

AMENDMENT TO THE RULES COMMITTEE PRINT

119-33

OFFERED BY MR. HILL OF ARKANSAS

In subtitle B of title XVII, add at the end the following:

1 **SEC. 17___ . PREVENTING THE ESCALATION OF ARMED**
2 **CONFLICT IN EUROPE.**

3 (a) **SANCTIONS WITH RESPECT TO THE RUSSIAN**
4 **FEDERATION.—**

5 (1) **IN GENERAL.—**Not later than 180 days
6 after the date of the enactment of this Act, the Sec-
7 retary of the Treasury shall prescribe regulations to
8 prohibit, or impose strict conditions on, the opening
9 or maintaining in the United States of a cor-
10 respondent account or a payable-through account by
11 a foreign financial institution that knowingly pro-
12 vides significant financial services to—

13 (A) any foreign person designated for the
14 imposition of sanctions with respect to the Rus-
15 sian Federation under—

16 (i) Executive Order 14024; or

17 (ii) title II of the Countering Amer-
18 ica's Adversaries through Sanctions Act

1 (Public Law 115–44) or an amendment
2 made by that title;

3 (B) a foreign financial institution subject
4 to the prohibitions of Directive 2 under Execu-
5 tive Order 14024;

6 (C) an entity listed in Annex 1 of Directive
7 3 under Executive Order 14024; or

8 (D) any foreign person that the Secretary
9 finds operates in the energy sector of the Rus-
10 sian Federation.

11 (2) PENALTIES.—

12 (A) CIVIL PENALTY.—A person who vio-
13 lates, attempts to violate, conspires to violate,
14 or causes a violation of regulations prescribed
15 under this subsection shall be subject to a civil
16 penalty in an amount not to exceed the greater
17 of—

18 (i) \$377,700; or

19 (ii) an amount that is twice the
20 amount of the transaction that is the basis
21 of the violation with respect to which the
22 penalty is imposed.

23 (B) CRIMINAL PENALTY.—A person who
24 willfully commits, willfully attempts to commit,
25 or willfully conspires to commit, or aids or

1 abets in the commission of, a violation of regu-
2 lations prescribed under this subsection shall,
3 upon conviction, be fined not more than
4 \$1,000,000, or if a natural person, may be im-
5 prisoned for not more than 20 years, or both.

6 (b) DETERMINATION REQUIRED.—Not later than 90
7 days after the date of enactment of this Act, the Secretary
8 of the Treasury shall submit a report to the Committee
9 on Financial Services of the House of Representatives and
10 the Committee on Banking, Housing, and Urban Affairs
11 of the Senate determining whether the following are for-
12 eign persons described under subsection (a)(1)(D):

13 (1) Gazprom.

14 (2) Rosneft.

15 (3) Lukoil.

16 (c) WAIVER.—With respect to a foreign financial in-
17 stitution, the President may waive the requirements of
18 subsection (a)(1) for not more than 180 days at a time
19 upon reporting to Congress that—

20 (1) the waiver advances the objective of resolv-
21 ing the national emergency described in the Execu-
22 tive Order listed under subsection (a)(1)(A); or

23 (2) the waiver is important to the national in-
24 terest of the United States, provided that the Presi-

1 dent includes a detailed explanation of the reasons
2 therefor.

3 (d) TRANSFER OF CERTAIN RUSSIAN ASSETS HELD
4 BY UNITED STATES FINANCIAL INSTITUTIONS.—

5 (1) TRANSFER FROM UNITED STATES FINAN-
6 CIAL INSTITUTIONS.—

7 (A) IN GENERAL.—Not later than 90 days
8 following the date of the enactment of this Act,
9 the Secretary of the Treasury shall—

10 (i) seize, confiscate, transfer, or vest
11 any covered Russian resources, in whole or
12 in part, and including any interest or in-
13 terests in such assets, held by a United
14 States financial institution; and

15 (ii) deposit the resulting funds into
16 the Ukraine Support Fund established
17 under subsection 104(d) of the REPO for
18 Ukrainians Act (22 U.S.C. 9521 note),
19 which may be used for the purposes speci-
20 fied in section 104(f) of such Act or for
21 the purchase of defense articles for the
22 Government of Ukraine.

23 (B) AUTHORITIES.—The Secretary of the
24 Treasury shall have the same authority under
25 this subsection with respect to covered Russian

1 resources as are provided to the President
2 under section 104(b) of the REPO for Ukrain-
3 ians Act (22 U.S.C. 9521 note) with respect to
4 Russian aggressor state sovereign assets.

