

AMENDMENT TO RULES COMM. PRINT 117-54
OFFERED BY MR. BERA OF CALIFORNIA

At the end of title LVIII, add the following:

1 **SEC. 58__ . INTERAGENCY TASK FORCE.**

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

4 (1) the People’s Republic of China’s (PRC) in-
5 creasing use of economic coercion against foreign
6 governments, companies, organizations, other enti-
7 ties, and individuals requires that the United States
8 better understand these measures in order to devise
9 a comprehensive, effective, and multilateral response;

10 (2) the private sector is a crucial partner in
11 helping the United States Government understand
12 the PRC’s coercive economic measures and hold the
13 PRC accountable, and that additional business
14 transparency would help the United States Govern-
15 ment and private sector stakeholders conduct early
16 assessments of potential pressure points and
17 vulnerabilities; and

18 (3) PRC coercive economic measures creates
19 pressures for the private sector to behave in ways

1 antithetical to United States national interests and
2 competitiveness.

3 (b) ESTABLISHMENT.—Not later than 180 days after
4 the date of the enactment of this Act, the President shall
5 establish an interagency task force to be known as the
6 “Countering Economic Coercion Task Force” (referred to
7 in this section as the “Task Force”).

8 (c) DUTIES.—

9 (1) IN GENERAL.—The Task Force shall—

10 (A) oversee the development and imple-
11 mentation of an integrated United States Gov-
12 ernment strategy to respond to People’s Repub-
13 lic of China (PRC) coercive economic measures,
14 which shall include—

15 (i) systematically monitoring and eval-
16 uating—

17 (I) the costs of such measures on
18 United States businesses and overall
19 United States economic performance;

20 (II) instances in which such
21 measures taken against a non-PRC
22 entity has benefitted other parties;
23 and

1 (III) the impacts such measures
2 have had on United States national
3 interests; and

4 (ii) facilitating coordination among
5 Federal departments and agencies when
6 responding to such measures as well as
7 proactively deterring such economic coer-
8 cion, including by clarifying the roles for
9 departments and agencies identified in
10 subsection (d) in implementing the strat-
11 egy;

12 (B) consult with United States allies and
13 partners on the feasibility and desirability of
14 collectively identifying, assessing, and respond-
15 ing to PRC coercive economic measures, as well
16 as actions that could be taken to expand coordi-
17 nation with the goal of ensuring a consistent,
18 coherent, and collective response to such meas-
19 ures and establishing long-term deterrence to
20 such measures;

21 (C) effectively engage the United States
22 private sector, particularly sectors, groups, or
23 other entities that are susceptible to such PRC
24 coercive economic measures, on concerns related
25 to such measures; and

1 (D) develop and implement a process for
2 regularly sharing relevant information, includ-
3 ing classified information to the extent appro-
4 priate and practicable, on such PRC coercive
5 economic measures with United States allies,
6 partners, and the private sector.

7 (2) CONSULTATION.—In carrying out its duties
8 under this subsection, the Task Force should regu-
9 larly consult, to the extent necessary and appro-
10 priate, with the following:

11 (A) Relevant stakeholders in the private
12 sector.

13 (B) Federal departments and agencies that
14 are not represented on the Task Force.

15 (C) United States allies and partners.

16 (d) MEMBERSHIP.—The President shall—

17 (1) appoint the chair of the Task Force from
18 among the staff of the National Security Council;

19 (2) appoint the vice chair of the Task Force
20 from among the staff of the National Economic
21 Council; and

22 (3) direct the head of each of the following Fed-
23 eral departments and agencies to appoint personnel
24 at the level of Assistant Secretary or above to par-
25 ticipate in the Task Force:

- 1 (A) The Department of State.
- 2 (B) The Department of Commerce.
- 3 (C) The Department of the Treasury.
- 4 (D) The Department of Justice.
- 5 (E) The Office of the United States Trade
6 Representative.
- 7 (F) The Department of Agriculture.
- 8 (G) The Office of the Director of National
9 Intelligence and other appropriate elements of
10 the intelligence community (as defined in sec-
11 tion 3 of the National Security Act of 1947 (50
12 U.S.C. 3003)).
- 13 (H) The Securities and Exchange Commis-
14 sion.
- 15 (I) The United States International Devel-
16 opment Finance Corporation.
- 17 (J) Any other department or agency des-
18 ignated by the President.

19 (e) REPORTS.—

20 (1) INITIAL REPORT.—Not later than one year
21 after the date of the enactment of this Act, the Task
22 Force shall submit to the appropriate congressional
23 committees a report that includes the following ele-
24 ments:

1 (A) A comprehensive review of the array of
2 economic tools the Government of the People's
3 Republic of China (PRC) employs or could em-
4 ploy in the future to coerce other governments,
5 non-PRC companies (including United States
6 companies), and multilateral institutions and
7 organizations, including the Government of the
8 PRC's continued efforts to codify informal
9 practices into its domestic law.

10 (B) The strategy required by subsection
11 (c)(1)(A).

12 (C) An interagency definition of PRC coer-
13 cive economic measures that captures both—

14 (i) the use of informal or extralegal
15 PRC coercive economic measures; and

16 (ii) the illegitimate use of formal eco-
17 nomic tools.

18 (D) A comprehensive review of the array of
19 economic and diplomatic tools the United
20 States Government employs or could employ to
21 respond to economic coercion against the
22 United States and United States allies and
23 partners.

