

AMENDMENT TO RULES COMMITTEE PRINT

117-31

OFFERED BY MR. WITTMAN OF VIRGINIA

At the end of division G, add the following:

1 **TITLE XI—STOP WIDESPREAD**
2 **INVESTMENT TO CHINESE**
3 **HEISTERS**

4 **SEC. 61101. NATIONAL SECURITIES EXCHANGES.**

5 (a) IN GENERAL.—Section 6(b) of the Securities Ex-
6 change Act of 1934 (15 U.S.C. 78f(b)) is amended by add-
7 ing at the end the following:

8 “(11) The rules of the exchange prohibit the
9 listing of any security of an issuer that is listed on
10 the list developed and maintained under section 3(b)
11 of the Stop Widespread Investment To Chinese
12 Heisters Act of 2022, without regard to whether the
13 security or the issuer is exempt from any require-
14 ment of section 5 of the Securities Act of 1933 (15
15 U.S.C. 77e).”.

16 (b) EFFECTIVE DATE.—The amendment made by
17 subsection (a) shall take effect on the date that is 90 days
18 after the date on which the list required under section
19 61102(b) is first developed.

1 **SEC. 61102. LIST OF INTELLECTUAL PROPERTY VIOLATORS**
2 **FROM THE PEOPLE'S REPUBLIC OF CHINA.**

3 (a) DEFINITIONS.—In this section:

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term “appropriate congressional com-
6 mittees” means—

7 (A) the Committee on Armed Services of
8 the Senate;

9 (B) the Committee on Foreign Relations of
10 the Senate;

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

13 (D) the Select Committee on Intelligence
14 of the Senate;

15 (E) the Committee on Commerce, Science,
16 and Transportation of the Senate;

17 (F) the Committee on Armed Services of
18 the House of Representatives;

19 (G) the Committee on Foreign Affairs of
20 the House of Representatives;

21 (H) the Committee on Financial Services
22 of the House of Representatives;

23 (I) the Permanent Select Committee on In-
24 telligence of the House of Representatives; and

25 (J) the Committee on Energy and Com-
26 merce of the House of Representatives.

1 (2) CHINESE ENTITY.—The term “Chinese en-
2 tity” means an entity organized under the laws of
3 the People’s Republic of China or otherwise subject
4 to the jurisdiction of the Government of the People’s
5 Republic of China.

6 (3) INTELLECTUAL PROPERTY.—The term “in-
7 tellectual property” means—

8 (A) any work protected by a copyright
9 under title 17, United States Code;

10 (B) any property protected by a patent
11 granted by the United States Patent and
12 Trademark Office under title 35, United States
13 Code;

14 (C) any word, name, symbol, or device, or
15 any combination thereof, that is registered as a
16 trademark with the United States Patent and
17 Trademark Office under the Act entitled “An
18 Act to provide for the registration and protec-
19 tion of trademarks used in commerce, to carry
20 out the provisions of certain international con-
21 ventions, and for other purposes”, approved
22 July 5, 1946 (commonly known as the
23 “Lanham Act” or the “Trademark Act of
24 1946”) (15 U.S.C. 1051 et seq.);

1 (D) a trade secret (as defined in section
2 1839 of title 18, United States Code); or

3 (E) any other form of intellectual property.

4 (4) UNITED STATES PERSON.—The term
5 “United States person” means—

6 (A) a United States citizen or an alien law-
7 fully admitted for permanent residence to the
8 United States; or

9 (B) an entity organized under the laws of
10 the United States or any jurisdiction within the
11 United States, including a foreign branch of
12 such an entity.

13 (b) DEVELOPMENT OF LIST.—Not later than 180
14 days after the date of enactment of this Act, the United
15 States International Trade Commission (referred to in
16 this section as the “Commission”), in consultation with
17 the United States Trade Representative and the head of
18 any other Federal agency that the Commission considers
19 appropriate, shall develop and maintain a list of each Chi-
20 nese entity that is using intellectual property stolen, or
21 otherwise obtained without authorization, from a United
22 States person.

23 (c) UPDATES TO ENTITY LIST.—The Commission
24 shall update the list required under subsection (b) not less
25 frequently than quarterly.

1 (d) REPORT; PUBLIC AVAILABILITY.—Not later than
2 180 days after the date of enactment of this Act, and
3 quarterly thereafter, the Commission shall submit to the
4 appropriate congressional committees, and make available
5 to the public, the list required under subsection (b).

6 (e) PUBLIC AVAILABILITY.—The Commission shall
7 make the list required under subsection (b) publicly avail-
8 able on an internet website of the Commission.

