

AMENDMENT TO RULES COMM. PRINT 117-31
OFFERED BY MR. PERRY OF PENNSYLVANIA

Page 890, beginning line 6, strike section 30133 and
insert the following:

1 **SEC. ____ . ANNUAL REVIEW ON THE PRESENCE OF CHINESE**
2 **COMPANIES IN UNITED STATES CAPITAL**
3 **MARKETS.**

4 (a) APPROPRIATE COMMITTEES OF CONGRESS.—In
5 this section, the term “appropriate committees of Con-
6 gress” means—

7 (1) the Committee on Foreign Relations of the
8 Senate;

9 (2) the Select Committee on Intelligence of the
10 Senate;

11 (3) the Committee on Banking, Housing, and
12 Urban Affairs of the Senate;

13 (4) the Committee on Foreign Affairs of the
14 House of Representatives;

15 (5) the Permanent Select Committee on Intel-
16 ligence of the House of Representatives; and

17 (6) the Committee on Financial Services of the
18 House of Representatives.

19 (b) REPORT.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, and an-
3 nually thereafter for the following 5 years, the Sec-
4 retary of State, in consultation with the Director of
5 National Intelligence and the Secretary of the Treas-
6 ury, shall submit an unclassified report to the appro-
7 priate committees of Congress that describes the
8 risks posed to the United States by the presence in
9 United States capital markets of companies incor-
10 porated in the PRC.

11 (2) MATTERS TO BE INCLUDED.—The report
12 required under paragraph (1) shall—

13 (A) identify companies incorporated in the
14 PRC that—

15 (i) are listed or traded on one or sev-
16 eral stock exchanges within the United
17 States, including over-the-counter market
18 and “A Shares” added to indexes and ex-
19 change-traded funds out of mainland ex-
20 changes in the PRC; and

21 (ii) based on the factors for consider-
22 ation described in paragraph (3), have
23 knowingly and materially contributed to—

24 (I) activities that undermine
25 United States national security;

1 (II) serious abuses of internation-
2 ally recognized human rights; or

3 (III) a substantially increased fi-
4 nancial risk exposure for United
5 States-based investors;

6 (B) describe the activities of the companies
7 identified pursuant to subparagraph (A), and
8 their implications for the United States; and

9 (C) develop policy recommendations for the
10 United States Government, State governments,
11 United States financial institutions, United
12 States equity and debt exchanges, and other
13 relevant stakeholders to address the risks posed
14 by the presence in United States capital mar-
15 kets of the companies identified pursuant to
16 subparagraph (A).

17 (3) FACTORS FOR CONSIDERATION.—In com-
18 pleting the report under paragraph (1), the Presi-
19 dent shall consider whether a company identified
20 pursuant to paragraph (2)(A)—

21 (A) has materially contributed to the devel-
22 opment or manufacture, or sold or facilitated
23 procurement by the PLA, of lethal military
24 equipment or component parts of such equip-
25 ment;

1 (B) has contributed to the construction
2 and militarization of features in the South
3 China Sea;

4 (C) has been sanctioned by the United
5 States or has been determined to have con-
6 ducted business with sanctioned entities;

7 (D) has engaged in an act or a series of
8 acts of intellectual property theft;

9 (E) has engaged in corporate or economic
10 espionage;

11 (F) has contributed to the proliferation of
12 nuclear or missile technology in violation of
13 United Nations Security Council resolutions or
14 United States sanctions;

15 (G) has contributed to the repression of re-
16 ligious and ethnic minorities within the PRC,
17 including in Xinjiang Uyghur Autonomous Re-
18 gion or Tibet Autonomous Region;

19 (H) has contributed to the development of
20 technologies that enable censorship directed or
21 directly supported by the PRC government;

22 (I) has failed to comply fully with Federal
23 securities laws (including required audits by the
24 Public Company Accounting Oversight Board)

1 and “material risk” disclosure requirements of
2 the Securities and Exchange Commission; or

3 (J) has contributed to other activities or
4 behavior determined to be relevant by the Presi-
5 dent.

6 (c) REPORT FORM.—The report required under sub-
7 section (b)(1) shall be submitted in unclassified form, but
8 may include a classified annex.

9 (d) PUBLICATION.—The unclassified portion of the
10 report under subsection (b)(1) shall be made accessible to
11 the public online through relevant United States Govern-
12 ment websites.

