

117TH CONGRESS
2^D SESSION

H. R. 7457

To hold the Chinese Communist Party accountable for the COVID–19 pandemic that has killed approximately 981,000 Americans.

IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 2022

Mr. FITZPATRICK (for himself and Mr. GOTTHEIMER) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, Oversight and Reform, Armed Services, Intelligence (Permanent Select), Ways and Means, Rules, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To hold the Chinese Communist Party accountable for the COVID–19 pandemic that has killed approximately 981,000 Americans.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Hold CCP Accountable Act of 2022”.

6 (b) **TABLE OF CONTENTS.**—The table of contents is
7 as follows:

Sec. 1. Short title; table of contents.

TITLE I—NO SOVEREIGN IMMUNITY

- Sec. 101. Lists of foreign countries based on compliance with international reporting and monitoring of outbreaks of novel viruses and diseases.
- Sec. 102. Presidential actions with respect to foreign countries on the Tier 2 list.
- Sec. 103. Sovereign immunity waiver.
- Sec. 104. Imposition of sanctions with respect to government officials of foreign countries on the Tier 2 list.
- Sec. 105. G-20 investigation of international response to COVID-19.
- Sec. 106. International response to wet markets globally.
- Sec. 107. Public health emergency of international concern defined.

TITLE II—REVOKING CCP'S ABILITY TO GET VISAS

- Sec. 201. Disclosure on certain visa applications.

TITLE III—TIGHTEN UP REGULATIONS ON CONFUCIUS INSTITUTES

- Sec. 301. Restrictions on Confucius Institutes.

TITLE IV—DELISTING CHINA FROM STOCK MARKETS

- Sec. 401. Prohibitions relating to certain Communist Chinese military companies.
- Sec. 402. Modification of requirements for list of Communist Chinese military companies.
- Sec. 403. Analysis of financial ambitions of the Government of the People's Republic of China.

TITLE V—REVOKING CHINA'S MOST FAVORED NATION STATUS

- Sec. 501. Withdrawal of normal trade relations treatment from the People's Republic of China.
- Sec. 502. Expansion of bases of ineligibility of People's Republic of China for normal trade relations.

TITLE VI—REMOVAL OF CHINA FROM THE WTO

- Sec. 601. Removal of China from the WTO.

TITLE VII—END LENDING TO THE CCP FROM WORLD BANK

- Sec. 701. Opposition to provision of assistance to People's Republic of China by multilateral development banks.

1 **TITLE I—NO SOVEREIGN**
2 **IMMUNITY**

3 **SEC. 101. LISTS OF FOREIGN COUNTRIES BASED ON COM-**
4 **PLIANCE WITH INTERNATIONAL REPORTING**
5 **AND MONITORING OF OUTBREAKS OF NOVEL**
6 **VIRUSES AND DISEASES.**

7 (a) LISTS OF FOREIGN COUNTRIES.—

8 (1) TIER 1 LIST.—

9 (A) IN GENERAL.—Not later than 180
10 days after the date of the enactment of this
11 Act, the Secretary of State shall establish a list
12 of foreign countries that the Secretary deter-
13 mines meet the requirements described in sub-
14 section (b).

15 (B) REFERENCE.—The list of foreign
16 countries established under this paragraph shall
17 be referred to as the “Tier 1 list”.

18 (2) TIER 2 LIST.—

19 (A) IN GENERAL.—Not later than 180
20 days after the date of the enactment of this
21 Act, the Secretary of State shall establish a list
22 of foreign countries that the Secretary deter-
23 mines do not meet the requirements described
24 in subsection (b) but are capable of meeting
25 such requirements.

1 (B) REVIEW.—The Secretary of State
2 shall conduct a review on an ongoing basis of
3 each country on the list established under this
4 paragraph to ensure that the country is taking
5 appropriate steps to meet the requirements de-
6 scribed in subsection (b).

7 (C) REFERENCE.—The list of foreign
8 countries established under this paragraph shall
9 be referred to as the “Tier 2 list”.

10 (3) TIER 3 LIST.—

11 (A) IN GENERAL.—Not later than 180
12 days after the date of the enactment of this
13 Act, the Secretary of State shall establish a list
14 of foreign countries that the Secretary deter-
15 mines do not meet the requirements described
16 in subsection (b) because such countries are not
17 capable, based on financial, security, or govern-
18 ment infrastructure reasons, of meeting such
19 requirements.