5 (2) WAIVER.—The President may waive the re-
6 quirements of paragraph (1) for up to 180 days at
7 a time, for a cumulative period not to exceed 1 year,
8 upon reporting to Congress in writing that—

9 (A) the Government of the Russian Fed-
10 eration is taking meaningful steps to cease its
11 destabilizing activities with respect to the sov-
12 ereignty and territorial integrity of Ukraine; or

13 (B) the waiver is important to the national
14 interest of the United States.

15 (3) DEFINITIONS.—In this subsection:

16 (A) COVERED RUSSIAN RESOURCES.—The
17 term “covered Russian resources” means funds
18 and other property of the Central Bank of the
19 Russian Federation, the Russian National
20 Wealth Fund, or the Ministry of Finance of the
21 Russian Federation that—

22 (i) are included in a report pursuant
23 to—

24 (I) directive 4 of Executive Order
25 14024; or

1 (II) section 104(a) of the REPO
2 for Ukrainians Act (22 U.S.C. 9521
3 note); and

4 (ii) are located in the United States.

5 (B) UNITED STATES FINANCIAL INSTITU-
6 TION.—The term “United States financial insti-
7 tution” means—

8 (i) a financial institution specified in
9 subparagraph (A), (B), (C), (D), (E), (F),
10 (G), (H), (I), (J), (M), or (AA) section
11 5312(a)(2) of title 31, United States Code,
12 as amended by the William M. (Mac)
13 Thornberry National Defense Authoriza-
14 tion Act for Fiscal Year 2021; and

15 (ii) such other persons or entities as
16 the Secretary of the Treasury determines
17 appropriate.

18 (e) TERMINATION.—This section shall have no force
19 or effect on the earlier of—

20 (1) 30 days after the date that the President
21 reports to Congress that the Russian Federation has
22 ceased destabilizing activities with respect to the sov-
23 ereignty and territorial integrity of Ukraine; or

24 (2) the date that is 5 years after the date of the
25 enactment of this Act.

1 **SEC. 17____. STATEMENT OF POLICY REGARDING THE EX-**
2 **CLUSION OF REPRESENTATIVES OF THE PEO-**
3 **PLE'S REPUBLIC OF CHINA FROM CERTAIN**
4 **BANKING ORGANIZATIONS UPON NOTICE OF**
5 **CERTAIN THREATS OR DANGER.**

6 (a) IN GENERAL.—If the President, pursuant to sec-
7 tion 3(e) of the Taiwan Relations Act (22 U.S.C. 3302(c)),
8 informs the Congress of any threat to the security or the
9 social or economic system of the people on Taiwan and
10 any danger to the interests of the United States arising
11 therefrom resulting from actions of the People's Republic
12 of China, it is the policy of the United States to seek to
13 exclude representatives of the People's Republic of China,
14 to the maximum extent practicable, from participation in
15 meetings, proceedings, and other activities of the following
16 organizations:

- 17 (1) The Group of Twenty.
- 18 (2) The Bank for International Settlements.
- 19 (3) The Financial Stability Board.
- 20 (4) The Basel Committee on Banking Super-
21 vision.
- 22 (5) The International Association of Insurance
23 Supervisors.
- 24 (6) The International Organization of Securities
25 Commissions.

1 (b) POLICY ADVANCEMENT.—The Secretary of the
2 Treasury, the Board of Governors of the Federal Reserve
3 System, and the Securities and Exchange Commission
4 shall take all necessary steps to advance the policy set
5 forth in subsection (a).

6 (c) WAIVER.—The President may waive the applica-
7 tion of subsection (a) with respect to an organization upon
8 submission of a report to the Committee on Financial
9 Services of the House of Representatives and the Com-
10 mittee on Banking, Housing, and Urban Affairs of the
11 Senate—

12 (1) that such waiver is in the national interest
13 of the United States; and

14 (2) that contains an explanation of the reasons
15 therefor.

16 (d) SUNSET.—This Act and the requirements of this
17 Act shall have no force or effect on the date that is the
18 earlier of—

19 (1) 5 years after the date of the enactment of
20 this Act; or

21 (2) 30 days after the date on which the Presi-
22 dent notifies Congress that the termination of this
23 Act is in the national interest of the United States.

