	SEC. 103. FOREIGN AGENTS REGISTRATION CRIMINAL EN-
16	FORCEMENT.
17	(a) INCREASED CRIMINAL PENALTIES.—Section 8 of
18	the Foreign Agents Registration Act of 1938, as amended
19	(22 U.S.C. 618) is amended—
20	(1) in subsection (a)(2), by striking " $$10,000$
21	or by imprisonment for not more than five years, or
22	both, except that in the case of a violation of sub-
23	section (b), (e), or (f) of section 4 or of subsection
24	(g) or (h) of this section the punishment shall be a
25	fine of not more than \$5,000 or imprisonment for

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1	not more than six months" and inserting "\$200,000
2	or by imprisonment for not more than 5 years, or
3	both, except that in the case of a violation of sub-
4	section (b), (e), or (f) of section 4 or of subsection
5	(g), (h), or (i) of this section the punishment shall
6	be a fine of not more than \$15,000 or imprisonment
7	for not more than 6 months"; and
8	(2) by adding at the end the following:
9	"(i) Congressional Notification.—It shall be un-
10	lawful for any agent of a foreign principal registered under
11	this Act to willfully fail to disclose before or during any
12	meeting with a Member of Congress (as defined in section
13	3 of the Lobbying and Disclosure Act of 1995 (2 U.S.C.
14	1602) or a member of the staff of a Member or committee
15	of Congress that such agent is registered under this Act.".
16	SEC. 104. FOREIGN AGENTS REGISTRATION CIVIL EN-
17	FORCEMENT.
18	Section 8 of the Foreign Agents Registration Act of
19	1938, as amended (22 U.S.C. 618), as amended by section
20	103, is further amended by adding at the end the fol-
21	lowing:
22	"(j) Civil Enforcement.—
23	"(1) Civil penalties.—
24	

24 "(A) REGISTRATION STATEMENTS.—

	16
1	"(i) IN GENERAL.—Any person who is
2	required to register under this Act and
3	fails to file a timely or complete registra-
4	tion statement in accordance with section
5	2(a) shall be subject to a civil fine of not
6	more than \$10,000 for each such violation,
7	without regard to the state of mind of such
8	person.
9	"(ii) NO FINES PAID BY FOREIGN
10	PRINCIPALS.—If a person is subject to a
11	civil fine under clause (i), the civil fine
12	may not be paid, directly or indirectly, by
13	a foreign principal.
14	"(B) SUPPLEMENTS.—Any person who is
15	required to file a supplement to a registration
16	statement under section 2(b) and fails to file a
17	timely or complete supplement in accordance
18	with such section shall be subject to a civil fine
19	of not more than \$1,000 for each such viola-
20	tion, without regard to the state of mind of
21	such person.
22	"(C) FAILURE TO REMEDY DEFICIENT FIL-
23	INGS.—Any person who is required to file a reg-
24	istration statement under this Act, receives no-

25 tice pursuant to subsection (g) that the reg-

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1 istration statement filed by the person is defi-2 cient, and knowingly fails to remedy the defi-3 ciency within 60 days after receiving such no-4 tice shall, upon proof by a preponderance of the 5 evidence of such knowing failure to remedy the 6 deficiency, be subject to a civil fine of not more 7 than \$200,000, depending on the extent and 8 gravity of the violation. 9 "(D) OTHER VIOLATIONS.—Any person 10 who knowingly fails to comply with any other 11 provision of this Act shall, upon proof by a pre-12 ponderance of the evidence of such knowing 13 failure to comply, be subject to a civil fine of 14 not more than \$200,000, depending on the ex-15 tent and gravity of the violation. 16 "(2) USE OF FINES.—All fines collected under

this subsection shall be used to defray the cost ofenforcing this Act.".

19SEC. 105. AUTHORIZING THE ATTORNEY GENERAL TO20ISSUE CIVIL INVESTIGATIVE DEMANDS TO21PROMOTE ENFORCEMENT OF DISCLOSURE22REQUIREMENTS FOR AGENTS OF FOREIGN23PRINCIPALS.

The Foreign Agents Registration Act of 1938, as
amended (22 U.S.C. 611 et seq.) is amended—

1	(1) by redesignating sections 9 through 14 (22)
2	U.S.C. 619 through), as sections 10 through 15, re-
3	spectively; and
4	(2) by inserting after section 8, as amended by
5	sections 103 and 104, the following:
6	"SEC. 9. CIVIL INVESTIGATIVE DEMANDS CONCERNING
7	REGISTRATION OF AGENTS OF FOREIGN
8	PRINCIPALS.
9	"(a) Authority of the Attorney General.—
10	"(1) AUTHORITY DESCRIBED.—Whenever the
11	Attorney General or the Attorney General's designee
12	has reason to believe that any person may be in pos-
13	session, custody, or control of any documentary ma-
14	terial, or may have any information, relevant to an
15	investigation under this Act, the Attorney General or
16	such designee may, before instituting a civil or
17	criminal proceeding on behalf of the United States
18	with respect to such person, issue in writing, and
19	cause to be served upon such person, a civil inves-
20	tigative demand requiring such person—
21	"(A) to produce such documentary mate-
22	rial for inspection and copying or reproduction
23	"(B) to provide written answers to written
24	interrogatories with respect to such documen-
25	tary material or information;

	1 J
1	"(C) to give oral testimony concerning
2	such documentary material or information; or
3	"(D) to furnish any combination of such
4	material, answers, or testimony.
5	"(2) EXPRESS DEMANDS.—Whenever a civil in-
6	vestigative demand is an express demand for any
7	product of discovery, the Attorney General or the
8	Attorney General's designee shall—
9	"(A) cause to be served, in any manner au-
10	thorized under this section, a copy of such de-
11	mand upon the person from whom the discovery
12	was obtained; and
13	"(B) notify the person to whom such de-
14	mand is issued of the date on which such copy
15	was served.
16	"(3) Limiting individuals who may serve
17	AS DESIGNEES.—The Attorney General may not des-
18	ignate any individual other than the Assistant Attor-
19	ney General for National Security or a Deputy At-
20	torney General to carry out the authority provided
21	under this subsection.
22	"(b) Contents and Deadlines.—
23	"(1) IN GENERAL.—Each demand issued pursu-
24	ant to subsection (a) shall—

S.L.C.

1	"(A) state the nature of the conduct con-
2	stituting the alleged violation of this Act that is
3	under investigation and the provision of this
4	Act alleged to have been violated;
5	"(B) if such demand is for the production
6	of documentary material—
7	"(i) describe each class of documen-
8	tary material to be produced with such
9	definiteness and certainty as to permit
10	such material to be fairly identified;
11	"(ii) prescribe a return date for each
12	such class which will provide a reasonable
13	period of time within which the material so
14	demanded may be assembled and made
15	available for inspection and copying or re-
16	production; and
17	"(iii) identify the custodian to whom
18	such material shall be made available;
19	"(C) if such demand is for answers to writ-
20	ten interrogatories—
21	"(i) set forth with specificity the writ-
22	ten interrogatories to be answered;
23	"(ii) prescribe dates by when answers
24	to written interrogatories shall be sub-
25	mitted; and

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1	"(iii) identify the custodian to whom
2	such answers shall be submitted; and
3	"(D) if such demand is for the giving of
4	oral testimony—
5	"(i) prescribe a date, time, and place
6	at which oral testimony shall be com-
7	menced;
8	"(ii) identify an investigator who shall
9	conduct the examination and the custodian
10	to whom the transcript of such examina-
11	tion shall be submitted;
12	"(iii) specify that such attendance and
13	testimony are necessary to the conduct of
14	the investigation;
15	"(iv) notify the person receiving the
16	demand of the right to be accompanied by
17	an attorney and any other representative;
18	and
19	"(v) describe the general purpose for
20	which the demand is being issued and the
21	general nature of the testimony, including
22	the primary areas of inquiry, which will be
23	taken pursuant to the demand.
24	"(2) PRODUCT OF DISCOVERY.—Any civil inves-
25	tigative demand issued pursuant to this section that

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1 is an express demand for any product of discovery 2 may not be returned or returnable until 20 days 3 after a copy of such demand has been served upon 4 the person from whom the discovery was obtained. 5 "(3) DATE.—The date prescribed for the com-6 mencement of oral testimony pursuant to a civil in-7 vestigative demand issued under subsection (a) shall 8 be a date that is not earlier than 7 days after the 9 date on which demand is received, unless the Attor-10 ney General or the Attorney General's designee de-11 termines that exceptional circumstances warrant 12 that such testimony commence sooner. 13 "(4) NOTIFICATION.—The Attorney General 14 may not authorize the issuance of more than 1 civil 15 investigative demand under this section for oral tes-16 timony by the same person unless— 17 "(A) such person requests otherwise; or 18 "(B) the Attorney General, after investiga-19 tion, notifies such person in writing that an ad-20 ditional demand for oral testimony is necessary. 21 "(c) PROTECTED MATERIAL OR INFORMATION.— 22 "(1) IN GENERAL.—A civil investigative de-23 mand issued pursuant to subsection (a) may not re-24 quire the production of any documentary material, 25 the submission of any answers to written interrog-

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atories, or the giving of any oral testimony if such
 material, answers, or testimony would be protected
 from disclosure under—

"(A) the standards applicable to subpoenas or subpoenas duces tecum issued by a court of the United States in aid of a grand jury investigation; or

8 "(B) the standards applicable to discovery 9 requests under the Federal Rules of Civil Pro-10 cedure, to the extent that the application of 11 such standards to any such demand is appro-12 priate and consistent with the provisions and 13 purposes of this Act.

14 "(2) EFFECT ON OTHER ORDERS, RULES, AND 15 LAWS.—Any such demand that is an express de-16 mand for any product of discovery supersedes any 17 inconsistent order, rule, or provision of law (other 18 than this Act) preventing or restraining disclosure of 19 such product of discovery to any person. Disclosure 20 of any product of discovery pursuant to any such ex-21 press demand does not constitute a waiver of any right or privilege, including without limitation any 22 23 right or privilege which may be invoked to resist dis-24 covery of trial preparation materials, to which the 25 person making such disclosure may be entitled.

1 "(d) SERVICE; JURISDICTION.—

2 "(1) BY WHOM SERVED.—Any civil investiga3 tive demand issued pursuant to subsection (a) may
4 be served by an appropriate investigator, or by a
5 United States marshal or deputy marshal, at any
6 place within the territorial jurisdiction of any court
7 of the United States.

8 "(2) SERVICE IN FOREIGN NATIONS.—Any such 9 demand or petition filed pursuant to subsection (k) 10 may be served upon any person who is not to be 11 found within the territorial jurisdiction of any court 12 of the United States, in such manner as the Federal 13 Rules of Civil Procedure prescribe for service in a 14 foreign country. To the extent that the courts of the 15 United States can assert jurisdiction over any such 16 person consistent with due process, the United 17 States District Court for the District of Columbia 18 shall have the same jurisdiction to take any action 19 respecting compliance with this Act by any such per-20 son that such court would have if such person were 21 personally within the jurisdiction of such court.

22 "(e) SERVICE UPON LEGAL ENTITIES AND NATURAL23 PERSONS.—

24 "(1) LEGAL ENTITIES.—Service of any civil in25 vestigative demand issued pursuant to subsection (a)

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or of any petition filed pursuant to subsection (k)
 may be made upon a partnership, corporation, asso ciation, or other legal entity by—

"(A) delivering a duly executed copy of 4 5 such demand or petition to any partner, execu-6 tive officer, managing agent, or general agent 7 of the partnership, corporation, association, or 8 entity, or to any agent thereof authorized by 9 appointment or by law to receive service of 10 process on behalf of such partnership, corpora-11 tion, association, or entity;

"(B) delivering a duly executed copy of
such demand or petition to the principal office
or place of business of the partnership, corporation, association, or entity to be served; or

"(C) depositing an executed copy of such
demand or petition in the United States mails
by registered or certified mail, with a return receipt requested, duly addressed to such partnership, corporation, association, or entity at its
principal office or place of business.

22 "(2) NATURAL PERSONS.—Service of any such
23 demand or petition may be made upon any natural
24 person by—

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"(A) delivering a duly executed copy of 2 such demand or petition to the person to be 3 served; or

"(B) depositing an executed copy of such 4 5 demand or petition in the United States mails 6 by registered or certified mail, with a return re-7 ceipt requested, duly addressed to such person 8 at the person's residence or principal office or 9 place of business.

10 "(f) PROOF OF SERVICE.—A verified return by the 11 individual serving any civil investigative demand pursuant 12 to subsection (a) or any petition filed pursuant to subsection (k) setting forth the manner of such service shall 13 be proof of such service. In the case of service by reg-14 istered or certified mail, such return shall be accompanied 15 16 by the return post office receipt of delivery of such demand. 17

18 "(g) Documentary Material.—

"(1) SWORN CERTIFICATES.—The production of 19 20 documentary material in response to a civil inves-21 tigative demand served pursuant to this section shall 22 be made under a sworn certificate, in such form as 23 the demand designates, by—

"(A) in the case of a natural person, the 24 25 person to whom the demand is directed; or

"(B) in the case of a person other than a
 natural person, a person having knowledge of
 the facts and circumstances relating to such
 production and authorized to act on behalf of
 such person,

to the effect that all of the documentary material required by the demand and in the possession, custody, or control of the person to whom the demand
is directed has been produced and made available to
the custodian.

11 "(2) PRODUCTION OF MATERIALS.—Any person 12 upon whom any civil investigative demand for the 13 production of documentary material has been served 14 pursuant to this section shall make such material 15 available for inspection and copying to the investi-16 gator identified in such demand at the principal 17 place of business of such person, or at such other 18 place as the investigator and the person thereafter 19 may agree and prescribe in writing, or as the court 20 may direct pursuant to subsection (k)(1). Such ma-21 terial shall be made so available on the return date 22 specified in such demand, or on such later date as 23 the investigator may prescribe in writing. Such per-24 son may, upon written agreement between the per-

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1	son and the investigator, substitute copies for origi-
2	nals of all or any part of such material.
3	"(h) Interrogatories.—
4	"(1) ANSWERS.—Each interrogatory in a civil
5	investigative demand served pursuant to this section
6	shall be—
7	"(A) answered separately and fully in writ-
8	ing under oath; and
9	"(B) submitted under a sworn certificate,
10	in such form as the demand designates, by—
11	"(i) in the case of a natural person,
12	the person to whom the demand is di-
13	rected; or
14	"(ii) in the case of a person other
15	than a natural person, the person or per-
16	sons responsible for answering each inter-
17	rogatory.
18	"(2) CONTENTS OF CERTIFICATES.—Each cer-
19	tificate submitted pursuant to paragraph $(1)(B)$
20	shall state that all information required by the de-
21	mand and in the possession, custody, control, or
22	knowledge of the person to whom the demand is di-
23	rected has been submitted. To the extent that any
24	information is not furnished, the information shall
25	be identified and reasons set forth with particularity

regarding the reasons why the information was not
 furnished.

3 "(3) OBJECTIONS.—If any interrogatory is objected to, the reasons for the objection shall be stat5 ed in the certificate instead of an answer.

6 "(i) Oral Examinations.—

7 "(1) PROCEDURES.—The examination of any 8 person pursuant to a civil investigative demand for 9 oral testimony served pursuant to this section shall 10 be taken before an officer authorized to administer 11 oaths and affirmations by the laws of the United 12 States or of the place where the examination is held. 13 The officer before whom the testimony is to be taken 14 shall place the witness under oath or affirmation 15 and shall personally, or by someone acting under the 16 direction of the officer and in the officer's presence, 17 record the testimony of the witness. The testimony 18 shall be taken stenographically and transcribed. 19 When the testimony is fully transcribed, the officer 20 before whom the testimony is taken shall promptly 21 transmit a copy of the transcript of the testimony to 22 the custodian. Nothing in this subsection may be 23 construed to preclude the taking of testimony by any 24 means authorized by, and in a manner consistent 25 with, the Federal Rules of Civil Procedure.

1 (2)PERSONS PRESENT.—The investigator 2 conducting the examination shall exclude from the 3 place where the examination is held all persons ex-4 cept the person giving the testimony, the attorney 5 for and any other representative of the person giving 6 the testimony, the attorney for the Government, any 7 person who may be agreed upon by the attorney for 8 the Government and the person giving the testi-9 mony, the officer before whom the testimony is to be 10 taken, and any stenographer taking such testimony.

11 "(3) WHERE TESTIMONY TAKEN.—The oral 12 testimony of any person taken pursuant to a civil in-13 vestigative demand served pursuant to this section 14 shall be taken in the judicial district of the United 15 States within which such person resides, is found, or 16 transacts business, or in such other place as may be 17 agreed upon by the investigator conducting the ex-18 amination and such person.

19 "(4) TRANSCRIPT OF TESTIMONY.—When the 20 testimony is fully transcribed, the investigator or the 21 officer before whom the testimony is taken shall af-22 ford the witness (who may be accompanied by coun-23 sel) a reasonable opportunity to examine and read 24 the transcript, unless such examination and reading 25 are waived by the witness. Any changes in form or

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1 substance which the witness desires to make shall be 2 entered and identified upon the transcript by the of-3 ficer or the investigator with a statement of the rea-4 sons given by the witness for making such changes. 5 The transcript shall be signed by the witness, unless 6 the witness in writing waives the signing, is ill, can-7 not be found, or refuses to sign. If the transcript is 8 not signed by the witness within 30 days after being 9 afforded a reasonable opportunity to examine it, the 10 officer or the investigator shall sign it and state on 11 the record the fact of the waiver, illness, absence of 12 the witness, or the refusal to sign, together with the 13 reason, if any, given for such circumstance.

14 "(5) CERTIFICATION AND DELIVERY TO CUSTO-15 DIAN.—The officer before whom the testimony is 16 taken shall certify on the transcript that the witness 17 was duly sworn by the officer and that the transcript 18 is a true record of the testimony given by the wit-19 ness. The officer or investigator shall promptly de-20 liver the transcript or send it by registered or cer-21 tified mail to the custodian.

"(6) FURNISHING OR INSPECTION OF TRANSCRIPT BY WITNESS.—Upon payment of reasonable
charges, the investigator shall furnish a copy of the
transcript to the witness only, except that the Attor-

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ney General, or the Attorney General's designee
 may, for good cause, limit such witness to inspection
 of the official transcript of the witness's testimony.
 "(7) CONDUCT OF ORAL TESTIMONY.—

"(A) IN GENERAL.—Any person compelled 5 6 to appear for oral testimony under a civil inves-7 tigative demand issued pursuant to subsection 8 (a) may be accompanied, represented, and ad-9 vised by counsel. Counsel may advise such per-10 son, in confidence, with respect to any question 11 asked of such person. Such person or counsel 12 may object on the record to any question, in 13 whole or in part, and shall briefly state for the 14 record the reason for such objection. An objec-15 tion may be made, received, and entered upon 16 the record when it is claimed that such person 17 is entitled to refuse to answer the question on 18 the grounds of any constitutional or other legal 19 right or privilege, including the privilege against 20 self-incrimination. Such person may not other-21 wise object to or refuse to answer any question, 22 and may not directly or through counsel other-23 wise interrupt the oral examination. If such 24 person refuses to answer any question, a peti-25 tion may be filed in the district court of the

United States pursuant to subsection (k)(1) for
 an order compelling such person to answer such
 question.

4 "(B) COMPELLED TESTIMONY.—If a per-5 son described in subparagraph (A) refuses to 6 answer any question on the grounds of the 7 privilege against self-incrimination, the testi-8 mony of such person may be compelled in ac-9 cordance with the provisions of part V of title 10 18, United States Code.

"(8) WITNESS FEES AND ALLOWANCES.—Any
person appearing for oral testimony under a civil investigative demand issued pursuant to subsection (a)
shall be entitled to the same fees and allowances
that are paid to witnesses in the district courts of
the United States.

17 "(j) Custodians of Documents, Answers, and18 Transcripts.—

19 "(1) DESIGNATION.—The Attorney General, or
20 the Attorney General's designee shall designate—

21 "(A) an investigator to serve as custodian
22 of documentary material, answers to interrog23 atories, and transcripts of oral testimony re24 ceived under this section; and

1	"(B) such additional investigators as the
2	Attorney General or designee determines from
3	time to time to be necessary to serve as depu-
4	ties of the custodian.
5	"(2) Responsibility for materials; disclo-
6	SURE.—
7	"(A) IN GENERAL.—An investigator who
8	receives any documentary material, answers to
9	interrogatories, or transcripts of oral testimony
10	under this section shall transmit such material
11	to the custodian, who—
12	"(i) shall take physical possession of
13	such material, answers, or transcripts; and
14	"(ii) shall be responsible for the use
15	made of them and for the return of docu-
16	mentary material in accordance with para-
17	graph (4) .
18	"(B) PREPARATION.—The custodian may
19	cause the preparation of such copies of such
20	documentary material, answers to interrog-
21	atories, or transcripts of oral testimony as may
22	be required for official use by any investigator,
23	or other officer or employee of the Department
24	of Justice. Such material, answers, and tran-
25	scripts may be used by any such authorized in-

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vestigator or other officer or employee in connection with the taking of oral testimony under this section.

4 "(C) NO EXAMINATION.—Except as other-5 wise provided in this subsection, no documen-6 tary material, answers to interrogatories, or 7 transcripts of oral testimony, or copies thereof, 8 while in the possession of the custodian, may be 9 made available for examination by any indi-10 vidual other than an investigator or other offi-11 cer or employee of the Department of Justice 12 authorized under subparagraph (B). Such pro-13 hibition on the availability of material, answers, 14 or transcripts shall not apply if consent is given 15 by the person who produced such material, an-16 swers, or transcripts, or, in the case of any 17 product of discovery produced pursuant to an 18 express demand for such material, consent is 19 given by the person from whom the discovery 20 was obtained. Nothing in this subparagraph 21 may be construed to prevent disclosure to Con-22 gress, including any congressional committee or 23 subcommittee, or to any other agency of the 24 United States for use by such agency in fur-25 therance of its statutory responsibilities.

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"(D) 1 EXAMINATION BY CERTAIN PER-2 SONS.—While in the possession of the custodian 3 and under such reasonable terms and conditions 4 as the Attorney General shall prescribe— 5 "(i) documentary material and an-6 swers to interrogatories shall be available 7 for examination by the person who pro-8 duced such material or answers, or by a 9 representative of that person authorized by 10 that person to examine such material and 11 answers; and 12 "(ii) transcripts of oral testimony 13 shall be available for examination by the 14 person who produced such testimony, or by 15 a representative of that person authorized 16 by that person to examine such transcripts. 17 "(3) USE OF MATERIAL, ANSWERS, OR TRAN-18 SCRIPTS IN OTHER PROCEEDINGS.—Whenever any 19 attorney of the Department of Justice has been des-20 ignated to appear before any court, grand jury, or 21 Federal agency in any case or proceeding, the custo-22 dian of any documentary material, answers to inter-

rogatories, or transcripts of oral testimony received

under this section may deliver to such attorney such

material, answers, or transcripts for official use in
1 connection with any such case or proceeding as such 2 attorney determines to be required. Upon the com-3 pletion of any such case or proceeding, such attorney shall return to the custodian any such material, an-4 5 swers, or transcripts so delivered that have not 6 passed into the control of such court, grand jury, or 7 agency through the introduction thereof into the 8 record of such case or proceeding.

9 "(4) CONDITIONS FOR RETURN OF MATE-10 RIAL.—The custodian, upon written request of the 11 person who produced any documentary material in 12 the course of any investigation pursuant to a civil in-13 vestigative demand under this section, shall return 14 to such person any such material (other than copies 15 furnished to the investigator pursuant to subsection 16 (g)(2) or made for the Department of Justice pursu-17 ant to paragraph (2)(B)) that has not passed into 18 the control of any court, grand jury, or agency 19 through introduction into the record of such case or 20 proceeding if—

21 "(A) any case or proceeding before the
22 court or grand jury arising out of such inves23 tigation, or any proceeding before any Federal
24 agency involving such material, has been com25 pleted; or

1	"(B) no case or proceeding in which such
2	material may be used has been commenced
3	within a reasonable time after completion of the
4	examination and analysis of all documentary
5	material and other information assembled in
6	the course of such investigation.
7	"(5) APPOINTMENT OF SUCCESSOR
8	CUSTODIANS.—
9	"(A) IN GENERAL.—In the event of the
10	death, disability, or separation from service in
11	the Department of Justice of the custodian of
12	any documentary material, answers to interrog-
13	atories, or transcripts of oral testimony pro-
14	duced pursuant to a civil investigative demand
15	under this section, or in the event of the official
16	relief of such custodian from responsibility for
17	the custody and control of such material, an-
18	swers, or transcripts, the Attorney General or
19	the Attorney General's designee shall prompt-
20	ly—
21	"(i) designate another investigator to
22	serve as custodian of such material, an-
23	swers, or transcripts; and
24	"(ii) transmit in writing to the person
25	who produced such material, answers, or

1	testimony notice of the identity and ad-
2	dress of the successor so designated.
3	"(B) SUCCESSOR.—Any person who is des-
4	ignated to be a successor pursuant to this para-
5	graph shall have, with regard to such material,
6	answers, or transcripts, the same duties and re-
7	sponsibilities as were imposed by this section
8	upon the predecessor in office of such person,
9	except that the successor shall not be held re-
10	sponsible for any default or dereliction that oc-
11	curred before such designation.
12	"(k) Judicial Proceedings.—
13	"(1) Petition for enforcement.—Whenever
14	any person fails to comply with any civil investiga-
15	tive demand issued pursuant to subsection (a), or
16	whenever satisfactory copying or reproduction of any
17	material requested in such demand cannot be done
18	and such person refuses to surrender such material,
19	the Attorney General may file, in the district court
20	of the United States for any judicial district in
21	which such person resides, is found, or transacts
22	business, and serve upon such person a petition for
23	an order of such court for the enforcement of such
24	civil investigative demand.

1 "(2) PETITION TO MODIFY OR SET ASIDE DE-2 MAND.—

3 "(A) IN GENERAL.—Any person who has 4 received a civil investigative demand issued pur-5 suant to subsection (a) may file, in the district 6 court of the United States for the judicial dis-7 trict in which such person resides, is found, or 8 transacts business, and serve upon the investi-9 gator identified in such demand a petition for 10 an order of the court to modify or set aside 11 such demand. In the case of a petition ad-12 dressed to an express demand for any product 13 of discovery, a petition to modify or set aside 14 such demand may be brought only in the dis-15 trict court of the United States for the judicial 16 district in which the proceeding in which such 17 discovery was obtained is or was last pending. 18 Any petition under this subparagraph shall be 19 filed—

20 "(i) not later than the earlier of—
21 "(I) the date that is 20 days
22 after the date of service of the civil in23 vestigative demand; or

24 "(II) at any time before the re25 turn date specified in the demand; or

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"(ii) within such longer period as may
 be prescribed in writing by any investigator
 identified in the demand.

"(B) GROUNDS FOR RELIEF.—Each peti-4 5 tion filed pursuant to subparagraph (A) shall 6 specify each ground upon which the petitioner 7 relies in seeking relief, and may be based upon 8 any failure of the demand to comply with the 9 provisions of this section or upon any constitu-10 tional or other legal right or privilege of such 11 person. During the pendency of the petition in 12 the court, the court may stay, as it deems prop-13 er, the running of the time allowed for compli-14 ance with the demand, in whole or in part, ex-15 cept that the person filing the petition shall 16 comply with any portions of the demand not 17 sought to be modified or set aside.

18 "(3) PETITION TO MODIFY OR SET ASIDE DE19 MAND FOR PRODUCT OF DISCOVERY.—

20 "(A) IN GENERAL.—If a civil investigative
21 demand issued pursuant to subsection (a) is an
22 express demand for any product of discovery,
23 the person from whom such discovery was ob24 tained may file, in the district court of the
25 United States for the judicial district in which

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1	the proceeding in which such discovery was ob-
2	tained is or was last pending, and serve upon
3	any investigator identified in the demand and
4	upon the recipient of the demand, a petition for
5	an order of such court to modify or set aside
6	those portions of the demand requiring produc-
7	tion of any such product of discovery. Any peti-
8	tion under this subparagraph shall be filed—
9	"(i) not later than the earlier of—
10	"(I) the date that is 20 days
11	after the date of service of the civil in-
12	vestigative demand; or
13	"(II) at any time before the re-
14	turn date specified in the demand; or
15	"(ii) within such longer period as may
16	be prescribed in writing by any investigator
17	identified in the demand.
18	"(B) GROUNDS FOR RELIEF.—Each peti-
19	tion filed pursuant to subparagraph (A) shall
20	specify each ground upon which the petitioner
21	relies in seeking relief, and may be based upon
22	any failure of the portions of the demand from
23	which relief is sought to comply with the provi-
24	sions of this section, or upon any constitutional
25	or other legal right or privilege of the peti-

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tioner. During the pendency of the petition, the
 court may stay, as it deems proper, compliance
 with the demand and the running of the time
 allowed for compliance with the demand.

5 "(4) PETITION TO REQUIRE PERFORMANCE BY 6 CUSTODIAN OF DUTIES.—At any time during which 7 any custodian is in custody or control of any docu-8 mentary material or answers to interrogatories pro-9 duced, or transcripts of oral testimony given, by any 10 person in compliance with any civil investigative de-11 mand issued pursuant to subsection (a), such per-12 son, and in the case of an express demand for any 13 product of discovery, the person from whom such 14 discovery was obtained, may file, in the district court 15 of the United States for the judicial district in which 16 the office of such custodian is situated, and serve 17 upon such custodian, a petition for an order of such 18 court to require the performance by the custodian of 19 any duty imposed upon the custodian by this section.

"(5) JURISDICTION.—Whenever any petition is
filed in any district court of the United States pursuant to this subsection, such court shall have jurisdiction to hear and determine the matter so presented, and to enter such order or orders as may be
required to carry out the provisions of this section.

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Any final order so entered shall be subject to appeal
 under section 1291 of title 28, United States Code.
 Any disobedience of any final order entered under
 this section by any court shall be punished as a con tempt of the court.

6 "(6) APPLICABILITY OF FEDERAL RULES OF 7 CIVIL PROCEDURE.—The Federal Rules of Civil Pro-8 cedure shall apply to any petition filed pursuant to 9 this subsection, to the extent that such rules are not 10 inconsistent with the provisions of this section.

"(l) DISCLOSURE EXEMPTION.—Any documentary
material, answers to written interrogatories, or oral testimony provided under any civil investigative demand issued
under subsection (a) shall be exempt from disclosure
under section 552 of title 5, United States Code, as described in subsection (b)(3) of such section.

17 "(m) DEFINITIONS.—In this section:

18 "(1) CUSTODIAN.—The term 'custodian' means
19 the custodian, or any deputy custodian, designated
20 by the Attorney General pursuant to subsection
21 (j)(1).

"(2) INVESTIGATOR.—The term 'investigator'
means any attorney or investigator employed by the
Department of Justice who is charged with the duty
of enforcing or carrying into effect this Act, or any

officer or employee of the United States acting
under the direction and supervision of such attorney
or investigator in connection with an investigation.
"(3) Official USE.—The term 'official use'
means any use that is consistent with the law and
the regulations and policies of the Department of
Justice, including—
"(A) use in connection with internal De-
partment of Justice memoranda and reports;
"(B) communications between the Depart-
ment of Justice and a Federal, State, or local
government agency, or a contractor of a Fed-
eral, State, or local government agency, under-
taken in furtherance of a Department of Jus-
tice investigation or prosecution of a case;
"(C) oral examinations;
"(D) depositions;
"(E) preparation for and response to civil
discovery requests;
"(F) introduction into the record of a case
or proceeding;
"(G) applications, motions, memoranda
and briefs submitted to a court or other tri-
bunal; and

1	"(H) communications with Government in-
2	vestigators, auditors, consultants and experts,
3	the counsel of other parties, arbitrators and me-
4	diators, concerning an investigation, case or
5	proceeding.
6	"(4) PRODUCT OF DISCOVERY.—The term
7	'product of discovery' includes—
8	"(A) the original or duplicate of any depo-
9	sition, interrogatory, document, thing, result of
10	the inspection of land or other property, exam-
11	ination, or admission, which is obtained by any
12	method of discovery in any judicial or adminis-
13	trative proceeding of an adversarial nature;
14	"(B) any digest, analysis, selection, com-
15	pilation, or derivation of any item listed in sub-
16	paragraph (A); and
17	"(C) any index or other manner of access
18	to any item listed in subparagraph (A).
19	"(n) SUNSET.—The authority of the Attorney Gen-
20	eral to issue a civil investigative demand under this section
21	shall expire upon the expiration of the 5-year period that
22	begins on the date of enactment of this section.".

1 SEC. 106. EFFECTIVE DATE.

2 The amendments made by this subtitle shall take ef3 fect on the date that is 180 days after the date of the
4 enactment of this Act.

5 Subtitle B—Other Actions to

6 Counter CCP Malign Influence

7 SEC. 111. PROHIBITION ON CERTAIN GIFTS AND CON-

8 TRACTS FROM THE PRC TO CERTAIN UNITED 9 STATES INSTITUTIONS.

10 (a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

14 (A) the Committee on Foreign Relations of15 the Senate;

16 (B) the Committee on Health, Education,17 Labor, and Pensions of the Senate;

18 (C) the Committee on Foreign Affairs of19 the House of Representatives; and

20 (D) the Committee on Energy and Com-21 merce of the House of Representatives.

(2) CONTRACT.—The term "contract" means any agreement to acquire, by purchase, lease, or barter, property or services for the direct benefit or use of either of party to the agreement.

1	(3) COVERED PRC PERSON.—The term "cov-
2	ered PRC person" means a person that, according
3	to unclassified or publicly available information—
4	(A) is a current or former member of the
5	People's Liberation Army of the People's Re-
6	public of China;
7	(B) is currently, or was formerly, employed
8	in any security or intelligence service of the
9	People's Republic of China;
10	(C) is, or is affiliated with, an entity iden-
11	tified by the Secretary of Defense under section
12	1260H(a) of the William M. (Mac) Thornberry
13	National Defense Authorization Act for Fiscal
14	Year 2021 (Public Law 116–283; 10 U.S.C.
15	113 note) as a Chinese military company oper-
16	ating directly or indirectly in the United States;
17	(D) is, or is affiliated with, any entity that
18	is included in the Non-SDN Chinese Military-
19	Industrial Complex Companies List maintained
20	by the Office of Foreign Assets Control of by
21	the Department of the Treasury;
22	(E) is, or is affiliated with, the United
23	Front Work Department of the Government of
24	the People's Republic of China or any sub-
25	sidiary or affiliate organization, or is otherwise

1	involved in activities that support the goals of
2	the United Front Work Department;
3	(F) is an employee of any entity owned or
4	controlled by the Government of the People's
5	Republic of China;
6	(G) is or was an employee of any entity on
7	the Entity List maintained by the Bureau of
8	Industry and Security of the Department of
9	Commerce and set forth in Supplement No. 4
10	to part 744 of title 15, Code of Federal Regula-
11	tions;
12	(H) is or was an employee of an entity or-
13	ganized under the laws of the People's Republic
14	of China that—
15	(i) is in noncompliance with the audit-
16	ing rules and standards of the Public Com-
17	pany Accounting Oversight Board; or
18	(ii) has been sanctioned by the Public
19	Company Accounting Oversight Board;
20	(I) is a think tank directed or funded by
21	the Chinese Communist Party or any entity of
22	the Government of the People's Republic of
23	China;
24	(J) is any state key laboratory, including
25	any defense science and technology state key

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laboratory identified in the 2022 report of the
 China Aerospace Studies Institute of the De partment of the Air Force entitled "The PRC
 State & Defense Laboratory System Part Two:
 Defense S&T Key Lab Directory" that is—

6 (i) working on critical emerging tech-7 nologies, including advanced computing, 8 advanced engineering materials, advanced 9 gas turbine engine technologies, advanced 10 manufacturing, advanced and networked 11 sensing and signature management, ad-12 vanced nuclear energy technologies, artifi-13 cial intelligence, autonomous systems and 14 biotechnologies, communication robotics. 15 and networking technologies, directed en-16 financial technologies, human-maergy, 17 chine interfaces, hypersonics, networked 18 sensors and sensing, quantum information 19 technologies, renewable energy generation 20 and storage, semiconductors and microelec-21 tronics, or space technologies and systems; 22 and

(ii) affiliated with, controlled, or administratively managed by an agency of
the Government of the People's Republic of

1	China, the Chinese Academy of Sciences,
2	or the Polar Research Institute of China;
3	or
4	(K) is, or was affiliated with, any entity
5	owned or controlled by an agency or instrumen-
6	tality of any person described in any of sub-
7	paragraphs (A) through (J).
8	(4) Covered united states institution.—
9	The term "covered United States institution" means
10	any public or private institution or, if a multicampus
11	institution, any single campus of such institution, in
12	any State—
13	(A) that is legally authorized within such
14	State to provide a program of education beyond
15	secondary school;
16	(B) that provides a program for which the
17	institution awards a bachelor's degree (or pro-
18	vides not less than a 2-year program which is
19	acceptable for full credit toward such a degree)
20	or a more advanced degree;
21	(C) that is accredited by a nationally rec-
22	ognized accrediting agency or association; and
23	(D) to which the Federal Government ex-
24	tends Federal financial assistance (directly or
25	indirectly through another entity or person), or

1	that receives support from the extension of
2	Federal financial assistance to any of the insti-
3	tution's subunits.
4	(5) CRITICAL TECHNOLOGIES.—The term "crit-
5	ical technologies" has the meaning given such term
6	in section $721(a)(6)$ of the Defense Production Act
7	of 1950 (50 U.S.C. 4565(a)(6))).
8	(6) FOREIGN SOURCE.—The term "foreign
9	source" means—
10	(A) a foreign government, including an
11	agency of a foreign government;
12	(B) a legal entity, governmental or other-
13	wise, created solely under the laws of a foreign
14	state or states;
15	(C) an individual who is not a citizen or a
16	national of the United States or a trust terri-
17	tory or protectorate thereof; and
18	(D) an agent, including a subsidiary or af-
19	filiate of a foreign legal entity, acting on behalf
20	of a foreign source.
21	(7) FREELY ASSOCIATED STATES.—The term
22	"Freely Associated States" means the Republic of
23	the Marshall Islands, the Federated States of Micro-
24	nesia, and the Republic of Palau.

1	(8) GIFT.—The term "gift" means any gift of
2	money or property.
3	(9) RESTRICTED OR CONDITIONAL GIFT OR
4	CONTRACT.—The term "restricted or conditional gift
5	or contract" means any endowment, gift, grant, con-
6	tract, award, present, or property of any kind that
7	includes provisions regarding—
8	(A) the employment, assignment, or termi-
9	nation of faculty;
10	(B) the establishment of departments, cen-
11	ters, research or lecture programs, or new fac-
12	ulty positions;
13	(C) the selection or admission of students;
14	or
15	(D) the award of grants, loans, scholar-
16	ships, fellowships, or other forms of financial
17	aid restricted to students of a specified country,
18	religion, sex, ethnic origin, or political opinion.
19	(10) STATE.—The term "State" includes, in
20	addition to the several States of the United States,
21	the Commonwealth of Puerto Rico, the District of
22	Columbia, Guam, American Samoa, the United
23	States Virgin Islands, the Commonwealth of the
24	Northern Mariana Islands, and the Freely Associ-
25	ated States.

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1 (11)STATE KEY LABORATORY.—The term 2 "state key laboratory" means an institution in the 3 People's Republic of China that has been categorized 4 as a national laboratory or state key laboratory by, 5 and receives funding, policy, developmental guidance, 6 or administrative support from, the Government of 7 the People's Republic of China. 8 (b) PROHIBITION.— 9 (1) IN GENERAL.—Not later than 1 year after 10 the date of the enactment of this Act, the Secretary 11 shall prescribe regulations to prohibit a covered 12 United States institution from accepting a gift from, 13 or entering into a contract with, a covered PRC per-14 son if— 15 (A)(i) the value of the gift or contract 16 equals or exceeds \$1,000,000; or

(ii) including the gift or contract, the institution would receive, directly or indirectly, more than
1 gift from or enter into more than 1 contract, directly or indirectly, with the same covered PRC person, the aggregate of which, during a period of 2
consecutive calendar years, would equal or exceed
\$1,000,000; and

(B) the gift or contract—

(i) relates to research, development, or
 production of critical technologies and pro vides the covered PRC person making the
 gift or providing the contract—
 (I) access to regulated or unregulated or unregulated United States-developed infor mation, technology, or data in the

8 possession of the institution; or

9 (II) rights, including early access,
10 to intellectual property created by or
11 in the possession of the institution; or
12 (ii) except as provided under para13 graph (2), is a restricted or conditional gift
14 or contract.

15 (2) EXCEPTION FOR OPERATING AGREEMENTS 16 FOR BRANCHES OF COVERED UNITED STATES INSTI-17 TUTIONS.—The Secretary shall include, in the regu-18 lations prescribed pursuant to paragraph (1), an ex-19 ception to the prohibition under such paragraph for 20 a contract between a covered United States institu-21 tion and a branch of such institution located in the 22 People's Republic of China that provides funding for 23 the operation of such branch.

24 (c) PENALTIES.—

25 (1) Fine.—

1	(A) IN GENERAL.—A covered United
2	States institution that accepts a gift or enters
3	into a contract in violation of subsection (b)
4	shall be fined—
5	(i) for the first such violation, not
6	more than \$250,000;
7	(ii) for the second such violation, not
8	more than \$500,000; and
9	(iii) for the third such violation or a
10	subsequent such violation, not more than
11	the greater of—
12	(I) \$1,000,000 ; or
13	(II) the total value of the gift or
14	contract, as the case may be.
15	(B) AVAILABILITY OF FINES TO ADMIN-
16	ISTER THIS SECTION.—
17	(i) Establishment of fund.—
18	There is established in the Treasury of the
19	United States a fund, consisting of such
20	amounts as may be transferred to the fund
21	pursuant to clause (ii).
22	(ii) TRANSFER OF AMOUNTS.—The
23	Secretary of the Treasury shall transfer to
24	the fund established under clause (i), from
25	the general fund of the Treasury, an

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1	amount determined by the Secretary to be
2	equivalent to the amount received in the
3	general fund and attributable to fines col-
4	lected under subparagraph (A) during fis-
5	cal year 2024 and during each fiscal year
6	thereafter.
7	(iii) Availability and use of
8	AMOUNTS.—Amounts in the fund estab-
9	lished under clause (i) shall be available, as
10	provided in advance in appropriations Acts,
11	to the Secretary for fiscal year 2025 and
12	for each fiscal year thereafter to carry out
13	this section.
14	(2) Requirement to return gift or termi-
15	NATE CONTRACT.—A covered United States institu-
16	tion that accepts a gift or enters into a contract in
17	violation of subsection (b) shall return the gift or
18	terminate the contract, as the case may be.
19	(3) Restriction on funding from the de-
20	PARTMENT OF STATE.—
21	(A) IN GENERAL.—A covered United
22	States institution that accepts a gift or enters
23	into a contract in violation of subsection (b) is
24	ineligible to receive any grant or other funding
25	from the Department of State during the 5-year

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period beginning on the date on which the insti tution accepts such gift or enters into such con tract, as the case may be.

4 (B) RESTRICTION ON GRANTEES DOING 5 BUSINESS WITH VIOLATORS.—A person that re-6 ceives a grant or other funding from the De-7 partment of State may not, as a condition of 8 the grant or funding, conduct any business with 9 a covered United States institution that accepts 10 a gift or enters into a contract in violation of 11 subsection (b) during the 5-year period begin-12 ning on the date on which the institution ac-13 cepts such gift or enters into such contract, as 14 the case may be.