24 (E) A list of unilateral or multilateral—

1 (i) proactive measures to defend or
2 deter against PRC coercive economic meas-
3 ures; and

4 (ii) actions taken in response to the
5 Government of the PRC's general use of
6 coercive economic measures, including the
7 imposition of reputational costs on the
8 PRC.

9 (F) An assessment of areas in which
10 United States allies and partners are vulnerable
11 to PRC coercive economic measures.

12 (G) A description of gaps in existing re-
13 sources or capabilities for United States Gov-
14 ernment departments and agencies to respond
15 effectively to PRC coercive economic measures
16 directed at United States entities and assist
17 United States allies and partners in their re-
18 sponses to PRC coercive economic measures.

19 (H) An analysis of the circumstances
20 under which the PRC employs different types of
21 economic coercion and against what kinds of
22 targets.

23 (I) An assessment, as appropriate, of inter-
24 national norms and regulations as well as any
25 treaty obligations the PRC has stretched, cir-

1 cumvented, or broken through its economically
2 coercive practices.

3 (2) INTERIM REPORTS.—

4 (A) FIRST INTERIM REPORT.—Not later
5 than one year after the date on which the re-
6 port required by paragraph (1) is submitted to
7 the appropriate congressional committees, the
8 Task Force shall submit to the appropriate con-
9 gressional committees a report that includes the
10 following elements:

11 (i) Updates to information required by
12 subparagraphs (A) through (G) of para-
13 graph (1).

14 (ii) A description of activities con-
15 ducted by the Task Force to implement
16 the strategy required by subsection
17 (c)(1)(A).

18 (iii) An assessment of the implemen-
19 tation and effectiveness of the strategy,
20 lessons learned from the past year, and
21 planned changes to the strategy.

22 (B) SECOND INTERIM REPORT.—Not later
23 than one year after the date on which the re-
24 port required by subparagraph (A) is submitted
25 to the appropriate congressional committees,

1 the Task Force shall submit to the appropriate
2 congressional committees a report that includes
3 an update to the elements required under the
4 report required by subparagraph (A).

5 (3) FINAL REPORT.—Not later than 30 days
6 after the date on which the report required by para-
7 graph (2)(B) is submitted to the appropriate con-
8 gressional committees, the Task Force shall submit
9 to the appropriate congressional committees and also
10 make available to the public on the website of the
11 Executive Office of the President a final report that
12 includes the following elements:

13 (A) An analysis of PRC coercive economic
14 measures and the cost of such coercive meas-
15 ures to United States businesses.

16 (B) A description of areas of possible vul-
17 nerability for United States businesses and
18 businesses of United States partners and allies.

19 (C) Recommendations on how to continue
20 the effort to counter PRC coercive economic
21 measures, including through further coordina-
22 tion with United States allies and partners.

23 (D) A list of cases made public under sub-
24 section (f).

25 (4) FORM.—

1 (A) INITIAL AND INTERIM REPORTS.—The
2 reports required by paragraphs (1), (2)(A), and
3 (2)(B) shall be submitted in unclassified form,
4 but may include a classified annex.

5 (B) FINAL REPORT.—The report required
6 by paragraph (3) shall be submitted in unclassi-
7 fied form, but may include a classified annex.

8 (f) PUBLICLY AVAILABLE LIST.—

9 (1) IN GENERAL.—Not later than 120 days
10 after the date of the enactment of this Act, the Task
11 Force shall to the extent practicable make available
12 to the public on the website of the Executive Office
13 of the President a list of cases in the past six
14 months in which open source reporting indicates
15 that the PRC has directed coercive economic meas-
16 ures against a non-PRC entity.

17 (2) UPDATES.—The list required by paragraph
18 (1) should be updated every 180 days, and shall be
19 managed by the Department of State after the ter-
20 mination of the Task Force under subsection (g).

21 (g) SUNSET.—

22 (1) IN GENERAL.—The Task Force shall termi-
23 nate at the end of the 60-day period beginning on
24 the date on which the final report required by sub-

1 section (e)(3) is submitted to the appropriate con-
2 gressional committees and made publicly available.

3 (2) ADDITIONAL ACTIONS.—The Task force
4 may use the 60-day period referred to in paragraph
5 (1) for the purposes of concluding its activities, in-
6 cluding providing testimony to Congress concerning
7 the final report required by subsection (e)(3).

8 (h) DEFINITIONS.—In this section:

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—The term “appropriate congressional com-
11 mittees” means—

12 (A) the Committee on Foreign Affairs of
13 the House of Representatives; and

14 (B) the Committee on Foreign Relations of
15 the Senate.

16 (2) COERCIVE ECONOMIC MEASURES.—The
17 term “coercive economic measures” includes formal
18 or informal restrictions or conditions, such as on
19 trade, investment, development aid, and financial
20 flows, intended to impose economic costs on a non-
21 People’s Republic of China target in order to achieve
22 strategic political objectives, including influence over
23 the policy decisions of a foreign government, com-
24 pany, organization, or individual.

1 **SEC. 58__ . MODIFICATION OF DUTIES OF UNITED STATES-**
2 **CHINA ECONOMIC AND SECURITY REVIEW**
3 **COMMISSION.**

4 Section 1238(c)(2)(H) of the Floyd D. Spence Na-
5 tional Defense Authorization Act for Fiscal Year 2001 (22
6 U.S.C. 7002(c)(2)(H)) is amended by adding at the end
7 before the period the following: “, and the People’s Repub-
8 lic of China’s use of such relations to economically or po-
9 litically coerce other countries, regions, and international
10 and regional entities, particularly treaty allies and major
11 partners, to achieve China’s objectives in the preceding
12 year”.

