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:

SEC. ___. ANNUAL REVIEW ON THE PRESENCE OF CHINESE COMPANIES IN UNITED STATES CAPITAL MARKETS.

(a) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations of the Senate;
(2) the Select Committee on Intelligence of the Senate;
(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;
(4) the Committee on Foreign Affairs of the House of Representatives;
(5) the Permanent Select Committee on Intelligence of the House of Representatives; and
(6) the Committee on Financial Services of the House of Representatives.

(b) REPORT.—
(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary of State, in consultation with the Director of National Intelligence and the Secretary of the Treasury, shall submit an unclassified report to the appropriate committees of Congress that describes the risks posed to the United States by the presence in United States capital markets of companies incorporated in the PRC.

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

(A) identify companies incorporated in the PRC that—

(i) are listed or traded on one or several stock exchanges within the United States, including over-the-counter market and “A Shares” added to indexes and exchange-traded funds out of mainland exchanges in the PRC; and

(ii) based on the factors for consideration described in paragraph (3), have knowingly and materially contributed to—

(I) activities that undermine United States national security;
(II) serious abuses of internationally recognized human rights; or

(III) a substantially increased financial risk exposure for United States-based investors;

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

(C) develop policy recommendations for the United States Government, State governments, United States financial institutions, United States equity and debt exchanges, and other relevant stakeholders to address the risks posed by the presence in United States capital markets of the companies identified pursuant to subparagraph (A).

(3) FACTORS FOR CONSIDERATION.—In completing the report under paragraph (1), the President shall consider whether a company identified pursuant to paragraph (2)(A)—

(A) has materially contributed to the development or manufacture, or sold or facilitated procurement by the PLA, of lethal military equipment or component parts of such equipment;
(B) has contributed to the construction and militarization of features in the South China Sea;

(C) has been sanctioned by the United States or has been determined to have conducted business with sanctioned entities;

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

(E) has engaged in corporate or economic espionage;

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

(G) has contributed to the repression of religious and ethnic minorities within the PRC, including in Xinjiang Uyghur Autonomous Region or Tibet Autonomous Region;

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

(I) has failed to comply fully with Federal securities laws (including required audits by the Public Company Accounting Oversight Board)
and “material risk” disclosure requirements of
the Securities and Exchange Commission; or

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

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

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