15 (4) WAIVER.—

16 (A) AUTHORIZATION.—The Secretary may 17 waive the application of not more than 2 of the 18 penalties under paragraphs (1) through (3), 19 with respect to a covered United States institu-20 tion that accepts a gift or enters into a contract 21 in violation of subsection (b), if the President— 22 (i) determines that— 23 (I) such waiver is in the national

24 security interest of the United States;25 and

1	(II) such gift or contract does
2	not result in any restrictions on aca-
3	demic freedom or freedom of expres-
4	sion within the United States; and
5	(ii) not later than 15 days after mak-
6	ing such determination, submits to the
7	chairperson and ranking member of the
8	appropriate committees of Congress a writ-
9	ten report regarding such determination
10	that includes a detailed justification for the
11	determination.
12	(B) ELEMENTS.—Each report submitted
13	pursuant to subparagraph (A)(ii) shall—
14	(i) be accompanied by materials sub-
15	mitted by the covered United States insti-
16	tution that accepted a gift or entered into
17	a contract in violation of subsection (b)
18	disclosing-
19	(I) the covered PRC person that
20	provided the gift or with which the
21	contract was entered into;
22	(II) the nature of the gift or con-
23	tract; and
24	(III) the purpose of the gift or
25	contract; and

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1	(ii) include a detailed justification for
2	why the gift or contract does not result
3	in—
4	(I) harm to the national security
5	of the United States; or
6	(II) any restrictions on academic
7	freedom or freedom of expression
8	within the United States.
9	(d) GUIDANCE.—The regulations prescribed pursuant
10	to subsection (b)(1) shall—
11	(1) provide guidance to covered United States
12	institutions with respect to complying with this sec-
13	tion; and
14	(2) provide a specific point of contact through
15	which covered United States institutions can com-
16	municate with the Department of State on matters
17	relating to compliance with this section.
18	(e) DISCLOSURE REPORTS.—
19	(1) IN GENERAL.—A covered United States in-
20	stitution shall submit to the Secretary a disclosure
21	report relating to any gift or contract received from
22	or entered into with a foreign source described in
23	paragraph (5) that includes—
24	(A) the aggregate dollar amount or value
25	of the gift or contract;

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1	(B) a detailed description of the nature
2	and purpose of the gift or contract, including—
3	(i) whether such gift or contract re-
4	lates to the research, development, or pro-
5	duction of critical technologies and, if so,
6	a description of the nature of such rela-
7	tionship; and
8	(ii) whether it is a restricted or condi-
9	tional gift or contract and, if so, a descrip-
10	tion of the restrictions or conditions on the
11	gift or contract;
12	(C) in the case of a gift or contract that
13	relates to the research, development, or produc-
14	tion of critical technologies or that is a re-
15	stricted or conditional gift or contract, a jus-
16	tification for why the gift or contract does not
17	result in—
18	(i) harm to the national security of
19	the United States; or
20	(ii) any restrictions on academic free-
21	dom or freedom of expression within the
22	United States;
23	(D) the name and verified address of the
24	foreign source;

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1	(E) a description of any due diligence con-
2	ducted by such institution before accepting the
3	gift or entering into the contract; and
4	(F) an assurance that such institution
5	will—
6	(i) maintain a true copy of the gift or
7	contract agreement until the later of—
8	(I) the date that is 4 years after
9	the date on which such institution en-
10	tered into such agreement; or
11	(II) the date on which such
12	agreement terminates;
13	(ii) produce a true copy of the gift or
14	contract agreement upon the request of the
15	Secretary during an audit of the compli-
16	ance of the institution with this section or
17	another institutional investigation; and
18	(iii) ensure that all gifts and contracts
19	from the foreign source are translated into
20	English by a third party that is unaffili-
21	ated with the foreign source or institution.
22	(2) Provision of information to congress
23	ON REQUEST.—
24	(A) IN GENERAL.—The Secretary shall
25	provide the information described in subpara-

1	graph (B) to the chairperson or ranking mem-
2	ber of the Committee on Foreign Relations of
3	the Senate or the Committee on Foreign Affairs
4	of the House of Representatives not later than
5	15 days after receiving a request from the
6	chairperson or ranking member for such infor-
7	mation.
8	(B) INFORMATION DESCRIBED.—The in-
9	formation described in this subparagraph, with
10	respect to any disclosure report submitted
11	under paragraph (1) is—
12	(i) any information required to be in-
13	cluded in the report; and
14	(ii) a justification for any decision by
15	the Secretary with respect to the gift or
16	contract that is the subject of the report.
17	(3) PUBLIC INFORMATION.—The Secretary
18	shall make public, in a searchable database, with re-
19	spect to each gift or contract that is the subject of
20	a disclosure report submitted under paragraph (1) —
21	(A) the aggregate dollar amount or value
22	of the gift or contract;
23	(B) a summary of the purpose of the gift
24	or contract, including—

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1	(i) whether the gift or contract relates
2	to the research, development, or production
3	of critical technologies and, if so, a de-
4	scription of the nature of such relationship;
5	and
6	(ii) whether it is a restricted or condi-
7	tional gift or contract and, if so, a descrip-
8	tion of the restrictions or conditions on the
9	gift or contract; and
10	(C) with respect to the foreign source from
11	which the gift was received or with which the
12	contract was entered into—
13	(i) in the case of a foreign source that
14	is an individual, the primary professional
15	affiliation of the individual; and
16	(ii) in the case of a foreign source
17	that is an entity, the name and verified ad-
18	dress of the entity.
19	(4) CONDITION.—A gift received from, or a
20	contract entered into with, a foreign source de-
21	scribed in paragraph (5) may not be disclosed to the
22	Department of State or to the chairperson or rank-
23	ing member of the Committee on Foreign Relations
24	of the Senate or of the Committee on Foreign Af-

1	fairs of the House of Representatives, or publicly re-
2	ported, as anonymous.
3	(5) Foreign sources described.—A foreign
4	source described in this paragraph is a foreign
5	source that is—
6	(A) the Chinese Communist Party or the
7	Government of the People's Republic of China,
8	including an agency of such government;
9	(B) a legal entity (governmental or other-
10	wise) created solely under the laws of the Peo-
11	ple's Republic of China;
12	(C) an individual who is a citizen or a na-
13	tional of the People's Republic of China; or
14	(D) an agent, including a subsidiary or af-
15	filiate of a foreign legal entity, acting on behalf
16	of—
17	(i) the Chinese Communist Party or
18	the Government of the People's Republic of
19	China; or
20	(ii) an entity or individual described
21	in subparagraph (B) or (C).
22	(f) REPORT.—
23	(1) IN GENERAL.—Not later than 2 years after
24	the date of the enactment of this Act, and annually
25	thereafter for a period of 7 years, the Secretary shall

1	submit to the appropriate committees of Congress a
2	report that—
3	(A) describes steps taken during the period
4	described in paragraph (2) to implement this
5	section;
6	(B) includes information or recommenda-
7	tions to improve the implementation of this sec-
8	tion; and
9	(C) includes any other information the
10	Secretary considers relevant.
11	(2) PERIOD DESCRIBED.—The period described
12	in this paragraph is—
13	(A) in the case of the first report required
14	by paragraph (1), the 2-year period beginning
15	on the date of the enactment of this Act; and
16	(B) in the case of any subsequent such re-
17	port, the 1-year period preceding submission of
18	the report.
19	(3) Form of report.—
20	(A) IN GENERAL.—The report required by
21	paragraph (1) shall be submitted in unclassified
22	form, but (subject to subparagraph (B)) may
23	include a classified annex.
24	(B) MATERIAL REQUIRED TO BE UNCLAS-
25	SIFIED.—The Secretary shall include all infor-

1	mation on foreign donations received by covered
2	United States institutions in the unclassified
3	portion of the report required by paragraph (1) .
4	SEC. 112. REQUIREMENT FOR THINK TANKS TO DISCLOSE
5	FOREIGN FUNDING.
6	(a) DEFINITIONS.—In this section:
7	(1) COVERED ORGANIZATION.—The term "cov-
8	ered organization" means any United States think
9	tank that—
10	(A) receives at least \$2,500 in funding
11	from the Department in a single fiscal year;
12	(B) has significant participation in more
13	than 3 Department-hosted events in a fiscal
14	year that relate to a subject or purpose for
15	which the covered source of funding was pro-
16	vided to the covered organization; or
17	(C) hosts an event, panel, presentation, or
18	meeting with any Department official at the Of-
19	fice Director level or above more than 3 times
20	in a fiscal year on a subject or purpose for
21	which the covered source of funding was pro-
22	vided to the covered organization.
23	(2) FOREIGN GOVERNMENTAL ENTITY.—The
24	term "foreign governmental entity" means—

1	(A) any department, agency, or other enti-
2	ty of a foreign government at the national, re-
3	gional, or local level;
4	(B) any governing party or coalition of a
5	foreign government at the national, regional, or
6	local level;
7	(C) any entity majority-owned or majority-
8	controlled by a foreign government at the na-
9	tional, regional, or local level; or
10	(D) any company, economic project, cul-
11	tural organization, exchange program, or non-
12	governmental organization that is more than 33
13	percent owned or controlled by the government
14	of such country, or their advisors, consultants,
15	or representatives.
16	(3) THINK TANK.—The term "think tank"
17	means a stand-alone institution, organization, cor-
18	poration, or group that studies public policy issues
19	with the primary objective of providing information,
20	ideas, and recommendations to United States Gov-
21	ernment entities regarding the development and im-
22	plementation of policy.
23	(b) Rulemaking.—
24	(1) IN GENERAL.—Not later than 180 days
25	after the date of the enactment of this Act, the Sec-

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retary shall develop and promulgate regulations re quiring covered organizations to submit an annual
 disclosure to the Under Secretary of State for Man agement that describes—

5 (A) any funding, cooperative research or 6 staffing agreements, or joint projects received 7 from or executed with the covered sources of 8 funding specified in paragraph (2) the purpose 9 or subject of which relates to a topic such cov-10 ered organizations engage on with the Depart-11 ment; and

(B) any practices or processes undertaken
by a covered organization to ensure that its research agenda or products are not influenced by
foreign donors.

16 (2) COVERED SOURCES OF FUNDING.—The
17 sources of funding referred to in paragraph (1) are
18 foreign governmental entities and political parties
19 from the People's Republic of China, the Islamic Re20 public of Iran, or the Russian Federation.

(c) REPORT.—Not later than 120 days after the effective date of the regulations promulgated pursuant to
subsection (b), the Secretary shall submit a report to the
appropriate congressional committees that describes—

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1 (1) the status of implementing such regulations 2 and any challenges or obstacles to implementation; 3 (2) the offices within the Department respon-4 sible for implementing the regulations; and 5 (3) any recommendations to improve upon such 6 regulations. 7 SEC. 113. AMENDMENT TO THE MUTUAL EDUCATION AND 8 CULTURAL EXCHANGE ACT OF 1961. 9 (a) Exclusion of Government of the People's 10 REPUBLIC OF CHINA FROM CERTAIN CULTURAL EX-11 CHANGES; REQUIRED REVIEWS.—Section 108A of the 12 Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2458a) is amended— 13 14 (1) in subsection (a), by adding at the end the following: 15 16 "(3) For purposes of this section, the term 'for-17 eign government' does not include the Government 18 of the People's Republic of China."; and 19 (2) by striking subsection (c) and inserting the 20 following: "(c) REVIEWS.— 21 "(1) IN GENERAL.—Not later than 1 year after 22 23 the date of the enactment of the STRATEGIC Act 24 of 2024, and every 3 years thereafter, subject to the 25 exception in paragraph (3), the Secretary shall sub-

1	mit a report to the Committee on Foreign Relations
2	of the Senate and the Committee on Foreign Affairs
3	of the House of Representatives that contains a re-
4	view of each educational or cultural exchange pro-
5	gram approved in accordance with this section to en-
6	sure such programs continue to adhere to the pur-
7	poses set forth in section 101.
8	"(2) CONTENTS.—The report required under
9	paragraph (1) shall include—
10	"(A) information, including agendas or
11	itineraries, of activities carried out pursuant to
12	programs authorized under this section during
13	the covered reporting period; and
14	"(B) with respect to each cultural ex-
15	change program, a written assessment and de-
16	termination by the Assistant Secretary of State
17	for Educational and Cultural Affairs and the
18	Assistant Secretary of State of the regional bu-
19	reau responsible for the country or countries in
20	which the educational or cultural exchange
21	takes place regarding whether the program con-
22	tinues to adhere to the purposes set forth in
23	section 101, based on the information collected
24	pursuant to subparagraph (A) and other rel-

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- evant information jointly submitted by such of ficials.
- 3 "(3) WHITE LIST EXCEPTION.—

4 "(A) IN GENERAL.—For any program that 5 takes place within a country that is a United 6 States ally or close strategic partner and has been approved in accordance with this section, 7 8 the Department of State, following the submis-9 sion of the second report required under para-10 graph (1), may place such program on a list of 11 programs authorized under this Act that the 12 Secretary determines, in 2 consecutive reports 13 submitted pursuant to this subsection, have 14 demonstrated a track record of full compliance 15 with the purposes set forth in section 101. The 16 list identifying such programs shall be referred 17 to in this paragraph as the 'MECEA White 18 List'.

19 "(B) MECEA WHITE LIST **REQUIRE-**20 MENTS.—The MECEA White List shall be— "(i) submitted as an addendum to the 21 22 review required under this section; and 23 "(ii) reviewed not less frequently than 24 every 6 years.
"(C) EXCEPTION TO REVIEW.—The review
 requirement described in paragraph (1) shall
 not apply with respect to any program that is
 included on the MECEA White List.

5 "(D) COUNTRIES INELIGIBLE FOR WHITE 6 LIST.—The MECEA White List shall not in-7 clude trips or exchanges to the Bolivarian Re-8 public of Venezuela, the People's Republic of 9 China, the Republic of Cuba, the Republic of 10 Nicaragua, or the Russian Federation.

11 "(4) RULE OF CONSTRUCTION.—The Secretary 12 is not required to provide advanced approval of a 13 specific or individual trip or activity if such trip or 14 activity is undertaken as part of a program reviewed 15 and approved in accordance with this section.

"(d) REMEDIATION AND TERMINATION.—If the Secretary determines that a program is no longer in compliance with the purposes set forth in section 101, the Secretary—

"(1) shall make all efforts to work with the foreign government with whom the agreement for such
program has been made on remediation to ensure
the program is in full compliance with the purposes
set forth in section 101; and

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"(2) if the efforts described in paragraph (1)
 fail to ensure such compliance, is authorized to sus pend or terminate such program.".

4 (b) REPORTING REQUIREMENTS WITH RESPECT TO
5 PARTICIPATION BY UNITED STATES ENTITIES IN CUL6 TURAL EXCHANGE PROGRAMS INVOLVING THE PEOPLE'S
7 REPUBLIC OF CHINA.—The Mutual Educational and Cul8 tural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is
9 amended by inserting after section 108A the following:

10 **"SEC. 108B. REPORTING REQUIREMENTS WITH RESPECT TO** 11 PARTICIPATION BY UNITED STATES ENTITIES 12 IN CULTURAL EXCHANGE PROGRAMS IN-13 VOLVING THE **PEOPLE'S** REPUBLIC OF 14 CHINA.

15 "(a) SENSE OF CONGRESS.—It is the sense of Congress that State and local entities in the United States 16 17 and other organizations and individuals in the United 18 States who sponsor, carry out, or otherwise participate in 19 cultural, educational, or economic exchange programs with the People's Republic of China should adopt measures to 20 21 facilitate rigorous oversight of such programs and cor-22 responding activities conducted pursuant to such pro-23 grams, including compliance with the oversight require-24 ments described in this section, as applicable.

"(b) INITIAL CERTIFICATION TO CONGRESS.—Not
 later than 30 days before entering into an agreement to
 establish or reestablish any exchange program that in volves the Government of the People's Republic of China,
 the Secretary shall certify to the appropriate congressional
 committees that—

- 7 "(1) establishing or reestablishing such pro8 gram is in the national interests of the United
 9 States;
- 10 "(2) such program will adhere to the purposes11 set forth in section 101; and
- 12 "(3) the Department of State has established 13 mechanisms requiring each United States entity sup-14 porting or carrying out such program to submit to 15 the Department of State, not later than October 30 16 of each year, a report that includes, with respect to 17 all programs in which executive branch employees or 18 nongovernmental employees participated in the most 19 recently concluded fiscal year—
- 20 "(A) the total number of cultural exchange
 21 activities conducted by such entity pursuant to
 22 section 108A;

23 "(B) a description and purpose of each24 such activity;

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1 "(C) a detailed agenda or itinerary for 2 each such activity; 3 "(D) the total number and agency affili-4 ations of the participants of each such activity; 5 "(E) any indication of whether any of the 6 participants during the reporting period partici-7 pated in another activity authorized under sec-8 tion 108A that involves the People's Republic of 9 China during the preceding 2-year period; and 10 "(F) a summary of any feedback that was 11 collected on a voluntary basis from participants 12 in an activity authorized under section 108A, 13 including any actions or behavior by the Peo-14 ple's Republic of China that potentially under-15 mine the purposes of set forth in section 101; 16 and 17 "(4) the Department of State has established 18 mechanisms requiring each United States entity sup-19 porting or carrying out such program to submit to 20 the Department of State, not less frequently than 21 annually, a report that includes, with respect to all 22 programs in which legislative branch employees par-23 ticipate—

1	"(A) the total number of cultural exchange
2	activities conducted by the entity pursuant to
3	section 108A;
4	"(B) a description and purpose of each
5	such activity;
6	"(C) a detailed agenda or itinerary for
7	each such activity;
8	"(D) the total number and congressional
9	affiliations of the participants of each such ac-
10	tivity;
11	"(E) any indication of whether any of the
12	participants during the reporting period partici-
13	pated in another activity authorized under sec-
14	tion 108A that involves the People's Republic of
15	China during the preceding 2-year period; and
16	"(F) a summary of any feedback that was
17	collected on a voluntary basis from participants
18	in, or observers of, an activity authorized under
19	section 108A, including any actions or behavior
20	by the People's Republic of China that poten-
21	tially undermines the purposes set forth in sec-
22	tion 101.
23	"(c) Annual Certifications to Congress.—
24	"(1) IN GENERAL.—Not later than 1 year after
25	establishing or reestablishing a cultural exchange

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1	program described in subsection (b), and annually
2	thereafter through September 30, 2029, the Sec-
3	retary shall submit a certification to the appropriate
4	congressional committees that indicates whether—
5	"(A) the continuation of such exchange
6	program is in the national interests of the
7	United States, including a justification for such
8	assessment;
9	"(B) the program is adhering to the pur-
10	poses set forth in section 101, including a jus-
11	tification for such assessment; and
12	"(C) the mechanisms described in para-
13	graphs (3) and (4) of subsection (b) provide the
14	Department of State sufficient transparency
15	and oversight of such program and its activi-
16	ties, and an explanation of such mechanisms.
17	"(2) FAILURE TO CERTIFY.—If the Secretary
18	fails to certify that all of the requirements described
19	under paragraph (1) have been met with respect to
20	a cultural exchange program described in subsection
21	(b), the Secretary shall—
22	"(A) suspend such program until the Sec-
23	retary is able make such a certification; or
24	"(B) terminate the corresponding agree-
25	ment described in subsection (b).

"(d) Transparency Report.—
"(1) IN GENERAL.—The Secretary shall in-
clude, with the annual certification required under
subsection (c), a detailed summary of the reports re-
ceived pursuant to paragraphs (3) and (4) of sub-
section (b) from United States entities that are car-
rying out or otherwise participating in a cultural ex-
change program that involves the Government of the
People's Republic of China.
"(2) MATTERS TO BE INCLUDED.—The sum-
mary required under paragraph (1) shall include,
with respect to the reporting period—
"(A) the total number of cultural exchange
programs conducted;
"(B) the total number of participants in
such cultural exchange programs;
"(C) a list of the agency that employs each
such participant;
"(D) an overview of such cultural exchange
programs, including the inclusion of not fewer
than 3 sample itineraries or agendas and illus-
trative examples of activities in which partici-
pants engaged;
"(E) an assessment of whether such cul-
tural programs comply with purposes set forth

1	in section 101, including a description of any
2	noticeable deviations from such purposes;
3	"(F) a description of all actions taken by
4	the Department of State to remediate devi-
5	ations from such purposes; and
6	"(G) a detailed rationale for continuing
7	each such program despite any deviations de-
8	scribed in such summary.
9	"(3) FORM OF REPORT.—The summary re-
10	quired under paragraph (1) shall be submitted in
11	unclassified form.
12	"(e) Failure of United States Entity to Re-
13	PORT.—The Secretary shall promulgate regulations to dis-
14	qualify any United States entity from carrying out any
15	activities associated with a cultural exchange program de-
16	scribed in subsection (b) if such entity fails to comply with
17	the reporting requirements described in subsection $(b)(4)$
18	until the sooner of—
19	((1) 1 year after the first day of such disquali-
20	fication; or
21	"(2) the date on which such entity is in full (2)
22	compliance with the reporting requirements de-
23	scribed in subsection (b)(4).
24	"(f) Additional Matters.—

1	"(1) NOTIFICATION REQUIREMENT.—Any legis-
2	lative branch employee who participates in an activ-
3	ity covered by an agreement described in subsection
4	(b) with the People's Republic of China shall notify
5	the congressional entities listed in paragraph (2) —
6	"(A) not later than 10 days before the be-
7	ginning of such activity, of the dates of travel,
8	the agenda or itinerary of such activity as of
9	the date of submission, and an indication of
10	whether the employee has participated in an ac-
11	tivity covered by such an agreement during ei-
12	ther of the preceding 2 calendar years; and
13	"(B) not later than 10 days after the end
14	of such activity, of the final agenda or itinerary
15	relating to such activity.
16	"(2) Congressional entities described.—
17	The congressional entities listed in this paragraph
18	are—
19	"(A) the majority leader and minority
20	leader of the Senate;
21	"(B) the Select Committee on Ethics of
22	the Senate;
23	"(C) the Committee on Foreign Relations
24	of the Senate;

1	"(D) the Speaker and minority leader of
2	the House of Representatives;
3	"(E) the Committee on Ethics of the
4	House of Representatives; and
5	"(F) the Committee on Foreign Affairs of
6	the House of Representatives.
7	"(3) MONITORING.—In order to monitor and
8	evaluate activities covered by an agreement de-
9	scribed in subsection (b) to ensure compliance with
10	the purposes set forth in section 101, United States
11	diplomats shall be permitted to observe activities in
12	which—
13	"(A) executive branch employees partici-
14	pate; or
15	"(B) legislative branch employees partici-
16	pate, with the concurrence of such legislative
17	branch employees.
18	"(g) RULEMAKING.—The Secretary shall promulgate
19	regulations to carry out this section.".
20	(c) Authorization of Appropriations.—There is
21	authorized to be appropriated to the Department of State
22	\$45,000,000, for fiscal year 2025, for the purposes of ex-
23	change support within the Bureau of Educational and Cul-
24	tural Affairs, including creating 1 new position to support
25	the implementation and oversight of programs authorized

under the Mutual Educational and Cultural Exchange Act 1 2 of 1961, as amended by this section. 3 SEC. 114. ESTABLISHMENT OF COUNTERING THE PEOPLE'S 4 **REPUBLIC OF CHINA INFLUENCE FUND.** 5 (a) DEFINITIONS.—In this section: (1) CCP.—The term "CCP" means the Chinese 6 7 Communist Party. FUND.—The term "Fund" means the 8 (2)9 Countering the People's Republic of China Influence 10 Fund established under subsection (b). 11 (3) MALIGN INFLUENCE.—The term "malign 12 influence", with respect to the Government of the 13 PRC and the CCP, includes acts conducted by the 14 Government of the PRC, the CCP, or entities acting 15 on their behalf, that— (A) undermine a free and open inter-16 17 national order; 18 (\mathbf{B}) advance an alternative, repressive 19 international order that— 20 (i) bolsters the hegemonic ambitions 21 of the Government of the PRC and the 22 CCP; and 23 (ii) is characterized by coercion and 24 dependency;

1		(C) undermine the national security or sov-
2		ereignty of the United States or of other coun-
3		tries; or
4		(D) undermine the economic security of
5		the United States or of other countries, includ-
6		ing by promoting corruption and advancing co-
7		ercive economic practices.
8	(b)	Countering the People's Republic of
9	CHINA IN	NFLUENCE FUND.—
10		(1) ESTABLISHMENT.—There is established in
11	the	Treasury of the United States a trust fund,
12	whic	eh—
13		(A) shall be known as the "Countering the
14		People's Republic of China Influence Fund";
15		and
16		(B) shall consist of such amounts as may
17		be appropriated or otherwise made available to
18		the Fund pursuant to paragraph (2).
19		(2) Authorization of appropriations.—
20		(A) IN GENERAL.—There is authorized to
21		be appropriated to the Fund, for each of the
22		fiscal years 2025 through 2029, \$400,000,000,
23		which shall be used to counter the influence of
24		the Government of the PRC and the CCP and
25		entities acting on their behalf globally, and shall

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be in addition to amounts otherwise authorized
to be appropriated to counter such influence.
(B) AVAILABILITY OF FUNDS.—Amounts
appropriated to the Fund pursuant to subpara-
graph (A) shall remain available until expended.
(c) NOTIFICATION; CONSULTATION.—Amounts in the
Fund—
(1) shall be subject to the notification require-
ments under section 634A of the Foreign Assistance
Act of 1961 (22 U.S.C. 2394–1); and
(2) may not be obligated without prior consulta-
tion with—
(A) the Committee on Foreign Relations of
the Senate;
(B) the Committee on Appropriations of
the Senate;
(C) the Committee on Foreign Affairs of
the House of Representatives; and
(D) the Committee on Appropriations of
the House of Representatives.
(d) Policy Guidance, Coordination, and Ap-
PROVAL.—
(1) COORDINATOR.—The Secretary shall des-
ignate an existing senior official of the Department
of State at the rank of Assistant Secretary or above

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to provide policy guidance, coordination, and ap proval for the obligation of amounts appropriated
 pursuant to subsection (b)(2).

4 (2) DUTIES.—The senior official designated
5 pursuant to paragraph (1) shall—

6 (A) annually identify specific strategic pri-7 orities for using amounts in the Fund, such as 8 geographic areas of focus or functional cat-9 egories of programming within which such 10 amounts are to be concentrated, in accordance 11 with the national interests of the United States 12 and the purposes of this section;

13 (B) coordinate and approve all program-14 ming conducted using amounts in the Fund, 15 based on an assessment that such programming 16 directly counters the malign influence of the 17 Government of the PRC and the CCP (includ-18 ing specific activities or policies advanced by the 19 Government of the PRC or the CCP), pursuant 20 to the strategic objectives of the United States 21 established in the 2017 National Security 22 Strategy, the 2018 National Defense Strategy, 23 and other relevant national and regional strate-24 gies;

1	(C) ensure that all approved program-
2	ming—
3	(i) bears a sufficiently direct nexus to
4	acts by the Government of the PRC or the
5	CCP described in subsection $(a)(3)$; and
6	(ii) adheres to the requirements de-
7	scribed in subsection (e); and
8	(D) conduct oversight, monitoring, and
9	evaluation of the effectiveness of all program-
10	ming conducted using the amounts appro-
11	priated pursuant to subsection $(b)(2)$ to ensure
12	that it advances United States interests and de-
13	grades the ability of the Government of the
14	PRC or the CCP, to advance activities that
15	align with the efforts described in subsection
16	(e).
17	(3) INTERAGENCY COORDINATION.—The senior
18	official designated pursuant to paragraph (1), in co-
19	ordinating and approving programming pursuant to
20	paragraph (2), shall seek—
21	(A) to conduct appropriate interagency
22	consultation; and
23	(B) to ensure, to the maximum extent
24	practicable, that all approved programming
25	functions in concert with other Federal activi-

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1 ties to counter the malign influence and activi-2 ties of the Government of the PRC or the CCP. 3 (4) Assistant coordinator.—The Adminis-4 trator of the United States Agency for International 5 Development shall designate a senior official at the 6 rank of Assistant Administrator or above to assist 7 and consult with the senior official designated pur-8 suant to paragraph (1), particularly with respect to 9 such assistance handled by USAID.

(e) COUNTERING MALIGN INFLUENCE.—In this section, countering malign influence through the use of
amounts in the Fund shall include efforts—

(1) to promote transparency and accountability,
and reduce corruption, including in governance
structures targeted by the malign influence of the
Government of the PRC or the CCP;

17 (2) to support civil society and independent 18 media to raise awareness of, and increase trans-19 parency regarding, the negative impact of activities 20 and initiatives of the Government of the PRC, the 21 CCP, and entities acting on their behalf, including 22 the Global Security Initiative, the Global Develop-23 ment Initiative, the Global Civilization Initiative, the 24 Belt and Road Initiative, associated initiatives, and

1	other economic initiatives with strategic or political
2	purposes, and coercive economic practices;
3	(3) to counter transnational criminal networks
4	that benefit, or benefit from, the malign influence of
5	the Government of the PRC, the CCP, or entities
6	acting on their behalf;
7	(4) to encourage economic development struc-
8	tures that help protect against predatory lending
9	schemes, including support for market-based alter-
10	natives in key economic sectors, such as digital econ-
11	omy, energy, and infrastructure;
12	(5) to counter activities that provide undue in-
13	fluence to the security forces of the PRC;
14	(6) to expose foreign influence operations and
15	propaganda of the Government of the PRC, the
16	CCP, and entities acting on their behalf;
17	(7) to counter efforts by the CCP to legitimize
18	or promote authoritarian ideology and governance
19	models, including its model of a state-dominated
20	cyber and digital ecosystem;
21	(8) to counter efforts by the Government of the
22	PRC, the CCP, or entities acting on their behalf to
23	silence, intimidate, or exact reprisal against individ-
24	uals outside of the PRC's internationally recognized
25	sovereign borders, including members of diaspora

populations, such as political opponents, repressed
 religious or spiritual practitioners, marginalized eth nic community members, civil society activists,
 human rights defenders, researchers, and journal ists;

6 (9) to provide alternatives to problematic PRC 7 technology offerings which could provide the Govern-8 ment of the PRC undue access to, or influence over, 9 global data flows or sensitive information and com-10 pete with problematic PRC efforts to leverage or 11 make gains in the development of advanced and 12 emerging technologies;

13 (10) to counter PRC activities that directly en14 able critical supply chain monopolization or other
15 monopolistic practices;

16 (11) to counter aggressive PRC efforts to make
17 inroads into the nuclear energy sectors of countries
18 to the detriment of United States national security,
19 strategic, and nonproliferation interests; and

(12) to counter efforts by the Government of
the PRC, the CCP, and entities acting on their behalf to undermine the democratic processes and institutions of United States allies and partners.

1 SEC. 115. NOTIFICATION REQUIREMENT FOR PARTICIPA-2 TION OF DEPARTMENT OF STATE AND USAID 3 OFFICIALS IN PRIVATE EVENTS THAT IN-4 CLUDE THE PARTICIPATION OF SPECIALLY 5 DESIGNATED AND BLOCKED PERSONS. 6 (a) DEFINITIONS.—In this section: 7 (1) OFFICIALS.—The term "officials" means 1 8 or more individuals who are employed directly or 9 through a contractual arrangement by the Department of State or the United States Agency for Inter-10 11 national Development. 12 (2)EVENT.—The Private term "private 13 event" means any organized workshop, conference, 14 forum, summit, or other gathering that is primarily 15 organized and financially sponsored by an organiza-16 tion, business, or other entity that is not part of the 17 United States Government, a foreign government, or 18 a multilateral institution. 19 (b) NOTIFICATION REQUIREMENT.—Not later than 20 15 days before officials attend a private event held outside 21 the United States involving the participation of an individual or entity on the Specially Designated Nationals and 22 23 Blocked Persons List maintained by the Office of Foreign 24 Assets Control, the Secretary or the Administrator of the

25 United States Agency for International Development shall

1 submit a notification to the appropriate congressional 2 committees that includes— 3 (1) the name, position, and relevant department 4 or agency of such officials; 5 (2) the name, organizers, and dates of the pri-6 vate event; 7 (3) the names of all specially designated nation-8 als who will be attending the private event; and 9 (4) a certification and associated justification 10 that the participation of the officials in a private 11 event alongside specially designated nationals is in 12 the national interest of the United States. 13 (c) LIMITATION ON USE OF FUNDS .--- No Federal 14 funds may be used to support any private event held out-15 side the United States that— 16 (1) promotes commercial engagement, including 17 with the United States private sector; and 18 (2) includes the participation of specially des-19 ignated nationals or blocked persons.

1	SEC. 116. DETERMINATION WITH RESPECT TO IMPOSITION
2	OF SANCTIONS WITH RESPECT TO UNITED
3	FRONT WORK DEPARTMENT OF CHINESE
4	COMMUNIST PARTY.
5	(a) Appropriate Committees of Congress.—In
6	this section, the term "appropriate committees of Con-
7	gress" means—
8	(1) the Committee on Armed Services of the
9	Senate;
10	(2) the Committee on Foreign Relations of the
11	Senate;
12	(3) the Select Committee on Intelligence of the
13	Senate;
14	(4) the Committee on Banking, Housing, and
15	Urban Affairs of the Senate;
16	(5) the Committee on the Judiciary of the Sen-
17	ate;
18	(6) the Committee on Armed Services of the
19	House of Representatives;
20	(7) the Committee on Foreign Affairs of the
21	House of Representatives;
22	(8) the Permanent Select Committee on Intel-
23	ligence of the House of Representatives;
24	(9) the Committee on Financial Services of the
25	House of Representatives; and

1	(10) the Committee on the Judiciary of the
2	House of Representatives.
3	(b) DETERMINATION.—
4	(1) IN GENERAL.—Not later than 90 days after
5	the date of the enactment of this Act, the Secretary
6	shall submit to the appropriate committees of Con-
7	gress a determination, including a detailed justifica-
8	tion, of whether the United Front Work Department
9	of the Chinese Communist Party, or any component
10	or official of such Department, meets the criteria for
11	the application of sanctions pursuant to—
12	(A) section 1263 of the Global Magnitsky
13	Human Rights Accountability Act (22 U.S.C.
14	10102);
15	(B) section 6 of the Uyghur Human
16	Rights Policy Act of 2020 (Public Law 116-
17	145; 22 U.S.C. 6901 note);
18	(C) section 7 of the Hong Kong Human
19	Rights and Democracy Act of 2019 (Public
20	Law 116–76);
21	(D) Executive Order 13694 (50 U.S.C.
22	1701 note; relating to blocking property of cer-
23	tain persons engaged in significant malicious
24	cyber-enabled activities); or

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1 (E) Executive Order 13848 (50 U.S.C. 2 1701 et seq.; relating to foreign interference in 3 United States elections). 4 (2) FORM.—The determination required under 5 paragraph (1) shall be submitted in unclassified 6 form, but may contain a classified annex. 7 SEC. 117. DEPARTMENT OF STATE LIST OF FOREIGN TAL-8 ENT RECRUITMENT PROGRAMS OF THE PRC. 9 (a) IN GENERAL.—Not later than 180 days after the 10 date of the enactment of this Act, the Secretary, in con-11 sultation with the Attorney General, the Secretary of De-12 fense, and the Director of National Intelligence, shall com-13 pile and publish in the Federal Register a list of foreign talent recruitment programs of the People's Republic of 14 15 China. 16 (b) ANNUAL REVIEW AND REVISION.—Not less fre-17 quently than annually, the Secretary shall— 18 (1) review and revise the list compiled pursuant 19 to subsection (a); and 20 (2) publish such revised list in the Federal Reg-21 ister. 22 SEC. 118. OVERSIGHT ON CLIMATE COOPERATION WITH 23 THE PRC. 24 (a) REPORT ON CLIMATE COOPERATION WITH THE 25 PRC.—

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tions, think tanks, commercial entities, or
 other organizations participating in such
 initiatives; and
 (ii) PRC national or provincial gov-

6 ernment entities, academic or research in6 stitutions, think tanks, commercial entities,
7 or other organizations participating in
8 such initiatives.

9 (2) FORM OF REPORT.—The report required
10 under paragraph (1) shall be submitted in unclassi11 fied form.

12 (b) PROHIBITION ON CLIMATE-RELATED EXEMP-13 TIONS FROM APPLICATION OF UNITED STATES SANC-TIONS, EXPORT CONTROLS, FARA REGISTRATION, AND 14 15 OTHER REGULATIONS AND STATUES.—Notwithstanding any other provision of law, climate-related engagement 16 may not, on its own, form the basis of any decision to 17 18 grant an exemption, approval, allowance, or exception 19 from-

20 (1) any statutory or regulatory actions or re21 quirements related to sanctions, export controls, for22 eign agent registration or lobbying disclosure re23 quirements; or

24 (2) any other United States statutory and regu-25 latory requirements pertaining to the PRC.

1 SEC. 119. RESTRICTION ON ISSUANCE OF VISAS.

2 (a) RESTRICTIONS FOR SENIOR PRC OFFICIALS AND
3 MEMBERS OF THE PEOPLE'S LIBERATION ARMY.—The
4 Secretary may not issue a visa to, and the Secretary of
5 Homeland Security shall deny entry to, the United States
6 of—

7 (1) senior officials of the Chinese Communist
8 Party, including the Politburo, the Central Com9 mittee, and delegates to the 19th National Congress
10 of the Chinese Communist Party;

(2) spouses and children of any senior officialdescribed in paragraph (1);

13 (3) members of the cabinet of the Government14 of the People's Republic of China;

15 (4) active duty members of the People's Libera-16 tion Army of China; or

(5) applicants from PRC universities that have
a Memorandum of Understanding (referred to in
this paragraph as "MOU") or other research or academic exchange agreement with a United States institution of higher education, and are seeking to
study or work in the United States pursuant to such
an agreement, unless—

24 (A) the United States university has sub-25 mitted such MOU or similar agreement for a

1	security review by the Secretary of State and
2	other relevant Federal agencies; and
3	(B) the Secretary of State, in coordination
4	with other relevant agencies, has determined
5	such MOU or similar agreement—
6	(i) has sufficient safeguards against
7	illicit knowledge and technology transfer to
8	the PRC; and
9	(ii) does not facilitate foreign malign
10	influence.
11	(b) Applicability.—The restriction under sub-
12	section (a) shall not apply during any fiscal year in which
13	the Director of National Intelligence certifies to the Com-
14	mittee on the Judiciary of the Senate and the Committee
15	on the Judiciary of the House of Representatives that the
16	Government of the PRC has ceased sponsoring, funding,
17	facilitating, and actively working to support efforts to in-
18	fringe on the intellectual property rights of citizens and
19	companies of the United States.

1	SEC. 120. MODIFYING INFORMATION ABOUT COUNTRIES
2	EXPORTING METHAMPHETAMINE INCLUDED
3	IN THE ANNUAL INTERNATIONAL NARCOTICS
4	CONTROL STRATEGY REPORT.
5	(a) International Narcotics Control Strat-
6	EGY REPORT.—Section 489(a) of the Foreign Assistance
7	Act of 1961 (22 U.S.C. 2291h(a)) is amended—
8	(1) in the matter preceding paragraph (1) , by
9	striking "March 1" and inserting "June 1"; and
10	(2) in paragraph (8)(A)(i), by striking
11	"pseudoephedrine" and all that follows through
12	"chemicals)" and inserting "chemical precursors
13	used in the production of methamphetamine that
14	significantly affected the United States".
15	(b) Study and Report on Bilateral Efforts to
16	Address Chinese Fentanyl Trafficking.—
17	(1) DEFINITIONS.—In this subsection:
18	(A) APPROPRIATE COMMITTEES OF CON-
19	GRESS.—The term "appropriate committees of
20	Congress'' means—
21	(i) the Committee on the Judiciary of
22	the Senate;
23	(ii) the Committee on Foreign Rela-
24	tions of the Senate;
25	(iii) the Committee on the Judiciary
26	of the House of Representatives; and

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1	(iv) the Committee on Foreign Affairs
2	of the House of Representatives.
3	(B) CHINA.—The term "China" means the
4	People's Republic of China.
5	(C) DEA.—The term "DEA" means the
6	Drug Enforcement Administration.
7	(2) China's class scheduling of fentanyl
8	AND SYNTHETIC OPIOID PRECURSORS.—Not later
9	than 180 days after the date of the enactment of
10	this Act, the Secretary and the Attorney General
11	shall jointly submit to the appropriate committees of
12	Congress an unclassified written report, with a clas-
13	sified annex, that includes—
14	(A) a description of United States Govern-
15	ment efforts to gain a commitment from the
16	Government of China to submit unregulated
17	fentanyl precursors, such as 4–Aminopyridine,
18	to controls;
19	(B) a plan for future steps the United
20	States Government will take to urge the Gov-
21	ernment of China to combat illicit fentanyl pro-
22	duction and trafficking originating in China;
23	(C) a detailed description of cooperation by
24	the Government of China to address the role of
25	the Chinese financial system and Chinese

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money laundering organizations in the trafficking of fentanyl and synthetic opioid precursors;

4 (D) an assessment of expected impact that 5 the designation of principal corporate officers of 6 Chinese financial institutions for facilitating 7 narcotics-related money laundering would have 8 on Chinese money laundering organizations; 9 and

10 (E) an assessment of whether the Tri-11 lateral Fentanyl Committee, which was estab-12 lished by the United States, Canada, and Mex-13 ico during the January 2023 North American 14 Leaders' Summit, is improving cooperation with 15 law enforcement and financial regulators in 16 Canada and Mexico to combat the role of Chi-17 nese financial institutions and Chinese money 18 laundering organizations in narcotics traf-19 ficking.

20 (3) ESTABLISHMENT OF DEA OFFICES IN
21 CHINA.—Not later than 180 days after the date of
22 the enactment of this Act, the Secretary and the At23 torney General shall jointly provide to the appro24 priate committees of Congress a classified briefing
25 regarding—

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1 (A) outreach and negotiations that have 2 been undertaken by the United States Govern-3 ment with the Government of China aimed at 4 securing the approval of the Government of 5 China to establish United States Drug Enforce-6 ment Administration offices in Shanghai and 7 Guangzhou, China; and 8 (B) additional efforts that have been un-9 dertaken to establish new partnerships with 10 provincial-level authorities in China to counter 11 the illicit trafficking of fentanyl, fentanyl ana-12 logues, and their precursors. 13 (c) PRIORITIZATION OF IDENTIFICATION OF PER-14 SONS FROM THE PEOPLE'S REPUBLIC OF CHINA.—Sec-15 tion 7211 of the Fentanyl Sanctions Act (21 U.S.C. 2311) 16 is amended— 17 (1) in subsection (a)— 18 (A) by redesignating paragraphs (3) and 19 (4) as paragraphs (4) and (5), respectively; and 20 (B) by inserting after paragraph (2) the 21 following: 22 "(3) PRIORITIZATION.— 23 "(A) DEFINED TERM.—In this paragraph, 24

the term 'person of the Peoples Republic ofChina' means—

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"(i) an individual who is a citizen or national of the People's Republic of China; or

"(ii) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China.

9 "(B) IN GENERAL.—In preparing the re-10 port required under paragraph (1), the Presi-11 dent shall prioritize, to the greatest extent prac-12 ticable, the identification of persons of the Peo-13 ple's Republic of China involved in the shipment 14 of fentanyl, fentanyl analogues, fentanyl precur-15 sors, precursors for fentanyl analogues, pre-pre-16 cursors for fentanyl and fentanyl analogues, 17 equipment for the manufacturing of and 18 fentanyl and fentanyl-laced counterfeit pills to 19 Mexico or any other country that is involved in 20 the production of fentanyl trafficked into the 21 United States, including—

22 "(i) any entity involved in the produc23 tion of pharmaceuticals; and
24 "(ii) any person that is acting on be-

half of any such entity.

1 "(C) TERMINATION OF PRIORITIZATION.— 2 The President shall continue the prioritization 3 required under subparagraph (B) until the 4 President certifies to the appropriate congres-5 sional committees that the People's Republic of 6 China is no longer the primary source for the 7 shipment of fentanyl, fentanyl analogues, 8 fentanyl precursors, precursors for fentanyl 9 analogues, pre-precursors for fentanyl and 10 fentanyl analogues, and equipment for the man-11 ufacturing of fentanyl and fentanyl-laced coun-12 terfeit pills to Mexico or any other country that 13 is involved in the production of fentanyl traf-14 ficked into the United States."; and 15 (2) in subsection (c), by striking "the date that is 5 years after such date of enactment" and insert-16 17 ing "December 31, 2030". 18 SANCTIONS (d) EXPANSION OF UNDER THE 19 FENTANYL SANCTIONS ACT.—Section 7212of the 20 Fentanyl Sanctions Act (21 U.S.C. 2312) is amended— 21 (1) in paragraph (1), by striking "or" at the 22 end; 23 (2) in paragraph (2), by striking the period at 24 the end and inserting a semicolon; and 25 (3) by adding at the end the following:

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1	"(3) the President determines has knowingly
2	engaged in, or attempted to engage in, an activity or
3	transaction that has materially contributed to opioid
4	trafficking; or
5	"(4) the President determines—
6	"(A) has received any property or interest
7	in property that the foreign person knows—
8	"(i) constitutes or is derived from the
9	proceeds of an activity or transaction de-
10	scribed in paragraph (1); or
11	"(ii) was used or intended to be used
12	to commit or to facilitate such an activity
13	or transaction;
14	"(B) has knowingly provided, or attempted
15	to provide, financial, material, or technological
16	support for, including through the provision of
17	goods or services in support of—
18	"(i) any activity or transaction de-
19	scribed in paragraph (1); or
20	"(ii) any foreign person described in
21	paragraph (1); or
22	"(C) is or has been owned, controlled, or
23	directed by any foreign person described in
24	paragraph (1) or subparagraph (A) or (B), or
25	has knowingly acted or purported to act for or

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on behalf of, directly or indirectly, such a for eign person.".

3 (e) IMPOSITION OF SANCTIONS WITH RESPECT TO
4 AGENCIES OR INSTRUMENTALITIES OF FOREIGN
5 STATES.—The President shall—

6 (1) impose one or more of the sanctions de-7 scribed in section 7213 of the Fentanyl Sanctions 8 Act (21 U.S.C. 2313) with respect to each agency or 9 instrumentality of a foreign state (as defined in sec-10 tion 1603(b) of title 28, United States Code) that 11 the President determines—

12 (A) has engaged in, or attempted to en13 gage in, an activity or transaction that has ma14 terially contributed to opioid trafficking; or

(B) has provided, or attempted to provide,
financial, material, or technological support for,
(including through the provision of goods or
services in support of) any activity or transaction described in subparagraph (A); or

(2) impose the sanction described in section
7213(a)(6) of the Fentanyl Sanctions Act (21
U.S.C. 2313(a)(6)) on each foreign person the President determines—

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(A) is a senior official of an agency or in strumentality of a foreign state described in
 paragraph (1); or

4 (B) is or has been owned, controlled, or di5 rected by an agency or instrumentality of a for6 eign state described in paragraph (1), or has
7 knowingly acted or purported to act for or on
8 behalf of, directly or indirectly, such a foreign
9 state.

10 SEC. 121. REPORT ON VIOLATIONS OF AMERICAN DIPLO-

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MATIC CORPS PRIVILEGES AND IMMUNITIES.

Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following
5 years, the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) a detailed description of each case when
United States diplomats had their privileges and immunities (as set forth in the Convention on Diplomatic Relations, done at Vienna April 18, 1961)
were violated while serving in the PRC; and

(2) a review of efforts undertaken by the Department of State to mitigate or otherwise respond
to such violations of United States diplomats' privileges and immunities.
SEC. 122. ANNUAL REPORT ON THE PRC'S DIPLOMATIC MIS SION ENGAGEMENTS.

3 (a) IN GENERAL.—Not later than March 1, 2024, and annually thereafter, the Secretary shall submit a re-4 5 port to the appropriate congressional committees that details all official meetings, conferences, events, activities, or 6 7 travel within the United States organized or participated 8 in by PRC diplomatic missions in the United States that 9 were approved by or notified to the Office of Foreign Mis-10 sions.