1 **SEC. 17____. CHINA FINANCIAL THREAT MITIGATION.**

2 (a) REPORT.—Not later than one year after the date
3 of the enactment of this Act, the Secretary of the Treas-
4 ury, in consultation with the Chairman of the Board of
5 Governors of the Federal Reserve System, the Chairman
6 of the Securities and Exchange Commission, the Chair-
7 man of the Commodity Futures Trading Commission, and
8 the Secretary of State, shall conduct a study and issue
9 a report on the exposure of the United States to the finan-
10 cial sector of the People’s Republic of China that in-
11 cludes—

12 (1) an assessment of the effects of significant
13 risks in the financial sector of the People’s Republic
14 of China on the United States and global financial
15 systems;

16 (2) a description of the policies the United
17 States Government is adopting to protect the finan-
18 cial stability of the United States and the global
19 economy from any risks described under paragraph
20 (1);

21 (3) a description and evaluation of the trans-
22 parency, completeness, and reliability of Chinese eco-
23 nomic data; and

24 (4) recommendations for additional actions the
25 United States Government, including United States
26 representatives at relevant international organiza-

1 tions, should take to strengthen international co-
2 operation to monitor and mitigate such financial sta-
3 bility risks and protect United States interests.

4 (b) TRANSMISSION OF REPORT.—The Secretary of
5 the Treasury shall transmit the report required under sub-
6 section (a) to the Committees on Financial Services and
7 Foreign Affairs of the House of Representatives, the Com-
8 mittees on Banking, Housing, and Urban Affairs and For-
9 eign Relations of the Senate, and to the United States
10 representatives at relevant international organizations, as
11 appropriate.

12 (c) CLASSIFICATION OF REPORT.—The report re-
13 quired under subsection (a) shall be unclassified, but may
14 contain a classified annex.

15 (d) PUBLICATION OF REPORT.—The Secretary of the
16 Treasury shall publish the report required under sub-
17 section (a) (other than any classified annex) on the
18 website of the Department of the Treasury not later than
19 one year after the date of enactment of this Act.

20 **SEC. 17___ . AGRICULTURAL RISK REVIEW.**

21 (a) INCLUSION OF THE SECRETARY OF AGRICULTURE ON THE COMMITTEE ON FOREIGN INVESTMENT
22 CULTURE ON THE COMMITTEE ON FOREIGN INVESTMENT
23 IN THE UNITED STATES.—Section 721(k) of the Defense
24 Production Act of 1950 (50 U.S.C. 4565(k)) is amended
25 by adding at the end the following:

1 “(8) INCLUSION OF THE SECRETARY OF AGRICULTURE.—The Secretary of Agriculture shall be a
2 member of the Committee with respect to a covered
3 transaction that involves—

4 “(A) agricultural land;

5 “(B) agriculture biotechnology; or

6 “(C) the agriculture industry, including ag-
7 ricultural transportation, storage, and proc-
8 essing.”.

9 (b) CONSIDERATION OF CERTAIN AGRICULTURAL
10 LAND TRANSACTIONS.—Section 721(b)(1) of the Defense
11 Production Act of 1950 (50 U.S.C. 4565(b)(1)) is amend-
12 ed by adding at the end the following:

13 “(I) CONSIDERATION OF CERTAIN AGRICULTURAL LAND TRANSACTIONS.—

14 “(i) IN GENERAL.—After receiving no-
15 tification from the Secretary of Agriculture
16 of a reportable agricultural land trans-
17 action, the Committee shall determine—

18 “(I) whether the transaction is a
19 covered transaction; and

20 “(II) if the Committee deter-
21 mines that the transaction is a cov-
22 ered transaction, whether the Com-
23 mittee should initiate a review pursu-
24 -
25

1 ant to subparagraph (D), or take an-
2 other action authorized under this sec-
3 tion, with respect to the reportable ag-
4 ricultural land transaction.

5 “(ii) REPORTABLE AGRICULTURAL
6 LAND TRANSACTION.—In this subpara-
7 graph, the term ‘reportable agricultural
8 land transaction’ means a transaction—

9 “(I) that the Secretary of Agri-
10 culture has reason to believe is a cov-
11 ered transaction, based on information
12 from or in cooperation with the intel-
13 ligence community;

14 “(II) that involves the acquisition
15 of an interest in agricultural land by
16 a foreign person of the People’s Re-
17 public of China, the Democratic Peo-
18 ple’s Republic of Korea, the Russian
19 Federation, or the Islamic Republic of
20 Iran; and

21 “(III) with respect to which a
22 person is required to submit a report
23 to the Secretary of Agriculture under
24 section 2(a) of the Agricultural For-

1 eign Investment Disclosure Act of
2 1978.

