

AMENDMENT TO THE RULES COMMITTEE PRINT

117-54

OFFERED BY MR. HILL OF ARKANSAS

Add at the end of title LIV of division E the following:

1 SEC. 5403. TAIWAN CONFLICT DETERRENCE.

2 (a) REPORT ON FINANCIAL INSTITUTIONS AND AC-
3 COUNTS CONNECTED TO CERTAIN CHINESE GOVERN-
4 MENT OFFICIALS.—

5 (1) FINANCIAL INSTITUTIONS REPORT.—

6 (A) IN GENERAL.—Not later than 90 days
7 after the date that the President, pursuant to
8 section 3(c) of the Taiwan Relations Act (22
9 U.S.C. 3302(c)), informs the Congress of a
10 threat resulting from actions of the People's
11 Republic of China and any danger to the inter-
12 ests of the United States arising therefrom, and
13 annually thereafter for 3 years, the Secretary of
14 the Treasury shall submit a report to the ap-
15 propriate Members of Congress containing the
16 following:

17 (i) With respect to each of at least 10
18 natural persons described under paragraph

1 (2), at least 1 of whom is a natural person
2 listed under subparagraph (A) of such
3 paragraph (2) and at least 1 of whom is a
4 natural person listed under subparagraph
5 (B) of such paragraph (2), the estimated
6 total funds that are held in financial insti-
7 tutions and are under direct or indirect
8 control by such natural person and a de-
9 scription of such funds.

10 (ii) A list of any financial institutions
11 that—

12 (I) maintain an account in con-
13 nection with significant funds de-
14 scribed in clause (i); or

15 (II) otherwise provide significant
16 financial services to a natural person
17 covered by the report.

18 (B) BRIEFING REQUIRED.—Not later than
19 30 days after submitting a report described
20 under subparagraph (A), the Secretary of the
21 Treasury, or a designee of the Secretary, shall
22 brief the appropriate Members of Congress on
23 the funds covered by the report, including a de-
24 scription of how the funds were acquired, and

1 any illicit or corrupt means employed to acquire
2 or use the funds.

3 (C) EXEMPTIONS.—The requirements de-
4 scribed under subparagraph (A) may not be ap-
5 plied with respect to a natural person or a fi-
6 nancial institution, as the case may be, if the
7 President determines:

8 (i) The funds described under sub-
9 subparagraph (A)(i) were primarily acquired
10 through legal and noncorrupt means.

11 (ii) The natural person has agreed to
12 provide significant cooperation to the
13 United States for an important national
14 security purpose with respect to China.

15 (iii) A financial institution has agreed
16 to—

17 (I) no longer maintain an ac-
18 count described under subparagraph
19 (A)(ii)(I);

20 (II) no longer provide significant
21 financial services to a natural person
22 covered by the report; or

23 (III) provide significant coopera-
24 tion to the United States for an im-

1 portant national security purpose with
2 respect to China.

3 (D) WAIVER.—The President may waive
4 any requirement described under subparagraph
5 (A) with respect to a natural person or a finan-
6 cial institution upon reporting to the appro-
7 priate Members of Congress that—

8 (i) the waiver would substantially pro-
9 mote the objective of ending the threat de-
10 scribed under subparagraph (A);

11 (ii) the threat described under sub-
12 paragraph (A) is no longer present; or

13 (iii) the waiver is essential to the na-
14 tional security interests of the United
15 States.

16 (2) NATURAL PERSONS DESCRIBED.—The nat-
17 ural persons described in this paragraph are persons
18 who, at the time of a report, are the following:

19 (A) A member of the Politburo Standing
20 Committee of the Chinese Communist Party.

21 (B) A member of the Politburo of the Chi-
22 nese Communist Party that is not described
23 under subparagraph (A).

24 (C) A member of the Central Committee of
25 the Chinese Communist Party that—

1 (i) is none of the foregoing; and

2 (ii) performs any official duty that di-
3 rectly or indirectly affects Taiwan.

4 (3) FORM OF REPORT; PUBLIC AVAILABILITY.—

5 (A) FORM.—The report required under
6 paragraph (1) shall be submitted in unclassified
7 form but may contain a classified annex.

8 (B) PUBLIC AVAILABILITY.—The Secretary
9 of the Treasury shall make the unclassified por-
10 tion of the report required under paragraph (1)
11 available to the public on the website and social
12 media accounts of the Department of the
13 Treasury—

14 (i) in English, Chinese, and any other
15 language that the Secretary finds appro-
16 priate; and

17 (ii) in precompressed, easily
18 downloadable versions that are made avail-
19 able in all appropriate formats.

20 (b) PROHIBITION ON FINANCIAL SERVICES FOR CER-
21 TAIN IMMEDIATE FAMILY.—

22 (1) IN GENERAL.—The Secretary of the Treas-
23 ury may prohibit a United States financial institu-
24 tion, and any person owned or controlled by a

1 United States financial institution, from engaging in
2 a significant transaction with—

3 (A) a natural person covered by a report
4 made under subsection (a)(1); or

5 (B) the immediate family of a person de-
6 scribed under subparagraph (A), if the Sec-
7 retary finds that such immediate family benefits
8 from funds described in the report.

9 (2) TERMINATION.—Paragraph (1) shall have
10 no force or effect on the earlier of—

11 (A) the date that is 30 days after the date
12 that the President reports to the appropriate
13 Members of Congress that the threat described
14 under subsection (a)(1)(A) is no longer present;
15 or

16 (B) the date that is 25 years after the date
17 that the Secretary of the Treasury submits the
18 final report required under subsection
19 (a)(1)(A).

20 (c) DEFINITIONS.—For purposes of this section:

21 (1) APPROPRIATE MEMBERS OF CONGRESS.—
22 The term “appropriate Members of Congress”
23 means the Speaker and minority leader of the House
24 of Representatives, the majority leader and minority
25 leader of the Senate, the Chairman and Ranking

1 Member of the Committee on Financial Services of
2 the House of Representatives, and the Chairman
3 and Ranking Member of the Committee on Banking,
4 Housing, and Urban Affairs of the Senate.

5 (2) FINANCIAL INSTITUTION.—The term “fi-
6 nancial institution” means a United States financial
7 institution or a foreign financial institution.

8 (3) FOREIGN FINANCIAL INSTITUTION.—The
9 term “foreign financial institution” has the meaning
10 given that term in section 561.308 of title 31, Code
11 of Federal Regulations.

12 (4) FUNDS.—The term “funds” has the mean-
13 ing given to such term by the Secretary of the
14 Treasury.

15 (5) IMMEDIATE FAMILY.—The term “immediate
16 family” of any natural person means the following
17 (whether by the full or half blood or by adoption):

18 (A) Such person’s spouse, father, mother,
19 children, brothers, sisters, and grandchildren.

20 (B) The father, mother, brothers, and sis-
21 ters of such person’s spouse.

22 (C) The spouse of a child, brother, or sis-
23 ter of such person.

24 (6) UNITED STATES FINANCIAL INSTITUTION.—
25 The term “United States financial institution” has

1 the meaning given the term “U.S. financial institu-
2 tion” under section 561.309 of title 31, Code of
3 Federal Regulations.