11 (b) ELEMENTS.—The report required under sub-12 section (a) shall include—

13 (1) the date, time, and location of the engage-14 ment;

(2) the purpose and nature of the engagement,
including any official meetings, conferences, events,
or activities organized or participated in by the PRC
diplomatic missions;

(3) the format of the engagement, including inperson, on-site, virtually, or any other format that
was approved by or notified to the Office of Foreign
Missions;

(4) the identities and official positions of all individuals involved in the engagement, including
members of the PRC diplomatic missions and host
organizations;

1	(5) a detailed description of the topics, matters,
2	or issues discussed or addressed during the engage-
3	ment;
4	(6) any agreements, arrangements, or memo-
5	randa of understanding reached during the engage-
6	ment;
7	(7) any security or legal concerns raised or ad-
8	dressed as a result of the engagement;
9	(8) a summary of the Department of State's
10	evaluation of the potential impact of the engagement
11	on United States national security, foreign policy,
12	and economic interests;
13	(9) any actions or measures taken by the De-
14	partment of State to address concerns or mitigate
15	risks related to the engagement; and
16	(10) any other relevant information deemed
17	necessary by the Secretary.
18	(c) FORM.—The report required under subsection (a)
19	may be submitted in classified or unclassified form.
20	SEC. 123. RESTRICTIONS ON FOREIGN MISSIONS OF THE
21	PRC IN ELEMENTARY AND SECONDARY
22	SCHOOLS IN THE UNITED STATES.
23	(a) DEFINITIONS.—In this section:
24	(1) COVERED SCHOOL.—The term "covered
25	school" means a public or private elementary school

1 or secondary school in the United States that re-2 ceives Federal funds. 3 (2)ELEMENTARY SCHOOL; SECONDARY SCHOOL.—The terms "elementary school" and "sec-4 5 ondary school" have the meanings given such terms 6 in section 8101 of the Elementary and Secondary 7 Education Act of 1965 (20 U.S.C. 7801). 8 (b) IN GENERAL.—A foreign mission of the PRC in 9 the United States may not engage in any activity de-10 scribed in subsection (c) with a covered school unless 11 United States missions in the PRC have comparable ac-12 cess to educational institutions in the PRC. 13 (c) ACTIVITIES DESCRIBED.—Activities described in 14 this subsection are— 15

15 (1) providing financial support to a covered16 school;

17 (2) offering educational materials, textbooks, or18 curriculum resources to a covered school;

19 (3) organizing a seminar, lecture, or other event20 at a covered school;

(4) conducting political propaganda or promoting the interests of the Chinese Communist
Party, the Government of the PRC, or affiliated
groups in any form at a covered school;

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(5) establishing or funding a Confucius Insti tute or similar language or cultural entity at a cov ered school;
 (6) coordinating a visit or exchange of students,
 teachers, or administrators of a covered school to the

6 PRC or with the Government of the PRC or entities7 or members of the Chinese Communist Party; and

8 (7) any other activity that may compromise the
9 academic independence and objectivity of elementary
10 and secondary school education in the United States.
11 (d) ENFORCEMENT.—

(1) REPORTING.—Any covered school that discovers any attempt by a foreign mission of the PRC
to engage in an activity described in subsection (c)
at the covered school shall immediately report such
attempt to the Department of State and the Federal
Bureau of Investigation.

18 (2) SANCTIONS.—

(A) IN GENERAL.—The Secretary, in coordination with the heads of relevant Federal
agencies, may impose appropriate sanctions, including the sanctions described in subparagraph
(B), with respect to any foreign mission of the
PRC that has engaged in an activity described
in subsection (c) with a covered school.

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1	(B) SANCTIONS DESCRIBED.—The sanc-
2	tions described in this paragraph—
3	(i) diplomatic protests;
4	(ii) restrictions on the travel and ac-
5	tivities of diplomatic personnel of the PRC;
6	(iii) revocation or restriction of diplo-
7	matic privileges and immunities for such
8	personnel;
9	(iv) expulsion of such personnel; and
10	(v) any other measures that the Sec-
11	retary deems necessary to protect the aca-
12	demic independence and objectivity of ele-
13	mentary and secondary school education in
14	the United States.
15	(e) CONGRESSIONAL OVERSIGHT.—Not later than 14
16	days after any attempt by a foreign mission of the PRC
17	to engage in an activity described in subsection (c), the
18	Secretary shall submit a report describing such attempted
19	engagement to the appropriate congressional committees,
20	the Select Committee on Intelligence of the Senate, and
21	the Permanent Select Committee on Intelligence of the
22	House of Representatives.

1SEC. 124. OFFICE OF THE SPECIAL ENVOY FOR CRITICAL2AND EMERGING TECHNOLOGY.

3 (a) DEFINED TERM.—In this section, the term "crit4 ical and emerging technologies" means the technologies
5 listed on the critical and emerging technologies list pub6 lished by the National Science and Technology Council at
7 the Office of Science and Technology Policy, as amended
8 by subsequent updates to such list.

9 (b) ESTABLISHMENT.—The Secretary shall establish
10 an Office of the Special Envoy for Critical and Emerging
11 Technology (referred to in this section as the "Office"),
12 which shall be located within the Bureau of Cyberspace
13 and Digital Policy.

(c) LEADERSHIP.—The Office shall be headed by a
Special Envoy for Critical and Emerging Technology (referred to in this section as the "Special Envoy"), who
shall—

- 18 (1) be appointed by the President, by and with19 the advice and consent of the Senate;
- 20 (2) have the rank and status of ambassador;21 and
- (3) report to the Ambassador at Large forCyberspace and Digital Policy.

24 (d) MEMBERSHIP.—The Office may include rep25 resentatives, or expert detailees from key Federal agencies
26 or research and technology-focused fellowship programs,

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as determined by the Special Envoy and with the consent
 of the Ambassador-at-Large for Cyberspace and Digital
 Policy, in coordination with appropriate senior officials of
 such agencies.

- 5 (e) FUNCTIONS.—The Office shall—
- 6 (1) establish, in coordination with relevant bu-7 reaus, offices, and other Federal agencies, an inter-8 agency security review process for proposals regard-9 ing United States Government-funded international 10 collaboration on critical and emerging technologies 11 and associated research;
- (2) establish and coordinate an interagency
 strategy to facilitate international cooperation with
 United States' allies and partners regarding the development, use, and deployment of critical and
 emerging technologies and associated standards and
 safeguards for research security, intellectual property protection, and illicit knowledge transfer;
- 19 (3) facilitate technology partnerships, particu20 larly with countries and relevant political and eco21 nomic unions that are committed to—
- (A) the rule of law and respect for human
 rights, including freedom of speech and expression;

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1 (B) the safe and responsible development 2 and use of critical and emerging technologies 3 and the establishment of related norms and 4 standards, including for research security and 5 the protection of sensitive data and technology; 6 (C) a secure internet architecture governed 7 by a multi-stakeholder model instead of central-8 ized government control; 9 (D) robust international cooperation to 10 promote open and interoperable technological 11 products and services that are necessary to 12 freedom, innovation, transparency, and privacy; 13 and 14 (E) multilateral coordination, including 15 through diplomatic initiatives, information shar-16 ing, and other activities, to defend the prin-17 ciples described in subparagraphs (A) through 18 (D) against efforts by state and non-state ac-19 tors to undermine them; 20 (4) support efforts to harmonize technology 21 governance regimes with partners by— 22 (A) coordinating on basic and pre-competi-23 tive research and development initiatives; and

1 (B) collaborating to pursue such opportu-2 nities in certain critical and emerging tech-3 nologies;

4 (5) coordinate with other technology partners 5 regarding export control policies for critical and 6 emerging technologies by countering illicit knowledge 7 and data transfer relating to critical and emerging 8 technology research;

9 (6) conduct diplomatic engagement, in coordi-10 nation with other bureaus, offices, and relevant Fed-11 eral departments and agencies, with allies and part-12 ners to develop standards and coordinate policies de-13 signed to counter illicit knowledge and data transfer 14 in academia relating to critical and emerging tech-15 nology research;

16 (7) coordinate with allies, partners, and other
17 relevant Federal agencies to prevent the exploitation
18 of research partnerships related to critical and
19 emerging technologies;

20 (8) in coordination with the Bureau for Cyber21 space and Digital Policy's Digital Freedom Unit,
22 share information regarding—

(A) the threat posed by the transfer ofcritical and emerging technologies to authori-

1	tarian governments, including the PRC and the
2	Russian Federation; and
3	(B) the ways in which autocratic regimes
4	are utilizing technology to erode individual free-
5	doms and other foundations of open, democratic
6	societies; and
7	(9) collaborate with private companies, trade
8	associations, and think tanks to carry out the func-
9	tions described in paragraphs (1) through (8).
10	(f) REPORT.—Not later than 1 year after the date
11	of the enactment of this Act, and annually thereafter for
12	the following 5 years, the Secretary, in coordination with
13	the Director of National Intelligence and other relevant
14	Federal agencies, as appropriate, shall submit to the ap-
15	propriate congressional committees an unclassified report,
16	with a classified index, if necessary, regarding—
17	(1) the activities of the Office described in sub-
18	section (e), including—
19	(A) any cooperative initiatives and partner-
20	ships pursued with United States allies and
21	partners; and
22	(B) the results of such activities, initia-
23	tives, and partnerships; and
24	(2) the activities of the Government of the
25	PRC, the Chinese Communist Party, and the Rus-

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1 sian Federation in sectors related to certain critical 2 and emerging technologies and the threats they pose 3 to the United States; and 4 (3) an inventory of all international research 5 and development programs for critical and emerging 6 technologies funded by the United States Govern-7 ment that include participation by institutions or or-8 ganizations that are affiliated with or receive sup-9 port from the Government of the PRC or the Gov-10 ernment of the Russian Federation. 11 SEC. 125. ENHANCED CONGRESSIONAL NOTIFICATION RE-12 GARDING SCIENCE AND TECHNOLOGY 13 AGREEMENTS WITH THE PRC. 14 (a) NOTIFICATION REQUIRED.—Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 15 2651a et seq.) is amended by adding at the end the fol-16 17 lowing: 18 "SEC. 65. CONGRESSIONAL NOTIFICATION REGARDING 19 SCIENCE AND TECHNOLOGY AGREEMENTS 20 WITH THE PEOPLE'S REPUBLIC OF CHINA. "(a) DEFINITIONS.—In this section: 21 22 "(1) APPROPRIATE CONGRESSIONAL COMMIT-23 TEES.—The term 'appropriate congressional com-

24 mittees' means—

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1	"(A) the Committee on Foreign Relations
2	of the Senate; and
3	"(B) the Committee on Foreign Affairs of
4	the House of Representatives.
5	"(2) Science and technology agree-
6	MENT.—The term 'science and technology agree-
7	ment' means any treaty, memorandum of under-
8	standing, or other contract or agreement between
9	the United States and 1 or more foreign countries
10	for the purpose of—
11	"(A) collaborating on or otherwise engag-
12	ing in joint activities relating to scientific re-
13	search, technological development; or
14	"(B) sharing scientific or technical knowl-
15	edge or resources between such countries.
16	"(b) NOTIFICATION REQUIRED.—The Secretary of
17	State may not enter into, renew, or extend any science
18	and technology agreement with the People's Republic of
19	China unless—
20	"(1) the Secretary submits to the appropriate
21	congressional committees a notification containing
22	each of the matters described in subsection (c); and
23	((2) a period of not less than 30 days has
24	elapsed following such submission.

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"(c) MATTERS DESCRIBED.—The matters described 1 2 in this subsection are, with respect to the science and tech-3 nology agreement for which a notification is submitted— 4 "(1) a written notice of such agreement, includ-5 ing the full text of such agreement; 6 "(2) a detailed justification for such agreement, 7 including an explanation for why such agreement is 8 in the national security interests of the United 9 States; "(3) an assessment of the risks and potential 10 11 effects of such agreement, including any potential 12 for the transfer under such agreement of technology 13 or intellectual property capable of harming the na-14 tional security interests of the United States; 15 "(4) a detailed justification for how the Sec-16 retary of State intends to address human rights con-17 cerns in any scientific and technology collaboration 18 proposed to be conducted under such agreement; 19 ((5) an assessment of the extent to which the 20 Secretary will be able to continuously monitor the 21 commitments made by the People's Republic of 22 China under such agreement; and 23 "(6) such other information relating to such 24 agreement as the Secretary may be determine appro-25 priate.".

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1 (b) Applicability.—

(1) DEFINITIONS.—In this subsection, the
terms "appropriate congressional committees" and
"science and technology agreement" have the meanings given such terms in section 65(a) of the State
Department Basic Authorities Act of 1956, as added
by subsection (a),.

8 (2) IN GENERAL.—The requirements under sec-9 tion 65 of such Act shall apply with respect to 10 science and technology agreements entered into, re-11 newed, or extended on or after the date of the enact-12 ment of this Act.

13 (3) EXISTING AGREEMENTS.—Any science and 14 technology agreement between the Secretary of State 15 and the PRC in effect as of the date of the enact-16 ment of this Act shall be revoked unless, not later 17 than 60 days after the date of the enactment of this 18 Act, the Secretary submits to the appropriate con-19 gressional committees a notification of such agree-20 ment containing each of the matters described in 21 section 65(c) of such Act.

TITLE II—ADVANCING UNITED STATES AND PARTNER ECO NOMIC PROSPERITY

4 SEC. 201. DEFINED TERM.

5 In this title, the term "strategic infrastructure"
6 means infrastructure for which a primary driver of the
7 United States national interest in such infrastructure is—

8 (1) to advance the national security or economic
9 security interests of the United States or of the
10 country in which such infrastructure is located; or

(2) to deny foreign adversaries of the United
 States ownership or control over such infrastructure.
 SEC. 202. AUTHORIZATION OF PARTNERSHIP FOR GLOBAL

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INFRASTRUCTURE AND INVESTMENT.

(a) IN GENERAL.—The Partnership for Global Infrastructure and Investment is authorized to deploy United
States public and private sector capital and expertise for
the purpose of mobilizing foreign public and private sector
capital and expertise—

20 (1) to help identify and meet the strategic in21 frastructure needs of countries that are allies and
22 partners of the United States; and

(2) to provide allies and partners of the United
States with mutually beneficial strategic infrastructure investment solutions that are alternatives to ex-

1	ploitative, coercive, or harmful foreign infrastructure
2	investments.
3	(b) PRIORITIZATION.—In evaluating proposals for
4	strategic infrastructure projects funded through the Part-
5	nership for Global Infrastructure and Investment, the Sec-
6	retary shall prioritize—
7	(1) projects that have the highest strategic
8	value to the United States; and
9	(2) projects involving—
10	(A) strategic transport infrastructure, in-
11	cluding ports, airports, intermodal transfer fa-
12	cilities, railroads, and highways;
13	(B) energy infrastructure, technology, and
14	supply chains, critical minerals, and related
15	areas that align with the officially conveyed en-
16	ergy needs of partner countries and with the
17	objective of maximizing such countries' energy
18	access, energy security, energy transition and
19	modernization, and resilience needs;
20	(C) secure information and communica-
21	tions technology systems, networks and infra-
22	structure to strengthen the potential for eco-
23	nomic growth and facilitate open digital soci-
24	eties; and

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(D) global health security, including infra structure projects that increase the availability,
 accessibility, and affordability of health care in
 partner countries.

5 (c) STANDARDS.—In carrying out the purposes described in subsection (a), the Secretary shall adhere to 6 7 standards for transparent and high-quality infrastructure 8 investment and ensure projects include opportunities to 9 advance economic growth priorities in the partner country 10 and support good governance and the rule of law. The 11 Partnership for Global Infrastructure and Investment may 12 only use environmental, social, or governance standards, 13 including as criteria for project selection, which are con-14 sistent with United States law or international agreements 15 that have been approved by Congress.

(d) PROJECTS IN HIGH INCOME COUNTRIES.—Support under the Partnership for Global Infrastructure and
Investment may not be provided in countries with highincome economies (as defined by the World Bank) unless
the President certifies to the appropriate congressional
committees that such support—

(1) is necessary to preempt or counter efforts
by a strategic competitor of the United States to secure significant political or economic leverage or acquire national security-sensitive technologies or in-

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frastructure in a country that is an ally or partner
 of the United States; and

3 (2) includes cost-sharing arrangements with
4 partner countries to ensure effective burden-sharing
5 and long-term sustainability, including through the
6 involvement of private sector investments.

7 (e) LIMITATION.—The Secretary may not exclude or 8 otherwise limit the provision of funds that would otherwise 9 have been available under the Foreign Assistance Act of 10 1961 (22 U.S.C. 2151 et seq.) to support natural gas and 11 civil nuclear energy projects, including market develop-12 ment, infrastructure, technology, or technical assistance, 13 solely on the basis that such projects result in new carbon 14 emissions or associated infrastructure.

(f) REPORT.—Not later than 180 days after the date
of the enactment of this Act, and annually thereafter for
the following 2 years, the Secretary shall submit a report
to the appropriate congressional committees that—

(1) identifies all infrastructure projects supported by the Partnership for Global Infrastructure
and Investment;

(2) describes how the Partnership for Global
Infrastructure and Investment supported each
project;

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(3) explains why each project was chosen and
 how each project advances the purposes of the Part nership for Global Infrastructure and Investment
 and the priorities described in subsection (b);

5 (4) describes how the Partnership for Global
6 Infrastructure and Investment cooperates with other
7 entities in the United States Government that sup8 port infrastructure, including deconfliction of efforts;
9 and

10 (5) describes the estimated timeline for comple11 tion of the projects supported by the Partnership for
12 Global Infrastructure and Investment.

(g) QUALIFYING NONBINDING INSTRUMENTS.—Any
memorandum of understanding or other non-binding instrument for projects supported by the Partnership for
Global Infrastructure and Investment shall be considered
a qualifying non-binding instrument for purposes of section 112b of title 1, United States Code.

19sec. 203. Global strategic infrastructure invest-20ment fund.

(a) ESTABLISHMENT.—There is established in the
Treasury of the United States a fund, which shall be
known as the "Strategic Infrastructure Investment Fund"
(referred to in this section as the "Fund"), consisting of

such amounts as are deposited into the Fund pursuant
 to subsection (b).

3 (b) Authorization of Appropriations.—

4 (1) IN GENERAL.—There is authorized to be 5 appropriated, for each of the fiscal years 2025 6 through 2029, \$75,000,000, which shall be deposited 7 into the Fund for the purpose of providing assist-8 ance, including through contributions, for strategic 9 infrastructure projects globally in accordance with 10 this section.

11 (2) TRANSFERS.—Amounts in the Fund may be 12 transferred to accounts within the Department of 13 State, the United States Agency for International 14 Development, the Export-Import Bank, the United 15 States International Development Finance Corpora-16 tion, the Millennium Challenge Corporation, and the 17 United States Trade and Development Agency, as 18 appropriate, to be used for the purpose described in 19 paragraph (1).

20 (3) CONSULTATION.—The Secretary shall con21 sult with the Administrator of the United States
22 Agency for International Development regarding al23 locations from the Fund.

24 (4) USE OF FUNDS.—Amounts transferred to25 the Export-Import Bank and the United States

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International Development Finance Corporation may
 be made available for the costs of direct loans and
 loan guarantees (as defined in section 502(3) of the
 Congressional Budget Act of 1974 (2 U.S.C.
 661a(3)), including the cost of modifying such loans
 and loan guarantees.

7 (5) NOTIFICATION.—Not later than 15 days be-8 fore obligating funds appropriated pursuant to para-9 graph (1), the Secretary shall submit a written noti-10 fication to the Committee on Appropriations of the 11 Senate, the Committee on Foreign Relations of the 12 Senate, the Committee on Appropriations of the 13 House of Representatives, and the Committee on 14 Foreign Affairs of the House of Representatives that 15 outlines the amount and proposed use of such funds. 16 (c) PRIORITIZATION.—In evaluating proposals for 17 strategic infrastructure projects receiving funding from 18 the Fund, the Secretary shall prioritize—

19 (1) projects that have the highest strategic20 value to the United States; and

21 (2) projects involving—

(A) strategic transport infrastructure, including ports, airports, railroads, and highways;
(B) energy infrastructure, technology, and
supply chains, critical minerals, and related

1	areas that align with the officially conveyed en-
2	ergy needs of partner countries and with the
3	objective of maximizing such countries' energy
4	access, energy security, energy transition, and
5	resilience needs;
6	(C) secure information and communica-
7	tions technology networks and infrastructure to
8	strengthen the potential for economic growth
9	and facilitate open digital societies; and
10	(D) global health security, including
11	through infrastructure projects that increase
12	the availability, accessibility, and affordability
13	of health care in partner countries.
14	(d) STANDARDS.—In evaluating proposals for stra-
15	tegic infrastructure projects seeking funding from the
16	Fund, the Secretary shall—
17	(1) comply with standards for transparent and
18	high-quality infrastructure investment;
19	(2) ensure projects selected include opportuni-
20	ties—
21	(A) to advance economic growth priorities
22	in the partner country; and
23	(B) to support good governance and the
24	rule of law; and

(3) only use environmental, social, or govern ance standards, including as criteria for project se lection, which are consistent with United States law
 or international agreements that have been approved
 by Congress.

6 (e) LIMITATION.—The Secretary may not exclude or 7 otherwise limit the provision of funds that would otherwise 8 have been available under the Foreign Assistance Act of 9 1961 (22 U.S.C. 2151 et seq.) to support natural gas and 10 civil nuclear energy projects, including market develop-11 ment, infrastructure, technology, or technical assistance, 12 solely on the basis that such projects result in new carbon 13 emissions or associated infrastructure.

(f) PROJECTS IN HIGH-INCOME COUNTRIES.—
Amounts from the Fund may not be provided in countries
with high-income economies (as defined by the World
Bank) unless the President certifies to the appropriate
congressional committees that such support—

(1) is necessary to preempt or counter efforts
by a strategic competitor of the United States to secure significant political or economic leverage or acquire national security-sensitive technologies or infrastructure in a country that is an ally or partner
of the United States; and

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(2) includes cost-sharing arrangements with
 partner countries to ensure effective burden-sharing
 and long-term sustainability.

4 (g) QUALIFYING NON-BINDING INSTRUMENTS.—Any
5 memorandum of understanding or other non-binding in6 strument for projects supported by the Fund shall be con7 sidered a qualifying non-binding instrument for purposes
8 of section 112b of title 1, United States Code.

9 SEC. 204. INFRASTRUCTURE TRANSACTION AND ASSIST-10 ANCE NETWORK.

11 (a) AUTHORITY.—The Secretary, in consultation with 12 the Administrator of the United States Agency for Inter-13 national Development, is authorized to establish an initiative, to be known as the "Infrastructure Transaction and 14 15 Assistance Network", under which the Secretary, in consultation with other relevant Federal agencies, shall carry 16 17 out various programs to advance the development of sus-18 tainable, transparent, and quality infrastructure with 19 higher standards in the Indo-Pacific region by—

20 (1) strengthening capacity-building programs to
21 improve project evaluation processes, regulatory and
22 procurement environments, and project preparation
23 capacity of countries that are partners of the United
24 States in such development;

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(2) providing transaction advisory services and
 project preparation assistance to support sustainable
 infrastructure;

4 (3) coordinating the provision of United States
5 assistance for the development of infrastructure, in6 cluding infrastructure that uses United States-man7 ufactured goods and services; and

8 (4) catalyzing investment led by the private sec-9 tor.

10 (b) TRANSACTION ADVISORY FUND.—As part of the 11 Infrastructure Transaction and Assistance Network estab-12 lished pursuant to subsection (a), the Secretary is author-13 ized to provide support, including through the Transaction Advisory Fund, for advisory services to help boost the ca-14 15 pacity of partner countries to evaluate contracts and assess the financial and environmental impacts of potential 16 17 infrastructure projects, including through providing services such as— 18

- 19 (1) legal services;
- 20 (2) project preparation and feasibility studies;
- 21 (3) debt sustainability analyses;
- 22 (4) bid or proposal evaluation; and

(5) other services relevant to advancing the development of sustainable, transparent, and highquality infrastructure.

1 (c) INDO-PACIFIC STRATEGIC INFRASTRUCTURE 2 FUND.—

(1) IN GENERAL.—As part of the Infrastructure Transaction and Assistance Network established pursuant to subsection (a), the Secretary is
authorized to provide support, including through the
Indo-Pacific Strategic Infrastructure Fund, for technical assistance, project preparation, pipeline development, and other infrastructure project support.

10 (2)JOINT STRATEGIC INFRASTRUCTURE 11 PROJECTS.—Funds made available for the Indo-Pacific Strategic Infrastructure Fund should be used, 12 13 in consultation with the Department of Defense, the 14 United States International Development Finance 15 Corporation, like-minded donor partners, and multi-16 lateral banks, as appropriate, to support joint infra-17 structure projects in the Indo-Pacific region.

18 (3) STRATEGIC INFRASTRUCTURE PROJECTS.—
19 Funds made available for the Indo-Pacific Strategic
20 Infrastructure Fund should be used to support stra21 tegic infrastructure projects that are in the national
22 security interest of the United States and vulnerable
23 to strategic competitors.

24 (d) Reports.—

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1	(1) IN GENERAL.—Not later than 180 days
2	after the date of the enactment of this Act, and
3	semiannually thereafter for the following 3 years,
4	the President shall submit a report to the appro-
5	priate congressional committees that includes—
6	(A) the identification of infrastructure
7	projects, particularly in the transport, energy,
8	and digital sectors, that the United States is
9	currently supporting or is considering sup-
10	porting through financing, foreign assistance,
11	technical assistance, or other means;
12	(B) for each project identified pursuant to
13	subparagraph (A)—
14	(i) the sector of the project; and
15	(ii) the recipient country of any such
16	United States support;
17	(C) a detailed explanation of the United
18	States and partner country interests served by
19	such United States support;
20	(D) a detailed accounting of the authori-
21	ties and programs upon which the United
22	States Government has relied in providing such
23	support; and

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(E) a detailed description of any support 1 2 provided by United States allies and partners 3 for such projects. 4 (2) FORM.—Each report required under para-5 graph (1) shall be submitted in unclassified form, 6 but may include a classified annex. 7 (e) AUTHORIZATION OF APPROPRIATIONS.—There is 8 authorized to be appropriated to the Infrastructure Trans-9 action and Assistance Network, for each of the fiscal years 10 2025 through 2029, \$75,000,000, of which— 11 (1) \$20,000,000 shall be made available for the 12 Transaction Advisory Fund; and

13 (2) not less than \$55,000,000 shall be made 14 available for the Indo-Pacific Strategic Infrastruc-15 ture Fund.

16 SEC. 205. REGULATORY EXCHANGES WITH ALLIES AND 17 PARTNERS.

18 (a) IN GENERAL.—The Secretary, in coordination with the heads of other participating executive branch 19 20 agencies, shall establish and develop a program to facili-21 tate and encourage regular dialogues between United 22 States Government regulatory and technical agencies and 23 their counterpart organizations in allied and partner coun-24 tries, both bilaterally and in relevant multilateral institu-25 tions and organizations—

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1 (1) to promote best practices in regulatory for-2 mation and implementation; 3 (2) to collaborate to achieve optimal regulatory outcomes based on scientific, technical, and other 4 5 relevant principles; 6 (3) to seek better harmonization and alignment 7 of regulations and regulatory practices; 8 (4) to build consensus around industry and 9 technical standards in emerging sectors that will 10 drive future global economic growth and commerce; 11 and 12 (5) to promote United States standards regard-13 ing environmental, labor, and other relevant protec-14 tions in regulatory formation and implementation, in 15 keeping with the values of free and open societies, 16 including the rule of law. 17 (b) PRIORITIZATION OF ACTIVITIES.—In facilitating 18 expert exchanges pursuant to subsection (a), the Secretary 19 shall prioritize— 20 (1) bilateral coordination and collaboration with 21 countries where greater regulatory coherence, har-22 monization of standards, or communication and dia-23 logue between technical agencies is achievable and 24 best advances the economic and national security in-25 terests of the United States;

1	(2) multilateral coordination and collaboration
2	where greater regulatory coherence, harmonization
3	of standards, or dialogue on other relevant regu-
4	latory matters is achievable and best advances the
5	economic and national security interests of the
6	United States, including with—
7	(A) the European Union;
8	(B) the Asia-Pacific Economic Coopera-
9	tion;
10	(C) the Association of Southeast Asian Na-
11	tions;
12	(D) the Organization for Economic Co-
13	operation and Development; and
14	(E) multilateral development banks; and
15	(3) regulatory practices and standards-setting
16	bodies focused on key economic sectors and emerg-
17	ing technologies.
18	(c) Participation by Non-Governmental Enti-
19	TIES.—With regard to the program described in sub-
20	section (a), the Secretary may facilitate, including through
21	the use of amounts appropriated pursuant to subsection
22	(e), the participation of private sector representatives and
23	other relevant organizations and individuals with relevant
24	expertise, as appropriate, to the extent that such partici-
25	pation advances the goals of such program.

(d) DELEGATION OF AUTHORITY BY THE SEC RETARY.—The Secretary is authorized to delegate the re sponsibilities described in this section to the Under Sec retary of State for Economic Growth, Energy, and the En vironment.

6 SEC. 206. AUTHORIZATION TO ASSIST UNITED STATES COM7 PANIES WITH GLOBAL SUPPLY CHAIN DIVER8 SIFICATION AND MANAGEMENT.

9 (a) DEFINITIONS.—The terms "foreign ownership, 10 control, or influence" and "FOCI" have the meanings 11 given such terms in the National Industrial Security Pro-12 gram Operating Manual (DOD 5220.22–M), or a suc-13 cessor document.

14 (b) AUTHORIZATION TO CONTRACT SERVICES.—The 15 Secretary, in coordination with the Secretary of Commerce, is authorized to establish a program to facilitate 16 17 the contracting by the Department of State for the professional services of qualified experts, on a reimbursable fee 18 19 for service basis, to assist interested United States persons 20 and business entities with supply chain management 21 issues related to the PRC, including—

(1) exiting from the PRC market or relocating
certain production facilities to locations outside the
PRC;

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1 (2) diversifying sources of inputs, and other ef-2 forts to diversify supply chains to locations outside 3 of the PRC; 4 (3) navigating legal, regulatory, or other chal-5 lenges in the course of the activities described in 6 paragraphs (1) and (2); and 7 (4) identifying alternative markets for produc-8 tion or sourcing outside of the PRC, including 9 through providing market intelligence, facilitating 10 contact with reliable local partners as appropriate, 11 and other services. 12 (c) CHIEF OF MISSION OVERSIGHT.—The persons 13 hired to perform the services described in subsection (b) 14 shall— 15 (1) be under the authority of the United States 16 Chief of Mission in the country in which they are 17 hired, in accordance with existing United States 18 laws; 19 (2) coordinate with Department of State and 20 Department of Commerce officers; and (3) coordinate with United States missions and 21 22 relevant local partners in other countries as needed 23 to carry out the services described in subsection (b). 24 (d) PRIORITIZATION OF MICRO-, SMALL-, AND ME-

25 DIUM-SIZED ENTERPRISES.—The services described in

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subsection (b) shall be prioritized for assisting micro-,
 small-, and medium-sized enterprises with regard to the
 matters described in subsection (b).
 (e) AUTHORIZATION OF APPROPRIATIONS.—
 (1) IN GENERAL.—There is authorized to be
 appropriated \$15,000,000, for each of the fiscal

years 2025 through 2029, for the purposes of car-

8 rying out this section.

9 (2) PROHIBITION ON ACCESS TO ASSISTANCE 10 BY FOREIGN ADVERSARIES.—None of the amounts 11 appropriated pursuant to paragraph (1) may be pro-12 vided to an entity—

13 (A) under the foreign ownership, control,
14 or influence of the Government of the People's
15 Republic of China or the Chinese Communist
16 Party, or other foreign adversary;

17 (B) determined to have beneficial owner18 ship from foreign individuals subject to the ju19 risdiction, direction, or influence of foreign ad20 versaries; and

21 (C) that has any contract in effect at the
22 time of the receipt of such funds, or has had a
23 contract within the previous year that is no
24 longer in effect, with—

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1	(i) the Government of the People's
2	Republic of China;
3	(ii) the Chinese Communist Party;
4	(iii) the Chinese military;
5	(iv) any entity majority-owned, major-
6	ity-controlled, or majority-financed by the
7	Government of the People's Republic of
8	China, the CCP, or the Chinese military;
9	or
10	(v) a parent, subsidiary, or affiliate of
11	an entity described in clause (iv).
12	SEC. 207. INVESTING IN TALENT IN SOUTHEAST ASIA, THE
	,
13	PACIFIC ISLANDS, SUB-SAHARAN AFRICA,
13	PACIFIC ISLANDS, SUB-SAHARAN AFRICA,
13 14	PACIFIC ISLANDS, SUB-SAHARAN AFRICA, AND LATIN AMERICA.
13 14 15	PACIFIC ISLANDS, SUB-SAHARAN AFRICA, AND LATIN AMERICA. (a) DEFINITIONS.—In this section:
13 14 15 16	PACIFIC ISLANDS, SUB-SAHARAN AFRICA, AND LATIN AMERICA. (a) DEFINITIONS.—In this section: (1) APPROPRIATE COMMITTEES OF CON-
 13 14 15 16 17 	PACIFIC ISLANDS, SUB-SAHARAN AFRICA, AND LATIN AMERICA. (a) DEFINITIONS.—In this section: (1) APPROPRIATE COMMITTEES OF CON- GRESS.—The term "appropriate committees of Con-
 13 14 15 16 17 18 	PACIFIC ISLANDS, SUB-SAHARAN AFRICA, AND LATIN AMERICA. (a) DEFINITIONS.—In this section: (1) APPROPRIATE COMMITTEES OF CON- GRESS.—The term "appropriate committees of Con- gress" means—
 13 14 15 16 17 18 19 	PACIFIC ISLANDS, SUB-SAHARAN AFRICA, AND LATIN AMERICA. (a) DEFINITIONS.—In this section: (1) APPROPRIATE COMMITTEES OF CON- GRESS.—The term "appropriate committees of Con- gress" means— (A) the Committee on Foreign Relations of
 13 14 15 16 17 18 19 20 	PACIFIC ISLANDS, SUB-SAHARAN AFRICA, AND LATIN AMERICA. (a) DEFINITIONS.—In this section: (1) APPROPRIATE COMMITTEES OF CON- GRESS.—The term "appropriate committees of Con- gress" means— (A) the Committee on Foreign Relations of the Senate;
 13 14 15 16 17 18 19 20 21 	PACIFIC ISLANDS, SUB-SAHARAN AFRICA, AND LATIN AMERICA. (a) DEFINITIONS.—In this section: (1) APPROPRIATE COMMITTEES OF CON- GRESS.—The term "appropriate committees of Con- gress" means— (A) the Committee on Foreign Relations of the Senate; (B) the Committee on Appropriations of

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(D) the Committee on Appropriations of
 the House of Representatives.

3 (2) PACIFIC ISLANDS.—The term "Pacific Is4 lands" means the countries of Federated States of
5 Micronesia, Fiji, Kiribati, Nauru, Palau, Papua New
6 Guinea, Republic of Marshall Islands, Samoa, Sol7 omon Islands, Tonga, Tuvalu, and Vanuatu.

8 (3) SOUTHEAST ASIA.—The term "Southeast
9 Asia" means the countries of Brunei Darussalam,
10 Cambodia, Indonesia, Lao PDR, Malaysia,
11 Myanmar, the Philippines, Singapore, Thailand,
12 Vietnam, and Timor-Leste.

(4) SUB-SAHARAN AFRICA.—The term "sub-Saharan Africa" means a country or successor political
entity defined in section 107 of the African Growth
and Opportunity Act (19 U.S.C. 3706).

17 (5) LATIN AMERICA AND THE CARIBBEAN.—In
18 this section, the term "Latin America and the Carib19 bean" does not include Cuba, Nicaragua, or Ven20 ezuela.

(b) ESTABLISHMENT OF CENTERS OF EXCELLENCE.—The Secretary, in coordination with the heads of
relevant Federal departments and agencies, is authorized
to enter into public-private partnerships and establish centers of excellence located in countries in Southeast Asia,

Pacific Islands, sub-Saharan Africa, and Latin America 1 2 and the Caribbean to build and enhance the technical ca-3 pacity of officials, emerging leaders, and other qualified 4 persons from countries in those regions. 5 (c) PRIORITY AREAS FOR TECHNICAL ASSISTANCE 6 AND CAPACITY BUILDING.—The centers of excellence es-7 tablished pursuant to subsection (b) shall provide tech-8 nical assistance and capacity building in— 9 (1) domestic resource mobilization; 10 (2) regulatory management; 11 (3) procurement processes, including tendering, 12 bidding, and contract negotiation; 13 (4) budget management and oversight; and

14 (5) management of key economic sectors, in-15 cluding energy, digital economy, and infrastructure. 16 (d) TERMS AND CONDITIONS.—In carrying out this 17 section, the Secretary shall—

18 (1) leverage existing United States foreign as-19 sistance programs and activities in Southeast Asia, 20 the Pacific Islands, Sub-Saharan Africa, and Latin 21 America, which may include assistance provided 22 under-

23 (A) future leaders initiatives, such as the 24 Young Southeast Asia Leaders Initiative and 25 the Young Pacific Leaders Program;
1	(B) the American Schools and Hospitals
2	Abroad program;
3	(C) the Millennium Challenge Act of 2003
4	(22 U.S.C. 7701 et seq.);
5	(D) United States Support for Economic
6	Growth in Asia;
7	(E) programs related to the Asia-Pacific
8	Economic Community;
9	(F) the Young African Leaders Initiative;
10	(G) the Young Leaders of the Americas
11	Initiative; and
12	(H) other relevant education or scholarship
13	programs;
14	(2) support the program by ensuring that par-
15	ticipation of instructors who—
16	(A)(i) are serving in relevant areas of the
17	United States Government with a rank of not
18	less than 14 on the General Schedule (GS–14);
19	or
20	(ii) possess at least 10 years of experience rel-
21	evant to the areas of instruction described in sub-
22	section (c);
23	(B) meet high professional standards with-
24	in their fields; and

1	(C)(i) are contracted by any center of ex-
2	cellence established pursuant to subsection (b);
3	or
4	(ii) are deployed or detailed directly from a
5	Federal Government agency;
6	(3) seek to attract participants who—
7	(A)(i) are serving as senior or mid-career
8	officials in key technical ministries of partici-
9	pating countries in Southeast Asia, the Pacific
10	Islands, sub-Saharan Africa, or Latin America
11	and the Caribbean;
12	(ii) have demonstrated leadership potential and
13	direct responsibility for crafting or implementing
14	policies relevant to the areas of instruction described
15	in subsection (c); or
16	(iii) demonstrate an intent to return to govern-
17	ment service after completing the program outlined
18	in this section; or
19	(B) are employed in utilities, publicly or
20	privately owned companies, or other nongovern-
21	mental entities responsible for implementing
22	policy and regulation or supporting government
23	functions in the areas of instruction described
24	in subsection (c); and

(4) require financial or in-kind contributions
 from participating governments that is commensu rate with the gross domestic product of the countries
 governed by such governments.

(e) AUTHORIZATION TO ENTER INTO MEMORANDA
OF UNDERSTANDING.—In order to fulfill the terms and
conditions described in subsection (d), the Secretary is authorized to enter into memoranda of understanding with
participating governments to determine—

10 (1) the financial or in-kind contributions that11 will be made by the United States; and

(2) the financial or in-kind contributions will be
made by the participating government with respect
to the activities described in this section.

(f) SPECIFICATION FOR MEMORANDA OF UNDERSTANDING.—The value of financial or in-kind contributions by the United States and a particular participating
government should be assessed to ensure an appropriate
level of contribution by an entity mutually decided upon
by the United States and such government.

21 (g) Consultation and Reporting Require-22 ments.—

23 (1) CONSULTATION.—The Secretary shall con24 sult with the appropriate committees of Congress be-

1	fore obligating funds appropriated pursuant to sub-
2	section (h).
3	(2) ANNUAL REPORT.—The Secretary shall
4	submit an annual report to the appropriate commit-
5	tees of Congress that—
6	(A) describes—
7	(i) the activities of the program au-
8	thorized under this section;
9	(ii) all of the major activities during
10	the most recently concluded fiscal year;
11	(iii) the financial and other contribu-
12	tions of the United States Government to
13	the program; and
14	(iv) the contributions made by govern-
15	ments in Southeast Asia, the Pacific Is-
16	lands, sub-Saharan Africa, or Latin Amer-
17	ica and the Caribbean; and
18	(B) assesses—
19	(i) the program's successes; and
20	(ii) any required authorities, funding,
21	or other alterations to improve the pro-
22	gram's effectiveness.
23	(h) AUTHORIZATION OF APPROPRIATIONS.—There is
24	authorized to be appropriated \$45,000,000 for the 4-year

period beginning on October 1, 2024, to carry out this
 section.

3 SEC. 208. PILOT PROGRAM TO AUDIT BARRIERS TO COM4 MERCE IN DEVELOPING PARTNER COUN5 TRIES.

6 (a) ESTABLISHMENT.—The Secretary shall establish7 a pilot program—

8 (1) to identify and evaluate barriers to com9 merce in developing countries that are allies and
10 partners of the United States; and

(2) to provide assistance to promote economicdevelopment and commerce to such countries.

(b) PURPOSES.—Under the pilot program established
pursuant to subsection (a), the Secretary, in partnership
with the countries selected pursuant to subsection (c)(1),
shall—

(1) identify barriers in such countries to enhancing international commerce with the goal of setting priorities for the efficient use of United States
trade-related assistance;

(2) focus United States trade-related assistance
on building self-sustaining institutional capacity for
expanding commerce with those countries, consistent
with their international obligations and commitments; and

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1	(3) further the national interests of the United
2	States by—
3	(A) expanding prosperity through the
4	elimination of foreign barriers to commercial
5	exchange;
6	(B) assisting such countries to identify and
7	reduce barriers through the provision of foreign
8	assistance to increase—
9	(i) international commerce; and
10	(ii) foreign investment;
11	(C) assisting each such country in under-
12	taking reforms that will promote economic de-
13	velopment, and promote conditions favorable for
14	business and commercial development and job
15	growth in the country; and
16	(D) assisting private sector entities in
17	those countries to engage in reform efforts and
18	enhance productive global supply chain partner-
19	ships with the United States and allies and
20	partners of the United States.
21	(c) Selection of Countries.—
22	(1) IN GENERAL.—The Secretary shall select
23	countries for participation in the pilot program es-
24	tablished pursuant to subsection (a) from among
25	countries—

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1	(A) that are—
2	(i) developing countries; and
3	(ii) allies and partners of the United
4	States;
5	(B) the governments of which have clearly
6	demonstrated a willingness to make appropriate
7	legal, policy, and regulatory reforms that are
8	proven to stimulate economic growth and job
9	creation, consistent with international trade
10	rules and practices; and
11	(C) that meet such additional criteria as
12	may be established by the Secretary, in con-
13	sultation with the Administrator of the United
14	States Agency for International Development,
15	and the head of any other Federal agency, as
16	appropriate.
17	(2) Considerations for additional cri-
18	TERIA.—In establishing additional criteria pursuant
19	to paragraph $(1)(C)$, the Secretary and the Adminis-
20	trator shall—
21	(A)(i) identify and address structural
22	weaknesses, systemic flaws, or other impedi-
23	ments within countries being considered for
24	participation in the pilot program that impact

1	the effectiveness of United States assistance;
2	and
3	(ii) make recommendations for addressing such
4	weaknesses, flaws, and impediments;
5	(B) set priorities for commercial develop-
6	ment assistance building to focus resources on
7	countries in which the provision of such assist-
8	ance can deliver the best value in identifying
9	and eliminating barriers to trade and invest-
10	ment, including by fostering adherence to inter-
11	national trade obligations;
12	(C) developing appropriate performance
13	measures and establishing annual targets to
14	monitor and assess progress toward such tar-
15	gets, including measures to be used to termi-
16	nate the provision of assistance determined to
17	be ineffective; and
18	(D) ensure representation from across
19	multiple geographic regions.
20	(3) NUMBER AND DEADLINE FOR SELEC-
21	TIONS.—
22	(A) IN GENERAL.—Not later than 270
23	days after the date of the enactment of this
24	Act, and annually thereafter for the following 3
25	years, the Secretary, with the concurrence of

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1	the Administrator of the United States Agency
2	for International Development, shall select
3	countries for participation in the pilot program
4	established pursuant to subsection (a).
5	(B) NUMBER.—The Secretary shall select
6	for participation in the pilot program—
7	(i) not fewer than 5 countries during
8	the 1-year period beginning on the date of
9	the enactment of this Act; and
10	(ii) not fewer than 15 countries dur-
11	ing the 5-year period beginning on such
12	date of enactment.
13	(4) Prioritization based on recommenda-
14	TIONS FROM CHIEFS OF MISSION.—In selecting
15	countries for participation in the pilot program, the
16	Secretary shall prioritize—
17	(A) countries recommended by chiefs of
18	mission and other agencies present at the mis-
19	sions, such as the United States Agency for
20	International Development—
21	(i) that will be able to substantially
22	benefit from expanded commercial develop-
23	ment assistance; and
24	(ii) the governments of which have
25	demonstrated the political will to effectively

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1	and sustainably implement such assistance;
2	or
3	(B) groups of countries, including groups
4	of geographically contiguous countries rec-
5	ommended by chiefs of mission, that—
6	(i) meet the criteria described in sub-
7	paragraph (A); and
8	(ii) as a result of expanded United
9	States commercial development assistance,
10	will contribute to greater intra-regional
11	commerce or regional economic integration.
12	(d) Plans of Action.—
13	(1) IN GENERAL.—The Secretary, in consulta-
14	tion with the Administrator of the United States
15	Agency for International Development, as appro-
16	priate, shall lead in engaging relevant government
17	officials of each country selected pursuant to sub-
18	section (c) to participate in the pilot program estab-
19	lished pursuant to subsection (a) with respect to the
20	development of a plan of action to identify and
21	evaluate barriers to economic and commercial devel-
22	opment that then informs United States assistance.
23	(2) ANALYSIS REQUIRED.—The development of
24	a plan of action pursuant to paragraph (1) shall in-
25	clude a comprehensive analysis of relevant legal, pol-

1	icy, and regulatory constraints to economic and job
2	growth in such country.
3	(3) ELEMENTS.—Each plan of action developed
4	for a country pursuant to paragraph (1) shall—
5	(A) set forth priorities for reform agreed
6	to by the government of such country and the
7	United States;
8	(B) include clearly defined policy re-
9	sponses, including regulatory and legal reforms,
10	as may be necessary, to achieve improvement in
11	the business and commercial environment in
12	such country;
13	(C) identify the anticipated costs to estab-
14	lish and implement such plan;
15	(D) identify appropriate sequencing and
16	phasing of the implementation of the plan to
17	create cumulative benefits, as appropriate;
18	(E) identify best practices and standards;
19	(F) include considerations with respect to
20	how to make the policy reform investments
21	under such plan long-lasting; and
22	(G) require appropriate consultation with
23	affected stakeholders in such country and in the
24	United States.