3 “(iii) SUNSET.—The requirements
4 under this subparagraph shall terminate,
5 with respect to a foreign person of the re-
6 spective foreign country, on the date that
7 the People’s Republic of China, the Demo-
8 cratic People’s Republic of Korea, the Rus-
9 sian Federation, or the Islamic Republic of
10 Iran, as the case may be, is removed from
11 the list of foreign adversaries in section
12 791.4 of title 15, Code of Federal Regula-
13 tions.”.

14 **SEC. 17____. TAIWAN CONFLICT DETERRENCE.**

15 (a) REPORT ON FINANCIAL INSTITUTIONS AND AC-
16 COUNTS CONNECTED TO CERTAIN CHINESE GOVERN-
17 MENT OFFICIALS.—

18 (1) FINANCIAL INSTITUTIONS REPORT.—

19 (A) IN GENERAL.—Not later than 90 days
20 after the date that the President, pursuant to
21 section 3(c) of the Taiwan Relations Act (22
22 U.S.C. 3302(c)), informs the Congress of a
23 threat resulting from actions of the People’s
24 Republic of China and any danger to the inter-
25 ests of the United States arising therefrom, and

1 annually thereafter for 3 years, the Secretary of
2 the Treasury shall submit a report to the ap-
3 propriate Members of Congress containing the
4 following:

5 (i) With respect to each of at least 10
6 natural persons described under paragraph
7 (2), at least 1 of whom is a natural person
8 listed under subparagraph (A) of such
9 paragraph (2) and at least 1 of whom is a
10 natural person listed under subparagraph
11 (B) of such paragraph (2), the estimated
12 total funds that are held in financial insti-
13 tutions and are under direct or indirect
14 control by such natural person and a de-
15 scription of such funds.

16 (ii) A list of any financial institutions
17 that—

18 (I) maintain an account in con-
19 nection with significant funds de-
20 scribed in clause (i); or

21 (II) otherwise provide significant
22 financial services to a natural person
23 covered by the report.

24 (B) BRIEFING REQUIRED.—Not later than
25 30 days after submitting a report described

1 under subparagraph (A), the Secretary of the
2 Treasury, or a designee of the Secretary, shall
3 provide to the appropriate Members of Congress
4 an unclassified or classified briefing (as deter-
5 mined appropriate by the Secretary) on the
6 funds covered by the report, including a de-
7 scription of how the funds were acquired, and
8 any illicit or corrupt means employed to acquire
9 or use the funds.

10 (C) EXEMPTIONS.—The requirements de-
11 scribed under subparagraph (A) may not be ap-
12 plied with respect to a natural person or a fi-
13 nancial institution, as the case may be, if the
14 President determines:

15 (i) The funds described under sub-
16 paragraph (A)(i) were primarily acquired
17 through legal and noncorrupt means.

18 (ii) The natural person has agreed to
19 provide significant cooperation to the
20 United States for an important national
21 security purpose with respect to China.

22 (iii) A financial institution has agreed
23 to—

1 (I) no longer maintain an ac-
2 count described under subparagraph
3 (A)(ii)(I);

4 (II) no longer provide significant
5 financial services to a natural person
6 covered by the report; or

7 (III) provide significant coopera-
8 tion to the United States for an im-
9 portant national security purpose with
10 respect to China.

11 (D) WAIVER.—The President may waive
12 any requirement described under subparagraph
13 (A) with respect to a natural person or a finan-
14 cial institution upon reporting to the appro-
15 priate Members of Congress that—

16 (i) the waiver would substantially pro-
17 mote the objective of ending the threat de-
18 scribed under subparagraph (A);

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

21 (iii) the waiver is essential to the na-
22 tional security interests of the United
23 States.

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

4 (A) A member of the Politburo Standing
5 Committee of the Chinese Communist Party.

6 (B) A member of the Politburo of the Chi-
7 nese Communist Party that is not described
8 under subparagraph (A).

9 (C) A member of the Central Committee of
10 the Chinese Communist Party that—

11 (i) is none of the foregoing; and

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

14 (3) FORM OF REPORTS; PUBLIC AVAIL-
15 ABILITY.—

16 (A) FORM OF REPORTS.—The reports re-
17 quired under subparagraphs (A) and (D) of
18 paragraph (1) shall be submitted in unclassified
19 form but may contain a classified annex.

20 (B) PUBLIC AVAILABILITY.—The Secretary
21 of the Treasury shall make the unclassified por-
22 tion of the report required under paragraph
23 (1)(A) available to the public on the website
24 and social media accounts of the Department of
25 the Treasury—

1 (i) in English, Chinese, and any other
2 language that the Secretary finds appro-
3 priate; and

4 (ii) in precompressed, easily
5 downloadable versions that are made avail-
6 able in all appropriate formats.