20 (B) REFERENCE.—The list of foreign
21 countries established under this paragraph shall
22 be referred to as the “Tier 3 list”.

23 (4) UPDATES.—The Secretary of State shall
24 submit to the appropriate congressional committees
25 an updated Tier 1 list under paragraph (1), an up-

1 dated Tier 2 list under paragraph (2), and an up-
2 dated Tier 3 list under paragraph (3)—

3 (A) not later than one year after the date
4 of the enactment of this Act and annually
5 thereafter; and

6 (B) as new information becomes available.

7 (b) INTERNATIONAL REPORTING AND MONITORING
8 REQUIREMENTS DESCRIBED.—The requirements de-
9 scribed in this subsection are the following:

10 (1) The foreign country has established proce-
11 dures and standards to comply with established
12 international “sentinel surveillance” systems to col-
13 lect data, identify trends, identify outbreaks, and
14 provide monitoring with respect to the burden of dis-
15 ease in a community.

16 (2) The foreign country has established proce-
17 dures and standards to ensure that novel viruses
18 and diseases are reported such international “sen-
19 tinel surveillance” systems not later than 3 days
20 after identification.

21 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion may be construed to apply with respect to the terri-
23 tory of a foreign country with respect to which the inter-
24 nationally recognized government of the country does not
25 control due to armed conflict.

1 (d) INCLUSION IN ANNUAL UNITED STATES GOV-
2 ERNMENT GLOBAL HEALTH SECURITY STRATEGY.—The
3 President shall ensure that the requirements of this sec-
4 tion are appropriately reflected in the annual United
5 States Government Global Health Security Strategy.

6 **SEC. 102. PRESIDENTIAL ACTIONS WITH RESPECT TO FOR-**
7 **EIGN COUNTRIES ON THE TIER 2 LIST.**

8 (a) IN GENERAL.—The President, in consultation
9 with the Secretary of State, shall take one or more of the
10 actions described in subsection (b) (or commensurate ac-
11 tion in substitution thereto) with respect to a foreign coun-
12 try that is on the Tier 2 list established under section
13 101(a).

14 (b) DESCRIPTION OF PRESIDENTIAL ACTIONS.—The
15 Presidential actions referred to in this subsection are the
16 following:

17 (1) A private demarche.

18 (2) An official public demarche.

19 (3) A public condemnation.

20 (4) A public condemnation within one or more
21 multilateral fora.

22 (5) The delay or cancellation of one or more
23 scientific exchanges.

24 (6) The delay or cancellation of one or more
25 cultural exchanges.

1 (7) The denial of one or more working, official,
2 or state visits.

3 (8) The delay or cancellation of one or more
4 working, official, or state visits.

5 (9) The withdrawal, limitation, or suspension of
6 United States development assistance in accordance
7 with section 116 of the Foreign Assistance Act of
8 1961.

9 (10) The withdrawal, limitation, or suspension
10 of United States security assistance in accordance
11 with section 502B of the Foreign Assistance Act of
12 1961.

13 (11) Consistent with section 701 of the Inter-
14 national Financial Institutions Act of 1977, direct-
15 ing the United States executive directors of inter-
16 national financial institutions to oppose and vote
17 against loans primarily benefiting the specific for-
18 eign government, agency, instrumentality.

19 (12) Ordering the heads of the appropriate
20 United States agencies not to issue any (or a speci-
21 fied number of) specific licenses, and not to grant
22 any other specific authority (or a specified number
23 of authorities), to export any goods or technology to
24 the specific foreign government, agency, instrumen-
25 tality under—

1 (A) the Export Control Reform Act of
2 2018;

3 (B) the Arms Export Control Act;

4 (C) the Atomic Energy Act of 1954; or

5 (D) any other statute that requires the
6 prior review and approval of the United States
7 Government as a condition for the export or re-
8 export of goods or services.

9 (13) Prohibiting any United States financial in-
10 stitution from making loans or providing credits to-
11 taling more than \$10,000,000 in any 12-month pe-
12 riod to the specific foreign government, agency, in-
13 strumentality.

14 (14) Prohibiting the United States Government
15 from procuring, or entering into any contract for the
16 procurement of, any goods or services from the for-
17 eign government, entities.

18 (c) WAIVER.—The President may waive the applica-
19 tion of subsection (a) with respect to a foreign country
20 if the President determines it is important to the national
21 interests of the United States to do so.