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(e) TERMINATION.—The pilot program established
 pursuant to subsection (a) shall terminate on the date that
 is 8 years after the date of the enactment of this Act.
 SEC. 209. PROMOTING ADOPTION OF UNITED NATIONS
 CONVENTION ON THE ASSIGNMENT OF RE CEIVABLES IN INTERNATIONAL TRADE.

7 (a) FINDINGS.—Congress makes the following find-8 ings:

9 (1) The United Nations Convention on the As-10 signment of Receivables in International Trade, done 11 at New York December 12, 2001, and signed by the 12 United States on December 30, 2003 (referred to in 13 this section as the "Convention"), establishes uni-14 form international rules governing a form of financ-15 ing widely used in the United States involving the 16 assignment of receivables.

17 (2) Receivables financing is an important tool
18 in helping United States businesses secure working
19 capital financing. Within the United States, lenders
20 and buyers of receivables provide financing based on
21 the use of receivables from debtors located within
22 the United States as working capital collateral.

(3) Receivables financing occurs in transactions
in which businesses either sell their rights to payments from their customers (commonly known as

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"receivables") to a bank or other financial institution, or use their rights to those payments as collateral for a loan from a lender. The businesses selling
or using their receivables as collateral are referred to
as "assignors" and buyers and lenders are referred
to as "assignees".

7 (4) Many countries do not have the kinds of
8 modern commercial finance laws on the assignment
9 of receivables required to implement the Convention.

10 (5) United States-based lenders are less willing
11 to make loans secured by receivables owed by debt12 ors located outside the United States, as such cross13 border transactions may involve countries the laws
14 of which are inconsistent with modern financial
15 practices.

(6) Because of the risk, cost, and uncertainty 16 17 created by receivables financing laws in other coun-18 tries, which vary greatly or can be vague or unpre-19 dictable, the ability of small and medium-sized 20 United States businesses to access financing from 21 lenders using international accounts receivables de-22 rived from exports or other cross-border transactions 23 is severely limited.

24 (7) Expanded access to receivables financing in25 international trade, which the Convention would pro-

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mote, will provide United States businesses with an
 additional source of capital at no cost to the United
 States taxpayer, benefitting small and medium-sized
 businesses that use receivables financing.

5 (8) The Convention is consistent with article 9
6 of the United States Uniform Commercial Code, as
7 adopted by all 50 States, the District of Columbia,
8 and the territories of Puerto Rico and the Virgin Is9 lands.

(9) The Convention includes extensive rules on
the use of receivables to finance operations, using receivables as collateral, and how to resolve potential
conflicts of law arising from the use of receivables.

(10) Adoption of the Convention would establish more predictability and uniformity with respect
to receivables financing in cross-border transactions,
thereby opening up new opportunities for trade and
economic growth between the United States and its
partners in the developing world.

20 (11) The Senate consented to ratification of the21 Convention on January 2, 2019.

(12) The President ratified the Convention onOctober 15, 2019.

(b) SENSE OF THE SENATE.—It is the sense of theSenate that the Secretary should, in the regular course

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of economic dialogues with developing countries that are 1 2 partners of the United States, promote the adoption and 3 implementation of the Convention as an important tool— 4 (1) to help attract foreign investment to and 5 trade with such countries; and 6 establish a predictable, rules-based (2)to 7 framework that can help such countries create addi-8 tional sources of capital at no cost, benefitting small 9 and medium-sized businesses that use receivables fi-10 nancing. 11 (c) REPORT TO CONGRESS.— 12 (1) IN GENERAL.—Not later than 180 days 13 after the date of the enactment of this Act, and an-14 nually thereafter for the following 5 years, the Sec-15 retary shall submit a report to the appropriate con-16 gressional committees detailing the activities of the 17 Department of State with respect to promoting rati-18 fication and implementation by developing countries 19 of the Convention through fiscal year 2030. 20 (2) CONTENTS.—The report required under 21 paragraph (1) shall include— 22 (A) a list of countries expressing interest 23 in ratification of the Convention; 24 (B) a detailed description of efforts made

25 by the Department of State to promote the

1	Convention as a tool for economic development;
2	and
3	(C) any requests made by interested coun-
4	tries for technical and other assistance to facili-
5	tate adoption of the Convention.
6	SEC. 210. OPPOSING THE PROVISION OF ASSISTANCE TO
7	THE PEOPLE'S REPUBLIC OF CHINA BY THE
8	MULTILATERAL DEVELOPMENT BANKS.
9	(a) FINDINGS.—Congress finds the following:
10	(1) The People's Republic of China is the
11	world's second largest economy and a major global
12	lender.
13	(2) In the third quarter of 2022, the foreign ex-
14	change reserves of the PRC totaled more than
15	\$3,000,000,000,000.
16	(3) The World Bank classifies the PRC as a
17	country with an upper-middle income economy.
18	(4) On February 25, 2021, President Xi
19	Jinping announced "complete victory" over extreme
20	poverty in the PRC.
21	(5) The Government of the PRC utilizes state
22	resources to create and promote the Asian Infra-
23	structure Investment Bank, the New Development
24	Bank, and the Belt and Road Initiative.

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(6) The PRC is the world's largest official cred itor.

3 (7) Through a multilateral development bank,
4 countries are eligible to borrow until they can man5 age long-term development and access to capital
6 markets without financial resources from the bank.

7 (8) The World Bank reviews the graduation of 8 a country from eligibility to borrow from the Inter-9 national Bank for Reconstruction and Development 10 once the country reaches the graduation discussion 11 income, which is equivalent to the gross national in-12 come. For fiscal year 2023, the graduation discus-13 sion income is a gross national income per capita ex-14 ceeding \$7,455.

(9) Many of the other multilateral development
banks, such as the Asian Development Bank, use
the gross national income per capita benchmark
used by the International Bank for Reconstruction
and Development to trigger the graduation process.

20 (10) The PRC exceeded the graduation discus-21 sion income threshold in 2016.

(11) Since 2016, the International Bank for
Reconstruction and Development has approved
projects totaling \$9,610,000,000 to the PRC.

1	(12) Since 2016, the Asian Development Bank
2	has—
3	(A) continued to approve loans and tech-
4	nical assistance to the PRC totaling more than
5	\$10,600,000,000; and
6	(B) also approved non-sovereign commit-
7	ments in the PRC totaling more than
8	\$2,400,000,000.
9	(13) The World Bank calculates the PRC's
10	2019 gross national income per capita as $$10,390$.
11	(b) STATEMENT OF POLICY.—It is the policy of the
12	United States to oppose any additional lending from the
13	multilateral development banks, including the Inter-
14	national Bank for Reconstruction and Development and
15	the Asian Development Bank, to the People's Republic of
16	China as a result of the PRC's successful graduation from
17	the eligibility requirements for assistance from those
18	banks.
19	(c) DEFINITIONS.—In this section:
20	(1) APPROPRIATE CONGRESSIONAL COMMIT-
21	TEES.—The term "appropriate congressional com-
22	mittees" means—
23	(A) the Committee on Foreign Relations of
24	the Senate; and

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1	(B) the Committee on Financial Services
2	of the House of Representatives; and
3	(C) the Committee on Foreign Affairs of
4	the House of Representatives.
5	(2) Multilateral development banks.—
6	The term "multilateral development banks" has the
7	meaning given such term in section 1701(c) of the
8	International Financial Institutions Act (22 U.S.C.
9	262r(c)).
10	(d) Opposition to Lending to People's Repub-
11	LIC OF CHINA.—The Secretary of the Treasury shall in-
12	struct the United States Executive Director at each multi-
13	lateral development bank to use the voice, vote, and influ-
14	ence of the United States—
15	(1) to oppose any loan or extension of financial
16	or technical assistance by the bank to the PRC; and
17	(2) to end lending and assistance to countries
18	that exceed the graduation discussion income of the
19	bank.
20	(e) REPORT.—Not later than 1 year after the date
21	of the enactment of this Act, and annually thereafter, the
22	Secretary of the Treasury shall submit a report to the ap-
23	propriate congressional committees that includes—
24	(1) an assessment of the status of borrowing by
25	the PRC from each multilateral development bank;

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1	(2) a description of voting power, shares, and
2	representation by the PRC at each such bank;
3	(3) a list of countries that have exceeded the
4	graduation discussion income at each such bank;
5	(4) a list of countries that have graduated from
6	eligibility for assistance from each such bank; and
7	(5) a full description of the efforts taken by the
8	United States to graduate countries from such eligi-
9	bility once they exceed the graduation discussion in-
10	come at each such bank.
11	SEC. 211. PROHIBITING FUNDING FOR THE MONTREAL
12	PROTOCOL ON SUBSTANCES THAT DEPLETE
13	THE OZONE LAYER AND THE UNITED NA-
14	TIONS FRAMEWORK CONVENTION ON CLI-
14 15	
	TIONS FRAMEWORK CONVENTION ON CLI-
15	TIONS FRAMEWORK CONVENTION ON CLI- MATE CHANGE UNTIL CHINA IS NO LONGER
15 16	TIONS FRAMEWORK CONVENTION ON CLI- MATE CHANGE UNTIL CHINA IS NO LONGER DEFINED AS A DEVELOPING COUNTRY.
15 16 17	TIONS FRAMEWORK CONVENTION ON CLI- MATE CHANGE UNTIL CHINA IS NO LONGER DEFINED AS A DEVELOPING COUNTRY. (a) SHORT TITLE.—This section may be cited as the
15 16 17 18	TIONS FRAMEWORK CONVENTION ON CLI- MATE CHANGE UNTIL CHINA IS NO LONGER DEFINED AS A DEVELOPING COUNTRY. (a) SHORT TITLE.—This section may be cited as the "Ending China's Unfair Advantage Act of 2024".
15 16 17 18 19	TIONS FRAMEWORK CONVENTION ON CLI- MATE CHANGE UNTIL CHINA IS NO LONGER DEFINED AS A DEVELOPING COUNTRY. (a) SHORT TITLE.—This section may be cited as the "Ending China's Unfair Advantage Act of 2024". (b) DEFINITIONS.—In this section:
15 16 17 18 19 20	TIONS FRAMEWORK CONVENTION ON CLI- MATE CHANGE UNTIL CHINA IS NO LONGER DEFINED AS A DEVELOPING COUNTRY. (a) SHORT TITLE.—This section may be cited as the "Ending China's Unfair Advantage Act of 2024". (b) DEFINITIONS.—In this section: (1) APPROPRIATE CONGRESSIONAL COMMIT-
 15 16 17 18 19 20 21 	TIONS FRAMEWORK CONVENTION ON CLI- MATE CHANGE UNTIL CHINA IS NO LONGER DEFINED AS A DEVELOPING COUNTRY. (a) SHORT TITLE.—This section may be cited as the "Ending China's Unfair Advantage Act of 2024". (b) DEFINITIONS.—In this section: (1) APPROPRIATE CONGRESSIONAL COMMIT- TEES.—The term "appropriate congressional com-
 15 16 17 18 19 20 21 22 	TIONS FRAMEWORK CONVENTION ON CLI- MATE CHANGE UNTIL CHINA IS NO LONGER DEFINED AS A DEVELOPING COUNTRY. (a) SHORT TITLE.—This section may be cited as the "Ending China's Unfair Advantage Act of 2024". (b) DEFINITIONS.—In this section: (1) APPROPRIATE CONGRESSIONAL COMMIT- TEES.—The term "appropriate congressional com- mittees" means—

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1	(B) the Committee on Appropriations of
2	the Senate; and
3	(C) the Committee on Foreign Affairs of
4	the House of Representatives; and
5	(D) the Committee on Appropriations of
6	the House of Representatives.
7	(2) MONTREAL PROTOCOL.—The term "Mon-
8	treal Protocol" means the Montreal Protocol on Sub-
9	stances that Deplete the Ozone Layer, done at Mon-
10	treal September 16, 1987.
11	(3) UNITED NATIONS FRAMEWORK CONVEN-
12	TION ON CLIMATE CHANGE.—The term "United Na-
13	tions Framework Convention on Climate Change"
14	means the United Nations Framework Convention
15	on Climate Change, adopted in Rio de Janeiro,
16	Brazil in June 1992.
17	(c) Prohibition on Use of Funds for the Mon-
18	TREAL PROTOCOL ON SUBSTANCES THAT DEPLETE THE
19	Ozone Layer Until China Is No Longer Defined
20	AS A DEVELOPING COUNTRY.—Notwithstanding any other
21	provision of law, no Federal funds may be obligated or
22	expended to implement the Montreal Protocol, including
23	its protocols and amendments, or any fund established
24	under the Protocol, until the President certifies to the ap-
25	propriate congressional committees that the Parties to the

 Montreal Protocol have amended their Decision I/12E,
 "Clarification of terms and definitions: developing countries," made at the First Meeting of the Parties to remove
 the People's Republic of China.

5 (d) PROHIBITION ON USE OF FUNDS FOR THE 6 UNITED NATIONS FRAMEWORK CONVENTION ON CLI-7 MATE CHANGE UNTIL CHINA IS INCLUDED AMONG THE 8 COUNTRIES LISTED IN ANNEX I OF THE CONVENTION.— 9 Notwithstanding any other provision of law, no Federal 10 funds may be obligated or expended to fund the operations and meetings of the United Nations Framework Conven-11 12 tion on Climate Change, including it's protocols or agreements, or any fund established under the Convention or 13 its agreements, until the President certifies to the appro-14 15 priate congressional committees that the Parties to the Framework Convention have included the People's Repub-16 lic of China in Annex I of the Convention. 17

18 TITLE III—COUNTERING CHINA'S

19 PREDATORY ECONOMIC
20 PRACTICES

Subtitle A—Countering Economic Coercion

23 SEC. 301. SHORT TITLE.

This subtitle may be cited as the "Countering Eco-nomic Coercion Act of 2024".

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1	SEC. 302. SENSE OF CONGRESS.
2	It is the sense of Congress that—
3	(1) foreign adversaries are increasingly using
4	economic coercion to pressure, punish, and influence
5	United States allies and partners;
6	(2) economic coercion—
7	(A) causes economic harm to United
8	States allies and partners;
9	(B) creates malign influence on the sov-
10	ereign political actions of such allies and part-
11	ners; and
12	(C) can threaten the essential security of
13	the United States and its allies;
14	(3) economic coercion is often characterized
15	by—
16	(A) arbitrary, abusive, and discriminatory
17	actions that seek to interfere with sovereign ac-
18	tions, violate international trade rules, and run
19	counter to the rules-based international order;
20	(B) capricious, pre-textual, and non-trans-
21	parent actions taken without due process af-
22	forded;
23	(C) intimidation or threats of punitive ac-
24	tions; and
25	(D) informal actions that take place with-
26	out explicit government action;

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(4) economic coercion violates norms of state
 behavior and undermines the rules-based inter national order;

4 (5) existing mechanisms for trade dispute reso-5 lution and international arbitration are often inad-6 equate for responding to economic coercion in a 7 timely and effective manner as foreign adversaries 8 exploit plausible deniability and lengthy processes to 9 evade accountability;

10 (6) the United States should provide meaning11 ful economic and political support to foreign trading
12 partners affected by economic coercion, which can
13 lead to opportunities for United States businesses,
14 investors, and workers to reach new markets and
15 customers;

16 (7) responding to economic coercion will be
17 most effective when the United States provides relief
18 to affected foreign trading partners in coordination
19 with allies and like-minded countries; and

20 (8) such coordination will further demonstrate21 broad resolve against economic coercion.

22 SEC. 303. DEFINITIONS.

23 In this subtitle:

1	(1) APPROPRIATE CONGRESSIONAL COMMIT-
2	TEES.—The term "appropriate congressional com-
3	mittees" includes
4	(A) the Committee on Foreign Relations of
5	the Senate;
6	(B) the Committee on Foreign Affairs of
7	the House of Representatives;
8	(C) with respect to the exercise of any au-
9	thority under section $305(a)(2)$, subparagraphs
10	(A), (I), (J), and (K) of section $305(b)(1)$, and
11	section $305(b)(2)$ —
12	(i) the Committee on Finance of the
13	Senate; and
14	(ii) the Committee on Ways and
15	Means of the House of Representatives;
16	(D) with respect to the exercise of any au-
17	thority under subparagraphs (F) and (H) of
18	section $305(b)(1)$ —
19	(i) the Committee on Banking, Hous-
20	ing, and Urban Affairs of the Senate; and
21	(ii) the Committee on Financial Serv-
22	ices of the House of Representatives; and
23	(E) with respect to the exercise of any au-
24	thority under section $305(a)(1)(A)$ and sub-

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1	paragraphs (B), (E), or (G) of section
2	305(b)(1)—
3	(i) the Committee on Appropriations
4	of the Senate; and
5	(ii) the Committee on Appropriations
6	of the House of Representatives.
7	(2) ECONOMIC COERCION.—The term "eco-
8	nomic coercion" means actions, practices, or threats
9	undertaken by a foreign adversary to unreasonably
10	restrain, obstruct, or manipulate trade, foreign aid,
11	investment, or commerce in an arbitrary, capricious,
12	or non-transparent manner with the intention to
13	cause economic harm to achieve strategic political
14	objectives or influence sovereign political actions.
15	(3) EXPORT; EXPORT ADMINISTRATION REGU-
16	LATIONS; IN-COUNTRY TRANSFER; REEXPORT.—The
17	terms "export", "Export Administration Regula-
18	tions", "in-country transfer", and "reexport" have
19	the meanings given such terms in section 1742 of
20	the Export Control Reform Act of 2018 (50 U.S.C.
21	4801).
22	(4) FOREIGN ADVERSARY.—The term "foreign
23	adversary" means any foreign government engaged
24	in a long-term pattern or serious instances of con-

25 duct significantly adverse to the national security of

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the United States or the security and safety of

2 United States persons. 3 (5) FOREIGN TRADING PARTNER.—The term "foreign trading partner" means a foreign jurisdic-4 5 tion that is a trading partner of the United States. 6 SEC. 304. DETERMINATION OF ECONOMIC COERCION. 7 (a) EXTENDED PRESIDENTIAL DETERMINATION.— 8 (1) IN GENERAL.—If the President determines 9 that a foreign trading partner is subject to an act 10 of economic coercion by a foreign adversary that 11 constitutes a long-term national security threat, 12 after a comprehensive inter-agency review, the Presi-13 dent may— 14 (A) submit to Congress a detailed deter-15 mination (referred to as the "Economic Coer-16 cion Response Package"), which shall include— 17 (i) an assessment of why the economic 18 coercion by a foreign adversary constitutes 19 a national security threat and requires a 20 comprehensive response; 21 (ii) a request to exercise any author-22 ity— 23 (I) described in subsection (a)(1)24 or (b)(1) of section 305 to support or 25 assist the foreign trading partner in a

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1	manner proportionate to the economic
2	coercion; or
3	(II) described in subsection
4	(a)(2) or $(b)(2)$ of section 305 to pe-
5	nalize the foreign adversary in a man-
6	ner proportionate to the economic co-
7	ercion;
8	(iii) justification for why the re-
9	quested authorities are appropriate for the
10	specific act of economic coercion; and
11	(iv) a statement of administration ac-
12	tion outlining the intended use of the re-
13	quested authorities.
14	(2) INFORMATION; HEARINGS.—To inform the
15	determination and the formulation of a request
16	under paragraph (1), the President shall—
17	(A) obtain the written opinion and analysis
18	of the Secretary of State, the Secretary of Com-
19	merce, the Secretary of the Treasury, the
20	United States Trade Representative, and the
21	heads of other Federal agencies, as the Presi-
22	dent considers appropriate;
23	(B) seek information and advice from and
24	consult with other relevant officers of the
25	United States; and

1	(C) afford other interested parties an op-
2	portunity to present relevant information and
3	advice.
4	(3) Consultation with congress.—In devel-
5	oping the determination and the formulation of the
6	request under paragraph (1), the President shall
7	consult with the appropriate congressional commit-
8	tees—
9	(A) during the 40-day period beginning 30
10	days before such request is submitted to Con-
11	gress; and
12	(B) not less frequently than once every
13	180 days while exercising the requested author-
14	ity.
15	(4) NOTICE.—Not later than 30 days after the
16	date on which the President determines that a for-
17	eign trading partner is subject to economic coercion
18	or submits the request under paragraph (1) , the
19	President shall publish in the Federal Register—
20	(A) a notice of the determination and the
21	submission of the request; and
22	(B) a description of the economic coercion
23	that the foreign adversary is applying to the
24	foreign trading partner and other circumstances

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1	that led to such determination and the submis-
2	sion of the request.
3	(b) Emergency Presidential Determination.—
4	(1) IN GENERAL.—If the President determines,
5	on an emergency basis, that a foreign trading part-
6	ner is subject to economic coercion by a foreign ad-
7	versary, the President may exercise, for a period not
8	exceeding 90 days, any authority described in sec-
9	tion 305(a).
10	(2) Notices.—
11	(A) IN GENERAL.—Not later than 5 days
12	after an emergency determination under para-
13	graph (1), the President shall submit to the ap-
14	propriate congressional committees a notice of
15	such determination.
16	(B) EXERCISE OF AUTHORITY.—Not later
17	than 5 days after the exercise of any authority
18	that relies on the determination for which the
19	President submitted notice pursuant to sub-
20	paragraph (A), the President shall submit to
21	the appropriate congressional committees a no-
22	tice of how the President intends to use such
23	authorities.
24	(c) REVOCATION OF DETERMINATION.—

1	(1) Revocation of extended determina-
2	TION.—A determination made by the President pur-
3	suant to subsection (a) shall be revoked on the ear-
4	liest of—
5	(A) the date that is 2 years after the date
6	of such determination;
7	(B) the date of the enactment of a joint
8	resolution of disapproval revoking such deter-
9	mination; or
10	(C) the date on which the President issues
11	a proclamation revoking such determination.
12	(2) Revocation of emergency determina-
13	TION.—A determination made by the President pur-
14	suant to subsection (b) shall be revoked on the ear-
15	liest of—
16	(A) the date that is 90 days after the date
17	of such determination;
18	(B) the date of the enactment of a joint
19	resolution of disapproval revoking such deter-
20	mination; or
21	(C) the date on which the President issues
22	a proclamation revoking such determination.
23	(3) TERMINATION OF AUTHORITIES.—Any au-
24	thority described in section 305 exercised pursuant
25	to a determination that has been revoked pursuant

1	to paragraph (1) or paragraph (2) shall cease to be
2	exercised on the date of such revocation, except that
3	such revocation shall not affect—
4	(A) any action taken or proceeding pend-
5	ing not finally concluded or determined on such
6	date; or
7	(B) any rights or duties that matured or
8	penalties that were incurred before such date.
9	SEC. 305. AUTHORITIES TO RESPOND TO ECONOMIC COER-
10	CION.
11	(a) Authorities to Respond to Emergency
12	Acts of Economic Coercion.—
13	(1) Authorities relating to foreign trad-
14	ING PARTNERS.—The authorities described in this
15	paragraph are—
16	(A) providing immediate financial assist-
17	ance to a foreign trading partner through the
18	provision of existing unobligated funds, without
19	further appropriation;
20	(B) instructing the United States Execu-
21	tive Director at each international financial in-
22	stitution of the World Bank Group, the Execu-
23	tive Director at the Inter-American Develop-
24	ment Bank, the Executive Director of the Afri-
25	can Development Bank, the Director of the Eu-

1	ropean Bank for Reconstruction and Develop-
2	ment, and the Director of the Asian Develop-
3	ment Bank, as appropriate, to use the voice and
4	vote of the United States at the respective insti-
5	tution to vote for emergency lending to a for-
6	eign trading partner of the United States;
7	(C) providing technical assistance and
8	analysis to a United States Embassy hosted by
9	a foreign trading partner experiencing an act of
10	economic coercion and to the United States
11	Government through a specialist interagency
12	team that—
13	(i) consists of international trade, fi-
14	nance, and economic policy experts author-
15	ized by the President from relevant Fed-
16	eral departments and agencies, including—
17	(I) the Department of State;
18	(II) the Department of Com-
19	merce;
20	(III) the Department of Agri-
21	culture;
22	(IV) the Department of the
23	Treasury;
24	(V) the Office of the United
25	States Trade Representative; and

1	(VI) the Office of the Director of
2	National Intelligence;
3	(ii) may provide specific advice to the
4	government of a foreign trading partner
5	regarding both short-term and long-term
6	vulnerabilities to economic coercion; and
7	(iii) shall have a duration of assign-
8	ment determined by the President, in con-
9	sultation with the heads of the relevant
10	Federal departments and agencies.
11	(2) Authorities with respect to foreign
12	ADVERSARIES.—The authorities described in this
13	paragraph are—
14	(A) initiating an investigation of the eco-
15	nomic coercion in accordance with section 302
16	of the Trade Act of 1974 (19 U.S.C. 2412);
17	and
18	(B) an action authorized under section 301
19	of such Act (19 U.S.C. 2411) if an affirmative
20	determination has been made pursuant to sec-
21	tion 304 of such Act (19 U.S.C. 2414) in con-
22	nection with an investigation described in sub-
23	paragraph (A).
24	(b) Authorities to Respond to Extended Acts
25	OF ECONOMIC COERCION.—

1	(1) Authorities with respect to foreign
2	TRADING PARTNERS.—The authorities described in
3	this paragraph are—
4	(A) an expedited review of a country's eli-
5	gibility for trade preference programs;
6	(B) requesting appropriations for foreign
7	aid to the foreign trading partner;
8	(C) an expedited decision with respect to
9	the issuance of licenses for the export or reex-
10	port to, or in-country transfer in, the foreign
11	trading partner of items subject to controls
12	under the Export Administration Regulations,
13	consistent with the Export Control Reform Act
14	of 2018 (50 U.S.C. 4801 et seq.);
15	(D) the expedited regulatory processes re-
16	lated to the importation of goods and services
17	into the United States from the foreign trading
18	partner;
19	(E) requesting the necessary authority and
20	appropriations for sovereign loan guarantees to
21	the foreign trading partner;
22	(F) waiving policy requirements (other
23	than policy requirements mandated by an Act
24	of Congress, including the policies and proce-
25	dures established pursuant to section 11 of the

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1 Export-Import Bank Act of 1945 (12 U.S.C. 2 635i-5)), to the extent necessary to facilitate 3 the provision of financing to support exports to 4 the foreign trading partner; 5 (G) requesting appropriations for loan loss 6 reserves to facilitate the provision of financing 7 to support United States exports to the foreign 8 trading partner; 9 (H) the exemption of financing provided to 10 support United States exports to the foreign 11 trading partner under section 8(g)(1) of the 12 Export-Import Bank Act of 1945 (12 U.S.C. 13 635g(g)(1));14 (I) providing technical assistance and legal 15 expertise through the Office of the United 16 States Trade Representative to support the 17 trading partner's pursuit of a case at the World 18 Trade Organization regarding the economic co-19 ercion; 20 (J) United States participation as a third 21 party in support of any case brought by the 22 trading partner at the World Trade Organiza-23 tion regarding the economic coercion; and 24 (K) expedited review of petitions under the 25 Generalized System of Preferences set forth in
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1	title V of the Trade Act of 1974 (19 U.S.C.
2	2461 et seq.) related to article and country eli-
3	gibility, competitive need limitation waivers, and
4	product redesignations.
5	(2) Authorities with respect to foreign
6	ADVERSARIES.—The authorities described in this
7	paragraph are—
8	(A) initiating an investigation of the eco-
9	nomic coercion in accordance with section 302
10	of the Trade Act of 1974 (19 U.S.C. 2412);
11	(B) an action authorized under section 301
12	of such Act (19 U.S.C. 2411) if an affirmative
13	determination has been made pursuant to sec-
14	tion 304 of such Act (19 U.S.C. 2414) in con-
15	nection with an investigation described in sub-
16	paragraph (A).
17	SEC. 306. COORDINATION WITH ALLIES AND PARTNERS.
18	(a) COORDINATION BY PRESIDENT.—After a deter-
19	mination by the President that a foreign trading partner
20	is subject to economic coercion by a foreign adversary, the
21	President shall endeavor to coordinate—
22	(1) the exercise of the authorities described in
23	section 305 with the exercise of relevant authorities
24	by allies and partners to broaden economic support

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1	to the foreign trading partner affected by economic
2	coercion; and
3	(2) with allies and partners to issue joint con-
4	demnation of the actions of the foreign adversary
5	and support for the foreign trading partner.
6	(b) Coordination by Secretary.—The Secretary,
7	in coordination with the heads of relevant Federal agen-
8	cies, shall endeavor—
9	(1) to encourage allies and partners to identify
10	or create mechanisms and authorities necessary to
11	facilitate the coordination described in subsection
12	(a)(1);
13	(2) to coordinate with allies and partners to in-
14	crease opposition to economic coercion in the inter-
15	national community;
16	(3) to coordinate with allies and partners to
17	deter the use of economic coercion by foreign adver-
18	saries; and
19	(4) to engage with foreign trading partners to
20	gather information about possible instances of eco-
21	nomic coercion and share such information with the
22	appropriate congressional committees.
23	(c) Coordination by United States Trade Rep-
24	RESENTATIVE.—The United States Trade Representative
25	shall examine the viability and utility of working with al-

lies and partners at the World Trade Organization to ne gotiate a multilateral agreement regarding cooperation to
 address economic coercion.

4 SEC. 307. EXPEDITED CONSIDERATION OF ECONOMIC CO-

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ERCION RESPONSE PACKAGE.

6 (a) DEFINITIONS.—In this section:

7 (1) IMPLEMENTATION BILL.—The term "imple8 mentation bill" means a bill of Congress consisting
9 solely of the authorities requested by the President
10 (referred to in this section as the "Economic Coer11 cion Response Package") pursuant to section
12 304(a).

(2) INSTRUCTIONS.—The term "instructions"
refers to the specific recommendations or actions requested by the President that detail the authorities
to be exercised to respond to economic coercion.

17 (b) INSTRUCTIONS.—

(1) PRESIDENTIAL SUBMISSION.—If the President determines that a foreign trading partner is
subject to economic coercion, the President shall
submit to Congress an Economic Coercion Response
Package pursuant to section 304(a), including detailed instructions outlining the specific actions and
authorities requested.

(2) COMMITTEE INSTRUCTIONS.—Each Eco nomic Coercion Response Package submitted pursu ant to paragraph (1) shall include instructions to the
 relevant congressional committees specifying the ac tions to be taken within their respective jurisdic tions.

7 (c) COMMITTEE ACTION.—

8 (1) REFERRAL TO COMMITTEES.—Each Eco-9 nomic Coercion Response Package, submitted to 10 Congress pursuant to section 304(a) shall be imme-11 diately referred to the congressional committees with 12 subject matter jurisdiction over the specific actions 13 and authorities requested.

14 (2) COMMITTEE RESPONSIBILITY.—Each con15 gressional committee identified in the instructions
16 described in subsection (b) shall, not later than 15
17 legislative days after receiving such instructions—

18 (A) draft its portion of the implementation19 bill; and

20 (B) report such portion to the clerk of the
21 Senate or of the House of Representatives, as
22 appropriate.

(3) FAILURE TO REPORT.—If any congressional
committee fails to report its respective portion within the period provided under paragraph (2), such

portion may not be included in the implementation
 bill.

3 (4) AMENDMENTS.—Members of the congres4 sional committees with jurisdiction over the subject
5 matter of a portion of the implementation bill may
6 offer germane amendments to such portion before it
7 is reported by the committee.

8 (d) Aggregation of Provisions.—

9 (1) COMMITTEE REPORTS.—After all of the 10 congressional committee in either the Senate or the 11 House of Representatives with subject matter juris-12 diction have reported their respective portions of the 13 implementation bill or have failed to report such por-14 tion within the period prescribed under subsection 15 (c)(2), all of the reported provisions shall be com-16 bined into a single implementation bill.

17 (2) NO REPORTS.—If none of the congressional
18 committees with subject matter jurisdiction reports
19 their assigned provisions, no implementation bill
20 may be introduced.

21 (3) FINAL BILL.—The implementation bill de22 scribed in paragraph (1) shall—

23 (A) include all of the provisions that have
24 been reported by the congressional committees
25 with subject matter jurisdiction; and

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(B) be considered on the floor of the Sen ate or the House of Representatives, as appro priate.

4 (e) CONSIDERATION IN THE HOUSE OF REPRESENT-5 ATIVES.—

6 (1) INTRODUCTION.—If the President submits 7 an Economic Coercion Response Package pursuant 8 to section 304(a) and 1 or more committees of the 9 House of Representatives have reported their respec-10 tive provisions, the implementation bill may be intro-11 duced in the House of Representatives (by re-12 quest)—

(A) by the majority leader of the House of
Representatives, or by a member of the House
of Representatives designated by the majority
leader, on the next legislative day following the
combination of provisions pursuant to subsection (d); or

(B) if the implementation bill is not introduced pursuant to subparagraph (A), by any
member of the House of Representatives on any
subsequent legislative day.

(2) PROCEEDING TO CONSIDERATION.—After
the introduction of the implementation bill, it shall
be in order to move to proceed to consider the imple-

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mentation bill in the House of Representatives. The
previous question shall be considered as ordered on
the motion to its adoption without intervening motion. A motion to reconsider the vote by which the
motion is disposed of shall not be in order.

6 (3) CONSIDERATION.—The implementation bill 7 shall be considered as read. All points of order 8 against the implementation bill and against its con-9 sideration are waived. The previous question shall be 10 considered as ordered on the request to its passage 11 without intervening motion except 2 hours of debate 12 equally divided and controlled by the proponent and 13 an opponent, and 1 motion to limit debate on the re-14 quest. A motion to reconsider the vote on passage of 15 the implementation bill shall not be in order.

16 (4) AMENDMENTS.—Amendments to the imple17 mentation bill shall be in order, and debate on any
18 amendment shall be limited to 10 minutes, equally
19 divided by the proponent and an opponent.

20 (5) VOTE ON PASSAGE.—The vote on passage
21 of the implementation bill shall occur not later than
22 3 legislative days after the date of its introduction
23 in the House of Representatives.

24 (f) Expedited Procedure in the Senate.—

1 (1) INTRODUCTION IN THE SENATE.—If the 2 President submits an Economic Coercion Response 3 Package pursuant to section 304(a) and 1 or more 4 committees of the Senate with subject matter juris-5 diction have reported their respective provisions, the 6 implementation bill shall be introduced in the Sen-7 ate, by request, by the majority leader of the Senate 8 (for himself or herself and the minority leader of the 9 Senate) or by any member of the Senate designated 10 by the majority leader. If the Senate is not in ses-11 sion on the day on which the implementation bill is 12 ready for introduction, the implementation bill shall 13 be introduced as provided on the first day thereafter 14 on which the Senate is in session.

15 PROCEEDING TO CONSIDERATION.-Not-(2)16 withstanding Rule XXII of the Standing Rules of 17 the Senate, it is in order, not later than 2 session 18 days after the date on which the implementation bill 19 is introduced, for the majority leader of the Senate 20 or his or her designee to move to proceed to the con-21 sideration of the implementation bill. A motion to 22 proceed is in order even though a previous motion 23 to the same effect has been disagreed to. All points 24 of order against the motion to proceed to the bill are 25 waived. The motion to proceed is not debatable. The

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1 motion is not subject to a motion to postpone. A mo-2 tion to reconsider the vote by which the motion is 3 agreed to or disagreed to shall not be in order. If 4 a motion to proceed to the consideration of the bill 5 is agreed to, the bill shall remain the unfinished 6 business until disposed of. All points of order 7 against the bill and against consideration of the bill 8 are waived.

9 (3) CONSIDERATION.—Debate on the imple-10 mentation bill, and on all debatable motions and ap-11 peals in connection with such bill, shall be limited to 12 not more than 10 hours, which shall be divided 13 equally between the majority and minority leaders or 14 their respective designees. Germane amendments to 15 the implementation bill shall be in order, and debate 16 on any amendment shall be limited to 10 minutes, 17 equally divided between the proponent of the bill and 18 an opponent of the bill. A motion to further limit de-19 bate is not in order. No motion to postpone, motion 20 to proceed to the consideration of other business, or 21 motion to recommit the bill is in order.

(4) VOTE ON PASSAGE.—The vote on passage
of the implementation bill shall occur immediately
following the conclusion of the debate on the request
and a single quorum call at the conclusion of the de-

1	bate, if requested in accordance with the rules of the
2	Senate.
3	(g) Consideration by the Other House.—
4	(1) IN GENERAL.—If, before passing an imple-
5	mentation bill, 1 House of Congress receives from
6	the other House an implementation bill consisting
7	solely of the text of the Economic Coercion Response
8	Package submitted by the President pursuant to sec-
9	tion 304(a)—
10	(A) the implementation bill of the other
11	House shall not be referred to a committee of
12	such House; and
13	(B) the procedure in the receiving House
14	shall be the same as if no implementation bill
15	had been received from the other House until
16	the vote on passage, when the implementation
17	bill received from the other House shall sup-
18	plant the implementation bill of the receiving
19	House.
20	(2) NO IMPLEMENTATION BILL IN THE SEN-
21	ATE.—If, after the President submits an Economic
22	Coercion Response Package pursuant to section
23	304(a), an implementation bill is not introduced in
24	the Senate or if the Senate fails to consider an im-
25	plementation bill pursuant to this section, the imple-

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mentation bill of the House of Representatives shall
 be entitled to expedited floor procedures under this
 section.

4 (3) TREATMENT OF COMPANION MEASURE IN 5 THE SENATE.—If, after the Senate passes an imple-6 mentation bill, the Senate receives from the House 7 of Representatives an implementation bill consisting 8 of text that is identical to the Senate-passed imple-9 mentation bill, the House-passed implementation bill 10 shall not be debatable. The vote on passage of the 11 implementation bill in the Senate shall be considered 12 to be the vote on passage of the implementation bill 13 received from the House of Representatives.

(h) VETOES.—If the President vetoes an implementation bill, consideration of a veto message in the Senate
shall be limited to 10 hours, equally divided between the
majority and minority leaders of the Senate or the designees of the majority and minority leaders of the Senate.
(i) CONSTRUCTIVE RESUBMISSION.—

(1) IN GENERAL.—In addition to the expedited
procedures otherwise provided under this section, in
case of an implementation bill consisting solely of
the text of the Economic Coercion Response Package submitted by the President pursuant to section
304(a), the expedited procedures under this section

1	shall apply to such implementation bill during the
2	period—
3	(A) beginning on the date occurring—
4	(i) in the case of the Senate, 30 ses-
5	sion days before the date on which Con-
6	gress adjourns a session of Congress; or
7	(ii) in the case of the House of Rep-
8	resentatives, 30 days before the date on
9	which Congress adjourns a session of Con-
10	gress; and
11	(B) ending on the date on which the same
12	or succeeding Congress first convenes its next
13	session.
14	(2) Application.—In applying this section for
15	the purposes of constructive resubmission, an imple-
16	mentation bill described under paragraph (1) shall
17	be treated as though such implementation bill were
18	submitted on—
19	(A) in the case of the Senate, the 15th ses-
20	sion day; or
21	(B) in the case of the House of Represent-
22	atives, the 15th legislative day, after the suc-
23	ceeding session of Congress first convenes.
24	(3) LIMITATION.—A constructive resubmission
25	of an implementation bill pursuant to this subsection

shall not apply if a vote with respect to the imple mentation bill was taken in either House in a pre ceding session of Congress.

4 SEC. 308. PROCESS FOR JOINT RESOLUTIONS OF DIS-5 APPROVAL.

6 (a) DEFINITIONS.—In this section, the term "joint 7 resolution of disapproval" means, with respect to an emer-8 gency determination pursuant to section 304(b), per the 9 revocation outlined in section 304(c), only a joint resolu-10 tion of either House of Congress—

11 (1) that does not have a preamble;

(2) the title of which is as follows: "A joint resolution disapproving the emergency authorities to
act against economic coercion, as exercised by the
President under section 304(b) of the Countering
Economic Coercion Act of 2024. and

(3) the sole matter after the resolving clause of
which is as follows: "That Congress disapproves the
authorities exercised by the President under section
304(b) of the Countering Economic Coercion Act of
2024, submitted to Congress on _____.", with the
blank space being filled with the appropriate date.

23 (b) JOINT RESOLUTION OF DISAPPROVAL FOR24 EMERGENCY DETERMINATION.—

25 (1) INTRODUCTION.—

1 (A) INTRODUCTION IN THE HOUSE OF 2 REPRESENTATIVES.—During a period of 5 leg-3 islative days beginning on the date that a notice 4 of action is submitted to the appropriate con-5 gressional committees in accordance with sec-6 tion 4(b)(2)(B), a joint resolution of dis-7 approval may be introduced in the House of 8 Representatives by the majority leader or the 9 minority leader.

10 (B) INTRODUCTION IN THE SENATE.— 11 During a period of 5 days on which the Senate 12 is in session beginning on the date that a notice 13 of action is submitted to the appropriate con-14 gressional committees in accordance with sec-15 tion 4(b)(2)(B), a joint resolution of dis-16 approval may be introduced in the Senate by 17 the majority leader (or the majority leader's 18 designee) or the minority leader (or the minor-19 ity leader's designee).

20 (c) FLOOR CONSIDERATION IN THE HOUSE OF REP-21 RESENTATIVES.—

(1) REPORTING AND DISCHARGE.—If a committee of the House of Representatives to which a
joint resolution of disapproval has been referred has
not reported such joint resolution within 10 legisla-

1	tive days after the date of such referral, such com-
2	mittee shall be discharged from further consider-
3	ation of the joint resolution.
4	(2) PROCEEDING TO CONSIDERATION.—In the
5	House of Representatives, the following procedures
6	shall apply to a joint resolution of disapproval:
7	(A) Beginning on the third legislative day
8	after each committee to which a joint resolution
9	of disapproval has been referred reports it to
10	the House of Representatives or has been dis-
11	charged from further consideration of the joint
12	resolution, it shall be in order to move to pro-
13	ceed to consider the joint resolution in the
14	House of Representatives.
15	(B) All points of order against the motion
16	are waived. Such a motion shall not be in order
17	after the House of Representatives has disposed
18	of a motion to proceed on a joint resolution
19	with regard to the same certification. The pre-
20	vious question shall be considered as ordered on
21	the motion to its adoption without intervening
22	motion. The motion shall not be debatable. A
23	motion to reconsider the vote by which the mo-
24	tion is disposed of shall not be in order.

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1 (3)CONSIDERATION.—The joint resolution 2 shall be considered as read. All points of order 3 against the joint resolution and against its consider-4 ation are waived. The previous question shall be con-5 sidered as ordered on the joint resolution to final 6 passage without intervening motion except 2 hours 7 of debate, equally divided and controlled by the 8 sponsor of the joint resolution (or a designee) and 9 an opponent. A motion to reconsider the vote on 10 passage of the joint resolution shall not be in order. 11 (d) CONSIDERATION IN THE SENATE.—

(1) COMMITTEE REFERRAL.—A joint resolution
of disapproval introduced in the Senate shall be referred to the Committee on Foreign Relations of the
Senate.

16 (2) Reporting and discharge.—If the Com-17 mittee on Foreign Relations of the Senate does not 18 report a joint resolution of disapproval within 10 19 days during which the Senate is in session after the 20 date such resolution was referred to such committee, 21 the committee shall be discharged from further con-22 sideration of such joint resolution and the joint reso-23 lution shall be placed on the appropriate calendar.

24 (3) MOTION TO PROCEED.—Notwithstanding
25 Rule XXII of the Standing Rules of the Senate, it

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1 is in order at any time after the Committee on For-2 eign Relations of the Senate reports the joint resolu-3 tion of disapproval to the Senate or has been dis-4 charged from its consideration (even though a pre-5 vious motion to the same effect has been disagreed 6 to) to move to proceed to the consideration of the 7 joint resolution, and all points of order against the 8 joint resolution (and against consideration of the 9 joint resolution) shall be waived. The motion to pro-10 ceed is not debatable. The motion is not subject to 11 a motion to postpone. A motion to reconsider the 12 vote by which the motion is agreed to or disagreed 13 to shall not be in order. If a motion to proceed to 14 the consideration of the joint resolution of dis-15 approval is agreed to, the joint resolution shall re-16 main the unfinished business until disposed.

17 (4) DEBATE.—Debate on a joint resolution of 18 disapproval, and on all debatable motions and ap-19 peals in connection with such joint resolution, shall 20 be limited to not more than 10 hours, which shall 21 be divided equally between the majority and minority 22 leaders or their designees. A motion to further limit 23 debate is in order and not debatable. An amendment 24 to, or a motion to postpone, or a motion to proceed

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to the consideration of other business, or a motion
 to recommit the joint resolution is not in order.

(5) VOTE ON PASSAGE.—The vote on passage
of a joint resolution of disapproval shall occur immediately following the conclusion of the debate on the
joint resolution of disapproval and a single quorum
call at the conclusion of the debate, if requested in
accordance with the rules of the Senate.

9 (6) RULES OF THE CHAIR ON PROCEDURE.— 10 Appeals from the decisions of the Chair relating to 11 the application of the rules of the Senate, as the 12 case may be, to the procedure relating to the joint 13 resolution of disapproval shall be decided without de-14 bate.

15 (7) Consideration of veto messages.—De-16 bate in the Senate of any veto message with respect 17 to a joint resolution of disapproval, including all de-18 batable motions and appeals in connection with such 19 joint resolution, shall be limited to 10 hours, to be 20 equally divided between, and controlled by, the ma-21 jority leader and the minority leader or their des-22 ignees.

23 (e) PROCEDURES IN THE SENATE.—Except as other-24 wise provided in this section, the following procedures

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shall apply in the Senate to a joint resolution of dis approval to which this section applies:

3 (1) Except as provided in paragraph (2), a joint
4 resolution of disapproval that has been passed by the
5 House of Representatives shall, when received in the
6 Senate, be referred to the Committee on Foreign Re7 lations of the Senate for consideration in accordance
8 with this subsection.