7 (b) PROHIBITION ON FINANCIAL SERVICES FOR CER-
8 TAIN IMMEDIATE FAMILY.—

9 (1) IN GENERAL.—The Secretary of the Treas-
10 ury shall prohibit a United States financial institu-
11 tion, and any person owned or controlled by a
12 United States financial institution, from engaging in
13 a significant transaction with—

14 (A) a natural person covered by a report
15 made under subsection (a)(1); and

16 (B) the immediate family of a person de-
17 scribed under subparagraph (A), if the Sec-
18 retary finds that such immediate family benefits
19 from funds described in the report.

20 (2) EXCEPTIONS.—

21 (A) EXCEPTION FOR INTELLIGENCE, LAW
22 ENFORCEMENT, AND NATIONAL SECURITY AC-
23 TIVITIES.—Paragraph (1) shall not apply with
24 respect to any intelligence, law enforcement, or
25 national security activity of the United States.

1 (B) WAIVER.—The President may waive
2 the application of paragraph (1) with respect to
3 a person upon reporting to the appropriate
4 Members of Congress that—

5 (i) the waiver would substantially pro-
6 mote the objective of ending the threat de-
7 scribed under subsection (a)(1)(A);

8 (ii) the threat described under sub-
9 section (a)(1)(A) is no longer present; or

10 (iii) the waiver is essential to the na-
11 tional security interests of the United
12 States.

13 (C) FORM OF REPORTS.—The reports re-
14 quired under subparagraph (B) shall be sub-
15 mitted in unclassified form but may contain a
16 classified annex.

17 (D) EXCEPTION RELATING TO IMPORTA-
18 TION OF GOODS.—

19 (i) IN GENERAL.—The authorities and
20 requirements authorized under this section
21 shall not include the authority or require-
22 ment to impose sanctions on the importa-
23 tion of goods.

24 (ii) GOOD DEFINED.—In this sub-
25 section, the term “good” means any arti-

1 cle, natural or man-made substance, mate-
2 rial, supply or manufactured product, in-
3 cluding inspection and test equipment, and
4 excluding technical data.

5 (3) IMPLEMENTATION; PENALTIES.—

6 (A) IMPLEMENTATION.—The President
7 may exercise all authorities provided to the
8 President under sections 203 and 205 of the
9 International Emergency Economic Powers Act
10 (50 U.S.C. 1702 and 1704) to carry out this
11 subsection. Not later than 60 days after issuing
12 a license pursuant to this subsection, the Presi-
13 dent shall submit a copy of the license to the
14 appropriate Members of Congress.

15 (B) PENALTIES.—A person that violates,
16 attempts to violate, conspires to violate, or
17 causes a violation of this subsection or any reg-
18 ulation, license, or order issued to carry out this
19 subsection shall be subject to the penalties set
20 forth in subsections (b) and (c) of section 206
21 of the International Emergency Economic Pow-
22 ers Act (50 U.S.C. 1705) to the same extent as
23 a person that commits an unlawful act de-
24 scribed in subsection (a) of that section 206.

1 (4) TERMINATION.—This subsection shall have
2 no force or effect on the earlier of—

3 (A) the date that is 30 days after the date
4 that the President reports to the appropriate
5 Members of Congress that the threat described
6 under subsection (a)(1)(A) is no longer present;
7 or

8 (B) the date that is 25 years after the date
9 that the Secretary of the Treasury submits the
10 final report required under subsection
11 (a)(1)(A).

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

13 (1) APPROPRIATE MEMBERS OF CONGRESS.—
14 The term “appropriate Members of Congress”
15 means the Speaker and minority leader of the House
16 of Representatives, the majority leader and minority
17 leader of the Senate, the Chairman and Ranking
18 Member of the Committee on Financial Services of
19 the House of Representatives, and the Chairman
20 and Ranking Member of the Committee on Banking,
21 Housing, and Urban Affairs of the Senate.

22 (2) FINANCIAL INSTITUTION.—The term “fi-
23 nancial institution” means a United States financial
24 institution or a foreign financial institution.

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

5 (4) FUNDS.—The term “funds” has the mean-
6 ing given to such term by the Secretary of the
7 Treasury.

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

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

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

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

17 (6) UNITED STATES FINANCIAL INSTITUTION.—
18 The term “United States financial institution” has
19 the meaning given the term “U.S. financial institu-
20 tion” under section 561.309 of title 31, Code of
21 Federal Regulations.