22 **SEC. 103. SOVEREIGN IMMUNITY WAIVER.**

23 (a) IN GENERAL.—Chapter 97 of title 28, United
24 States Code, is amended by inserting after section 1605B
25 the following:

1 **“§ 1605C. Responsibility of foreign states for pan-**
2 **dem ic outbreaks**

3 “(a) RESPONSIBILITY OF FOREIGN STATES.—A for-
4 eign state shall not be immune from the jurisdiction of
5 the courts of the United States in any case in which dam-
6 ages are sought against a foreign state for physical injury
7 to person or property or death occurring in the United
8 States and caused by a failure to abide the requirements
9 laid out in paragraphs (1) and (2) of section 2(b) of the
10 Never Again International Outbreak Prevention Act or are
11 determined to have intentionally misled the international
12 community or the WHO on the outbreak or spread of a
13 health concern that leads to a pandemic.

14 “(b) RULE OF CONSTRUCTION.—A foreign state shall
15 not be subject to the jurisdiction of the courts of the
16 United States under subsection (a) on the basis of an
17 omission or a tortious act or acts that constitute mere neg-
18 ligence.”.

19 (b) CLERICAL AMENDMENT.—

20 (1) The table of sections for chapter 97 of title
21 28, United States Code, is amended by inserting
22 after the item relating to section 1605A the fol-
23 lowing:

“1605C. Responsibility of foreign states for pandemic outbreaks.”.

24 (2) Subsection 1605(g)(1)(A) of title 28,
25 United States Code, is amended by striking “but for

1 section 1605A or section 1605B” and inserting “but
2 for section 1605A, 1605B, or 1605C”.

3 (c) STAY OF ACTIONS PENDING STATE NEGOTIA-
4 TIONS.—

5 (1) EXCLUSIVE JURISDICTION.—The courts of
6 the United States shall have exclusive jurisdiction in
7 any action in which a foreign state is subject to the
8 jurisdiction of a court of the United States under
9 section 1605C of title 28, United States Code.

10 (2) INTERVENTION.—The Attorney General
11 may intervene in any action in which a foreign state
12 is subject to the jurisdiction of a court of the United
13 States under section 1605C of title 28, United
14 States Code, for the purpose of seeking a stay of the
15 civil action, in whole or in part.

16 (3) STAY.—

17 (A) IN GENERAL.—A court of the United
18 States may stay a proceeding against a foreign
19 state if the Secretary of State certifies that the
20 United States is engaged in good faith discus-
21 sions with the foreign state defendant con-
22 cerning the resolution of the claims against the
23 foreign state, or any other parties as to whom
24 a stay of claims is sought.

25 (B) DURATION.—

1 (i) IN GENERAL.—A stay under this
2 subsection may be granted for not more
3 than 180 days.

4 (ii) EXTENSION.—

5 (I) IN GENERAL.—The Attorney
6 General may petition the court for an
7 extension of the stay for additional
8 180-day periods.

9 (II) RECERTIFICATION.—A court
10 shall grant an extension under sub-
11 clause (I) if the Secretary of State re-
12 certifies that the United States re-
13 mains engaged in good faith discus-
14 sions with the foreign state defendant
15 concerning the resolution of the
16 claims against the foreign state, or
17 any other parties as to whom a stay
18 of claims is sought.

19 **SEC. 104. IMPOSITION OF SANCTIONS WITH RESPECT TO**
20 **GOVERNMENT OFFICIALS OF FOREIGN COUN-**
21 **TRIES ON THE TIER 2 LIST.**

22 (a) IN GENERAL.—The President may impose the
23 sanctions described in subsection (b) with respect to any
24 foreign person the President determines, based on credible
25 evidence—

1 (1) is a government official of a foreign country
2 on the Tier 2 list established under section 101(a),
3 or a senior associate of such an official, that is re-
4 sponsible for, or complicit in, ordering, controlling,
5 or otherwise directing, or financially benefits from,
6 acts intended to deliberately conceal or distort infor-
7 mation about a public health emergency of inter-
8 national concern, including acts intended to delib-
9 erately withhold information from or obstruct the ac-
10 tivities of the World Health Organization with re-
11 spect to a public health emergency of international
12 concern; or

13 (2) has materially assisted, sponsored, or pro-
14 vided financial, material, or technological support
15 for, or goods or services in support of, an act de-
16 scribed in paragraph (1).