9 (2) If a joint resolution of disapproval to which 10 this section applies was introduced in the Senate be-11 fore receipt of a joint resolution of disapproval that 12 has passed the House of Representatives, the joint 13 resolution from the House of Representatives shall, 14 when received in the Senate, be placed on the cal-15 endar. If this paragraph applies, the procedures in 16 the Senate with respect to a joint resolution of dis-17 approval introduced in the Senate that contains the 18 identical matter as a joint resolution of disapproval 19 that passed the House of Representatives shall be 20 the same as if no joint resolution of disapproval had 21 been received from the House of Representatives, ex-22 cept that the vote on passage in the Senate shall be 23 on the joint resolution of disapproval that passed the 24 House of Representatives.

(f) RULES OF THE HOUSE OF REPRESENTATIVES
 AND THE SENATE.—This section is enacted by Con gress—

4 (1) as an exercise of the rulemaking power of 5 the Senate and the House of Representatives, re-6 spectively, and as such is deemed a part of the rules 7 of each House, respectively, but applicable only with 8 respect to the procedure to be followed in that 9 House in the case of a joint resolution of disapproval 10 under this paragraph, and supersedes other rules 11 only to the extent that it is inconsistent with such 12 rules; and

(2) with full recognition of the constitutional
right of either House to change the rules (so far as
relating to the procedure of that House) at any time,
in the same manner, and to the same extent as in
the case of any other rule of that House.

18 Subtitle B—Other Matters to
19 Counter Predatory Economic
20 Practices by the People's Re21 public of China

22 SEC. 311. PREDATORY PRICING BY ENTITIES OWNED, CON23 TROLLED, OR DIRECTED BY A FOREIGN
24 STATE.

25 (a) PROHIBITED ACTS.—

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(1) IN GENERAL.—No entity owned, controlled,
 or directed by a foreign state or an agent or instru mentality of a foreign state (as defined in section
 1603 of title 28, United States Code) and partici pating in international commerce may establish or
 set prices below the average variable cost in a man ner that may foreseeably harm competition.

8 (2) ECONOMIC SUPPORT.—In determining the 9 average variable cost under paragraph (1), the court 10 may take into account the effects of economic sup-11 port provided by the owning or controlling foreign 12 state to the entity on a discriminatory basis that 13 may allow the entity to unfairly price at or below 14 marginal cost.

15 (3) GOVERNMENT SUBSIDIES.—In determining 16 the foreseeability of the elimination of market com-17 petitors under paragraph (1), the court may take 18 into account the aggravating factor of the actions of 19 the foreign state owning or controlling the entity re-20 ferred to in such paragraph to use government re-21 sources to subsidize or underwrite the losses of the 22 entity in a manner that allows the entity to sustain 23 the predatory period and recoup its losses.

24 (4) MARKET POWER NOT REQUIRED.—For the25 purpose of establishing the elements under para-

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graph (1), the plaintiff may not be required to dem onstrate that the defendant has monopoly or market
 power.

4 (b) RECOVERY OF DAMAGES.—Any person (as de-5 fined in section 1(a) of the Clayton Act (15 U.S.C. 12(a)) 6 whose business or property is injured as a result of the 7 actions of an entity described in subsection (a) shall be 8 entitled to recovery from the defendant for damages and 9 other related costs under section 4 of such Act (15 U.S.C. 10 15).

(c) ELEMENTS OF PRIMA FACIE CASE.—A plaintiff
may initiate a claim against a defendant in an appropriate
Federal court for a violation of subsection (a) in order to
recover damages under subsection (b) by—

(1) establishing, by a preponderance of the evi-dence, that the defendant—

17 (A) is a foreign state or an agency or in18 strumentality of a foreign state (as such terms
19 are defined in section 1603 of title 28, United
20 States Code); and

(B) is not immune from the jurisdiction of
the Federal court pursuant to section
1605(a)(2) of title 28, United States Code; and

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(2) setting forth sufficient evidence to establish
 a reasonable inference that the defendant has vio lated subsection (a).

4 (d) COURT DETERMINATION LEADING TO EVI5 DENTIARY BURDEN SHIFTING TO DEFENDANT.—If a
6 Federal court finds that a plaintiff has met its burden of
7 proof under subsection (c), the court may determine
8 that—

9 (1) the plaintiff has established a prima facie
10 case that the conduct of the defendant violated sub11 section (a); and

(2) the defendant has the burden of rebutting
such case by establishing that the defendant did not
violate subsection (a).

(e) FILING OF AMICUS BRIEFS BY THE DEPARTMENT OF STATE AND THE DEPARTMENT OF JUSTICE REGARDING INTERNATIONAL COMITY AND HARM TO COMPETITION.—

(1) IN GENERAL.—For the purposes of considering questions of international comity with respect
to making decisions regarding commercial activity
and the scope of applicable sovereign immunity, the
Federal court may receive and consider relevant
amicus briefs filed by the Secretary.

1	(2) ATTORNEY GENERAL.—For the purposes of
2	considering questions regarding assessing potential
-3	harm to competition, the Federal court may receive
4	and consider relevant amicus briefs filed by the At-
5	torney General.
6	(3) SAVINGS PROVISION.—Nothing in para-
7	graph (1) may be construed to limit the ability of
8	the Federal court to receive and consider any other
9	amicus briefs.
10	SEC. 312. EXPANSION OF OFFENSE OF THEFT OF TRADE SE-
11	CRETS TO INCLUDE UNAUTHORIZED DEVEL-
12	OPMENT OF PRODUCTS AND DIGITAL ARTI-
13	CLES.
13 14	CLES. (a) IN GENERAL.—Section 1832(a) of title 18,
14	(a) IN GENERAL.—Section 1832(a) of title 18,
14 15	(a) IN GENERAL.—Section 1832(a) of title 18, United States Code, is amended—
14 15 16	 (a) IN GENERAL.—Section 1832(a) of title 18, United States Code, is amended— (1) by redesignating paragraphs (4) and (5) as
14 15 16 17	 (a) IN GENERAL.—Section 1832(a) of title 18, United States Code, is amended— (1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;
14 15 16 17 18	 (a) IN GENERAL.—Section 1832(a) of title 18, United States Code, is amended— (1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; (2) by inserting after paragraph (3) the fol-
14 15 16 17 18 19	 (a) IN GENERAL.—Section 1832(a) of title 18, United States Code, is amended— (1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; (2) by inserting after paragraph (3) the following:
 14 15 16 17 18 19 20 	 (a) IN GENERAL.—Section 1832(a) of title 18, United States Code, is amended— (1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; (2) by inserting after paragraph (3) the following: "(4) without authorization, modifies or develops
 14 15 16 17 18 19 20 21 	 (a) IN GENERAL.—Section 1832(a) of title 18, United States Code, is amended— (1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; (2) by inserting after paragraph (3) the following: "(4) without authorization, modifies or develops a product or digital article that could not have been

1 (3) in paragraphs (5) and (6), as redesignated, 2 by striking "(3)" each place it appears and inserting ··(4)". 3 4 (b) APPLICABILITY TO CONDUCT OUTSIDE THE 5 UNITED STATES.—Section 1837 of title 18, United States 6 Code, is amended— 7 (1) in paragraph (1), by striking "or" at the 8 end; 9 (2) in paragraph (2), by striking the period at the end and inserting "; or"; and 10 11 (3) by adding at the end the following: 12 "(3) in the case of a violation of section 13 1832(a)(4), the offender attempts to import a prod-14 uct or digital article described in such section into 15 the United States.". 16 (c) DEFINITIONS.—Section 1839 of title 18, United 17 States Code, is amended— 18 (1) in paragraph (3), in the matter preceding 19 subparagraph (A), by inserting "data," after "pro-20 grams,"; (2) in paragraph (6)(B), by striking "and" at 21 22 the end; 23 (3) in paragraph (7)— 24 (A) by inserting an end quote after "pur-25 poses"; and

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1	(B) by striking the end quote and final pe-
2	riod at the end and inserting "; and"; and
3	(4) by adding at the end the following:
4	"(8) the term 'digital article' means an algo-
5	rithm, digitized process, or database, or any other
6	electronic technology that generates, stores, or proc-
7	esses data.".
8	SEC. 313. REVIEW OF PETITIONS RELATED TO INTELLEC-
9	TUAL PROPERTY THEFT AND FORCED TECH-
10	NOLOGY TRANSFER.
11	(a) DEFINITIONS.—In this section:
12	(1) Appropriate congressional commit-
13	TEES.—The term "appropriate congressional com-
14	mittees" means—
15	(A) the Committee on Foreign Relations of
16	the Senate;
17	(B) the Committee on Banking, Housing,
18	and Urban Affairs of the Senate;
19	(C) the Committee on Commerce, Science,
20	and Transportation of the Senate;
21	(D) the Committee on the Judiciary of the
22	Senate;
23	(E) the Committee on Foreign Affairs of
24	the House of Representatives;

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1	(F) the Committee on Financial Services
2	of the House of Representatives;
3	(G) the Committee on Energy and Com-
4	merce of the House of Representatives; and
5	(H) the Committee on the Judiciary of the
6	House of Representatives.
7	(2) COMMITTEE.—The term "Committee"
8	means the committee established or designated pur-
9	suant to subsection (b).
10	(3) FOREIGN PERSON.—The term "foreign per-
11	son" means a person that is not a United States
12	person.
13	(4) INTELLECTUAL PROPERTY.—The term "in-
14	tellectual property" means—
15	(A) any work protected by a copyright
16	under title 17, United States Code;
17	(B) any property protected by a patent
18	granted by the United States Patent and
19	Trademark Office under title 35, United States
20	Code;
21	(C) any word, name, symbol, or device, or
22	any combination thereof, that is registered as a
23	trademark with the United States Patent and
24	Trademark Office under the Act entitled "An
25	Act to provide for the registration and protec-

1	tion of trademarks used in commerce, to carry
2	out the provisions of certain international con-
3	ventions, and for other purposes", approved
4	July 5, 1946 (commonly known as the
5	"Lanham Act" or the "Trademark Act of
6	1946") (15 U.S.C. 1051 et seq.);
7	(D) a trade secret (as defined in section
8	1839 of title 18, United States Code); or
9	(E) any other form of intellectual property.
10	(5) UNITED STATES PERSON.—The term
11	"United States person" means—
12	(A) a United States citizen or an alien law-
13	fully admitted for permanent residence to the
14	United States; or
15	(B) an entity organized under the laws of
16	the United States or any jurisdiction within the
17	United States, including a foreign branch of
18	such an entity.
19	(b) Establishment of a Committee.—
20	(1) IN GENERAL.—The President shall—
21	(A) establish a multi-agency committee to
22	carry out this section; or
23	(B) designate an existing multi-agency
24	committee within the executive branch to carry
25	out this section if the President determines that

1	such existing committee has the relevant exper-
2	tise and personnel to carry out this section.
3	(2) MEMBERSHIP.—Except as provided under
4	paragraph (3), the Committee shall be comprised
5	of—
6	(A) the Secretary of the Treasury;
7	(B) the Secretary of Commerce;
8	(C) the Secretary;
9	(D) the Attorney General;
10	(E) the Director of National Intelligence;
11	and
12	(F) the heads of such other agencies as the
13	President determines appropriate, generally or
14	on a case-by-case basis.
15	(3) Designee.—An official specified in para-
16	graph (2) may select a designee to serve on the
17	Committee from among individuals serving in posi-
18	tions appointed by the President by and with the ad-
19	vice and consent of the Senate.
20	(4) CHAIR AND VICE CHAIR.—The President
21	shall appoint a chairperson and a vice chairperson of
22	the Committee from among the members of the
23	Committee.
24	(c) SUBMISSION OF PETITIONS.—

S.L.C.

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1	(1) IN GENERAL.—A United States person de-
2	scribed in paragraph (3) may submit a petition to
3	the Committee requesting that the Committee—
4	(A) review, in accordance with subsection
5	(d), a significant act or series of acts described
6	in paragraph (2) committed by a foreign per-
7	son; and
8	(B) refer the matter to the President with
9	a recommendation to impose sanctions pursuant
10	to subsection (e) to address any threat to the
11	national security of the United States posed by
12	the significant act or series of acts.
13	(2) SIGNIFICANT ACT OR SERIES OF ACTS DE-
14	SCRIBED.—A significant act or series of acts de-
15	scribed in this paragraph is a significant act or se-
16	ries of acts of—
17	(A) theft of intellectual property of a
18	United States person; or
19	(B) forced transfer of technology that is
20	the intellectual property of a United States per-
21	son.
22	(3) United states person described.—A
23	United States person is described in this paragraph
24	if—

1	(A) a court of competent jurisdiction in the
2	United States has rendered a final judgment in
3	favor of the United States person that—
4	(i) the foreign person identified in the
5	petition submitted pursuant to paragraph
6	(1) committed the significant act or series
7	of acts identified in the petition;
8	(ii) the United States person is the
9	owner of the intellectual property identified
10	in the petition; and
11	(iii) the foreign person is using that
12	intellectual property without the permis-
13	sion of the United States person; and
14	(B) the United States person can provide
15	clear and convincing evidence to the Committee
16	that the value of the economic loss to the
17	United States person resulting from the signifi-
18	cant act or series of acts exceeds \$10,000,000.
19	(d) REVIEW AND ACTION BY THE COMMITTEE.—
20	(1) REVIEW.—Upon receiving a petition pursu-
21	ant to subsection (c), the Committee shall conduct
22	a review of the petition in order to determine wheth-
23	er the imposition of sanctions pursuant to subsection
24	(e) is necessary and appropriate to address any
25	threat to the national security of the United States

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posed by the significant act or series of acts identi fied in the petition.

3 (2) ACTION.—After conducting a review pursu4 ant to paragraph (1) of a petition submitted pursu5 ant to subsection (c), the Committee may take no
6 action, dismiss the petition, or refer the petition to
7 the President with a recommendation with respect to
8 whether to impose sanctions under subsection (e).

9 (e) Imposition of Sanctions.—

10 (1) IN GENERAL.—The President may impose 11 the sanctions described in paragraph (3) with re-12 spect to a foreign person identified in a petition sub-13 mitted pursuant to subsection (c) if the President 14 determines that imposing such sanctions is necessary 15 and appropriate to address any threat to the na-16 tional security of the United States posed by the sig-17 nificant act or series of acts identified in the peti-18 tion.

(2) NOTICE TO CONGRESS.—Not later than 30
days after the Committee refers a petition to the
President with a recommendation pursuant to subsection (d)(2), the President shall submit to the appropriate congressional committees a notice of the
determination of the President under paragraph (1)
with respect to whether or not to impose sanctions

1 described in paragraph (3) with respect to each for-2 eign person identified in the petition. Each notice re-3 quired under this paragraph shall be submitted in 4 unclassified form, but may include a classified 5 annex. 6 (3)SANCTIONS DESCRIBED.—The sanctions 7 that may be imposed pursuant to paragraph (1) with 8 respect to a foreign person identified in a petition 9 submitted pursuant to subsection (c) are the fol-10 lowing: (A) EXPORT SANCTION.—The President 11 12 may order the United States Government not to 13 issue any specific license and not to grant any 14 other specific permission or authority to export 15 any goods or technology to the person under— 16 (i) the Export Control Reform Act of 17 2018 (50 U.S.C. 4801 et seq.); 18 (ii) the Arms Export Control Act (22) 19 U.S.C. 2751 et seq.); 20 (iii) the Atomic Energy Act of 1954 21 (42 U.S.C. 2011 et seq.); or 22 (iv) any other statute that requires 23 the prior review and approval of the 24 United States Government as a condition

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[Discussion Draft]

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for the export or reexport of goods or serv ices.

(B) LOANS FROM UNITED STATES FINAN-CIAL INSTITUTIONS.—The President may prohibit any United States financial institution from making loans or providing credits to the person totaling more than \$10,000,000 in any 12-month period unless the person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities.

11 (C) LOANS FROM INTERNATIONAL FINAN-12 CIAL INSTITUTIONS.—The President may direct 13 the United States executive director to each 14 international financial institution to use the 15 voice and vote of the United States to oppose 16 any loan from the international financial insti-17 tution that would benefit the person.

18 (D) PROHIBITIONS ON FINANCIAL INSTI19 TUTIONS.—The following prohibitions may be
20 imposed against the person if the person is a fi21 nancial institution:

(i) PROHIBITION ON DESIGNATION AS
PRIMARY DEALER.—Neither the Board of
Governors of the Federal Reserve System
nor the Federal Reserve Bank of New

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York may designate, or permit the continu ation of any prior designation of, the fi nancial institution as a primary dealer in
 United States Government debt instru ments.

6 (ii) PROHIBITION ON SERVICE AS A
7 REPOSITORY OF GOVERNMENT FUNDS.—
8 The financial institution may not serve as
9 agent of the United States Government or
10 serve as repository for United States Gov11 ernment funds.

(E) PROCUREMENT SANCTION.—The
President may prohibit the United States Government from procuring, or entering into any
contract for the procurement of, any goods or
services from the person.

(F) FOREIGN EXCHANGE.—The President
may, pursuant to such regulations as the President may prescribe, prohibit any transactions in
foreign exchange that are subject to the jurisdiction of the United States and in which the
person has any interest.

23 (G) BANKING TRANSACTIONS.—The Presi24 dent may, pursuant to such regulations as the
25 President may prescribe, prohibit any transfers

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1	of credit or payments between financial institu-
2	tions or by, through, or to any financial institu-
3	tion, to the extent that such transfers or pay-
4	ments are subject to the jurisdiction of the
5	United States and involve any interest of the
6	person.
7	(H) PROPERTY TRANSACTIONS.—The
8	President may, pursuant to such regulations as
9	the President may prescribe, prohibit any per-
10	son from—
11	(i) acquiring, holding, withholding,
12	using, transferring, withdrawing, trans-
13	porting, importing, or exporting any prop-
14	erty that is subject to the jurisdiction of
15	the United States and with respect to
16	which the person identified in the petition
17	has any interest;
18	(ii) dealing in or exercising any right,
19	power, or privilege with respect to such
20	property; or
21	(iii) conducting any transaction in-
22	volving such property.
23	(I) BAN ON INVESTMENT IN EQUITY OR
24	DEBT OF SANCTIONED PERSON.—The President
25	may, pursuant to such regulations or guidelines
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as the President may prescribe, prohibit any
 United States person from investing in or pur chasing significant amounts of equity or debt
 instruments of the person.

5 (J) EXCLUSION OF CORPORATE OFFI-6 CERS.—The President may direct the Secretary 7 to deny a visa to, and the Secretary of Home-8 land Security to exclude from the United 9 States, any alien that the President determines 10 is a corporate officer or principal of, or a share-11 holder with a controlling interest in, the person 12 identified in the petition.

13 (K) SANCTIONS ON PRINCIPAL EXECUTIVE
14 OFFICERS.—The President may impose on the
15 principal executive officer or officers of the per16 son, or on individuals performing similar func17 tions and with similar authorities as such offi18 cer or officers, any of the sanctions described in
19 this paragraph.

20 (f) Implementation; Penalties.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under
sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and
1704) to carry out this section.

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(2) PENALTIES.—Any person that violates, at-
tempts to violate, conspires to violate, or causes a
violation of this section or any regulation, license, or
order issued to carry out this section shall be subject
to the penalties set forth in subsections (b) and (c)
of section 206 of the International Emergency Eco-
nomic Powers Act (50 U.S.C. 1705) to the same ex-
tent as a person that commits an unlawful act de-
scribed in subsection (a) of such section.
(g) Confidentiality of Information.—
(1) IN GENERAL.—The Committee shall protect
from disclosure any proprietary information sub-
mitted by a United States person and marked as
business confidential information, unless the person
submitting the information—
(A) had notice, at the time of submission,
that the information would be released by the
Committee; or
(B) subsequently consents to the release of
the information.
(2) TREATMENT AS TRADE SECRETS.—Propri-
etary information submitted by a United States per-
son pursuant to this section shall be—
(A) considered to be trade secrets and
commercial or financial information (as those

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terms are used for purposes of section
 552b(c)(4) of title 5, United States Code); and
 (B) exempt from disclosure without the ex press approval of the person.

5 (h) RULEMAKING.—The President may prescribe
6 such licenses, orders, and regulations as are necessary to
7 carry out this section, including with respect to the process
8 by which United States persons may submit petitions pur9 suant to subsection (c).

10sec. 314. Fostering energy development aligned11with partner country needs.

(a) IN GENERAL.—The Secretary may not exclude or
otherwise limit the provision of funds that would otherwise
have been available under any Federal law or regulation
to support natural gas and civil nuclear energy projects,
including market development, infrastructure, technology,
or technical assistance on the basis that—

18 (1) such projects result in new carbon emissions19 or associated infrastructure;

20 (2) a higher-cost and lower-emissions alter-21 native is available; or

(3) lower cost alternatives are available where
pricing does not take into account dispatchability,
given the importance of flexible generation for ensuring a stable and reliable power supply.

1	(b) PARTNER COUNTRY DRIVEN ENERGY
2	PROJECTS.—In prioritizing energy projects for which
3	United States allies and partners are seeking assistance
4	authorized to be appropriated under Federal law the Sec-
5	retary should take into consideration—
6	(1) the objectives of improving —
7	(A) energy access within the partner coun-
8	try;
9	(B) energy security; and
10	(C) economic needs of the host country;
11	(2) appropriate coordination with host country
12	government authorities; and
13	(3) the national security or foreign policy inter-
14	ests of the United States.
15	(c) Additional Funding.—Federal foreign assist-
16	ance funds allocated to an energy project—
17	(1) shall be in addition to investments made by
18	the United States private sector and the private sec-
19	tor of United States partners or allied countries; and
20	(2) should not displace or complicate private
21	sector involvement in the development of host coun-
22	try energy resources.
23	(d) Chief of Mission Authority.—The Secretary
24	shall be responsible for the management and operation of
25	commercial engagements on all energy projects conducted

under chief of mission authority at all United States em bassies.

3 SEC. 315. OPPOSITION OF UNITED STATES TO AN INCREASE 4 IN WEIGHT OF CHINESE RENMINBI IN SPE5 CIAL DRAWING RIGHTS BASKET OF INTER6 NATIONAL MONETARY FUND.

7 (a) IN GENERAL.—The Secretary of the Treasury 8 shall instruct the United States Governor of, and the 9 United States Executive Director at, the International 10 Monetary Fund to use the voice and vote of the United 11 States to oppose any increase in the weight of the Chinese renminbi in the basket of currencies used to determine the 12 value of Special Drawing Rights, unless the Secretary of 13 14 the Treasury has submitted a written report to the Com-15 mittee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the 16 17 House of Representatives that includes a certification 18 that—

19 (1) the PRC is in compliance with all its obliga20 tions under Article VIII of the Articles of Agreement
21 of the Fund;

(2) during the preceding 12 months, there has
not been a report submitted under section 3005 of
the Omnibus Trade and Competitiveness Act of
1988 (22 U.S.C. 5305) or section 701 of the Trade

1	Facilitation and Trade Enforcement Act of 2015 (19
2	U.S.C. 4421) in which the PRC has been found to
3	have manipulated its currency; and
4	(3) the PRC has instituted and is implementing
5	the policies and practices necessary to ensure that
6	the renminbi is freely usable (within the meaning of
7	Article XXX(f) of the Articles of Agreement of the
8	Fund).
9	(b) SUNSET.—Subsection (a) shall have no force or
10	effect beginning on the date that is 10 years after the date
11	of the enactment of this Act.
12	SEC. 316. STRENGTHENING CONGRESSIONAL OVERSIGHT
13	OF SPECIAL DRAWING RIGHTS AT INTER-
14	NATIONAL MONETARY FUND.
14 15	NATIONAL MONETARY FUND. Section 6 of the Special Drawing Rights Act (22)
15	Section 6 of the Special Drawing Rights Act (22)
15 16	Section 6 of the Special Drawing Rights Act (22 U.S.C. 286q) is amended—
15 16 17	Section 6 of the Special Drawing Rights Act (22 U.S.C. 286q) is amended— (1) in subsection (a)—
15 16 17 18	Section 6 of the Special Drawing Rights Act (22 U.S.C. 286q) is amended— (1) in subsection (a)— (A) by striking "each basic period" and in-
15 16 17 18 19	Section 6 of the Special Drawing Rights Act (22 U.S.C. 286q) is amended— (1) in subsection (a)— (A) by striking "each basic period" and in- serting "any 10-year period"; and
15 16 17 18 19 20	Section 6 of the Special Drawing Rights Act (22 U.S.C. 286q) is amended— (1) in subsection (a)— (A) by striking "each basic period" and in- serting "any 10-year period"; and (B) by inserting "25 percent of" before
 15 16 17 18 19 20 21 	Section 6 of the Special Drawing Rights Act (22 U.S.C. 286q) is amended— (1) in subsection (a)— (A) by striking "each basic period" and in- serting "any 10-year period"; and (B) by inserting "25 percent of" before "the United States quota"; and
 15 16 17 18 19 20 21 22 	Section 6 of the Special Drawing Rights Act (22 U.S.C. 286q) is amended— (1) in subsection (a)— (A) by striking "each basic period" and in- serting "any 10-year period"; and (B) by inserting "25 percent of" before "the United States quota"; and (2) in subsection (b)(1)—

(B) by striking "90 days" and inserting
 "180 days".

3 SEC. 317. SECURITY AND OVERSIGHT FOR INTERNATIONAL 4 LANDHOLDINGS.

5 (a) REVIEW BY COMMITTEE ON FOREIGN INVEST6 MENT IN THE UNITED STATES OF CERTAIN AGRICUL7 TURAL REAL ESTATE TRANSACTIONS.—Section
8 721(a)(4)(B) of the Defense Production Act of 1950, as
9 amended by section 308, is further amended by adding
10 at the end the following:

"(vii) Any acquisition or transfer of
an interest, other than a security, in agricultural land held by a person that is a national of, or is organized under the laws or
otherwise subject to the jurisdiction of, a
country—

17 "(I) designated as a nonmarket
18 economy country pursuant to section
19 771(18) of the Tariff Act of 1930 (19)
20 U.S.C. 1677(18)); or

21 "(II) identified as a country that
22 poses a risk to the national security of
23 the United States in the most recent
24 annual report on worldwide threats
25 issued by the Director of National In-

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1	telligence pursuant to section 108B of
2	the National Security Act of 1947 (50
3	U.S.C. 3043b) (commonly known as
4	the 'Annual Threat Assessment').".
5	(b) Review by Committee on Foreign Invest-
6	MENT IN THE UNITED STATES OF REAL ESTATE TRANS-

7 ACTIONS NEAR MILITARY INSTALLATIONS.—Section
8 721(a)(4)(B) of the Defense Production Act of 1950, as
9 amended by subsection (a) and sections 102(a)(1)(B) and
10 308(a), is further amended by adding at the end the fol11 lowing:

12	"(viii) Any acquisition or transfer of
13	an interest, other than a security, in any
14	form of real estate that is located not more
15	than 50 miles from a military installation
16	(as defined in section $2801(c)(4)$ of title
17	10, United States Code) other than resi-
18	dential property held by a person that is a
19	national of, or is organized under the laws
20	or otherwise subject to the jurisdiction of,
21	a country described in clause (vii).".

(c) EXPANSION OF MEMBERSHIP IN COMMITTEE ON
FOREIGN INVESTMENT IN THE UNITED STATES.—Section
721(k)(6) of the Defense Production Act of 1950 (50
U.S.C. 4565(k)(6)) is amended to read as follows:

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"(6) OTHER MEMBERS.—The chairperson shall
 include the heads of relevant departments, agencies,
 and offices (or the designee of any such head) in any
 review or investigation under subsection (b), on the
 basis of the facts and circumstances of the covered
 transaction under review or investigation.".

7 (d) PROHIBITION ON USE OF FUNDS FOR CERTAIN 8 AGRICULTURAL REAL ESTATE HOLDINGS.-No assist-9 ance, including subsidies, may be provided by any Federal 10 agency to a person for an agricultural real estate holding wholly or partly owned by a person that is a national of, 11 12 or is organized under the laws or otherwise subject to the 13 jurisdiction of, a described country in section 14 721(a)(4)(B)(viii) of the Defense Production Act of 1950, 15 as added by subsection (a).

16 (e) DISCLOSURE REQUIREMENTS FOR FOREIGN AG-17 RICULTURAL REAL ESTATE HOLDINGS.—

(1) REPORTING REQUIREMENTS.—Section 2(a)
of the Agricultural Foreign Investment Disclosure
Act of 1978 (7 U.S.C. 3501(a)) is amended—

21 (A) in the first sentence of the matter pre22 ceding paragraph (1)—

23 (i) by inserting ", or enters into a24 leasing agreement the period of which is

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1	longer than 5 years with respect to agricul-
2	tural land," after "agricultural land"; and
3	(ii) by striking "acquisition or trans-
4	fer" and inserting "acquisition, transfer, or
5	lease"; and
6	(B) in paragraph (4), by striking "ac-
7	quired or transferred" and inserting "acquired,
8	transferred, or leased".
9	(2) Revocation of minimum acreage re-
10	QUIREMENT.—Section 9(1) of the Agricultural For-
11	eign Investment Disclosure Act of 1978 (7 U.S.C.
12	3508(1)) is amended by inserting ", subject to the
13	condition that the Secretary may not exclude land
14	from this definition based on the acreage of the
15	land" before the semicolon at the end.
16	(f) Reports of Holdings of Agricultural Land
17	IN THE UNITED STATES BY FOREIGN PERSONS.—Section
18	6 of the Agricultural Foreign Investment Disclosure Act
19	of 1978 (7 U.S.C. 3505) is amended—
20	(1) by striking the section designation and
21	heading and all that follows through "Not later
22	than" and inserting the following:
23	"SEC. 6. REPORTS.
24	"(a) Transmission of Reports to States.—Not
25	later than"; and

1	(2) by adding at the end the following:
2	"(b) Annual Report.—
3	"(1) IN GENERAL.—The Secretary shall pre-
4	pare and make publicly available an annual report
5	describing holdings of agricultural land by foreign
6	persons, as determined by the reports submitted
7	pursuant to section 2, including—
8	"(A) an analysis of the countries with the
9	most extensive agricultural land holdings on a
10	State-by-State and county-by-county basis;
11	"(B) data and an analysis of agricultural
12	land holdings in each county in the United
13	States by a foreign person from—
14	"(i) the People's Republic of China;
15	"(ii) the Russian Federation; or
16	"(iii) any other country that the Sec-
17	retary determines to be appropriate;
18	"(C) an analysis of the sectors and indus-
19	tries for which the agricultural land holdings
20	are used; and
21	"(D) in consultation with the Director of
22	the United States Geological Survey, an identi-
23	fication of countries that own or lease water
24	rights and mineral deposits on a State-by-State
25	and county-by-county basis.

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"(2) TRANSMISSION TO STATES.—The Sec retary shall transmit each report prepared pursuant
 to paragraph (1) to each State department of agri culture or appropriate State agency described in
 subsection (a) in conjunction with the applicable re ports transmitted pursuant to that subsection.".

7 SEC. 318. INTELLECTUAL PROPERTY VIOLATORS LIST.

8 (a) IN GENERAL.—Not later than 1 year after the 9 date of the enactment of this Act, and not less frequently 10 than annually thereafter for the following 5 years, the Secretary, in coordination with the Secretary of Commerce, 11 12 the Attorney General, the United States Trade Represent-13 ative, and the Director of National Intelligence, shall create a list (referred to in this section as the "IP violators" 14 15 list") that identifies—

- 16 (1) all centrally administered state-owned enter17 prises incorporated in the People's Republic of
 18 China that have benefitted from—
- (A) a significant act or series of acts of intellectual property theft that subjected a United
 States economic sector or particular company
 incorporated in the United States to harm; or
 (B) an act or government policy of involuntary or coerced technology transfer of intellec-

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1 tual property ultimately owned by a company 2 incorporated in the United States; and 3 (2) any corporate officer of, or principal share-4 holder with controlling interests in, an entity de-5 scribed in paragraph (1). 6 (b) RULES FOR IDENTIFICATION.—To determine 7 whether there is a credible basis for determining that a 8 company should be included on the IP violators list, the 9 Secretary, in coordination with the Secretary of Com-10 merce, the United States Trade Representative, and the 11 Director of National Intelligence, shall consider— 12 (1) any finding by a United States court that 13 the company has violated relevant United States 14 laws intended to protect intellectual property rights; 15 or 16 (2) substantial and credible information re-17 ceived from any entity described in subsection (c) or 18 other interested persons. 19 (c) CONSULTATION.—In carrying out this section, the 20 Secretary, in coordination with the Secretary of Com-21 merce, the United States Trade Representative, and the Director of National Intelligence, may consult, as nec-22 23 essary and appropriate, with— 24 (1) other Federal agencies, including inde-25 pendent agencies;

1	(2) the private sector;
2	(3) civil society organizations with relevant ex-
3	pertise; and
4	(4) the Governments of Australia, of Canada, of
5	the European Union, of Japan, of New Zealand, of
6	South Korea, and of the United Kingdom.
7	(d) Report.—
8	(1) IN GENERAL.—The Secretary shall publish,
9	in the Federal Register, an annual report that—
10	(A) lists the companies engaged in the ac-
11	tivities described in subsection $(a)(1)$; and
12	(B) describes the circumstances sur-
13	rounding actions described in subsection $(a)(2)$,
14	including any role of the Government of the
15	People's Republic of China;
16	(C) assesses, to the extent practicable, the
17	economic advantage derived by the companies
18	engaged in the activities described in subsection
19	(a)(1); and
20	(D) assesses whether each company en-
21	gaged in the activities described in subsection
22	(a)(1) is using or has used the stolen intellec-
23	tual property in commercial activity in Aus-
24	tralia, Canada, the European Union, Japan,

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1 New Zealand, South Korea, the United King-2 dom, or the United States. 3 (2) FORM.—The report published pursuant to 4 paragraph (1) shall be published in unclassified 5 form, but may include a classified annex. 6 (e) Declassification and Release.—The Direc-7 tor of National Intelligence may authorize the declassifica-8 tion of information, as appropriate, used to prepare the 9 report published pursuant to subsection (d). 10 (f)REQUIREMENT TO PROTECT BUSINESS-CON-11 FIDENTIAL INFORMATION.— 12 (1) IN GENERAL.—The Secretary and the heads 13 of all other Federal agencies involved in the produc-14 tion of the IP violators list shall protect from disclo-15 sure any proprietary information submitted by a pri-16 vate sector participant and marked as business-con-17 fidential information, unless the party submitting 18 the confidential business information— 19 (A) had notice, at the time of submission, 20 that such information would be released by the 21 Secretary; or (B) subsequently consents to the release of 22 23 such information. 24 (2) Nonconfidential version of report.— 25 If confidential business information is provided by a

1	private sector participant, a nonconfidential version
2	of the report under subsection (d) shall be published
3	in the Federal Register that summarizes or deletes,
4	if necessary, such confidential business information.
5	(3) TREATMENT AS TRADE SECRETS.—Propri-
6	etary information submitted by a private party pur-
7	suant to this section—
8	(A) shall be considered to be trade secrets
9	and commercial or financial information (as de-
10	fined under section $552(b)(4)$ of title 5, United
11	States Code); and
12	(B) shall be exempt from disclosure with-
13	out the express approval of the private party.
14	SEC. 319. ANNUAL REVIEW OF THE PRESENCE OF CHINESE
14 15	SEC. 319. ANNUAL REVIEW OF THE PRESENCE OF CHINESE COMPANIES IN UNITED STATES CAPITAL
15	COMPANIES IN UNITED STATES CAPITAL
15 16	COMPANIES IN UNITED STATES CAPITAL MARKETS.
15 16 17	COMPANIES IN UNITED STATES CAPITAL MARKETS. (a) DEFINED TERM.—In this section, the term "ap-
15 16 17 18	COMPANIES IN UNITED STATES CAPITAL MARKETS. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means—
15 16 17 18 19	COMPANIES IN UNITED STATES CAPITAL MARKETS. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means— (1) the Committee on Foreign Relations of the
15 16 17 18 19 20	COMPANIES IN UNITED STATES CAPITAL MARKETS. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means— (1) the Committee on Foreign Relations of the Senate;
15 16 17 18 19 20 21	COMPANIES IN UNITED STATES CAPITAL MARKETS. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means— (1) the Committee on Foreign Relations of the Senate; (2) the Select Committee on Intelligence of the
 15 16 17 18 19 20 21 22 	COMPANIES IN UNITED STATES CAPITAL MARKETS. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means— (1) the Committee on Foreign Relations of the Senate; (2) the Select Committee on Intelligence of the Senate;

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1	(4) the Committee on Foreign Affairs of the
2	House of Representatives;
3	(5) the Permanent Select Committee on Intel-
4	ligence of the House of Representatives; and
5	(6) the Committee on Financial Services of the
6	House of Representatives.
7	(b) Report.—
8	(1) IN GENERAL.—Not later than 180 days
9	after the date of the enactment of this Act, and an-
10	nually thereafter for the following 5 years, the Sec-
11	retary, in consultation with the Director of National
12	Intelligence and the Secretary of the Treasury, shall
13	submit an unclassified report to the appropriate
14	committees of Congress that describes the risks
15	posed to the United States by the presence in
16	United States capital markets of companies incor-
17	porated in the PRC.
18	(2) MATTERS TO BE INCLUDED.—The report
19	required under paragraph (1) shall—
20	(A) identify companies incorporated in the
21	PRC that—
22	(i) are listed or traded on 1 or more
23	stock exchanges within the United States,
24	including over-the-counter market and "A
25	Shares' added to indexes and exchange-

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1	traded funds out of mainland exchanges in
2	the PRC; and
3	(ii) based on the factors for consider-
4	ation described in paragraph (3), have
5	knowingly and materially contributed to—
6	(I) activities that undermine
7	United States national security;
8	(II) serious abuses of internation-
9	ally recognized human rights; or
10	(III) a substantially increased fi-
11	nancial risk exposure for United
12	States-based investors;
13	(B) describe the activities of the companies
14	identified pursuant to subparagraph (A), and
15	their implications for the United States; and
16	(C) develop policy recommendations for the
17	United States Government, State governments,
18	United States financial institutions, United
19	States equity and debt exchanges, and other
20	relevant stakeholders to address the risks posed
21	by the presence in United States capital mar-
22	kets of the companies identified pursuant to
23	subparagraph (A).
24	(3) Factors for consideration.—In pre-
25	paring the report required under paragraph (1), the

1	President shall consider whether a company identi-
2	fied pursuant to paragraph (2)(A)—
3	(A) has materially contributed to the devel-
4	opment or manufacture, or sold or facilitated
5	procurement by the People's Liberation Army,
6	of lethal military equipment or component parts
7	of such equipment;
8	(B) has contributed to the construction
9	and militarization of features in the South
10	China Sea;
11	(C) has been sanctioned by the United
12	States or has been determined to have con-
13	ducted business with sanctioned entities;
14	(D) has engaged in an act or a series of
15	acts of intellectual property theft;
16	(E) has engaged in corporate or economic
17	espionage;
18	(F) has contributed to the proliferation of
19	nuclear or missile technology in violation of
20	United Nations Security Council resolutions or
21	United States sanctions;
22	(G) has contributed to the repression of re-
23	ligious and ethnic minorities within the PRC,
24	including in the Xinjiang Uyghur Autonomous
25	Region or the Tibet Autonomous Region;

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1 (H) has contributed to the development of 2 technologies that enable censorship directed or 3 directly supported by the Government of the 4 PRC; 5 (I) has failed to comply fully with Federal 6 securities laws (including required audits by the 7 Public Company Accounting Oversight Board) 8 and "material risk" disclosure requirements of 9 the Securities and Exchange Commission; or

10 (J) has contributed to other activities or
11 behavior determined to be relevant by the Presi12 dent.

(c) FORM.—The report required under subsection
(b)(1) shall be submitted in unclassified form, but may
include a classified annex.

(d) PUBLICATION.—The unclassified portion of the
report under subsection (b)(1) shall be made accessible to
the public online through relevant United States Government websites.

20 SEC. 320. PROHIBITION ON AVAILABILITY OF FUNDS FOR 21 PROCUREMENT OF CERTAIN BATTERIES.

(a) LIMITATION.—Beginning on October 1, 2027,
none of the funds appropriated or otherwise made available for the Department of State may be obligated or ex-

1	pended to procure a battery produced by an entity speci-
2	fied in subsection (b).
3	(b) ENTITIES SPECIFIED.—The entities specified in
4	this subsection are the following:
5	(1) Contemporary Amperex Technology Com-
6	pany, Limited (also known as "CATL").
7	(2) BYD Company, Limited.
8	(3) Envision Energy, Limited.
9	(4) EVE Energy Company, Limited.
10	(5) Gotion High tech Company, Limited.
11	(6) Hithium Energy Storage Technology com-
12	pany, Limited.
13	(7) Any successor to an entity specified in para-
14	graphs (1) through (6) .
15	(c) TREATMENT OF PRODUCTION.—For purposes of
16	this section, a battery shall be treated as having been pro-
17	duced by an entity specified in subsection (b) if such enti-
18	ty—
19	(1) assembles or manufactures the final prod-
20	uct; or
21	(2) creates or otherwise provides a majority of
22	the components used in the battery.
23	(d) NATIONAL INTEREST WAIVER.—The Secretary
24	may waive the limitation under subsection (a) if the Sec-

retary submits to the appropriate congressional commit tees—

3 (1) a written determination that such waiver is
4 important to the national interests of the United
5 States; and

6 (2) a detailed explanation of how such waiver is7 important to such interests.

8 SEC. 321. ENDING SUPPORT FOR PRC CONTRACTS AT THE 9 WORLD BANK.

10 (a) INVESTMENT PROJECT FINANCING CON11 TRACTS.—The Secretary of the Treasury shall instruct the
12 United States Executive Director at the International
13 Bank for Reconstruction and Development to use the
14 voice, vote, and influence of the United States—

(1) to limit the awarding of Investment Project
Financing contracts to entities or individuals organized under the laws of, or otherwise subject to the
jurisdiction of, the People's Republic of China, including entities owned or controlled by the Government of the People's Republic of China;

21 (2) to limit the awarding of Investment Project
22 Financing contracts to entities listed on—

23 (A) the Non-SDN Chinese Military-Indus24 trial Complex Entities List ("NS-CMIC List")
25 or any of their subsidiaries;

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1	(B) entities or individuals on the Specially
2	Designated Nationals List ("SDN List");
3	(C) the Consolidated Sanctions List
4	("Non-SDN List");
5	(D) the Sectoral Sanctions Identifications
6	List ("SSI List");
7	(E) the Foreign Sanctions Evaders List
8	("FSE List");
9	(F) the List of Foreign Financial Institu-
10	tions Subject to Correspondent Account or Pay-
11	able-Through Account Sanctions ("CAPTA
12	List");
13	(G) the Non-SDN Menu-Based Sanctions
14	List ("NS-MBS List");
15	(H) the Covered List;
16	(I) the Entity List;
17	(J) the Military End-User List; and
18	(K) the Consolidated Screening List; and
19	(3) to encourage the adoption of sanctions and
20	export control lists as appropriate as criteria in fu-
21	ture iterations of the World Bank Procurement
22	Framework or successor guidance documents for In-
23	vestment Project Financing projects.
24	(b) REPORT.—Beginning in the first calendar year
25	beginning after the date of the enactment of this Act, the

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Department of the Treasury, as part of the Annual Report
 to Congress from the Chairman of the National Advisory
 Council on International Monetary and Financial Policies,
 shall include—

- 5 (1) information regarding any contracts award-6 ed by the World Bank Group, the European Bank 7 for Reconstruction and Development, the Asian De-8 velopment Bank, the African Development Bank, 9 and the Inter-American Development Bank to enti-10 ties described in paragraphs (1) and (2) of sub-11 section (a) during the preceding calendar year, in-12 cluding-
- 13 (A) the title or other identifying name of14 the project;
- 15 (B) a description of the project;
- 16 (C) the location of the project;
- 17 (D) the amount of funding or financing al-18 located for the project;
- 19 (E) the amount of funding or financing20 disbursed under the project; and
- 21 (F) a summary of the status of the imple-22 mentation of the project;
- (2) to the greatest extent possible, information
 regarding any other entities that submitted bids for
 Investment Project Financing contracts ultimately

1	awarded to persons or entities described in para-
2	graph (1) or (2) of subsection (a) during the pre-
3	ceding calendar year;
4	(3) records of votes held by the World Bank
5	Group Boards of Governors in the preceding cal-
6	endar year regarding policies related to the World
7	Bank Procurement Framework; and
8	(4) any changes to the Framework resulting
9	from such votes.
10	SEC. 322. REPORT ON UNITED STATES DEVELOPMENT EF-
11	FORTS TO COUNTER THE PRC'S BELT AND
12	ROAD INITIATIVE.
13	(a) Defined Term.—In this section, the term "ap-
14	propriate congressional committees" means
15	(1) the Committee on Foreign Relations of the
16	Senate; and House Committee on Foreign Affairs;
17	(2) the Committee on Commerce, Science, and
18	Transportation of the Senate;
19	(3) the Committee on Banking, Housing, and
20	Urban Affairs of the Senate;
21	(4) the Committee on Finance of the Senate;
22	(5) the Committee on Foreign Affairs of the
23	House of Representatives;
24	(6) the Committee on Energy and Commerce of
25	the House of Representatives;

1	(7) the Committee on Financial Services of the
2	House of Representatives; and
3	(8) the Committee on Ways and Means of the
4	House of Representatives.
5	(b) IN GENERAL.—Not later than 180 days after the
6	date of the enactment of this Act, the Secretary shall sub-
7	mit a report to the appropriate congressional committees
8	that includes—
9	(1) a description of the current interagency
10	process for coordinating international development
11	projects and investments among—
12	(A) the Department of State;
13	(B) the United States Agency for Inter-
14	national Development;
15	(C) the Millennium Challenge Corporation;
16	(D) the United States Trade and Develop-
17	ment Agency;
18	(E) the Department of Commerce;
19	(F) the Department of the Treasury;
20	(G) the Export-Import Bank of the United
21	States;
22	(H) the Office of the United States Trade
23	Representative; and
24	(I) other executive branch agencies that
25	the Secretary considers relevant to such report;

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(2) a list of interagency priorities when identi fying and pursing joint or complementary inter national development projects;

4 (3) the extent to which the interagency process
5 for identifying and pursing international develop6 ment projects considers competition with the PRC
7 and its Belt and Road Initiative;

8 (4) the extent to which such interagency proc-9 ess consults with the Department of Defense for 10 guidance on projects or investments that might ad-11 vance United States national security interests as 12 laid out in the National Security Strategy and the 13 National Defense Strategy;

14 (5) an interagency strategy for identifying
15 international development projects that can be pur16 sued jointly or in a complementary fashion with
17 other United States development agencies and initia18 tives, including how United States Government de19 velopment agencies can work together to counter the
20 PRC's Belt and Road Initiative;

(6) how the interagency process works with
global partners and allies, including international development bodies, to compete with the PRC and its
Belt and Road Initiative; and

1 (7) strategic industries or regions where the 2 United States Government and its foreign partners 3 should pursue more international development 4 projects in order to compete with the PRC and its 5 Belt and Road initiative. TITLE IV—STRENGTHENING SE-6 **ALLIANCES** AND CURITY 7 PARTNERSHIPS 8 Subtitle A—International Security 9 **Partners** 10 11 SEC. 401. DEFINED TERM. 12 In this subtitle, the term "appropriate committees of Congress'' means— 13 14 (1) the Committee on Foreign Relations of the 15 Senate;

- 16 (2) the Committee on Armed Services of the17 Senate; and
- 18 (3) the Committee on Foreign Affairs of the19 House of Representatives; and
- 20 (4) the Committee on Armed Services of the21 House of Representatives.

