

AMENDMENT TO RULES COMM. PRINT 117-54
OFFERED BY MR. MALINOWSKI OF NEW JERSEY

At the appropriate place in title LVIII, insert the following:

1 **SEC. ____ . DETERMINATION AND INCLUSION ON ENTITY**
2 **LIST AND CHINESE MILITARY-INDUSTRIAL**
3 **COMPLEX COMPANIES LIST.**

4 (a) DETERMINATION.—Not later than 30 days after
5 the date of the enactment of this Act, the Secretary of
6 Commerce and the Secretary of the Treasury, in consulta-
7 tion with the heads of other relevant Federal departments
8 and agencies, shall jointly determine and certify to Con-
9 gress each foreign commercial entity that—

10 (1) is listed on a United States exchange;

11 (2) undermines the foreign policy of the United
12 States by—

13 (A) facilitating digital surveillance in
14 China and around the world, including through
15 ownership shares in or support to companies
16 determined by the federal government to have
17 directly or indirectly helped build surveillance
18 capabilities for Chinese government intelligence

1 and security services implicated in widespread
2 abuses and genocide in Xinjiang; and

3 (B) supporting Putin's invasion of
4 Ukraine, including through continued business
5 operations in Russia, contributing to net posi-
6 tive capital flows into Russia, contributing to
7 the movement of American dollars into Russia,
8 supporting Russian military or intelligence op-
9 erations, or conducting business with any sanc-
10 tioned Russian persons or with the defense in-
11 dustrial base of the Russian Federation; and

12 (3) supports the Chinese Communist Party or
13 maintains a subsidiary or joint ownership relation-
14 ship with any person engaged in commercial activi-
15 ties, the majority of whose employees, manufac-
16 turing activities, commercial headquarters, or bene-
17 ficial owners are controlled or operated by Chinese
18 Communist Party officials.

19 (b) ACTIONS BY THE EXECUTIVE BRANCH.—With
20 respect to each entity included in the certification required
21 by subsection (a)—

22 (1) the Secretary of Commerce shall include the
23 entity on the entity list maintained by the Bureau
24 of Industry and Security and set forth in Supple-

1 ment No. 4 to part 744 of title 15, Code of Federal
2 Regulations; and

3 (2) the Secretary of the Treasury shall include
4 the entity on the Non-SDN Chinese Military-Indus-
5 trial Complex Companies List maintained by the Of-
6 fice of Foreign Assets Control.