22 SEC. 402. RESTRICTION ON TRACK 1.5 DIALOGUES WITH 23 THE PEOPLE'S REPUBLIC OF CHINA.

24 (a) SENSE OF CONGRESS.—It is the sense of Con25 gress that—

(1) the PRC has undertaken a breathtaking expansion of its nuclear weapons and missile arsenal
 and is now engaged in a sprint to strategic parity
 with the United States;

5 (2) the PRC has failed to respond to United 6 States efforts to participate in confidence-building 7 measures related to strategic issues or to establish 8 official dialogues with the United States on crisis 9 stability and arms race stability;

10 (3) the PRC is not implementing previously 11 agreed to military-to-military confidence-building 12 measures that require notification of major military 13 exercises, nor is it adhering to the Memorandum of 14 Understanding on the Rules of Behavior for Safety 15 of Air and Maritime Encounters between the De-16 partment of Defense of the United States of Amer-17 ica and the Ministry of National Defense of the Peo-18 ple's Republic of China, done at Washington and 19 Beijing November 9, 2014, or its supplemental 20 agreements;

(4) the PRC is failing to adhere to its commitment under Article VI of the Treaty on the NonProliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968 (commonly referred to as the "Nuclear Nonproliferation

Treaty" or the "NPT"), "to pursue negotiations in
 good faith on effective measures relating to cessation
 of the nuclear arms race at an early date and to nu clear disarmament, and on a treaty on general and
 complete disarmament under strict and effective
 international control";

7 (5) the PRC's nuclear weapons expansion is de8 signed to undermine extended deterrence commit9 ments made by the United States to allies in the
10 Indo-Pacific region;

(6) Sino-Russian nuclear energy cooperation is
designed in part to generate additional fissile material to help fuel the PRC's nuclear weapons expansion;

(7) the Chinese Communist Party (CCP) does
not share the United States interest in preventing
proliferation and has been a central contributor to
fostering the nuclear weapons and ballistic missile
programs of Pakistan, North Korea, and Iran;

20 (8) the United States should not continue to so21 licit Chinese participation in arms control talks;

(9) multilateral fora like P-5 meetings of the
nuclear-weapon states (as defined in the Nuclear
Nonproliferation Treaty) are ineffective and are used

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1	by the Chinese Communist Party to create the ap-
2	pearance of cooperation; and
3	(10) the United States should cease funding
4	and participating in Track 1.5 dialogues with the
5	PRC on nuclear weapons, strategic space, and mis-
6	sile defense, which—
7	(A) have not led to beneficial outcomes in
8	government-to-government discussions on those
9	topics; and
10	(B) provide the PRC with insight and
11	know-how into nuclear strategy and other topics
12	without providing reciprocal insight for the
13	United States.
14	(b) DEFINED TERM.—In this section, the term
15	"Track 1.5 dialogue" means a dialogue or other meeting
16	on a policy issue or issues that includes nongovernment
17	representatives and government representatives.
18	(c) Limitation on Use of Funds.—No amounts
19	appropriated or otherwise made available to the Depart-
20	ment of State or the Department of Defense may be obli-
21	gated or expended for any diplomatic or military-to-mili-
22	tary Track 1.5 dialogues on nuclear, missile defense, or
23	space policy with any entity under the direct control of
24	the Chinese Communist Party or the Government of the
25	People's Republic of China, including the Ministry of For-

eign Affairs, the Ministry of Defense, or the People's Lib eration Army of the People's Republic of China.

3 SEC. 403. REFOCUSING INTERNATIONAL SECURITY EF-4 FORTS FOR STRATEGIC COMPETITION.

5 (a) SENSE OF CONGRESS.—It is the sense of Con6 gress that—

7 (1) the size of the United States diplomatic
8 corps and the civil service workforce of the Depart9 ment of State must be sufficient to meet the current
10 and emerging security challenges of the 21st cen11 tury, particularly those posed by the People's Repub12 lic of China and the Russian Federation;

(2) an increased focus on the PRC in the international security sphere is necessary to achieve objectives of the Department in strategic affairs and
nonproliferation;

17 (3) the focus described in paragraph (2) must
18 be implemented with attention on increasing the
19 number of Foreign Service officers and civil servants
20 at the Department—

(A) to ensure the Department is resourced
at sufficient levels such that diplomatic tools remain central to the implementation of a longterm competitive strategy with the PRC; and

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1 (B) to coordinate with efforts of allies and 2 partners to improve the security of the United 3 States and advance allied interests in the face 4 of the military modernization and expansion of 5 the PRC;

6 (4) the centrality of traditional legally binding 7 arms control agreements in United States national 8 security policy is likely to diminish in an era of stra-9 tegic competition with the Russian Federation and 10 the PRC;

11 (5) emerging technologies such as cyber, artifi-12 cial intelligence, quantum technologies, space, 13 hypersonic missiles, and fractional orbit bombard-14 ment systems, and advances in missile defense sys-15 tems, will increasingly impact the strategic balance 16 between the United States and its great power ad-17 versaries; and

(6) strategic threats will be increasingly addressed through risk reduction measures such as the
promotion of international norms in multilateral forums, increasing communication and predictability
with adversaries, and close cooperation and security
integration with allies and partners.

24 (b) STATEMENT OF POLICY.—It shall be the policy25 of the United States—

1 (1) to ensure funding levels for the Department 2 of State for international security reflect the impor-3 tance and significance of the Indo-Pacific region to 4 the political, economic, and security interests of the 5 United States; 6 (2) to increase funding and the proportion of 7 personnel dedicated to the Indo-Pacific region re-8 spective to the international security budget of the 9 Department of State; and 10 (3) to confront the current limitations on 11 United States Foreign Service Officer exposure to 12 the Russian Federation by maintaining education 13 and focus on Russian culture, politics, military strat-14 egy, and language. 15 (c) ACTION PLAN.— 16 (1) IN GENERAL.—Not later than 180 days 17 after the date of the enactment of this Act, the Sec-

18 retary shall submit to the appropriate congressional 19 committees an action plan that—

20 (A) identifies the requirements to advance 21 the international security objectives of the 22 United States in the Indo-Pacific region and 23 the personnel and budgetary resources needed 24 to meet those requirements, assuming an un-25 constrained resource environment;

1 (B) identifies the offices responsible for 2 managing bilateral and multilateral arms con-3 trol, nonproliferation, and disarmament agree-4 ments that are expired, are expiring, or the 5 United States has withdrawn from, and a de-6 scription of how the missions of those offices 7 could be revised to focus on competitive strate-8 gies and risk reduction initiatives in the Indo-9 Pacific region;

10 (C) identifies any staff positions related to 11 arms control efforts that adversaries are not 12 participating in or cooperating with, and a de-13 scription of how those positions could be reallo-14 cated;

15 (D) includes a plan for increasing the por-16 tion of the international security budget of the 17 Department of State dedicated to the Indo-Pa-18 cific region, including through the reallocation 19 of personnel and resources, with a focus on the 20 threat posed by the military modernization and 21 expansion of the PRC;

(E) includes a plan for increasing the
number of positions in bureaus of the Department that report to the Under Secretary of
State for Arms Control and International Secu-

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1	rity and in overseas missions with responsibility
2	for the Indo-Pacific region, including a descrip-
3	tion of such increases and how such increases
4	will advance United States objectives in the
5	Indo-Pacific region;
6	(F) describes concrete, annual benchmarks
7	that the Department will meet in implementing
8	the action plan; and
9	(G) describes any barriers to implementing
10	the action plan.
11	(2) UPDATES.—During the 2-year period begin-
12	ning on the date on which the action plan is sub-
13	mitted pursuant to paragraph (1), the Secretary
14	shall submit to the appropriate congressional com-
15	mittees semiannual updates on the implementation
16	of the action plan that includes—
17	(A) supporting data; and
18	(B) a detailed assessment of benchmarks
19	that have been met.
20	SEC. 404. REPORT ON DIPLOMATIC OUTREACH WITH RE-
21	SPECT TO PRC MILITARY INSTALLATIONS
22	OVERSEAS.
23	(a) IN GENERAL.—Not later than 180 days after the
24	date of the enactment of this Act, the Secretary, in con-
25	sultation with the Secretary of Defense, shall submit a re-
port to the appropriate committees of Congress regarding
 United States diplomatic engagement with other countries
 that host or are considering hosting any military installa tion of the Government of the PRC.

5 (b) MATTERS TO BE INCLUDED.—The report re-6 quired under subsection (a) shall—

7 (1) list the countries that currently host or are
8 considering hosting any military installation of the
9 Government of the PRC;

(2) describe in detail United States diplomatic
and related efforts to engage countries that are considering hosting a military installation of the Government of the PRC, and the results of such efforts;

(3) assess the adverse impact on United States
interests of the Government of the PRC successfully
establishing a military installation at any of the locations it is currently considering;

(4) describe and list any commercial ports outside of the PRC that the United States Government
assesses could be used by the Government of the
PRC for military purposes, and any diplomatic efforts to engage the governments of the countries
where such ports are located;

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1 (5) describe the impact of the military installa-2 tions of the Government of the PRC on United 3 States interests; and 4 (6) include lessons learned from the diplomatic 5 experience of addressing the PRC's first overseas 6 base in Djibouti. 7 (c) FORM OF REPORT.—The report required under 8 subsection (a) shall be submitted in classified form, but 9 may include an unclassified summary. 10 SEC. 405. LIMITATION ON ASSISTANCE TO COUNTRIES 11 HOSTING PRC MILITARY INSTALLATIONS. 12 (a) SENSE OF CONGRESS.—It is the sense of Con-13 gress that— 14 (1) although it casts the Belt and Road Initia-15 tive as a development initiative, the PRC is also uti-16 lizing the Belt and Road Initiative to advance its 17 own security interests, including to expand its power

18 projection capabilities and facilitate greater access 19 for the People's Liberation Army through overseas 20 military installations; and

21 (2) the expansion of the People's Liberation 22 Army globally through overseas military installations 23 will undermine the medium- and long-term security 24 of the United States and the security and develop-25 ment of strategic partners in critical regions around

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the world, which is at odds with United States goals
 to promote peace, prosperity, and self-reliance
 among partner nations, including through the Mil lennium Challenge Corporation.

5 (b) LIMITATION ON ASSISTANCE.—Except as provided under subsection (c), for fiscal years 2024 through 6 7 2033, the government of a country that is hosting on its 8 territory a military installation of the Government of the 9 People's Republic of China or facilitates the expansion of 10 the presence of the People's Liberation Army for purposes 11 other than participating in United Nations peacekeeping 12 operations or for temporary humanitarian, medical, and 13 disaster relief operations in such country shall not be eligible for assistance under section 609 or 616 of the Millen-14 15 nium Challenge Act of 2003 (22 U.S.C. 7708, 7715).

(c) NATIONAL INTEREST WAIVER.—The President,
on a case by case basis, may waive the limitation under
subsection (b) if the President submits to the appropriate
congressional committees—

20 (1) a written determination that such waiver is
21 important to the national interests of the United
22 States; and

(2) a detailed explanation of how the waiver isimportant to such interests.

1 SEC. 406. AMENDMENT TO THE STOP HARBORING IRANIAN 2 PETROLEUM ACT. 3 The Stop Harboring Iranian Petroleum Act (division 4 J of Public Law 118–50) is amended— 5 (1) by redesignating section 6 as section 7; and 6 (2) inserting after section 5 the following: 7 **"SEC. 6. COOPERATIVE AGREEMENTS TO PROTECT AMERI-**8 CANS FROM DRONE ATTACKS. 9 "(a) SENSE OF CONGRESS.—It is the sense of Con-10 gress that— 11 "(1) the United States condemns the January 12 28, 2024, drone attack on Tower 22 in Jordan by 13 Iranian-backed militias that tragically took the lives 14 of 3 American servicemembers and wounded 47 oth-15 ers; 16 "(2) one-way attack drones and similar low-cost 17 armed unmanned aerial systems are the most dan-18 gerous asymmetric threat employed by Iranian-19 aligned militias against Americans and American in-20 terests; 21 "(3) United States defense against drones relies 22 on a patchwork of defensive systems, and the United 23 States and like-minded partners need to develop de-24 fensive systems that leverage innovation and are re-25 sponsive to rapidly changing technology and attack 26 methodologies;

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1 "(4) the United States should improve coopera-2 tion with like-minded partners to systematically map 3 out, expose, and disrupt missile and drone procure-4 ment networks used by the Iran-backed Houthi 5 rebels in Yemen and other Iranian proxies targeting 6 United States forces and assets and United States 7 allies and partners in the region; 8 "(5) the partner countries of the United States,

9 including Iraq, Jordan, and countries on the Ara10 bian Peninsula, face urgent and emerging threats
11 from unmanned aerial systems and other unmanned
12 aerial vehicles;

"(6) joint research and development to counter
unmanned aerial systems will serve the national security interests of the United States and its partners
in Iraq, Jordan, and on the Arabian Peninsula;

17 "(7) development of counter Unmanned Air18 craft Systems technology will reduce the impacts of
19 these attacks, build deterrence, and increase regional
20 stability; and

"(8) the United States and partners in Iraq,
Jordan, and on the Arabian Peninsula should continue to work together to protect against the threat
from unmanned aerial systems.

"(b) DEFINED TERM.—In this section, the term
 'Arabian Peninsula' means Bahrain, Kuwait, Oman,
 Qatar, Saudi Arabia, the United Arab Emirates, and
 Yemen.

5 "(c) AUTHORITY TO ENTER INTO A COOPERATIVE
6 AGREEMENT TO PROTECT AMERICANS IN IRAQ, JORDAN,
7 AND ON THE ARABIAN PENINSULA FROM WEAPONIZED
8 UNMANNED AERIAL SYSTEMS.—

9 "(1) IN GENERAL.—The President is author-10 ized to enter into a cooperative project agreement 11 with Iraq, Jordan, and countries on the Arabian Pe-12 ninsula under the authority of section 27 of the 13 Arms Export Control Act (22 U.S.C. 2767) to carry 14 out research on and development, testing, evalua-15 tion, and joint production (including follow-on sup-16 port) of defense articles and defense services to de-17 tect, track, and destroy armed unmanned aerial sys-18 tems that threaten the United States and its part-19 ners in Iraq, Jordan, and on the Arabian Peninsula. 20 "(2) Applicable requirements.—

21 "(A) IN GENERAL.—The cooperative
22 project agreement described in paragraph (1)—
23 "(i) shall provide that any activities
24 carried out pursuant to such agreement
25 are subject to—

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1	"(I) the applicable requirements
2	described in subparagraphs (A), (B),
3	and (C) of section $27(b)(2)$ of the
4	Arms Export Control Act (22 U.S.C.
5	2767(b)(2)); and
6	"(II) any other applicable re-
7	quirements of the Arms Export Con-
8	trol Act (22 U.S.C. 2751 et seq.) with
9	respect to the use, transfer, and secu-
10	rity of such defense articles and de-
11	fense services under such Act;
12	"(ii) shall establish a framework to
13	negotiate the rights to intellectual property
14	developed under such agreement; and
15	"(iii) shall be defensive in nature.
16	"(B) Congressional notification re-
17	QUIREMENTS.—Notwithstanding section $27(g)$
18	of the Arms Export Control Act (22 U.S.C.
19	2767(g)), any defense articles that result from
20	a cooperative project agreement shall be subject
21	to the requirements under subsections (b) and
22	(c) of section 36 of such Act (22 U.S.C. 2776).
23	"(d) Rule of Construction With Respect to
24	USE OF MILITARY FORCE.—Nothing in this section may

be construed as an authorization for the use of military
 force.".

3 SEC. 407. MISSILE TECHNOLOGY CONTROL REGIME PROVI4 SIONS.

(a) DEFINITIONS.—In this section, the terms "Missile Technology Control Regime", "MTCR", and "MTCR
equipment or technology" have the meanings given such
terms in section 74(a) of the Arms Export Control Act
(22 U.S.C. 2797c(a)).

(b) MODIFICATION OF CERTAIN PROVISIONS RELATING TO BILATERAL AGREEMENTS AND AUKUS DEFENSE
TRADE COOPERATION UNDER THE ARMS EXPORT CONTROL ACT.—Section 38(j)(1)(C)(ii) of the Arms Export
Control Act (22 U.S.C. 2778(j)(1)(C)(ii)) is amended—
(1) by striking subclauses (I), (II), and (III);

16 and

17 (2) by redesignating subclauses (IV), (V), (VI),
18 and (VII) as subclauses (I), (II), (III), and (IV), re19 spectively.

20 (c) Report.—

(1) IN GENERAL.—Not later than 90 days after
the date of the enactment of this Act, the Secretary
shall submit a report to the appropriate congressional committees that includes—

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1	(A) the opportunities and challenges
2	United States participation in the Missile Tech-
3	nology Control Regime create—
4	(i) in addressing missile proliferation
5	threats, including a comprehensive descrip-
6	tion of diplomatic and technical engage-
7	ments with allies and partners regarding
8	MTCR participation, guidelines, and
9	standards; and
10	(ii) regarding security cooperation
11	with allies and partners, including a com-
12	prehensive description of diplomatic and
13	technical engagements with allies and part-
14	ners regarding MTCR participation, guide-
15	lines, and standards;
16	(B) an update on MTCR-related delibera-
17	tions and engagements specific to North Atlan-
18	tic Treaty Organization allies, Australia, and
19	other partners and allies in the Indo-Pacific, in-
20	cluding—
21	(i) technical consultations, diplomatic
22	engagements, and export control regime
23	consultations and assistance; and
24	(ii) an enumeration of planned modi-
25	fications to or recommended changes to

1	address the need for expedited sales and
2	transfer of MTCR-controlled systems to
3	address threats to United States national
4	security, including in the Indo-Pacific re-
5	gion;
6	(C) a detailed description and assessment
7	of disinformation and misinformation cam-
8	paigns or activities seeking to discredit or un-
9	dermine global nonproliferation regimes, includ-
10	ing such campaigns or activities conducted by
11	the PRC, Iran, Russia, and North Korea and
12	their assessed impact on such regimes;
13	(D) a detailed description of Russia's ef-
14	forts to disrupt consensus based decisions at
15	the MTCR;
16	(E) a detailed description and assessment
17	of cooperation between the PRC, Iran, Russia,
18	and North Korea relating to MTCR equipment
19	or technologies;
20	(F) a comprehensive list, disaggregated by
21	category of MTCR equipment or technology, of
22	all countries that sought to purchase MTCR
23	equipment or technologies during the 10-year
24	period ending on the date of the enactment of
25	this Act, including—

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1	(i) average time for an approval or
2	disapproval decision;
3	(ii) reasoning and procedures that led
4	to an approval or disapproval decision; and
5	(iii) details about countries that have
6	repeatedly overcome the presumption of
7	denial standard if and how the Department
8	of State expedited considerations for fur-
9	ther requests; and
10	(G) a comprehensive list, disaggregated by
11	category of MTCR equipment or technology, of
12	United States persons that have sought to ex-
13	port MTCR equipment or technologies to other
14	countries, including—
15	(i) average time for an approval or
16	disapproval decision;
17	(ii) reasoning and procedures that led
18	to an approval or disapproval decision;
19	(iii) information on those United
20	States persons who have challenged any
21	disapproval decision; and
22	(iv) a detailed explanation of the proc-
23	ess United States persons can follow to ap-
24	peal a disapproval decision, including a de-
25	tailed licensing process that such persons

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1	should expect to follow to in order to re-
2	ceive consideration for an approval deci-
3	sion.
4	(2) FORM.—The report required under para-
5	graph (1) shall be submitted in unclassified form,
6	but may include a classified annex.
7	SEC. 408. STRENGTHENING EXTENDED NUCLEAR DETER-
8	RENCE IN THE KOREAN THEATER OF OPER-
9	ATIONS.
10	(a) FINDINGS.—Congress finds the following:
11	(1) United States extended deterrence commit-
12	ments to South Korea have failed to keep pace with
13	the nuclear and strategic threats in East Asia, in
14	particular those posed by North Korea.
15	(2) In response to North Korea's nuclear and
16	missile program and the March 2010 sinking of the
17	ROKS Cheonan (a South Korean Navy frigate) the
18	Department of Defense established the United
19	States-Republic of Korea Extended Deterrence Pol-
20	icy Committee (referred to in this section as the
21	"EDPC") in October 2010—
22	(A) to strengthen deterrence of North
23	Korea; and
24	(B) to enhance assurance of the South Ko-
25	rean public.

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(3) In 2012, the EDPC agreed to begin work
 on a Tailored Deterrence Strategy which was en dorsed at the 45th United States-Republic of Korea
 Security Consultative Meeting on October 2nd, 2013
 and completed in 2014.

6 (4) In 2015, the EDPC was merged with the 7 Counter Missile Capabilities Committee and re-8 named the Deterrence Strategy Committee with the 9 express purpose of strengthening extended deter-10 rence in response to advances in North Korea's nu-11 clear and missile programs.

12 (5) North Korea conducted 2 nuclear weapons 13 tests in 2016. In response to urgent requests from 14 the Government of South Korea to further strength-15 en extended deterrence, the United States and South 16 Korea formed the Extended Deterrence Strategy 17 Consultation Group (referred to in this section as 18 the "EDSCG") with the Department of State and 19 the Department of Defense co-chairing the EDSCG 20 in a "2+2" format.

- 21 (6) The purposes of the EDSCG are—
 22 (A) to elevate consultations to more senior
- 23 levels;

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1	(B) to develop concrete deterrence meas-
2	ures in response to the evolving threat from
3	North Korea; and
4	(C) to strengthen assurance of the South
5	Korean public.
6	(7) The establishment of the Nuclear Consult-
7	ative Group (referred to in this section as the
8	"NCG") between the United States and the Repub-
9	lic of Korea during President Yoon Suk Yeol's visit
10	to the United States on April 26, 2023, reflected a
11	recognition—
12	(A) of the accelerating threat posed by the
13	North Korea's nuclear weapons and missile pro-
14	gram; and
15	(B) that previous alliance attempts to
16	strengthen assurance of South Korea had prov-
17	en unsuccessful.
18	(8) It is clear that the EDPC and the EDSCG
19	were unsuccessful in assuring South Korea or
20	strengthening deterrence because they failed to iden-
21	tify concrete changes to our defense posture in the
22	Korean theater of operations and United States offi-
23	cials were unwilling to adjust long-standing policies
24	with regard to extended deterrence.

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1 (9) For the NCG to be more effective than its 2 predecessor groups, the NCG must adopt a program 3 of work embracing the need— 4 (A) to adjust the United States defense 5 posture in the Korean theater of operations to 6 include consideration of deploying United 7 States nuclear assets and restoring United 8 States nuclear infrastructure in the region; 9 (B) to establish a crisis consultation mech-10 anism to be convened in response to North Ko-11 rean nuclear threats and consult on alliance de-12 terrence related decision-making; 13 (C) to increase alliance nuclear planning 14 activities related to consequence management 15 and the conduct conventional operations in a 16 weapons of mass destruction environment; and 17 (D) to explore options to increase South 18 Korean contributions to operations related to 19 nuclear burden sharing. 20 (b) SENSE OF CONGRESS.—It is the sense of Con-21 gress that— 22 (1) the United States-Republic of Korea alli-23 ance is a bilateral, integrated alliance that benefits 24 both countries;

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1	(2) South Korea shares the burden of maintain-
2	ing stability on the Korean Peninsula and the larger
3	region by maintaining a large standing army of
4	more than 3,000,000 personnel, with 500,000 on ac-
5	tive duty, and spends 2.7 percent of its gross domes-
6	tic product on defense-related expenditures; and
7	(3) the NCG can strengthen the alliance be-
8	tween the Government of the United States and the
9	Government of South Korea by deepening the ability
10	of such governments to plan, consult, and conduct
11	exercises on issues related to nuclear deterrence.
12	(c) Report on the Implementation of the Nu-
13	CLEAR CONSULTATIVE GROUP.—
14	(1) IN GENERAL.—Not later than 90 days after
15	the date of the enactment of this Act, the Secretary
16	and the Secretary of Defense shall jointly submit a
17	report to the appropriate congressional committees
18	and the congressional defense committees that in-
19	cludes a description of—
20	(A) the organization of the NCG, including
21	co-chairs and interagency participants from the
22	United States;
23	(B) the scope of the operations, activities
24	and initiatives of the NCG and how such activi-
25	ties connect to the Security Consultative Mech-

1	anism and the Military Consultative Mechanism
2	between South Korea and the United States;
3	(C) the relationship of the NCG to existing
4	extended deterrence mechanisms of the South
5	Korea and the United States, including the
6	DSC and the EDSCG;
7	(D) the frequency and circumstances under
8	which the NCG convenes; and
9	(E) how the NCG addresses strategic plan-
10	ning, crisis consultation, and military exercises.
11	(2) FORM.—The report required under para-
12	graph (1) shall be submitted in unclassified form,
13	but may include a classified annex.
14	(3) Briefing.—Not later than 180 days after
15	date of the enactment of this Act, and every 180
16	days thereafter until December 31, 2026, the Sec-
17	retary and the Secretary of Defense shall brief the
18	appropriate congressional committees, the Com-
19	mittee on Armed Services of the Senate, and the
20	Committee on Armed Services of the House of Rep-
21	resentatives regarding the outcomes of NCG meet-
22	ings.

Subtitle B-Indo-Pacific Allies and 1 **Partners** 2 3 PART I-TAIWAN 4 SEC. 411. DEVELOPMENT OF ECONOMIC TOOLS TO DETER 5 AGGRESSION BY PEOPLE'S REPUBLIC OF 6 CHINA AGAINST TAIWAN. 7 (a) SENSE OF CONGRESS.—It is the sense of Con-8 gress that the United States must be prepared to take im-9 mediate action to impose sanctions with respect to any 10 military or non-military entities owned, controlled, or act-11 ing at the direction of the Government of the PRC or the 12 Chinese Communist Party that are supporting actions by the Government of the PRC or the Chinese Communist 13 14 Party to— 15 (1) overthrow or dismantle the governing insti-16 tutions in Taiwan; 17 (2) occupy any territory controlled or adminis-18 tered by Taiwan; 19 (3) violate the territorial integrity of Taiwan; or 20 (4) take significant action against Taiwan, in-21 cluding-22 (A) conducting a naval blockade of Tai-23 wan; 24 (B) seizing any outlying island of Taiwan;

25 or

	2 11
1	(C) perpetrating a significant cyber attack
2	on Taiwan.
3	(b) Defined Term.—In this section, the term "ap-
4	propriate congressional committees'' means—
5	(1) the Committee on Foreign Relations of the
6	Senate;
7	(2) the Committee on Banking, Housing, and
8	Urban Affairs of the Senate;
9	(3) the Committee on Commerce, Science, and
10	Transportation of the Senate;
11	(4) the Committee on Foreign Affairs of the
12	House of Representatives;
13	(5) the Committee on Financial Services of the
14	House of Representatives; and
15	(6) the Committee on Energy and Commerce of
16	the House of Representatives.
17	(c) TASK FORCE.—Not later than 180 days after the
18	date of the enactment of this Act, the Office of Sanctions
19	Coordination of the Department of State and the Office
20	of Foreign Asset Control of the Department of the Treas-
21	ury, in coordination with the Office of the Director of Na-
22	tional Intelligence, shall establish an interagency task
23	force (referred to in this section as the "Task Force") to
24	identify military or non-military entities that could be sub-
25	ject to sanctions imposed by the United States imme-

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diately following any action or actions taken by the PRC
 that demonstrate an attempt to achieve or has the signifi cant effect of achieving the physical or political control of
 Taiwan, including by taking any of the actions described
 in paragraphs (1) through (4) of subsection (a).

6 (d) STRATEGY.—Not later than 180 days after the 7 establishment of the Task Force, the Task Force shall 8 submit to the appropriate congressional committees a 9 strategy for identifying targets under this section, which 10 shall include—

(1) an assessment of how existing sanctions regimes could be used to impose sanctions with respect
to entities identified pursuant to subsection (c);

(2) a strategy for developing or proposing, as
appropriate, new sanctions authorities that might be
required to impose sanctions with respect to such
entities;

18 (3) an analysis of the potential economic con-19 sequences to the United States, and to allies and 20 partners of the United States, of imposing various 21 types of sanctions with respect to those entities and 22 assess measures that could be taken to mitigate 23 those consequences, including through the use of li-24 censes, exemptions, carve-outs, and other forms of 25 relief:

(4) a strategy for working with allies and part-
ners of the United States—
(A) to leverage sanctions and other eco-
nomic tools to deter or respond to aggression
against Taiwan;
(B) to identify and resolve potential im-
pediments to coordinating sanctions-related ef-
forts with respect to responding to or deterring
aggression against Taiwan; and
(C) to identify industries, sectors, or goods
and services with respect to which the United
States and allies and partners of the United
States can take coordinated action through
sanctions or other economic tools that will have
a significant negative impact on the economy of
the PRC;
(5) an assessment of the resource gaps and
needs at the Department of State, the Department
of the Treasury, and other Federal agencies, as ap-
propriate, to most effectively use sanctions and other
economic tools to respond to the threat posed by the
PRC;
(6) recommendations on how best to target
sanctions and other economic tools against individ-
uals, entities, and economic sectors in the PRC, tak-

1	ing into account the role of those targets in sup-
2	porting policies and activities of the Government of
3	the PRC or the Chinese Communist Party that pose
4	a threat to the national security or foreign policy in-
5	terests of the United States, the negative economic
6	implications of those sanctions and tools for that
7	government, including its ability to achieve its objec-
8	tives with respect to Taiwan, and the potential im-
9	pact of those sanctions and tools on the stability of
10	the global financial system, including with respect
11	to—
12	(A) state-owned enterprises;
13	(B) officials of the Government of the
14	PRC ;
15	(C) financial institutions associated with
16	the Government of the PRC; and
17	(D) companies in the PRC that are not
18	formally designated by the Government of the
19	PRC as state-owned enterprises; and
20	(7) the identification of any foreign military or
21	non-military entities that would likely be used to
22	achieve the outcomes specified in subsection $(a)(1)$,
23	including entities in the shipping, logistics, energy
24	(including oil and gas), aviation, ground transpor-
25	tation, and technology sectors.

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1	(e) Report.—
2	(1) IN GENERAL.—Not later than 60 days after
3	the submission of the strategy required under sub-
4	section (d), and semiannually thereafter, the Task
5	Force shall submit a report to the appropriate con-
6	gressional committees that includes information re-
7	garding—
8	(A) any entities identified pursuant to sub-
9	section (c) or $(d)(7)$;
10	(B) any new authorities needed to impose
11	sanctions with respect to those entities;
12	(C) potential economic impacts on the
13	PRC, the United States, and allies and partners
14	of the United States of imposing sanctions with
15	respect to those entities, as well as mitigation
16	measures that could be employed to limit dele-
17	terious impacts on the United States and allies
18	and partners of the United States;
19	(D) the status of coordination with allies
20	and partners of the United States on sanctions
21	and other economic tools identified under this
22	section;
23	(E) resource gaps and recommendations to
24	enable the Department of State and the De-
25	partment of the Treasury to use sanctions to

1	more effectively respond to the malign activities
2	of the Government of the PRC; and
3	(F) any additional resources that may be
4	necessary to carry out the strategy.
5	(2) FORM.—Each report required under para-
6	graph (1) shall be submitted in classified /form.
7	SEC. 412. TREATMENT OF THE GOVERNMENT OF TAIWAN.
8	(a) IN GENERAL.—The Department of State and
9	other United States Government agencies shall—
10	(1) treat the democratically elected government
11	of Taiwan as the legitimate representative of the
12	people of Taiwan; and
13	(2) end the outdated practice of referring to the
14	Government in Taiwan as the "authorities".
15	(b) NO RESTRICTIONS.—Notwithstanding the contin-
16	ued supporting role of the American Institute in, Taiwan
17	in carrying out United States foreign policy and protecting
18	United States interests in Taiwan, the United States Gov-
19	ernment shall not place any restrictions on the ability of
20	officials of the Department of State and other United
21	States Government agencies from interacting directly and
22	routinely with counterparts in the Government of Taiwan,
23	including restricting the travel of senior officials of Tai-
24	wan in the United States, including restricting the travel
25	of senior officials of Taiwan in the United States.

1	SEC. 413. WAR RESERVE STOCK PROGRAM FOR TAIWAN.
2	(a) IN GENERAL.—Notwithstanding section 514 of
3	the Foreign Assistance Act of 1961 (22 U.S.C. 2321h),
4	the President may transfer to Taiwan any or all of the
5	items described in subsection (b).
6	(b) ITEMS DESCRIBED.—The items referred to in
7	subsection (a) are armor, artillery, automatic weapons am-
8	munition, missiles, and other munitions that are—
9	(1) obsolete or surplus items;
10	(2) in the inventory of the Department of De-
11	fense;
12	(3) intended for use as reserve stocks for Tai-
13	wan; and
14	(4) located in a stockpile in Taiwan.
- ·	
15	(c) Congressional Notification.—Not later than
15	(c) Congressional Notification.—Not later than
15 16 17	(c) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before making any transfer under this section,
15 16 17	(c) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before making any transfer under this section, the President shall submit a notification identifying the
15 16 17 18	(c) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before making any transfer under this section, the President shall submit a notification identifying the items to be transferred and the concessions to be received
15 16 17 18 19	(c) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before making any transfer under this section, the President shall submit a notification identifying the items to be transferred and the concessions to be received to the appropriate congressional committees, the Com-
15 16 17 18 19 20	(c) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before making any transfer under this section, the President shall submit a notification identifying the items to be transferred and the concessions to be received to the appropriate congressional committees, the Com- mittee on Armed Services of the Senate, and the Com-
 15 16 17 18 19 20 21 	(c) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before making any transfer under this section, the President shall submit a notification identifying the items to be transferred and the concessions to be received to the appropriate congressional committees, the Com- mittee on Armed Services of the Senate, and the Com- mittee on Armed Services of the House of Representatives.
 15 16 17 18 19 20 21 22 	(c) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before making any transfer under this section, the President shall submit a notification identifying the items to be transferred and the concessions to be received to the appropriate congressional committees, the Com- mittee on Armed Services of the Senate, and the Com- mittee on Armed Services of the House of Representatives. SEC. 414. PROPER TREATMENT OF TAIWAN GOVERNMENT
 15 16 17 18 19 20 21 22 23 	(c) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before making any transfer under this section, the President shall submit a notification identifying the items to be transferred and the concessions to be received to the appropriate congressional committees, the Com- mittee on Armed Services of the Senate, and the Com- mittee on Armed Services of the House of Representatives. SEC. 414. PROPER TREATMENT OF TAIWAN GOVERNMENT REPRESENTATIVES.

(2) conducting government-hosted ceremonies
 or functions; and

3 (3) appearances on Department of State social
4 media accounts promoting engagements with Tai5 wan.

6 (b) IN GENERAL.—Notwithstanding any other provi-7 sion of law, none of the funds appropriated or otherwise 8 made available for the Department of State for fiscal year 9 2025 may be used to prepare, propose, draft, review, or 10 promulgate any regulation, guidance, or executive order, or to otherwise implement, administer, or enforce any pol-11 icy that restricts the ability of members of the armed 12 13 forces and government representatives from the Republic of China (Taiwan) or the Taipei Economic and Cultural 14 15 Representative Office (TECRO) to display, for official 16 purposes-

17 (1) the flag of the Republic of China (Taiwan);18 or

19 (2) the corresponding emblems or insignia of20 military units.

21 SEC. 415. AMERICAN INSTITUTE IN TAIWAN.

22 The position of Director of the American Institute in23 Taiwan's Taipei office—

(1) shall be subject to the advice and consentof the Senate; and

	2 I J
1	(2) shall have the title of "Representative".
2	PART II—SOUTH CHINA AND EAST CHINA SEA
3	SANCTIONS
4	SEC. 421. SHORT TITLE.
5	This part may be cited as the "South China Sea and
6	East China Sea Sanctions Act of 2024".
7	SEC. 422. SANCTIONS WITH RESPECT TO CHINESE PERSONS
8	RESPONSIBLE FOR CHINA'S ACTIVITIES IN
9	THE SOUTH CHINA SEA AND THE EAST CHINA
10	SEA.
11	(a) DEFINITIONS.—In this section:
12	(1) Account; correspondent account; pay-
13	ABLE-THROUGH ACCOUNT.—The terms "account",
14	"correspondent account", and "payable-through ac-
15	count" have the meanings given such terms in sec-
16	tion 5318A of title 31, United States Code.
17	(2) ALIEN.—The term "alien" has the meaning
18	given such term in section 101(a) of the Immigra-
19	tion and Nationality Act (8 U.S.C. 1101(a)).
20	(3) CHINESE PERSON.—The term "Chinese
21	person" means—
22	(A) an individual who is a citizen or na-
23	tional of the People's Republic of China; or
24	(B) an entity organized under the laws of
25	the People's Republic of China or otherwise

1	subject to the jurisdiction of the Government of
2	the People's Republic of China.
3	(4) FINANCIAL INSTITUTION.—The term "fi-
4	nancial institution" means a financial institution
5	specified in subparagraph (A), (B), (C), (D), (E),
6	(F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T),
7	(Y), or (Z) of section $5312(a)(2)$ of title 31, United
8	States Code.
9	(5) FOREIGN FINANCIAL INSTITUTION.—The
10	term "foreign financial institution" has the meaning
11	given such term in section 1010.605 of title 31,
12	Code of Federal Regulations (or any corresponding
13	similar regulation or ruling).
14	(6) GOOD.—The term "good" means any arti-
15	cle, natural or manmade substance, material, supply,
16	or manufactured product, including inspection and
17	test equipment, and excluding technical data.
18	(7) PERSON.—The term "person" means any
19	individual or entity.
20	(8) UNITED STATES PERSON.—The term
21	"United States person" means—
22	(A) a United States citizen or an alien law-
23	fully admitted for permanent residence to the
24	United States;

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(B) an entity organized under the laws of
 the United States or of any jurisdiction within
 the United States, including a foreign branch of
 such an entity; or

(C) any person in the United States.

6 (b) INITIAL IMPOSITION OF SANCTIONS.—On or after 7 the date that is 120 days after the date of the enactment 8 of this Act, the President may impose the sanctions de-9 scribed in subsection (c) with respect to any Chinese per-10 son, including any senior official of the Government of the 11 People's Republic of China, that the President deter-12 mines—

(1) is responsible for or significantly contributes
to large-scale reclamation, construction, militarization, or ongoing supply of outposts in disputed areas
of the South China Sea;

17 (2) is responsible for or significantly contributes 18 to, or has engaged in, directly or indirectly, actions, 19 including the use of coercion, to inhibit another 20 country from protecting its sovereign rights to ac-21 cess offshore resources in the South China Sea, in-22 cluding in such country's exclusive economic zone, 23 consistent with such country's rights and obligations 24 under international law;

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1 (3) is responsible for or complicit in, or has en-2 gaged in, directly or indirectly, actions that signifi-3 cantly threaten the peace, security, or stability of 4 disputed areas of the South China Sea or areas of 5 the East China Sea administered by Japan or the 6 Republic of Korea, including through the use of ves-7 sels and aircraft by the People's Republic of China 8 to occupy or conduct extensive research or drilling 9 activity in those areas; 10 (4) has materially assisted, sponsored, or pro-11 vided financial, material, or technological support 12 for, or goods or services to, or in support of, any 13 person subject to sanctions pursuant to paragraph 14 (1), (2), or (3); or15 (5) is owned or controlled by, or has acted for 16 or on behalf of, directly or indirectly, any person 17

18 or (3).

19 (c) SANCTIONS DESCRIBED.—The sanctions that 20 may be imposed with respect to a person described in sub-21 section (b) are the following:

subject to sanctions pursuant to paragraph (1), (2),

22 (1) BLOCKING OF PROPERTY.—The President 23 may, in accordance with the International Emer-24 gency Economic Powers Act (50 U.S.C. 1701 et 25 seq.), block and prohibit all transactions in all prop-

1	erty and interests in property of the person if such
2	property and interests in property are in the United
3	States, come within the United States, or are or
4	come within the possession or control of a United
5	States person.
6	(2) INELIGIBILITY FOR VISAS, ADMISSION, OR
7	PAROLE.—
8	(A) VISAS, ADMISSION, OR PAROLE.—In
9	the case of an alien, the alien may be—
10	(i) inadmissible to the United States;
11	(ii) ineligible to receive a visa or other
12	documentation to enter the United States;
13	and
14	(iii) otherwise ineligible to be admitted
15	or paroled into the United States or to re-
16	ceive any other benefit under the Immigra-
17	tion and Nationality Act (8 U.S.C. 1101 et
18	seq.).
19	(B) CURRENT VISAS REVOKED.—
20	(i) IN GENERAL.—An alien described
21	in subparagraph (A) may be subject to rev-
22	ocation of any visa or other entry docu-
23	mentation regardless of when the visa or
24	other entry documentation is or was
25	issued.

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1	(ii) Immediate effect.—A revoca-
2	tion under clause (i) may—
3	(I) take effect immediately; and
4	(II) cancel any other valid visa or
5	entry documentation that is in the
6	alien's possession.
7	(3) EXCLUSION OF CORPORATE OFFICERS.—
8	The President may direct the Secretary to deny a
9	visa to, and the Secretary of Homeland Security to
10	exclude from the United States, any alien that the
11	President determines is a corporate officer or prin-
12	cipal of, or a shareholder with a controlling interest
13	in, the person.
14	(4) EXPORT SANCTION.—The President may
15	order the United States Government not to issue
16	any specific license and not to grant any other spe-
17	cific permission or authority to export any goods or
18	technology to the person under—
19	(A) the Export Control Reform Act of
20	2018 (50 U.S.C. 4801 et seq.); or
21	(B) any other statute that requires the
22	prior review and approval of the United States
23	Government as a condition for the export or re-
24	export of goods or services.

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1 (5) INCLUSION ON ENTITY LIST.—The Presi-2 dent may include the entity on the entity list main-3 tained by the Bureau of Industry and Security of 4 the Department of Commerce and set forth in Sup-5 plement No. 4 to part 744 of the Export Adminis-6 tration Regulations, for activities contrary to the na-7 tional security or foreign policy interests of the 8 United States.

9 (6) BAN ON INVESTMENT IN EQUITY OR DEBT 10 OF SANCTIONED PERSON.—The President may, pur-11 suant to such regulations or guidelines as the Presi-12 dent may prescribe, prohibit any United States per-13 son from investing in or purchasing equity or debt 14 instruments of the person.

15 (7) BANKING TRANSACTIONS.—The President 16 may, pursuant to such regulations as the President 17 may prescribe, prohibit any transfers of credit or 18 payments between financial institutions or by, 19 through, or to any financial institution, to the extent 20 that such transfers or payments are subject to the 21 jurisdiction of the United States and involve any in-22 terest of the person.

23 (8) CORRESPONDENT AND PAYABLE-THROUGH
24 ACCOUNTS.—In the case of a foreign financial insti25 tution, the President may prohibit the opening, and

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prohibit or impose strict conditions on the maintain ing, in the United States of a correspondent account
 or a payable-through account by the foreign finan cial institution.

5 (d) EXCEPTIONS.—

6 (1) INAPPLICABILITY OF NATIONAL EMER7 GENCY REQUIREMENT.—The requirements under
8 section 202 of the International Emergency Eco9 nomic Powers Act (50 U.S.C. 1701) shall not apply
10 for purposes of subsection (c)(1).

11 (2) EXCEPTION FOR INTELLIGENCE, LAW EN12 FORCEMENT, AND NATIONAL SECURITY ACTIVI13 TIES.—Sanctions under this section shall not apply
14 to any authorized intelligence, law enforcement, or
15 national security activities of the United States.

16 (3) Compliance with united nations head-17 QUARTERS AGREEMENT.—Paragraphs (2) and (3) of 18 subsection (c) shall not apply if admission of an 19 alien to the United States is necessary to permit the 20 United States to comply with the Agreement regard-21 ing the Headquarters of the United Nations, signed 22 at Lake Success, June 26, 1947, and entered into 23 force, November 21, 1947, between the United Na-24 tions and the United States.

(4) EXCEPTION RELATING TO IMPORTATION OF
 GOODS.—The authority or a requirement to impose
 sanctions under this section shall not include the au thority or a requirement to impose sanctions on the
 importation of goods.

6 (e) IMPLEMENTATION; PENALTIES.—

7 (1) IMPLEMENTATION.—The President may ex8 ercise all authorities provided under sections 203
9 and 205 of the International Emergency Economic
10 Powers Act (50 U.S.C. 1702 and 1704) to carry out
11 this section.

12 (2) PENALTIES.—The penalties provided for in 13 subsections (b) and (c) of section 206 of the Inter-14 national Emergency Economic Powers Act (50 15 U.S.C. 1705) shall apply to a person that violates, 16 attempts to violate, conspires to violate, or causes a 17 violation of regulations prescribed under subsection 18 (c)(1) to the same extent that such penalties apply 19 to a person that commits an unlawful act described 20 in subsection (a) of such section 206.

21 SEC. 423. SENSE OF CONGRESS REGARDING PORTRAYALS
22 OF THE SOUTH CHINA SEA OR THE EAST
23 CHINA SEA AS PART OF CHINA.

It is the sense of Congress that the Government Pub-lishing Office should not publish any map, document,

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1 record, electronic resource, or other paper of the United 2 States (other than materials relating to hearings held by 3 committees of Congress or internal work product of a Fed-4 eral agency) portraying or otherwise indicating that it is 5 the position of the United States that the territory or airspace in the South China Sea that is disputed among 2 6 7 or more parties or the territory or airspace of areas ad-8 ministered by Japan or the Republic of Korea, including 9 in the East China Sea, is part of the territory or airspace 10 of the People's Republic of China.

11SEC. 424. SENSE OF CONGRESS ON 2016 PERMANENT12COURT OF ARBITRATION'S TRIBUNAL RUL-13ING ON ARBITRATION CASE BETWEEN THE14PHILIPPINES AND THE PEOPLE'S REPUBLIC15OF CHINA.

16 (a) FINDING.—Congress finds that on July 12, 2016, a tribunal of the Permanent Court of Arbitration found 17 in the arbitration case between the Philippines and the 18 PRC under the United Nations Convention on the Law 19 20 of the Sea that the People's Republic of China's claims, 21 including those to offshore resources and "historic rights", 22 were unlawful, and that the tribunal's ruling is final and 23 legally binding on both parties.

(b) SENSE OF CONGRESS.—It is the sense of Con25 gress that—
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1 (1) the United States and the international 2 community should reject the unlawful claims of the 3 PRC within the exclusive economic zone or on the 4 continental shelf of the Philippines, as well as the 5 maritime claims of the PRC beyond a 12-nautical-6 mile territorial sea from the islands it claims in the South China Sea; 7 8 (2) the provocative behavior of the PRC, includ-9 ing coercing other countries with claims in the South 10 China Sea and preventing those countries from ac-11 cessing offshore resources, undermines peace and 12 stability in the South China Sea; 13 (3) the international community should— 14 (A) support and adhere to the ruling de-15 scribed in subsection (a) in compliance with 16 international law; and 17 (B) take all necessary steps to support the 18 rules-based international order in the South 19 China Sea; and 20 (4) all claimants in the South China Sea should-21 22 (A) refrain from engaging in destabilizing 23 activities, including illegal occupation or efforts 24 to unlawfully assert control over disputed 25 claims;

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1	(B) ensure that disputes are managed
2	without intimidation, coercion, or force;
3	(C) clarify or adjust claims in accordance
4	with international law; and
5	(D) uphold the principle that territorial
6	and maritime claims, including over territorial
7	waters or territorial seas, must be derived from
8	land features and otherwise comport with inter-
9	national law.
10	SEC. 425. REPORT ON COUNTRIES THAT RECOGNIZE CHI-
11	NESE SOVEREIGNTY OVER THE SOUTH CHINA
12	SEA OR THE EAST CHINA SEA.
12 13	SEA OR THE EAST CHINA SEA. (a) IN GENERAL.—Not later than 60 days after the
13	(a) IN GENERAL.—Not later than 60 days after the
13 14	(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter
13 14 15 16	(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment,
13 14 15 16	(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary shall submit to the appropriate congres-
 13 14 15 16 17 	(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary shall submit to the appropriate congressional committees a report identifying each country that
 13 14 15 16 17 18 	(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary shall submit to the appropriate congres- sional committees a report identifying each country that the Secretary determines has taken an official and stated
 13 14 15 16 17 18 19 	(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary shall submit to the appropriate congressional committees a report identifying each country that the Secretary determines has taken an official and stated position to recognize, after such date of enactment, the
 13 14 15 16 17 18 19 20 	(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary shall submit to the appropriate congressional committees a report identifying each country that the Secretary determines has taken an official and stated position to recognize, after such date of enactment, the sovereignty of the People's Republic of China over terri-
 13 14 15 16 17 18 19 20 21 	(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary shall submit to the appropriate congressional committees a report identifying each country that the Secretary determines has taken an official and stated position to recognize, after such date of enactment, the sovereignty of the People's Republic of China over territory or airspace disputed by one or more countries in the
 13 14 15 16 17 18 19 20 21 22 	(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary shall submit to the appropriate congressional committees a report identifying each country that the Secretary determines has taken an official and stated position to recognize, after such date of enactment, the sovereignty of the People's Republic of China over territory or airspace disputed by one or more countries in the South China Sea or the territory or airspace of areas of

(b) FORM.—The report required by subsection (a)
 shall be submitted in unclassified form, but may include
 a classified annex if the Secretary determines it is nec essary for the national security interests of the United
 States to do so.

6 (c) PUBLIC AVAILABILITY.—The Secretary shall pub7 lish the unclassified part of the report required by sub8 section (a) on a publicly available website of the Depart9 ment of State.

10PART III—PACIFIC ISLANDS11SEC. 431. ESTABLISHING A SENIOR OFFICIAL FOR THE12COMPACTS OF FREE ASSOCIATION AT THE13DEPARTMENT OF STATE.

14 (a) IN GENERAL.—The Secretary shall designate a15 senior official at the Department of State, who shall—

(1) negotiate and oversee the Department of
State's role in implementing and maintaining the
Compacts of Free Association (referred to in this
section as the "Compacts") at the Department of
State and the conduct of United States foreign policy with respect to countries affiliated with the
United States under such Compacts; and

23 (2) report to the Assistant Secretary of State24 for Indo-Pacific Affairs.

1 (b) DUTIES.—The senior official designated pursuant 2 to subsection (a) shall— 3 (1) be responsible for the conduct of United 4 States foreign policy with respect to— 5 (A) the Republic of Palau; 6 (B) the Marshall Islands; and 7 (C) the Federated States of Micronesia; 8 (2) assist the Assistant Secretary of State for 9 Indo-Pacific Affairs in providing overall direction, 10 coordination, and supervision of interdepartmental 11 activities of the United States Government in the 12 countries listed under paragraph (1), including en-13 suring the timely transfer of assistance and provi-14 sion of benefits through the Department of the Inte-15 rior, as laid out in the Compacts; 16 (3) oversee and evaluate the adequacy and ef-17 fectiveness of United States policy with respect to 18 these countries as well as the plans, programs, re-19 sources, and performance for implementing that pol-20 icy, including activities implemented by the Depart-21 ment of the Interior; 22 (4) directly supervise the policy and operations 23 of the Compacts and provide guidance to relevant 24 United States missions within the Indo-Pacific re-25 gion;

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1	(5) direct and oversee the provision of an ade-
2	quate, regular flow of information to posts abroad
3	about United States Government policies, policy de-
4	liberations, and diplomatic exchanges with regards
5	to the Compacts and the freely associated states, es-
6	pecially on matters that may result in initiatives,
7	policy actions, or other official representations of
8	Department policy abroad; and
9	(6) ensure the continuity of responsibilities and
10	benefits as laid out in the Compacts, consistent with
11	United States national interests in the Indo-Pacific
12	region.
13	SEC. 432. ENHANCEMENT OF DIPLOMATIC SUPPORT AND
13 14	SEC. 432. ENHANCEMENT OF DIPLOMATIC SUPPORT AND ECONOMIC ENGAGEMENT WITH PACIFIC IS-
14	ECONOMIC ENGAGEMENT WITH PACIFIC IS-
14 15	ECONOMIC ENGAGEMENT WITH PACIFIC IS- LAND COUNTRIES.
14 15 16	ECONOMIC ENGAGEMENT WITH PACIFIC IS- LAND COUNTRIES. (a) DEFINED TERM.—In this section, the term "ap-
14 15 16 17	ECONOMIC ENGAGEMENT WITH PACIFIC IS- LAND COUNTRIES. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means—
14 15 16 17 18	ECONOMIC ENGAGEMENT WITH PACIFIC IS- LAND COUNTRIES. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means— (1) the Committee on Foreign Relations of the
14 15 16 17 18 19	ECONOMIC ENGAGEMENT WITH PACIFIC IS- LAND COUNTRIES. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means— (1) the Committee on Foreign Relations of the Senate;
 14 15 16 17 18 19 20 	ECONOMIC ENGAGEMENT WITH PACIFIC IS- LAND COUNTRIES. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means— (1) the Committee on Foreign Relations of the Senate; (2) the Committee on Commerce, Science, and
 14 15 16 17 18 19 20 21 	ECONOMIC ENGAGEMENT WITH PACIFIC IS- LAND COUNTRIES. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means— (1) the Committee on Foreign Relations of the Senate; (2) the Committee on Commerce, Science, and Transportation of the Senate;
 14 15 16 17 18 19 20 21 22 	ECONOMIC ENGAGEMENT WITH PACIFIC IS- LAND COUNTRIES. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means— (1) the Committee on Foreign Relations of the Senate; (2) the Committee on Commerce, Science, and Transportation of the Senate; (3) the Committee on Energy and Natural Re-
 14 15 16 17 18 19 20 21 22 23 	ECONOMIC ENGAGEMENT WITH PACIFIC IS- LAND COUNTRIES. (a) DEFINED TERM.—In this section, the term "ap- propriate committees of Congress" means— (1) the Committee on Foreign Relations of the Senate; (2) the Committee on Commerce, Science, and Transportation of the Senate; (3) the Committee on Energy and Natural Re- sources of the Senate;

1	(5) the Committee on Foreign Affairs of the
2	House of Representatives;
3	(6) the Committee on Energy and Commerce of
4	the House of Representatives;
5	(7) the Committee on Natural Resources of the
6	House of Representatives; and
7	(8) the Committee on Appropriations of the
8	House of Representatives.
9	(b) HIRING AUTHORITY.—The Secretary and the
10	Secretary of Commerce may hire local staff in Pacific is-
11	land countries for the purpose of providing increased dip-
12	lomatic support and promoting increased economic and
13	commercial engagement between the United States and
14	Pacific island countries.
15	(c) Availability of Funds.—
16	(1) IN GENERAL.—Of the amounts appro-
17	priated or otherwise made available to the Depart-
18	ment of State for fiscal year 2025, not more than
19	\$10,000,000 may used to carry out the Department
20	of State's responsibilities under this section.
21	(2) IN GENERAL.—Of the amounts appro-
22	priated or otherwise made available to the Depart-
23	ment of Commerce for fiscal year 2025, not more
24	than \$10,000,000 may be used to carry out the De-

partment of Commerce's responsibilities under this
 section.

3 (3) TERMINATION.—The availability of funds
4 under paragraphs (1) and (2) shall expire on Octo5 ber 1, 2028.

6 (d) REPORT.—Not later than 1 year after the date 7 of the enactment of this Act, and annually thereafter for 8 the following 5 years, the Secretary and the Secretary of Commerce shall submit a report to the appropriate com-9 10 mittees of Congress that describes the activities of the De-11 partment of State and the Department of Commerce lo-12 cally-employed staff in Pacific island countries, includ-13 ing—

(1) a detailed description of the additional diplomatic, economic, and commercial engagement and
activities in the Pacific island countries provided by
locally-employed staff; and

18 (2) an assessment of the impact of the activities
19 with respect to the diplomatic, economic, and secu20 rity interests of the United States.

(e) EXCEPTION FOR AMERICAN SAMOA.—The Secretary may treat the territory of American Samoa as a
foreign country, as appropriate, while carrying out this
section.

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1	PART IV-INDIAN OCEAN REGION STRATEGIC
2	REVIEW
3	SEC. 441. SHORT TITLE.
4	This part may be cited as the "Indian Ocean Region
5	Strategic Review Act of 2024".
6	SEC. 442. FINDINGS.
7	Congress finds the following:
8	(1) The United States—
9	(A) has vitally important political, eco-
10	nomic, and security interests in the Indian
11	Ocean region; and
12	(B) is uniquely positioned to capitalize on
13	opportunities that will advance such interests.
14	(2) The United States needs to engage and co-
15	operate with partners in the Indo-Pacific region, in-
16	cluding India, Japan, Australia, and island countries
17	located within such region—
18	(A) to bolster regional governance;
19	(B) to increase sustainable economic devel-
20	opment; and
21	(C) to strengthen cooperation on security
22	challenges such as threats to freedom of naviga-
23	tion and environmental disasters.
24	(3) It is within the United States' interests to
25	better understand the political, security, economic,

and environmental issues faced by the governments
 of Indian Ocean region countries.

3 SEC. 443. STATEMENT OF POLICY.

4 It is the policy of the United States, with respect to 5 the Indian Ocean region, as part of the United States broader strategy for engagement in the Indo-Pacific to 6 7 strengthen engagement with Indian Ocean region coun-8 tries (including the governments, civil society, academia, 9 and private sectors of such countries) and to enhance 10 meaningful diplomatic, security, and economic relations with allies and partners of the United States in the Indian 11 12 Ocean region by—

(1) promoting cohesive political ties between the
United States and Indian Ocean region countries
through active participation in regional organizations and strengthening bilateral diplomatic relations
with such allies and partners;

18 (2) continuing to strengthen bilateral security 19 relationships between the United States and part-20 ners within the Indian Ocean region and build the 21 bilateral security relationship between the United 22 States and India, for the purpose of regularizing se-23 curity cooperation by building upon foundational 24 agreements concerning intelligence sharing, military 25 communication, and naval cooperation;

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1 (3) engaging with India to better understand 2 and operationalize economic and political opportuni-3 ties across the Indian Ocean region; 4 (4) enhancing economic connectivity and com-5 mercial exchange between the United States and In-6 dian Ocean region countries; 7 (5) maintaining the freedom of navigation of 8 international waters within the Indian Ocean region 9 in accordance with international law; 10 (6) cooperating with the governments of Indian 11 Ocean region countries regarding security chal-12 lenges, including issues relating to piracy and illegal 13 fishing; 14 (7) supporting the ability of such governments, 15 and of nongovernmental organizations within the In-16 dian Ocean region, to respond to environmental dis-17 asters and work to mitigate potential future disas-18 ters with resilient infrastructure; 19 (8) facilitating cooperation between the United 20 States and allies and partners of the United States 21 in the Indian Ocean region to build capacity in mari-22 time security and maritime domain awareness; 23 (9) promoting cooperation with United States 24 allies in the Indo-Pacific region (including Japan 25 and Australia), major defense partners (including

1	India), and NATO allies (including the United King-
2	dom and France), to support a rules-based order in
3	the Indo-Pacific region; and
4	(10) understanding resources and costs re-
5	quired for the United States to effectively engage
6	diplomatically and economically in the Indian Ocean
7	region.
8	SEC. 444. DEFINITIONS.
9	In this part:
10	(1) Appropriate congressional commit-
11	TEES.—The term "appropriate congressional com-
12	mittees" means—
13	(A) the Committee on Foreign Relations of
14	the Senate;
15	(B) the Committee on Armed Services of
16	the Senate;
17	(C) the Committee on Foreign Affairs of
18	the House of Representatives; and
19	(D) the Committee on Armed Services of
20	the House of Representatives.
21	(2) INDIAN OCEAN REGION.—The term "Indian
22	Ocean region" means—
23	(A) the Indian Ocean, including the Ara-
24	bian Sea and the Bay of Bengal; and

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(B) the littoral areas surrounding the In dian Ocean, including the east coast of Africa.
 (3) INDIAN OCEAN REGION COUNTRY.—The
 term "Indian Ocean region country" means any
 country located within or surrounding the Indian
 Ocean region.

7 SEC. 445. STRATEGY AND IMPLEMENTATION PLAN RELAT8 ING TO THE INDIAN OCEAN REGION.

9 (a) STRATEGY.—Not later than 180 days after the 10 date of the enactment of this Act, the Secretary, in coordination with the Secretary of Defense and the Adminis-11 12 trator of the United States Agency for International De-13 velopment, shall submit to the appropriate congressional 14 committees a multi-year strategy and implementation plan 15 for United States engagements and posture to support the interests of the United States in the Indian Ocean region. 16 17 (b) MATTERS.—The strategy submitted pursuant to 18 subsection (a) shall include—

(1) the identification of the political, economic,
and security goals and opportunities of the United
States in the Indian Ocean region;

(2) an explanation of the political, economic,
and security goals of Indian Ocean region countries
and a detailed description of areas with respect to

1	which such interests align with the goals of the
2	United States;
3	(3) a list detailing the economic and political ef-
4	forts of the PRC with respect to the Indian Ocean
5	region, particularly with respect to the engagement
6	by the PRC with each country located within the In-
7	dian Ocean region;
8	(4) a description and analysis of challenges, in-
9	cluding countries and specific projects, to the en-
10	gagement with Indian Ocean region countries as a
11	result of—
12	(A) disparate policy goals across the de-
13	partments and agencies of the United States
14	Government; and
15	(B) disparate definitions of the term "In-
16	dian Ocean region" across the Department of
17	State, the Department of Defense, and the
18	United States Agency for International Devel-
19	opment;
20	(5) a list detailing efforts to improve coopera-
21	tion between the United States and Australia, India,
22	and Japan (referred to in this section as the "Quad-
23	rilateral Dialogue" or the "Quad") through coordi-
24	nation between members of the Quad with respect to
25	diplomacy and development priorities, joint military

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exercises and operations, and other activities that
promote and balance the political, economic, and se-
curity interests of the United States with respect to
Indian Ocean region countries;
(6) an overview of efforts to support the eco-
nomic connectivity and development of island coun-
tries located within the Indian Ocean region, includ-
ing through—
(A) the United States-India-Japan Tri-
lateral Infrastructure Working Group;
(B) the Asia-Africa Growth Corridor; and
(C) other efforts to expand and enhance
connectivity across the Indo-Pacific region (in-
cluding with the countries of Southeast Asia)
that maintain high standards of investment and
support for civil society and people-to-people
connectivity;
(7) a description of how the United States may
engage with regional intergovernmental organiza-
tions and multilateral organizations, including the
Indian Ocean Rim Association and the United Na-
tions, to promote the political, economic, and secu-
rity goals of the United States in the Indian Ocean
region;

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1	(8) a description of how the United States may
2	facilitate cooperation between Indian Ocean region
3	countries (including the governments, civil society,
4	academia, and private sectors of such countries) and
5	Taiwan through Taiwan's New Southbound Policy;
6	(9) a review of the diplomatic posture of the
7	United States in the Indian Ocean region, includ-
8	ing—
9	(A) an assessment of United States diplo-
10	matic engagement with Indian Ocean region
11	countries without a permanent United States
12	embassy or diplomatic mission;
13	(B) an assessment of means by which to
14	improve cooperation by the United States with
15	the Maldives, the Seychelles, and Comoros;
16	(C) an assessment of the sufficiency of
17	United States diplomatic personnel and facili-
18	ties available in the Indian Ocean region to
19	achieve the policy described in section 444;
20	(D) a description of any resources required
21	to fill identified gaps with respect to such diplo-
22	matic posture; and
23	(E) a description of the bilateral and mul-
24	tilateral diplomatic goals of the Department of
25	State that the Secretary of State deems nec-

1 essary to achieve the policy described in section 2 444; 3 (10) a review of the agreements entered into 4 between the United States and Indian Ocean region 5 countries for the purpose of facilitating the military 6 operations of the United States pursuant to bilateral 7 and multilateral agreements; 8 (11) a description of any efforts to expand the 9 naval and coast guard cooperation between the 10 United States and India and other Indian Ocean re-11 gion countries through the negotiation of additional 12 agreements; 13 (12) a strategy for strengthening security co-14 operation between the United States and partners 15 within the Indian Ocean region, including through

17 clude—

16

18 (A) a summary of the security priorities,
19 objectives, and actions of the prospective recipi20 ent country;

the provision of security assistance, which should in-

(B) a description of the means by which
the United States may support such security
priorities, objectives, and actions while promoting the political, economic, and security

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goals of the United States in the Indian Ocean
 region; and

3 (C) an assessment of the capabilities,
4 training, and funding needed for Indian Ocean
5 region countries to push back against shared
6 challenges in the region; and

(13) a plan to expand the diplomatic and development presence of the United States with respect
to the governments of island countries located within
the Indian Ocean region, including a description of
any resources or policy tools required to expand the
ability of the United States to support high-quality
infrastructure resiliency projects in such countries.

(c) INCLUSION.—The strategy submitted pursuant to
subsection (a) may be submitted to the appropriate congressional committees as a part of any other strategy relating to the Indo-Pacific region.

(d) REPORTS ON IMPLEMENTATION.—Not later than
1 year after the date on which the Secretary submits the
strategy required under subsection (a), and 1 year later,
the Secretary shall submit a report to the appropriate congressional committees that describes the progress made toward implementing such strategy.

1 SEC. 446. MODIFICATION TO UNITED STATES-CHINA ECO-2 NOMIC AND SECURITY REVIEW COMMISSION. 3 (a) MODIFICATION.—Section 1238(c)(2)(E) of the Flovd D. Spence National Defense Authorization Act for 4 5 Fiscal Year 2001 (22 U.S.C. 7002(c)(2)(E)) is amended— 6 7 (1) by inserting "(including in the Indian Ocean region)" after "deployments of the People's 8 9 Republic of China military"; and 10 (2) by adding at the end the following: "In this 11 subparagraph, the term 'Indian Ocean region' means 12 the Indian Ocean (including the Arabian Sea and 13 the Bay of Bengal) and the littoral areas sur-14 rounding the Indian Ocean (including the East 15 Coast of Africa).". 16 (b) APPLICABILITY.—The amendments made by sub-17 section (a) shall apply with respect to each report submitted pursuant to section 1238(c) of the Floyd D. Spence 18 19 National Defense Authorization Act for Fiscal Year 2001 20 (22 U.S.C. 7002(c)) on or after the date of the enactment

21 of this Act.

Subtitle C—Countering Espionage and Surveillance Entities in Cuba

3 SEC. 451. SHORT TITLES.

4 This subtitle may be cited as the "Countering Espio5 nage and Surveillance Entities in Cuba Act" or the
6 "CEASE Act".

7 SEC. 452. IMPOSITION OF SANCTIONS WITH RESPECT TO
8 MILITARY AND INTELLIGENCE FACILITIES OF

9 THE PEOPLE'S REPUBLIC OF CHINA IN CUBA.

10 (a) DEFINITIONS.—In this section:

(1) ALIEN.—The term "alien" has the meaning
given such term in section 101 of the Immigration
and Nationality Act (8 U.S.C. 1101).

14 (2) APPROPRIATE CONGRESSIONAL COMMIT15 TEES.—The term "appropriate congressional com16 mittees" means—

17 (A) the Committee on Foreign Relations of18 the Senate;

19 (B) the Select Committee on Intelligence20 of the Senate;

21 (C) the Committee on Foreign Affairs of22 the House of Representatives; and

23 (D) the Permanent Select Committee on24 Intelligence of the House of Representatives.

1	(3) Foreign person.—The term "foreign per-
2	son" means a person that is not a United States
3	person.
4	(4) GOOD.—The term "good" means any arti-
5	cle, natural or manmade substance, material, supply,
6	or manufactured product, including inspection and
7	test equipment, and excluding technical data.
8	(5) PERSON.—The term "person" means an in-
9	dividual or entity.
10	(6) UNITED STATES PERSON.—The term
11	"United States person" means—
12	(A) an individual who is a United States
13	citizen or an alien lawfully admitted for perma-
14	nent residence to the United States;
15	(B) an entity organized under the laws of
16	the United States or any jurisdiction within the
17	United States, including a foreign branch of
18	such an entity; or
19	(C) any person in the United States.
20	(b) IN GENERAL.—The President shall impose the
21	sanctions described in subsection (c) with respect to any
22	foreign person that the President determines engages in
23	or has engaged in a significant transaction or trans-
24	actions, or any significant dealings with, or has provided

significant material support to or for a military or intel ligence facility of the PRC in Cuba.

3 (c) SANCTIONS DESCRIBED.—The sanctions de4 scribed in this subsection with respect to a foreign person
5 are the following:

6 (1) ASSET BLOCKING.—The exercise of all pow-7 ers granted to the President by the International 8 Emergency Economic Powers Act (50 U.S.C. 1701 9 et seq.) to the extent necessary to block and prohibit 10 all transactions in all property and interests in prop-11 erty of the foreign person if such property and inter-12 ests in property are in the United States, come with-13 in the United States, or are or come within the pos-14 session or control of a United States person.

15 (2) EXCLUSION FROM THE UNITED STATES 16 AND REVOCATION OF VISA OR OTHER DOCUMENTA-17 TION.—In the case of a foreign person who is an 18 alien, denial of a visa to, and exclusion from the 19 United States of, the alien, and revocation in accord-20 ance with section 221(i) of the Immigration and Na-21 tionality Act (8 U.S.C. 1201(i)), of any visa or other 22 documentation of the alien.

23 (d) IMPLEMENTATION; PENALTIES.—

24 (1) IMPLEMENTATION.—The President shall ex25 ercise all authorities provided under sections 203

and 205 of the International Emergency Economic
 Powers Act (50 U.S.C. 1702 and 1704) to carry out
 this section.

4 (2) PENALTIES.—A person that violates, at-5 tempts to violate, conspires to violate, or causes a 6 violation of subsection (c)(1) or any regulation, li-7 cense, or order issued to carry out that subsection 8 shall be subject to the penalties set forth in sub-9 sections (b) and (c) of section 206 of the Inter-10 national Emergency Economic Powers Act (50 11 U.S.C. 1705) to the same extent as a person that 12 commits an unlawful act described in subsection (a) 13 of such section.

14 (e) EXCEPTIONS.—

15 (1) IMPORTATION OF GOODS.—The authorities
16 and requirements to impose sanctions under this
17 section shall not include the authority or a require18 ment to impose sanctions on the importation of
19 goods.

20 (2) COMPLIANCE WITH UNITED NATIONS HEAD21 QUARTERS AGREEMENT.—Sanctions described in
22 subsection (c)(2) shall not apply to an alien if admit23 ting the alien into the United States is necessary to
24 permit the United States to comply with the Agree25 ment regarding the Headquarters of the United Na-

tions, signed at Lake Success June 26, 1947, and
 entered into force November 21, 1947, between the
 United Nations and the United States, or other applicable international obligations.

5 (f) NATIONAL SECURITY WAIVER.—The President 6 may waive the imposition of sanctions under this section 7 with respect to a foreign person, on a case-by-case basis 8 for renewable periods of 180 days, if the President sub-9 mits to the appropriate congressional committees a deter-10 mination that such waiver is in the vital national security 11 interests of the United States.

12 (g) TERMINATION OF SANCTIONS.—Notwithstanding 13 any other provision of law, this section shall terminate on 14 the date that is 30 days after the date on which the Presi-15 dent determines and certifies to the appropriate congressional committees (and Congress has not enacted legisla-16 17 tion disapproving the determination within that 30-day period) that all military or intelligence facilities of the PRC 18 19 in Cuba have been closed.

20 SEC. 453. CODIFICATION OF CUBA RESTRICTED LIST.

The President may not remove any entity or subentity from the List of Restricted Entities and Subentities Associated with Cuba of the Department of State (commonly known as the "Cuba Restricted List") if that entity or subentity was on such list as of July 1, 2024.

Subtitle D—Countering China Globally

3 SEC. 461. SENSE OF CONGRESS REGARDING CHINA'S SUP-4 PORT FOR RUSSIA IN UKRAINE. 5 It is the sense of Congress that— 6 (1) the PRC and the Russian Federation are 7 strengthening their relationship to advance their mu-8 tual fundamental interests in countering and weak-9 ening the United States and the transatlantic alli-10 ance as well as creating divisions between the United 11 States and its allies and partners; 12 (2) the PRC is supporting Russia's unprovoked, 13 full-scale, and brutal invasion of Ukraine, including 14 through-15 (A) increasing trade with Russia by 30 16 percent in 2022, and by another 26.3 percent 17 in 2023; 18 (B) purchasing massive amounts of Rus-19 sian crude oil, coal, and natural gas under em-20 bargo by the transatlantic alliance; 21 (C) selling high-precision machinery, elec-22 tronics, microelectronics, components of weap-23 ons and weapons systems, base metals, textiles 24 and apparel, vehicles, ships, and aircraft to 25 Russia;

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1	(D) abetting sanctions evasion in countries
2	bordering Russia; and
3	(E) amplifying Russian propaganda and
4	false information;
5	(3) the PRC has explored providing weapons
6	and ammunition to the Russian Federation in order
7	to support that country's unlawful, imperialist war
8	of aggression against Ukraine;
9	(4) the Government of the PRC is not taking
10	sufficient action to prevent PRC-based companies
11	from exporting lethal equipment to the Russian Fed-
12	eration, as revealed by the credible evidence that
13	PRC companies and entities have—
14	(A) shipped unmanned aerial vehicles to
15	Russia that were designated on customs forms
16	as being "for use in the special military oper-
17	ation";
18	(B) supplied Iran with drone parts that
19	were later used by Russian forces in Ukraine;
20	(C) sent "Tiger" armored personnel car-
21	riers to Chechen forces, raising the possibility
22	that these vehicles being could be deployed to
23	Ukraine;

1	(D) shipped tens of thousands of kilograms
2	of smokeless gunpowder to a munitions factory
3	in Russia;
4	(E) provided Russia with optical parts
5	used in tanks and armored vehicles;
6	(F) permitted Russian purchases of nitro-
7	cellulose; and
8	(G) allowed the shipment of engines for
9	both missiles and drones to Russia;
10	(5) because of this ongoing support for Russia's
11	war against Ukraine, the United States has sanc-
12	tioned dozens of PRC and Hong Kong-based enti-
13	ties;
14	(6) the PRC's support for Russia's war against
15	Ukraine threatens European stability and security,
16	including that of those countries that the United
17	States is committed to defend under the terms of
18	the North Atlantic Treaty;
19	(7) the United States, the European Union,
20	and European countries must continue and increase
21	implementation of sanctions and other appropriate
22	punitive economic tools against PRC firms sup-
23	porting the Russian Federation's war against
24	Ukraine, including those supporting Russian para-
25	military organizations;

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1 (8) the North Atlantic Treaty Organization's 2 (referred to in this section as "NATO") 2022 Stra-3 tegic Concept correctly recognizes the need to pre-4 pare for and respond to the threats posed by the 5 PRC to Euro-Atlantic security, including threats de-6 rived from its relationship with the Russian Federa-7 tion and its efforts to divide United States and Eu-8 ropean allies; 9 (9) NATO members must work to implement 10 and build on steps identified in NATO's Strategic 11 Concept, including— 12 (A) building greater NATO expertise on 13 PRC and its military and intelligence the 14 apparatuses; 15 (B) using NATO summits as an oppor-16 tunity to check progress and update priorities; 17 (C) making any needed adjustments to 18 NATO's operational plans to account for the 19 ownership or involvement of PRC state-owned 20 enterprises and other entities in space, key sea-21 ports, communications nodes, and airports; and 22 (D) instituting standards for NATO mem-23 ber nations' sales to the PRC or purchases of 24 PRC-owned, security-related infrastructure, 25 companies, and capabilities;

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(10) the PRC has been clear about its desire to
 be included in diplomatic discussions about ending
 Russia's war in Ukraine, including through the Feb ruary 2023 publication of a 12-point position paper
 on the "political settlement of the Ukraine crisis"
 and the appointment of a Special Envoy for Eur asian Affairs;

8 (11) the PRC has done nothing to deliver tan-9 gible outcomes on the elements of its position paper 10 beyond symbolic actions, including a statement 11 warning against nuclear saber rattling and a single 12 phone call with Ukraine's president;

13 (12) although the PRC's position paper calls 14 for the full implementation of the July 2022 United 15 Nations-brokered Black Sea Grain Initiative as a 16 means to maintain global food security, and despite 17 Xi Jinping's emphasis on food security for his own 18 country, Beijing did nothing to pressure the Russian 19 Federation to return to the deal, which it abrogated 20 in July 2023;

(13) in February 2023, President Joseph R.
Biden rightly dismissed the PRC's "peace plan" (referring to the 12-point position paper), stating that
it would not help "anyone other than Russia";

1	(14) the Biden Administration's statements to
2	PRC officials and public pronouncements since May
3	2023 that the United States is open to a "construc-
4	tive role" for the PRC in Ukraine, even describing
5	it as potentially "beneficial," are deeply misguided
6	and concerning;
7	(15) given the PRC's full support for Russia,
8	Xi Jinping and the Government of the PRC should
9	not be viewed as impartial brokers that will bring
10	this war to an end on terms that will be positive for
11	Ukraine, its independence, and the security of Eu-
12	rope;
13	(16) although Russia and the PRC have dis-
14	agreements, both countries—
15	(A) have independently concluded that
16	their partnership is critical to their shared ob-
17	jective of countering the United States power;
18	and
19	(B) will not be swayed from this belief by
20	strategies to drive a wedge between the 2 coun-
21	tries;
22	(17) openness to PRC diplomatic involvement
23	in Ukraine would set a precedent for allowing fur-
24	ther PRC involvement in European security issues,

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1 while also allowing Xi Jinping to present himself as 2 a responsible party to the international community; 3 (18) the PRC's role in a diplomatic peace set-4 tlement in Ukraine would clear the way for that 5 country's substantial involvement in Ukraine's re-6 construction, allowing the PRC to benefit economi-7 cally after it supported the aggressor and under-8 mining broader United States efforts to counter 9 PRC malign influence in Europe; 10 (19) as earlier PRC investments in Ukraine

11 targeted strategic sectors, any post-war PRC invest-12 ments in Ukraine would give the PRC access to val-13 uable military technology and know-how, as Ukraine 14 inherited roughly one third of the Soviet Union's de-15 fense-industrial base and 15 percent of Soviet mili-16 tary research and development facilities, and during 17 its war against Russia, has made great strides in the 18 development of certain defense items;

(20) given China's documented track record on
corruption, a role for the PRC in Ukraine's reconstruction would undercut extensive ongoing United
States and European efforts to align Ukrainian governance and anti-corruption standards with those of
Western institutions, as well as the European
Union's progress in helping Ukraine adhere to the

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standards required for its prospective entry into the
 European Union;

3 (21) it is of vital importance that the United 4 States and Europe remain united in confronting the 5 security and economic risks posed by a significant 6 PRC role in diplomatic efforts to end Russia's war 7 in Ukraine, executing policies that account for great-8 er Sino-Russian alignment, and working together 9 closely on planning ahead for reconstruction to en-10 sure that the PRC does not become Ukraine's only 11 option;

(22) the United States, in collaboration with its
partners, should support European countries targeted by Chinese economic coercion and other attempts to exert undue influence , either with respect
to Ukraine or other issues; and

17 (23) United States allies and partners in the
18 Indo-Pacific, including Australia, Japan, Taiwan,
19 and South Korea—

20 (A) view the success of Ukraine's struggle
21 against Russian aggression as a key factor for
22 deterring Chinese aggression in the Indo-Pa23 cific; and

24 (B) have demonstrated this conviction by25 providing humanitarian and military assistance

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to Ukraine and building ties with allies in Eu rope through defense industry relationships.

3 SEC. 462. ENHANCING UNITED STATES-AFRICA TRADE AND 4 INVESTMENT FOR PROSPERITY.

5 (a) STATEMENT OF POLICY.—It is the policy of the 6 United States to increase United States investment in Af-7 rica, and to promote and facilitate trade between the 8 United States and Africa, focused on key countries and 9 sectors, that supports mutual economic growth and devel-10 opment outcomes, long-term development of markets, and 11 the strategic interests of the United States.

12 (b) IN GENERAL.—

(1) ESTABLISHMENT.—The President shall establish an office within a bureau of the United
States Agency for International Development (referred to in this section as "USAID") to coordinate
the activities of the United States Government related to increasing trade and investment between the
United States and Africa, which—

20 (A) should include representation from rel21 evant agencies designated by the President;

(B) identifies priority countries and sectors
for United States foreign investment in countries in Africa and sectors and countries that
support United States economic growth and

1	promotes trade based on the analysis required
2	in subsection (c);
3	(C) coordinates activities and implementing
4	mechanisms, including at United States embas-
5	sies in Africa, to carry out the policy set forth
6	in subsection (a), including by—
7	(i) providing program support and
8	guidance to implement the policy described
9	in subsection (a);
10	(ii) providing information and analysis
11	to United States companies and investors
12	in countries and sectors identified pursu-
13	ant to subparagraph (B);
14	(iii) serving, as needed, as an informa-
15	tion clearinghouse for the United States
16	Government for businesses, investors, and
17	civic organizations, and others in the
18	United States seeking information related
19	to investing in Africa; and
20	(iv) connecting such entities with
21	teams at United States embassies overseas;
22	and
23	(D) identifies barriers to trade and invest-
24	ment in priority countries and sectors and iden-
25	tifies concrete actions that will be taken to ad-

1	dress them, including strengthening programs
2	and activities aimed at improving the enabling
3	environment in those countries.
4	(2) Organization.—
5	(A) IN GENERAL.—The office established
6	pursuant to paragraph (1) shall be led by an
7	Executive Director who shall be designated by
8	the USAID Administrator, and who shall—
9	(i) lead the interagency efforts de-
10	scribed in subsection (a);
11	(ii) identify, not later than 90 days of
12	the release of the analysis required in sub-
13	section (c), a list of priority countries for
14	the purposes of carrying out this Act;
15	(iii) plan, coordinate, and oversee the
16	policies, activities, and programs of United
17	States Government Agencies, in the United
18	States and in overseas missions, involved
19	in promoting or facilitating trade, and in-
20	vestment activities between the United
21	States and Africa, and development and
22	coordination of relevant activities meant to
23	improve the enabling environment;
24	(iv) identify and provide information
25	about investment opportunities, market in-

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1 formation, and United States Government 2 programs to support trade and investment 3 activities in priority countries and sectors 4 identified in paragraph (1)(A); and 5 (v) convene, not less frequently than 6 quarterly, a committee consisting of the di-7 rectors from each agency designated under 8 subparagraph (B) to provide strategic 9 guidance and coordination for the policy, 10 programs, and activities of Prosper Africa. 11 (B) DESIGNATION OF PARTICIPATING DE-12 PARTMENTS.—The President shall designate 13 Federal departments and agencies to partici-14 pate in support of the policy set forth in sub-15 section (a) and direct the head of each of des-16 ignated agency— 17 (i) to designate an employee to serve 18 as a focal point for each agencies' respec-19 tive activities related to subsection (a), who 20 shall coordinate the relevant activities of 21 their respective agency and liaise with the

22 Executive Director designated pursuant to23 subparagraph (A); and

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1	(ii) to designate an employee to serve
2	at United States embassies in priority
3	countries identified in paragraph (1)(A).
4	(3) STAFFING.—In order to carry out sub-
5	section (a)—
6	(A) the Executive Director shall have the
7	authority, as appropriate, to hire employees and
8	contractors in a manner that is consistent with
9	existing hiring authorities of USAID to support
10	the execution of efforts in paragraph (2) , and
11	shall be supported, as appropriate, by staff de-
12	tailed from any Federal agency designated pur-
13	suant to paragraph $(2)(B)$; and
14	(B) the Chief of Mission in priority coun-
15	tries—
16	(i) shall take an active and direct
17	leadership role in promoting, supporting,
18	and facilitating activities pursuant to sub-
19	section (a);
20	(ii) shall designate a Foreign Service
21	Officer, a Foreign Commercial Service Of-
22	ficer, or other direct hire person under
23	Chief of Mission Authority to lead an
24	interagency team to support activities pur-
25	suant to subsection (a) who shall—
1 (I) conduct assessments of mar-2 ket conditions and business operating 3 environments; 4 (II) identify investment opportu-5 nities; 6 (III)foster relationships and 7 communications between United 8 States investors and businesses and 9 African businesses and individuals 10 within their country of responsibility; 11 and 12 (IV) carry out other duties as 13 necessary; and 14 (iii) is authorized to hire locally em-15 ployed staff with relevant experience to 16 support the activities of the team estab-17 lished pursuant to clause (ii). 18 (c) MARKET AND SECTOR ANALYSIS.— 19 (1) IN GENERAL.—Not later than 180 days 20 after the date of the enactment of this Act, and 21 every 4 years thereafter until 2031, the Executive 22 Director of Prosper Africa shall commission and 23 publish a study of the investment environment in Af-24 rica that incorporates—

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 (A) an analysis of which markets are the most promising for private investment; (B) an analysis of African markets that identifies which industries and sectors United States firms have an advantage in comparison to other sources of foreign direct investment; and (C) an analysis of perceived and actual barriers to United States private investment, including— (i) significant legal and regulatory constraints to foreign investment and busi-
 (B) an analysis of African markets that identifies which industries and sectors United States firms have an advantage in comparison to other sources of foreign direct investment; and (C) an analysis of perceived and actual barriers to United States private investment, including— (i) significant legal and regulatory constraints to foreign investment and busi-
 identifies which industries and sectors United States firms have an advantage in comparison to other sources of foreign direct investment; and (C) an analysis of perceived and actual barriers to United States private investment, including— (i) significant legal and regulatory constraints to foreign investment and busi-
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(i) significant legal and regulatory constraints to foreign investment and busi-
constraints to foreign investment and busi-
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ness operating environments;
(ii) reputational risks;
(iii) investor information gaps; and
(iv) access to and affordability of cap-
ital, labor markets, currency volatility, and
infrastructure.
(2) AGREEMENT.—To produce the study re-
quired under paragraph (1), the Executive Director
may enter into an agreement with a qualified United
States private sector consultant or subject matter
expert who shall conduct the study.
(3) DISTRIBUTION.—The Administrator of the

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shall submit each study required under paragraph
 (1) to the appropriate congressional committees and
 shall make each such study publicly available.

4 (4) PRIORITY COUNTRIES.—The Executive Di5 rector shall identify the priority countries of the
6 Prosper Africa program, pursuant to subsection
7 (b)(2)(A)(2), based on the findings of the study re8 quired under paragraph (1).

9 (d) SMALL AND MEDIUM ENTERPRISES.—To the ex-10 tent practicable, Prosper Africa shall promote and facili-11 tate investments in small and medium enterprises, includ-12 ing by establishing and supporting relationships between 13 United States Government institutions, philanthropic in-14 stitutions, and private lenders to mobilize blended finance 15 for small and medium enterprises in Africa.

16 (e) Support for Diaspora Investment.—

17 (1) IN GENERAL.—Prosper Africa shall seek to
18 support and facilitate investments in Africa by
19 United States citizens and residents who identify as
20 members of the African Diaspora.

(2) PRESIDENT'S ADVISORY COUNCIL ON AFRI(2) CAN DIASPORA ENGAGEMENT IN THE UNITED
STATES.—The Prosper Africa Coordinator shall consult with the President's Advisory Council on African Diaspora Engagement in the United States (re-

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ferred to in this subsection as "the Council"), estab lished by Executive Order 14089, on issues relating
 to increasing, developing, and sustaining investments
 in Africa by United States members of the African
 diaspora.

6 (A) MEMBERSHIP.—The Executive Direc-7 tor shall recommend to the President for ap-8 pointment to the Council not fewer than 3 indi-9 viduals who have significant relevant experience 10 in the fields of trade, private investment, eco-11 nomics, or international development, or other 12 relevant fields.

(B) ANNUAL REPORT.—The Council shall
publish an annual report on investment in Africa by United States members of the African diaspora and barriers to increased investment by
the diaspora.

(3) DIASPORA BUSINESS FORUMS.—The Prosper Africa Coordinator shall organize public meetings throughout the United States with members of
the African Diaspora community that—

(A) provide a forum for communication,
education, and information about investment
opportunities; and

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(B) may be coordinated with local civic,
 community, and business organizations, as appropriate.

4 (f) BUSINESS ENABLING ENVIRONMENT.—The Pros5 per Africa Coordinator, in coordination with the respective
6 Chiefs of Mission at designated United States Embassies,
7 shall seek to strengthen the business enabling environment
8 in Africa by—

9 (1) identifying barriers to United States invest10 ment on a country-by-country basis;

(2) identifying existing development and technical assistance programs that can serve to eliminate
the barriers in paragraph (1);

(3) ensuring country development cooperation
strategies and regional development cooperation
strategies incorporate program and activities, focused on addressing specific barriers to private sector investment as identified in paragraph (1); and

(4) providing policy advice and technical assistance to select African countries to develop and improve regulatory and legal structures, taxation and
customs regimes, policy frameworks, and other relevant structures and practices to improve the operating environments for businesses and eliminate
other barriers to competition.

1 (g) EVALUATION.—Not later than 1 year after the 2 date of enactment of this Act, the Comptroller General 3 of the United States shall submit to the appropriate con-4 gressional committees a report containing recommendations for improving effectiveness of United States Govern-5 ment actions to carry out subsection (a), including by eval-6 7 uating the effectiveness of the organizational structure 8 and staffing of this section the effectiveness of the steps 9 undertaken to carry out subsection (d) and the applica-10 bility of metrics used to produce this report.

11 SEC. 463. REPORT ON HORN OF AFRICA.

12 (a) SENSE OF CONGRESS.—It is the sense of Con-13 gress that—

(1) it is in the interest of the United States to
engage in diplomatic efforts in the Red Sea region
that counter PRC influence through increased
United States engagement that—

- 18 (A) promotes the strengthening of free,19 open, transparent, democratic partners;
- 20 (B) encourages international dialogue on
 21 shared transnational security issues;
- (C) assesses the root causes of forced migration and cooperatively responds to vulnerable
 refugees;

1	(D) maintains secure and free navigation
2	of international waters to encourage inter-
3	national economic integration and mitigate
4	threats;
5	(E) prevents and counters violent extre-
6	mism, as well as the illicit activities that enable
7	terrorist activities; and
8	(F) monitors and combats illegal, unre-
9	ported, and unregulated fishing;
10	(2) increased United States engagement in the
11	Horn of Africa and Red Sea region has presented an
12	opportunity to build and strengthen security co-
13	operation with key partners in that region;
14	(3) the Red Sea region includes a strategic
15	maritime choke point, the Bab-al-Mandeb Strait,
16	which—
17	(A) connects the Red Sea to the Gulf of
18	Aden; and
19	(B) is essential to support United States
20	national security interests, including countering
21	the flows of Iranian lethal aid to Yemen and
22	[facilitating] the free flow of commerce;
23	(4) increased United States engagement with
24	Somaliland, which occupies a strategic geographic lo-
25	cation in the Horn of Africa and is adjacent to stra-

1	tegic maritime routs in the Red Sea and Gulf of
2	Aden could—
3	(A) contribute to the achievement of
4	United States national security interests given
5	the evolving security situating in the region;
6	and
7	(B could provide flexibility with regards to
8	the delivery of humanitarian assistance in the
9	Horn of Africa region and beyond; and
10	(5) security cooperation in the Red Sea and
11	Gulf of Aden region is critical—
12	(A) to maintaining a de facto ceasefire in
13	Yemen; and
14	(B) to further a political resolution to the
15	Yemeni conflict.
16	(b) STATEMENT OF POLICY.—It is the policy of the
17	United States—
18	(1) to establish and maintain an approach to-
19	wards the Red Sea region that promotes United
20	States economic, political, and security interests in
21	the region;
22	(2) to facilitate and support sustained regional
23	dialogue between the United States and countries in
24	the Red Sea region and other non-littoral states that
25	have interests in the Red Sea region by creating

1	lasting mechanisms for cooperative, multinational ef-
2	forts to advance democracy, human rights, good gov-
3	ernance, combat illegal, unregulated, and unreported
4	fishing; counter-terrorism, counter-smuggling, con-
5	flict prevention, resolution, and adaptation in and
6	surrounding the Red Sea region;
7	(3) to preserve and enhance a free, stable, pros-
8	perous Red Sea region by supporting and defending
9	principles that contribute to such conditions, includ-
10	ing by supporting—
11	(A) the sovereignty and self-determination
12	of countries in the Red Sea region;
13	(B) sustainable economic development;
14	(C) increased democratization and respect
15	for internationally recognized human rights;
16	(D) transparent and accountable govern-
17	ance;
18	(E) prudent management of natural re-
19	sources and enhanced food security;
20	(F) protection of migrants and refugees;
21	and
22	(G) women and girls with attention to gen-
23	der-based violence in the region;
24	(4) to secure the safe transit of vessels through
25	the Red Sea waterways and mitigate threats to mar-

1	itime security posed by malign actors, including the
2	Houthis in Yemen, by—
3	(A) helping build the capacity of partner
4	countries and sharing information with regional
5	partners, where appropriate;
6	(B) securing coastal infrastructure critical
7	to the interests of the United States, including
8	United States military bases, ports, undersea
9	communication cables, oil pipelines, and depots;
10	(C) supporting, where appropriate, law en-
11	forcement and defense capabilities of Red Sea
12	region partners;
13	(D) enabling partner nations' defensive ca-
14	pabilities and encouraging counter-smuggling
15	operations; and
16	(E) reducing human, narcotics, and arms
17	trafficking, piracy, and illegal, unregulated, and
18	unreported fishing;
19	(5) to bolster preventative diplomacy to prevent
20	conflicts and to support the peaceful resolution of
21	conflict within and among countries;
22	(6) to analyze and address natural and man-
23	made environmental threats in cooperation with our
24	partners in the region, including risk of oil spills, lo-

1	custs, threats to regional water supplies, and devel-
2	opmental activities;
3	(7) to encourage principled, transparent foreign
4	investment and trade, with a particular emphasis on
5	the Horn of Africa, including by United States and
6	Western corporations;
7	(8) to ensure foreign investments and presence,
8	including economic, military, or otherwise, do not re-
9	sult in the destabilization of any countries;
10	(9) to help countries address opaque invest-
11	ments and undue influence by malign actors and
12	promote and assist with the development of strate-
13	gies to ensure transparency and fair treatment by
14	foreign actors;
15	(10) to help countries respond to violent ex-
16	tremist groups that threaten stability and disrupt
17	their funding and weapons supplies;
18	(11) to increase United States diplomatic pres-
19	ence and influence;
20	(12) to counter PRC military, diplomatic, eco-
21	nomic and cultural influence in the Red Sea region
22	through increased United States engagement, in-
23	cluding democracy and governance assistance, eco-
24	nomic assistance, infrastructure investment and se-
25	curity assistance and cooperation; and

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(13) to mitigate threats posed by the Houthis
 in Yemen to regional stability and to vessels
 transiting the Red Sea or Gulf of Aden by enabling
 partner nations' defensive capabilities and encour aging counter-smuggling operations.

6 (c) STRATEGY.—Not later than 180 days after the 7 date of the enactment of this Act, the Secretary, in con-8 sultation with the Secretary of Defense, the Administrator 9 of the United States Agency for International Develop-10 ment, and the heads of other relevant Federal Government 11 agencies, shall submit to the appropriate congressional 12 committees a 5-year integrated strategy for the Red Sea 13 region that includes—

(1) a clear articulation of the security, political,
and economic interests of the United States, with
special emphasis on the promotion of the policy objectives in subsection (b);

(2) plans for ensuring the Red Sea Security
Forum required under subsection (f) will further
shared interests between the United States and partners and allies in democracy, human rights, inclusive
governance, economic development, anti-corruption,
counter-terrorism, conflict prevention and resolution,
and other relevant areas;

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(3) plans for fostering regional cooperation on
issues, such as migration, including forced migration
and its root causes, and supporting refugee assist-
ance;
(4) plans for increasing United States economic
engagement in the region through diplomatic and,
where applicable, programmatic support for—
(A) a rules-based investment climate;
(B) United States private sector invest-
ment;
(C) regional economic integration, if and
as appropriate; and
(D) an assessment that clearly identifies
the implications of investment schemes of ma-
lign actors and strategic competitors in the Red
Sea region;
(5) plans for ensuring engagement, as appro-
priate, of initiatives such as Prosper Africa, Power
Africa, the Middle East Partnership Initiative, and
expertise of independent United States Government
agencies, such as the Development Finance Corpora-
tion, the United States African Development Foun-
dation, and other relevant United States Govern-
ment programs to carry out activities that advance

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United States security, environment, energy, and
 economic interests in the Red Sea region;

3 (6) plans for supporting specific programs and 4 activities required to help bolster military and civil-5 ian capacity to prevent and counter violent extre-6 mism, to reduce human, narcotics, and arms traf-7 ficking, and to maintain the secure and free flow of 8 United States and partner military and commercial 9 vessels informed by a country by country assessment 10 of the gaps left by current programming, and in ac-11 cordance with international humanitarian law;

(7) plans for protecting coastal infrastructure
critical to United States interests and, where appropriate, enhance partner government capacity to that
end, including United States military bases, ports,
undersea communication cables, and oil pipelines
and depots; and

18 (8) plans for countering Russian and PRC mili19 tary, diplomatic, economic and cultural influence in
20 the Red Sea region.

(d) CONSULTATION.—Not later than 120 days after
the date of enactment of this Act, the Secretary shall consult with the appropriate congressional committees on the
strategy detailed in subsection (c).

25 (e) POLICY AND DIPLOMATIC COORDINATION.—

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1 (1)ESTABLISHMENT OF NEW POSITION.— 2 There may be established within the Department of 3 State an Office of the United States Senior Coordi-4 nator for the Red Sea Region, which shall be led by 5 a Senate-confirmed Senior Coordinator who shall 6 work closely with the Bureaus of African Affairs, 7 Near Eastern Affairs, relevant Department bureaus 8 and offices, the Department of Defense, the United 9 States Agency for International Development and 10 others in the United States Government to develop, 11 integrate, and coordinate a strategic approach to-12 wards the Red Sea region and who shall — 13 (A) be subject to the advice and consent of 14 the Senate; 15 (B) report directly to the Under Secretary 16 of State for Political Affairs; 17 (C) coordinate the development and lead 18 the implementation of the strategy required 19 under subsection (c); 20 (D) ensure, in consultation with the Assist-21 ant Secretary of State for African Affairs and 22 the Assistant Secretary of State for Near East-23 ern Affairs, that United States Ambassadors in 24 the Red Sea region— 25 (i) are aware of such strategy; and

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1	(ii) are taking concrete actions on a
2	regular basis in the countries in which they
3	serve to help further such strategy;
4	(E) ensure relevant Department of State
5	programs and activities being carried out in the
6	Red Sea region are coordinated in such a way
7	that they advance the policy and strategy de-
8	scribed in [sections 5 and 6];
9	(F) coordinate, through the establishment
10	of an interagency working group, with the As-
11	sistant Administrators for Africa, the Middle
12	East, and other relevant USAID bureaus, and
13	with the Deputy Assistant Secretaries of De-
14	fense for Africa and the Middle East at Depart-
15	ment of Defense to identify programs and ac-
16	tivities of their respective bureaus and agencies
17	that will support the strategy described in sub-
18	section (c);
19	(G) lead United States diplomatic efforts
20	on transnational issues in the Red Sea region;
21	and
22	(H) ensure that appropriate congressional
23	committees are regularly informed relative to
24	Red Sea and Gulf of Aden issues.

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(2) DIPLOMATIC POSTS.—Not later than 180
 days after the date of the enactment of this Act, the
 Secretary shall submit a report to the appropriate
 congressional committees that examines—

5 (A) the feasibility of adding at least 1 ad-6 ditional position to United States diplomatic 7 posts at each of the embassies in the Red Sea 8 region;

9 (B) any other explicit personnel plans to 10 increase reporting on, among other issues, polit-11 ical, economic, and security engagement in the 12 Red Sea region by actors from outside the re-13 gion, especially the PRC, the Russian Federa-14 tion, Iran, the Republic of Türkiye, and the 15 Arabian Gulf countries; and

16 (C) actions taken by countries that could
17 have a destabilizing effect on the Red Sea re18 gion.

19 (3)ESTABLISHMENT \mathbf{OF} REPORTING CAT-20 EGORY.—Not later than 30 days after the date of 21 the enactment of this Act, the Secretary shall create 22 a Red Sea region category within the internal re-23 porting system of the Department of State to enable 24 readers from throughout the United States Govern-

ment to better identify and access reporting per taining to the Red Sea region.

3 (f) RED SEA SECURITY FORUM.—The Secretary, in 4 consultation with the Secretary of Defense and the Administrator of the United States Agency for International De-5 velopment, shall convene an annual security forum involv-6 7 ing United States and foreign diplomatic, development 8 and defense officials, representatives of multilateral orga-9 nizations, and civil society to identify and develop ap-10 proaches to shared challenges in the Red Sea region, in-11 cluding-

- 12 (1) countering PRC influence;
- 13 (2) maritime security and transnational threats
 14 including counter-terrorism, piracy and arms, and
 15 narcotics trafficking;
- 16 (3) food security;
- 17 (4) trade;
- 18 (5) forced migration; and
- 19 (6) environmental security.

(g) REPORTING REQUIREMENT.—Not later than 1
year after the date of the enactment of this Act, and annually for the following 4 years, the Secretary shall submit
a report to the appropriate congressional committees that
includes—

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(1) the status of the implementation of the
 strategy required under subsection (c);

3 (2) a description of the engagement of inter-4 national actors in countries in Africa that are part 5 of the Red Sea region, with special emphasis on the 6 PRC, the Russian Federation, Iran, the Republic of 7 Türkiye, and Arabian Gulf countries, the implica-8 tions of their engagement for the national security 9 interests of the United States, and steps taken to 10 counter the influence of the aforementioned inter-11 national actors;

12 (3) a detailed description of the illicit networks
13 that move people, narcotics, and arms across the
14 Red Sea region;

(4) a discussion of key foreign investors and investments in the Red Sea region initiated over the
previous year, including by United States and foreign actors;

(5) a country-by-country itemization of all
United States democracy and governance assistance
provided to countries in the Red Sea region, broken
down by program and by funding sources and levels,
along with an identification of the intended and actual outcomes;

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1 a country-by-country itemization of all (6)2 United States security assistance provided to coun-3 tries in the Red Sea region, along with an identifica-4 tion of the security capabilities of countries in the 5 Red Sea region, intended gaps in capabilities that 6 United States assistance is intended to fill, and ac-7 tual outcomes; 8 (7) an assessment of the extent to which a sus-9 tained United States presence in Somaliland would-10 11 (A) support United States policy focused 12 on the Red Sea region, including the "pro-13 motion of conflict avoidance and resolution"; 14 (B) improve cooperation on counter-ter-15 rorism and intelligence sharing, including by— 16 (i) degrading and ultimately defeating 17 the terrorist threat posed by Al-Shabaab, 18 the Islamic State in Somalia, and other 19 terrorist groups operating in Somalia; and 20 (ii) countering the malign influence of 21 the Iranian regime and its terror proxies; 22 (C) enhance cooperation on counter-traf-23 ficking, including the trafficking of humans, 24 wildlife, weapons, and illicit goods;

1	(D) support trade and development in the
2	region;
3	(8) recommendations for facilitating the dis-
4	tribution of humanitarian assistance in the Horn of
5	Africa; and
6	(9) recommendation for countering the presence
7	of the Russian Federation and the PRC in the Horn
8	of Africa, including by detailing—
9	(A) the PRC's interest in access to port fa-
10	cilities in Djibouti, Mombasa, Massawa, and
11	Assab;
12	(B) the PRC's role in fomenting unrest in
13	the Sool region of Somaliland; and
14	(C) the role Somaliland's relationship with
15	the Republic of China (Taiwan) counters PRC
16	influence in the region and contributes to
17	United States interests.
18	(h) FORM.—The report required under this section
19	shall be unclassified to the maximum extent practicable,
20	but may include a classified annex.
21	SEC. 464. SENSE OF CONGRESS ON JACKSON-VANIK.
22	It is the sense of Congress that it is in the interests
23	of the United States to waive the application of section
24	402(e) of the Trade Act of 1974 (19 U.S.C. 2432(e)) with
25	respect to Uzbekistan (upon Uzbekistan's accession to the

World Trade Organization) and with respect to
 Kazakhstan.

3 Subtitle E—United States Interests 4 in International Organizations

5 SEC. 471. GLOBAL PEACE OPERATIONS INITIATIVE.

6 Section 552 of the Foreign Assistance Act of 1961
7 (22 U.S.C. 2348a) is amended by adding at the end the
8 following:

9 "(e) None of the funds authorized to be appropriated 10 or otherwise made available to carry out this chapter, including for the Global Peace Operations Initiative of the 11 Department of State, may be used to train or support for-12 13 eign military forces in peacekeeping training exercises implemented by the Government of the People's Republic of 14 15 China or the People's Liberation Army, unless, by not later than October 1 of each year, the Secretary certifies 16 17 to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Rep-18 19 resentatives that such training or support is important to 20 the national security interests of the United States.".

21 SEC. 472. OFFICE ON MULTILATERAL STRATEGY AND PER-

22 SONNEL.

The Bureau of International Organization Affairs ofthe Department of State shall create and maintain, within

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[Discussion Draft]

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the Bureau, the Office on Multilateral Strategy and Per-1 2 sonnel, which shall— 3 (1) create, coordinate, and maintain a whole-of-4 government strategy to strengthen United States en-5 gagement and leadership with multilateral institu-6 tions; 7 (2) coordinate United States Government ef-8 forts related to the United Nations Junior Profes-9 sional Office program (referred to in this section as "JPO"), including— 10 11 (A) recruiting qualified individuals who 12 represent the United States' rich diversity to 13 apply for United States-sponsored JPO posi-14 tions; 15 (B) collecting and collating information 16 about United States-sponsored JPOs from 17 across the United States Government; 18 (C) establishing and providing orientation 19 and other training to United States-sponsored 20 JPOs; 21 (D) maintaining regular contact with cur-

rent and former United States-sponsored JPOs, including providing career and professional advice to United States-sponsored JPOs;

(E) making strategic decisions, including
regarding the location and duration of United
States-sponsored JPO positions, to strengthen
United States national security interests and
the competitive advantage of United States-
sponsored JPOs for future employment;
(F) sponsoring events, including represen-
tational events, as appropriate, to support
United States-sponsored JPOs; and
(G) evaluating the efficacy of the United
States JPO strategy and its implementation at
regular intervals;
(3) coordinate and oversee a whole-of-govern-
ment United States strategy and efforts in relation
to promoting qualified candidates, including can-
didates from partner or allied nations, to elected or
appointed to senior positions at multilateral institu-
tions, including—
(A) creating a whole-of-government strat-
egy that identifies and prioritizes upcoming
openings of leadership positions at multilateral
organizations;
(B) identifying and recruiting qualified
candidates to apply or run for such positions;
and

1	(C) creating and implementing a strategy
2	to obtain the support necessary for candidates
3	for such positions, including—
4	(i) liaising and coordinating with
5	international partners to promote can-
6	didates; and
7	(ii) working with embassies to lobby
8	other officials needed to support relevant
9	candidates;
10	(4) promote detail and transfer opportunities
11	for qualified United States personnel to multilateral
12	organizations under section 3343 or 3581 of title 5,
13	United States Code, including—
14	(A) by liaising with multilateral institu-
15	tions to promote and identify detail and trans-
16	fer opportunities;
17	(B) by developing and maintaining a data-
18	base of detail and transfer opportunities to mul-
19	tilateral organizations;
20	(C) by promoting such detail and transfer
21	opportunities within the United States Govern-
22	ment and making such database available to
23	those eligible for details and transfers; and
24	(D) by facilitating any relevant orientation,
25	training, or materials for detailees and trans-

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1 ferees, including debriefing detailees and trans-2 ferees upon their return to the United States 3 Government; and (5) develop and oversee official and regular 4 5 United States Government fellowships at multilat-6 eral institutions to provide United States Govern-7 ment personnel additional opportunities to undertake 8 details at multilateral institutions. 9 SEC. 473. AUTHORIZATION OF APPROPRIATIONS FOR JUN-10 IOR PROFESSIONAL OFFICER POSITIONS AND 11 UNITED STATES CANDIDATES FOR LEADER-12 SHIP POSITIONS IN MULTILATERAL INSTITU-13 TIONS. 14 (a) AUTHORIZATION OF APPROPRIATIONS.—There 15 are authorized to be appropriated \$10,000,000, for each 16 of the fiscal years 2024 through 2030, which, upon appro-17 priation, shall remain available until expended and shall 18 be used by the Secretary to support Junior Professional 19 Officer positions at multilateral institutions, including 20 by— 21 (1) recruiting, training, and hosting events re-22 lated to such positions; and

23 (2) promoting United States candidates for24 leadership positions at multilateral institutions.

1 (b) CONGRESSIONAL NOTIFICATION.—Not later than 2 15 days before obligating any funds appropriated pursu-3 ant to subsection (a), the Secretary shall notify the Com-4 mittee on Foreign Relations of the Senate, the Committee 5 on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the 6 7 Committee on Appropriations of the House of Representa-8 tives regarding the amount and proposed use of such 9 funds.

10SEC. 474. SAFEGUARDING THE INTEGRITY OF THE UNITED11NATIONS SYSTEM.

12 (a) SENSE OF CONGRESS.—It is the sense of the Con-13 gress that—

14 (1) the United Nations system is critical to ad15 vancing peace and security, internationally recog16 nized human rights, and development;

17 (2) the United States benefits from opportuni18 ties at the United Nations to engage in multilateral
19 diplomacy—

- 20 (A) to advance its own interests; and
- (B) to work with other members of the
 international community to address complex
 and shared challenges; and

24 (3) the United States has an interest in safe-25 guarding the integrity the United Nations system.

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(b) PRIORITIZING THE UNITED NATIONS SYSTEM.—
 The Secretary, in coordination with the Permanent Rep resentative of the United States to the United Nations,
 as appropriate, shall prioritize the United Nations system,
 including by instructing the senior leadership of the
 United States Mission to the United Nations and other
 United States missions to the United Nations—

8 (1) to promote United States participation in 9 the United Nations system, and that of United 10 States allies and partners who are committed to up-11 holding the integrity of the United Nations;

(2) o ensure that United Nations employees are
held accountable to their obligation to uphold the
United Nations charter, rules, and regulations;

(3) to monitor and counter undue influence, especially by authoritarian governments, within the
United Nations system;

(4) to promote the participation and inclusion
of Taiwan throughout the United Nations system
and its affiliated agencies and bodies; and

(5) to advance other priorities deemed relevant
by the Secretary and the Permanent Representative
of the United States to the United Nations to safeguard the integrity of the United Nations system.

1SEC. 475. DEPARTMENT OF STATE REPORT ON THE PEO-2PLE'S REPUBLIC OF CHINA'S UNITED NA-3TIONS PEACEKEEPING EFFORTS.

4 (a) ANNUAL REPORT.—Not later than January 31
5 of each year through January 31, 2027, the Secretary
6 shall submit a report to the appropriate congressional
7 committees describing the People's Republic of China's
8 United Nations peacekeeping efforts.

9 (b) ELEMENTS.—The report required under sub-10 section (a) shall include an assessment of the PRC's con-11 tributions to United Nations peacekeeping missions, in-12 cluding—

13 (1) a detailed list of the placement of PRC14 peacekeeping troops;

(2) a list of the number of troops participating
in the United Nations Peacekeeping Mission from
the PRC, the United States, and other permanent
members of the United Nations Security Council;

(3) an estimate of when the PRC is expected to
surpass the United States as the top financial contributor to the United Nations peacekeeping operations;

(4) an estimate of the amount of money that
the PRC receives from the United Nations for its
peacekeeping efforts;

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1 (5) an estimate of the portion of the money the 2 PRC receives for its peacekeeping operations and 3 troops that comes from United States contributions 4 to United Nations peacekeeping efforts; 5 (6) an analysis comparing the locations of PRC 6 peacekeeping troops and the locations of "One Belt, 7 One Road" projects; and 8 (7) an assessment of the number of Chinese 9 United Nations peacekeepers who are part of the 10 People's Liberation Army or the People's Armed Po-11 lice, including the rank, division, branch, and theater 12 command of such peacekeepers. IN TITLE V—INVESTING **OUR** 13 THROUGH SANC-VALUES 14 TIONS AND UNITED NATIONS 15 REFORMS 16 17 SEC. 501. IMPOSITION OF SANCTIONS WITH RESPECTS TO 18 SYSTEMATIC RAPE, COERCIVE ABORTION, 19 FORCED STERILIZATION, OR INVOLUNTARY 20 **CONTRACEPTIVE** IMPLANTATION IN THE 21 XINJIANG UYGHUR AUTONOMOUS REGION. 22 (a) IN GENERAL.—Section 6(a)(1) of the Uyghur 23 Human Rights Policy Act of 2020 (Public Law 116–145; 24 22 U.S.C. 6901 note) is amended—

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1	(1) by redesignating subparagraphs (E) and
2	(F) as subparagraphs (F) and (G), respectively; and
3	(2) by inserting after subparagraph (D) the fol-
4	lowing:
5	"(E) Systematic rape, coercive abortion,
6	forced sterilization, involuntary contraceptive
7	implantation policies and practices, or any other
8	type of sexual or gender based violence.".
9	(b) EFFECTIVE DATE; APPLICABILITY.—The amend-
10	ment made by subsection (a)—
11	(1) shall take effect on the date of the enact-
12	ment of this Act; and
13	(2) shall apply with respect to the first report
14	required under section $6(a)(1)$ of the Uyghur
15	Human Rights Policy Act of 2020 (Public Law 116–
16	145; 22 U.S.C. 6901 note) submitted after such
17	date of enactment.
18	SEC. 502. REMOVAL OF MEMBERS OF THE UNITED NATIONS
19	HUMAN RIGHTS COUNCIL THAT COMMIT
20	HUMAN RIGHTS ABUSES.
21	The President shall direct the Permanent Represent-
22	ative of the United States to the United Nations to use
23	the voice, vote, and influence of the United States—
24	(1) to reform the process for suspending the
25	rights of membership on the United Nations Human

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1 Rights Council for countries whose governments 2 commit gross and systemic violations of human 3 rights, including— 4 (A) seeking to lower the threshold vote at 5 the United Nations General Assembly for sus-6 pension of the rights of membership to a simple 7 majority; 8 (B) ensuring information detailing a mem-9 ber country's human rights record is publicly 10 available before a vote on suspension of its 11 rights of membership; and 12 (C) making the vote of each country on the 13 suspension of rights of membership from the 14 United Nations Human Rights Council publicly 15 available; 16 (2) to reform the rules for electing members to 17 the United Nations Human Rights Council to seek 18 to ensure United Nations members whose govern-19 ments have committed gross and systemic violations 20 of internationally recognized human rights are not 21 elected to the Human Rights Council; and 22 (3) to oppose the election to the Human Rights 23 Council of any United Nations member— 24 (A) the government of which has been de-25 termined to be engaging in a consistent pattern

1	of gross violations of internationally recognized
2	human rights pursuant to section 116 or sec-
3	tion 502B of the Foreign Assistance Act of
4	1961 (22 U.S.C. 2151n and 2304);
5	(B) currently designated as a state sponsor
6	of terrorism;
7	(C) currently designated as a Tier 3 coun-
8	try under section $110(b)(1)(C)$ the Trafficking
9	Victims Protection Act of 2000 (22 U.S.C.
10	7101(b)(1)(C));
11	(D) the government of which is identified
12	on the list published by the Secretary pursuant
13	to section 404(b) of the Child Soldiers Preven-
14	tion Act of 2008 (22 U.S.C. 2370c-1(b)) as a
15	government that recruits and uses child sol-
16	diers; or
17	(E) the government of which the United
18	States determines to have committed genocide,
19	crimes against humanity, war crimes, or ethnic
20	cleansing.

SEC. 503. UNITED NATIONS POLICY AND INTERNATIONAL
 ENGAGEMENT ON THE REINCARNATION OF
 THE DALAI LAMA AND RELIGIOUS FREEDOM
 OF TIBETAN BUDDHISTS.

5 (a) REAFFIRMATION OF POLICY.—It is the policy of the United States, as provided under section 342(b) of di-6 vision FF of the Consolidated Appropriations Act, 2021 7 (Public Law 116–260), that any "interference by the Gov-8 ernment of the People's Republic of China or any other 9 10 government in the process of recognizing a successor or 11 reincarnation of the 14th Dalai Lama and any future 12 Dalai Lamas would represent a clear abuse of the right 13 to religious freedom of Tibetan Buddhists and the Tibetan 14 people".

(b) INTERNATIONAL EFFORTS TO PROTECT RELI16 GIOUS FREEDOM OF TIBETAN BUDDHISTS.—The Sec17 retary should engage with United States allies and part18 ners to—

19 (1) support Tibetan Buddhist religious leaders'
20 sole religious authority to identify and install the
21 15th Dalai Lama;

(2) oppose claims by the Government of the
People's Republic of China that the PRC has the
authority to decide for Tibetan Buddhists the 15th
Dalai Lama; and

1 (3) reject interference by the Government of the 2 People's Republic of China in the religious freedom 3 of Tibetan Buddhists. VI—ADVANCING **OVER-**TITLE 4 SIGHT OF **INTERNATIONAL** 5 LIFE SCIENCES RESEARCH 6 7 SEC. 601. SHORT TITLE. 8 This title may be cited as the "Biological Weapons" Act of 2024". 9 10 SEC. 602. DEFINITIONS. 11 In this title: 12 (1)APPROPRIATE CONGRESSIONAL COMMIT-13 TEES.—The term "appropriate congressional com-14 mittees" means— 15 (A) the Committee on Foreign Relations of 16 the Senate; 17 (B) the Committee on Armed Services of 18 the Senate; 19 (C) the Select Committee on Intelligence of 20 the Senate; 21 (D) the Committee on Foreign Affairs of 22 the House of Representatives; 23 (E) the Committee on Armed Services of 24 the House of Representatives; and

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1	(F) the Permanent Select Committee on
2	Intelligence of the House of Representatives.
3	(2) BIOLOGICAL WEAPONS CONVENTION.—The
4	term "Biological Weapons Convention" means the
5	Convention on the Prohibition of the Development,
6	Production and Stockpiling of Bacteriological and
7	Toxin Weapons and on their Destruction, done at
8	Washington, London, and Moscow, April 10, 1972.
9	(3) DUAL USE RESEARCH OF CONCERN.—The
10	term "dual-use research of concern" is life sciences
11	research that—
12	(A) involves an international partner; and
13	(B) based on current understanding, can
14	be reasonably anticipated to provide knowledge,
15	information, products, or technologies that
16	could be directly misapplied to pose a signifi-
17	cant threat with broad potential consequences
18	to public health and safety, agricultural crops
19	and other plants, animals, the environment, ma-
20	teriel, or national security.
21	(4) Other international life sciences re-
22	SEARCH OF CONCERN.—The term "other inter-
23	national life sciences research of concern' means re-
24	search that—
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1	(A) is conducted by or with an inter-
2	national partner;
3	(B) involves, or is anticipated to involve—
4	(i) enhancing a potential pandemic
5	pathogen;
6	(ii) the characterization of pathogens
7	with pandemic potential; or
8	(iii) modifying a pathogen in such a
9	way that it could acquire pandemic poten-
10	tial; or
11	(C) involves enhancing the pathogenicity,
12	contagiousness, or transmissibility of viruses or
13	bacteria in ways or for purposes that can be
14	reasonably anticipated to pose a threat to public
15	health and safety or national security.
16	SEC. 603. STATEMENT OF POLICY.
17	It is the policy of the United States—
18	(1) to conduct rigorous scrutiny of and regu-
19	larly review international biological, bacteriological,
20	virological, and other relevant research collaboration
21	that could be weaponized or reasonably considered
22	dual-use research of concern, and incorporate na-
23	tional security and nonproliferation considerations
24	and country-specific conditions into decisions regard-
25	ing such collaborations;

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1 (2) to ensure that, in the search for solutions 2 to pressing global health challenges, United States 3 Government support for public health research and 4 other actions does not advance the capabilities of 5 foreign adversaries in the area of dual-use research 6 of concern or inadvertently contribute to the pro-7 liferation of biological weapons technologies; and

8 (3) to declassify, to the maximum extent pos-9 sible, all intelligence relevant to the PRC's compli-10 ance or lack of compliance with its obligations under 11 the Biological Weapons Convention, and other na-12 tional security concerns regarding PRC biological, 13 bacteriological, virological, and other relevant re-14 search that could be weaponized or reasonably con-15 sidered dual-use research of concern that may be 16 outside the scope of the Biological Weapons Conven-17 tion.

18 SEC. 604. AMENDMENTS TO THE SECRETARY OF STATE'S

19AUTHORITY UNDER THE ARMS CONTROL AND20DISARMAMENT ACT.

(a) RESEARCH, DEVELOPMENT, AND OTHER STUD1ES.—Section 301(a) of the Arms Control and Disarmament Act (22 U.S.C. 2571(a)) is amended by inserting
"biological, virological," after "bacteriological".

25 (b) Oversight of Dual-use Research.—

(1) IN GENERAL.—Title III of the Arms Con-
trol and Disarmament Act (22 U.S.C. 2571 et seq.)
is amended by adding at the end the following:
"SEC. 309. AUTHORITIES WITH RESPECT TO DUAL-USE RE-
SEARCH OF CONCERN AND OTHER INTER-
NATIONAL LIFE SCIENCES RESEARCH OF
CONCERN.
"(a) DEFINITIONS.—In this section:
"(1) Appropriate committees of con-
GRESS.—The term 'appropriate committees of Con-
gress' means—
"(A) the Committee on Foreign Relations
of the Senate;
"(B) the Committee on Health, Education,
Labor, and Pensions of the Senate;
"(C) the Committee on Foreign Affairs of
the House of Representatives; and
"(D) the Committee on Energy and Com-
merce of the House of Representatives.
"(2) Dual-use research of concern.—The
term 'dual-use research of concern' has the meaning
given such term in section 602 of the Biological
Weapons Act of 2024.
"(3) Other international life sciences
RESEARCH OF CONCERN.—The term 'other inter-

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national life sciences research of concern' has the
 same meaning as defined by section 602 of the Bio logical Weapons Act of 2024.

4 "(b) OVERSIGHT OF DUAL USE RESEARCH OF CON5 CERN AND OTHER INTERNATIONAL LIFE SCIENCES RE6 SEARCH OF CONCERN.—The Secretary, with respect to
7 oversight of dual-use research of concern and other inter8 national life sciences research of concern, shall—

9 "(1) ensure robust and consistent Department
10 of State participation in interagency processes and
11 review mechanisms;

12 "(2) require the Administrator of the United 13 States Agency for International Development to re-14 port to, and consult with, the Department of State 15 regarding any proposed programs, projects, initia-16 tives, or funding for dual-use research of concern or 17 other international life sciences research of concern; 18 "(3) evaluate whether proposed international 19 scientific and technological cooperation activities in 20 which the United States Government participates 21 that involves dual-use research of concern or other 22 international life sciences research of concern, in-23 cluding research related to biological agents, toxins, 24 and pathogens, aligns with the United States Na-

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tional Security Strategy and related strategic docu ments;

3 "(4) direct the Department of State— "(A) to implement prohibitions and en-4 5 hanced restrictions on high-risk life sciences re-6 search with United States adversaries, espe-7 cially the People's Republic of China, the Rus-8 sian Federation, the Islamic Republic of Iran, 9 and the Democratic People's Republic of Korea; 10 and

"(B) to adhere to such prohibitions and
enhanced restrictions when participating in
interagency processes and review mechanisms
related to dual-use research of concern and
other international life sciences research of concern;

"(5) create, in consultation with other Federal
departments and agencies, policies and processes for
post-award oversight of grants and funding for dualuse research of concern and other international life
sciences research of concern that—

22 "(A) are aligned with existing laws and23 regulations;

24 "(B) provide grants or funding from other25 Federal departments and agencies; and

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"(C) keep the Department of State ap prised of any national security or foreign policy
 concerns that may arise with respect to a
 project funded by another Federal department
 or agency;

6 "(6) conduct periodic reviews of the adequacy 7 of consultative mechanisms with other Federal de-8 partments and agencies with respect to oversight of 9 dual-use research of concern and other international 10 life sciences research of concern, especially consult-11 ative mechanisms mandated in United States law, 12 and identify recommendations for improving such 13 consultative mechanisms:

14 "(7) direct Chiefs of Mission to ensure—

15 "(A) country team assessments are sub-16 mitted to the Department of State and the head 17 of the Federal department or agency proposing 18 to sponsor programs and collaborations to scru-19 tinize whether such programs or collaborations 20 involve dual-use research of concern or other 21 life international life sciences research of con-22 cern; and

23 "(B) such assessments are integrated into
24 relevant interagency processes; and

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"(8) direct Chiefs of Mission to increase embassy reporting in other countries on dual-use research of concern, other international life sciences
research of concern, biosecurity hazards trends in
the development of synthetic biology and biotechnology, and other related matters.

7 "(c) REPORTS TO CONGRESS.—Not later than 1 year 8 after the date of the enactment of this Act, and biennially 9 thereafter for the following 5 years, the Secretary shall 10 submit a report to the appropriate congressional committees that describes the implementation of subsection (b). 11 12 "(d) Annual Report on Approvals of Collabo-13 RATION.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the fol-14

15 lowing 5 years, the Secretary should shall submit to the appropriate committees of Congress a report describing 16 17 any research or other collaboration, including transfer 18 agreements, memoranda of understanding, joint research projects, training, and conferences that involve significant 19 20 knowledge transfer, that meets the definitions outlined in 21 subsection (c) that was approved or not objected to by the 22 Secretary of State and the justification for such approval 23 or lack of an objection.".

1SEC. 605. REPORT ON THREATS RELATED TO SPECIFIC2DUAL USE RESEARCH OF CONCERN AND3OTHER INTERNATIONAL LIFE SCIENCES RE-4SEARCH OF CONCERN.

5 Not later than 1 year after the date of enactment 6 of this Act and annually thereafter, the Secretary shall 7 submit to the Foreign Relations Committee of the Senate 8 and the Foreign Affairs Committee of the House of Rep-9 resentatives an assessment of the key national security 10 risks of dual-use research of concern or other international 11 life sciences research of concern, including—

12 (1) major issues the Department of State is 13 prioritizing with respect the misuse to or 14 weaponization of, or that be reasonably anticipated 15 to be misused or weaponized, biological, bacterio-16 logical, and virological research, or the misuse or 17 weaponization of, or that be reasonably anticipated 18 to be misused or weaponized, any other category of 19 dual-use research of concern or other international 20 life sciences research of concern by state and non-21 state actors;

(2) the Department of State's efforts to develop
and promote measures to prevent such misuse,
weaponization, or proliferation of dual-use research
of concern or other international life sciences research of concern;

1	(3) an assessment of targeted national level and
2	government directed policies, research initiatives, or
3	other relevant efforts focused on dual-use research
4	of concern or other international life sciences re-
5	search of concern, including—
6	(A) the People's Republic of China;
7	(B) the Russian Federation;
8	(C) the Islamic Republic of Iran;
9	(D) the Democratic People's Republic of
10	Korea;
11	(E) any other nation identified in the re-
12	port required under section 403 of the Arms
13	Control and Disarmament Act (22 U.S.C.
14	2593a); and
15	(F) any terrorist group or malign non-
16	state actor;
17	(4) an assessment of the national security con-
18	cerns posed by any of the activities described in
19	paragraph (1) or (3);
20	(5) a description of collaboration between osten-
21	sibly civilian entities, including research laboratories,
22	and military entities, involving the activities identi-
23	fied in paragraph (3);
24	(6) a description of the confidence-building
25	measures or other attempts by the countries referred

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to in paragraph (3) to justify, clarify, or explain the
 activities described in such paragraph;

3 (7) the extent to which the Secretary assesses
4 the Biological Weapons Convention and any other
5 relevant international agreements account for or
6 keep pace with the security threats of the activities
7 identified in paragraph (3);

8 (8) a description of the process used by the 9 United States Government, including the role of the 10 Department of State, to approve and review funding 11 or other support, including subgrants in other coun-12 tries for dual-use research of concern or other life 13 sciences research of concern, including research re-14 lated to biological agents, toxins, and pathogens that 15 poses, or can reasonably be anticipated to pose, a 16 risk of misuse, weaponization, or other threat to 17 United States national security;

18 (9) a list and description of United States Gov-19 ernment interagency mechanisms and international 20 groups or coordinating bodies on biosecurity and 21 dual-use research of concern in which the Depart-22 ment of State is a member or has a formal role; and 23 (10) a description of any obstacles or challenges 24 to the ability of United States Government to ad-25 dress the requirements specified in this section, in-

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cluding a description of gaps in authorities, intel ligence collection and analysis, organizational re sponsibilities, and resources.

4 SEC. 606. REPORT ON UNITED STATES FUNDING RESEARCH

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WITH THE PRC.

6 (a) IN GENERAL.—The President shall—

7 (1) not later than 400 days after the date of 8 the enactment of this Act, conduct a formal review 9 regarding all United States Government-funded re-10 search collaboration initiatives conducted with inter-11 national partners during the 20-year period ending 12 on such date of enactment with the PRC related to 13 research areas that pose potential biological weapons 14 proliferation risks or meet the criteria of dual-use 15 research of concern or other international life 16 sciences research of concern; and

17 (2) not later than 15 days after completing the
18 review pursuant to paragraph (1), submit a written,
19 unclassified report, which may include a classified
20 annex, to—

21	(A) the Committee on Foreign Relations of
22	the Senate;

23 (B) the Committee on Health, Education,24 Labor, and Pensions of the Senate;

1	(C) the Committee on Armed Services of
2	the Senate;
3	(D) the Committee on Foreign Affairs of
4	the House of Representatives;
5	(E) the Committee on Energy and Com-
6	merce of the House of Representatives; and
7	(F) the Committee on Armed Services of
8	the House of Representatives.
9	(b) ELEMENTS.—The report required under sub-
10	section $(a)(2)$ shall—
11	(1) provide a detailed description and example
12	of projects of the initiatives identified pursuant to
13	subsection (a), the current status of such programs,
14	including-
15	(A) dates of initiation and termination;
16	and
17	(B) the criteria for granting approval of
18	funding;
19	(2) outline the procedures used to approve or
20	deny such grants or other funding, including the co-
21	ordination, if any, between agencies responsible for
22	public health preparedness and biomedical research
23	agencies, including the Department of Health and
24	Human Services, and national security agencies, in-

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cluding the Department of State, the Department of
 Defense, and the intelligence community;

3 (3) identify gaps in United States Government
4 safeguards regarding sufficient measures to prevent
5 any such research intended for civilian purposes
6 from being diverted for military research in the
7 PRC;

8 (4) include an assessment of how to best ad9 dress any such procedural gaps, especially regarding
10 greater interagency input;

11 (5) explain how the research conducted with the 12 grants and funding requests referred to in para-13 graph (1) may have contributed to the development 14 of biological weapons, or the development of tech-15 nology and advancements that meet the criteria of 16 dual-use research of concern or other international 17 life sciences research of concern in the PRC;

(6) explain how the United States Government's understanding of the PRC's "military-civil
fusion" national strategy—

21 (A) informed and affected such funding de-22 cisions; and

(B) will inform future funding decisions in
research related to gain-of-function, synthetic
biology, biotechnology, or other research areas

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1 that pose biological weapons proliferation or 2 dual-use concerns; 3 (7) explain whether any United States Govern-4 ment funding was used to support gain-of-function 5 research in the PRC during the United States mora-6 torium on such research between 2014 and 2017; 7 (8) identify the steps taken the by United 8 States Government, if any, to apply additional scru-9 tiny to United States Government funding, including 10 subgrants, to support gain-of-function research in 11 the PRC after the United States Government lifted 12 the moratorium on gain-of-function research in 13 2017; and 14 (9) include any other relevant matter discovered 15 during the course of such review. 16 SEC. 607. BIOLOGICAL AND TOXIN WEAPONS REVIEW CON-17 FERENCE. 18 (a) STATEMENT OF POLICY.—In order to promote 19 international peace and security, it is the policy of the 20 United States to promote compliance with the Biological 21 Weapons Convention in accordance with subsections (b) 22 through (d). (b) ACTIVITIES TO ADVANCE UNITED STATES IN-23

24 TERESTS AT MEETINGS OF THE BIOLOGICAL WEAPONS

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1 CONVENTION.—Before each Review Conference of the Bi-2 ological Weapons Convention, the Secretary shall— 3 (1) demand greater transparency from the Gov-4 ernment of the PRC's activities on dual-use research 5 of concern and the applications of such research that 6 raise concerns regarding its compliance with Article 7 I of the Biological Weapons Convention; 8 (2) engage with other governments, the private 9 sector (including in relevant science and technology 10 fields), and other stakeholders, as appropriate, re-11 garding-12 United States concerns about the (\mathbf{A}) 13 PRC's compliance with the Biological Weapons 14 Convention; and 15 (B) the national security, public health, 16 and non-proliferation implications of such con-17 cerns; 18 (3) emphasize that the PRC's national strategy 19 of military-civil fusion undermines the underlying 20 utility and effectiveness of the Biological Weapons 21 Convention, which may not adequately capture the 22 full range of technologies with dual-use implications 23 being pursued by the PRC. 24 (c) DECLASSIFICATION OF INTELLIGENCE.—The 25 President should, as appropriate, declassify intelligence

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relevant to the PRC's obligations under the Biological
 Weapons Convention and concerns about its compliance
 the such Convention.

4 (d) SECURITY COUNCIL COMPLAINT.—If the ques-5 tions and concerns raised pursuant to subsection (b) are 6 not adequately addressed and the Secretary determines 7 that another state party is in breach of an obligation 8 under the Biological Weapons Convention, the President 9 should consider lodging a complaint to the Security Coun-10 cil pursuant to Article VI of the Convention.

11 SEC. 608. ANNUAL REPORT BY THE UNITED STATES AGEN12 CY FOR INTERNATIONAL DEVELOPMENT.

13 (a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter 14 15 for the following 5 years, the Administrator of the United States International Development shall submit a report to 16 17 the appropriate congressional committees describing all funding, including subgrants, for research involving or re-18 19 lated to the study of pathogens, viruses, and toxins pro-20 vided to entities subject to the jurisdiction of countries 21 listed in subsection (b), which shall include a national se-22 curity justification by the Secretary for such funding.

23 (b) LIST OF COUNTRIES SPECIFIED.—The countries
24 list in this subsection are—

25 (1) the People's Republic of China;

1 (2) the Russian Federation; 2 (3) the Islamic Republic of Iran; 3 (4) the Democratic People's Republic of Korea; 4 and 5 (5) any other country specified in the report as-6 sessing compliance with the Biological Weapons 7 Convention, as required under section 403(a) of the 8 Arms Control and Disarmament Act (22 U.S.C. 9 2593a(a)) during the relevant calendar year. 10 (c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include 11 12 a classified annex. 13 SEC. 609. UNITED NATIONS AGENCIES, PROGRAMS, AND 14 FUNDS. 15 (a) REQUIREMENT.—The Permanent Representative of the United States to the United Nations shall use the 16 17 voice, vote, and influence of the United States at the 18 United Nations to block representatives from any country 19 specified in the report required under section 403(a) of 20 the Arms Control and Disarmament Act (22 U.S.C. 21 2593a(a)) from serving in leadership positions within any 22 United Nations organ, fund, program, or related special-23 ized agency with responsibility for global health security 24 (including animal health), biosecurity, atomic, biological or

chemical weapons, or food security and agricultural devel opment.

3 (b) LIST OF COUNTRIES SPECIFIED.—The countries
4 to be covered by the report required under subsection (a),
5 are—

- 6 (1) the People's Republic of China;
- 7 (2) the Russian Federation;
- 8 (3) the Islamic Republic of Iran;
- 9 (4) the Democratic People's Republic of Korea;
- 10 (5) the Assad Regime of Syria; and

(6) any other country specified in the report required under section 403(a) of the Arms Control
and Disarmament Act (22 U.S.C. 2593a(a)) during
the relevant calendar year.

15 (c) SUNSET.—This section shall cease to have any
16 force or effect beginning on the date that is 5 years after
17 the date of the enactment of this Act.

18 SEC. 610. RULE OF CONSTRUCTION.

Nothing in this Act may be construed as authorizing
or endorsing United States Government funding for dualuse research of concern and other international life
sciences research of concern with international partners
that present risks to the national security and public
health of the United States.