17 (b) SANCTIONS DESCRIBED.—The sanctions to be
18 imposed with respect to a foreign person under subsection
19 (a) are the following:

20 (1) INADMISSIBILITY OF CERTAIN INDIVID-
21 UALS.—

22 (A) INELIGIBILITY FOR VISAS, ADMISSION,
23 OR PAROLE.—A foreign person who meets any
24 of the criteria described subsection (a) is—

25 (i) inadmissible to the United States;

1 (ii) ineligible to receive a visa or other
2 documentation to enter the United States;
3 and

4 (iii) otherwise ineligible to be admitted
5 or paroled into the United States or to re-
6 ceive any other benefit under the Immigra-
7 tion and Nationality Act (8 U.S.C. 1101 et
8 seq.).

9 (B) CURRENT VISAS REVOKED.—A foreign
10 person subject to subsection (a) is subject to
11 the following:

12 (i) Revocation of any visa or other
13 entry documentation regardless of when
14 the visa or other entry documentation is or
15 was issued.

16 (ii) A revocation under clause (i)
17 shall—

18 (I) take effect immediately; and

19 (II) automatically cancel any
20 other valid visa or entry documenta-
21 tion that is in the foreign person's
22 possession.

23 (2) BLOCKING OF PROPERTY.—The President
24 shall exercise all of the powers granted to the Presi-
25 dent by the International Emergency Economic

1 Powers Act (50 U.S.C. 1701 et seq.) (except that
2 the requirements of section 202 of such Act (50
3 U.S.C. 1701) shall not apply) to the extent nec-
4 essary to block and prohibit all transactions in prop-
5 erty and interests in property of the person if such
6 property and interests in property are in the United
7 States, come within the United States, or are or
8 come within the possession or control of a United
9 States person.

10 (c) CONSIDERATION OF CERTAIN INFORMATION IN
11 IMPOSING SANCTIONS.—In determining whether to im-
12 pose sanctions under subsection (a), the President shall
13 consider—

14 (1) information provided jointly by the chair-
15 person and ranking member of each of the appro-
16 priate congressional committees; and

17 (2) credible information obtained by other coun-
18 tries and nongovernmental organizations that mon-
19 itor violations of human rights and global health
20 issues, including issues related to infectious disease.

21 (d) REQUESTS BY APPROPRIATE CONGRESSIONAL
22 COMMITTEES.—

23 (1) IN GENERAL.—Not later than 120 days
24 after receiving a request that meets the require-
25 ments of paragraph (2) with respect to whether a

1 foreign person is described in subsection (a), the
2 President shall—

3 (A) determine if that person is so de-
4 scribed; and

5 (B) submit a classified or unclassified re-
6 port to the chairperson and ranking member of
7 the committee or committees that submitted the
8 request with respect to that determination that
9 includes—

10 (i) a statement of whether or not the
11 President imposed or intends to impose
12 sanctions with respect to the person; and

13 (ii) if the President imposed or in-
14 tends to impose sanctions, a description of
15 those sanctions.

16 (2) REQUIREMENTS.—A request under para-
17 graph (1) with respect to whether a foreign person
18 is described in subsection (a) shall be submitted to
19 the President in writing jointly by the chairperson
20 and ranking member of one of the appropriate con-
21 gressional committees.

22 (e) EXCEPTION TO COMPLY WITH UNITED NATIONS
23 HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT
24 OBJECTIVES.—Sanctions under subsection (b)(1) shall

1 not apply to an individual if admitting the individual into
2 the United States—

3 (1) would further important law enforcement
4 objectives; or

5 (2) is necessary to permit the United States to
6 comply with the Agreement regarding the Head-
7 quarters of the United Nations, signed at Lake Suc-
8 cess June 26, 1947, and entered into force Novem-
9 ber 21, 1947, between the United Nations and the
10 United States, or other applicable international obli-
11 gations of the United States.

12 (f) ENFORCEMENT OF BLOCKING OF PROPERTY.—
13 A person that violates, attempts to violate, conspires to
14 violate, or causes a violation of subsection (b)(2) or any
15 regulation, license, or order issued to carry out that sub-
16 section shall be subject to the penalties set forth in sub-
17 sections (b) and (c) of section 206 of the International
18 Emergency Economic Powers Act (50 U.S.C. 1705) to the
19 same extent as a person that commits an unlawful act de-
20 scribed in subsection (a) of that section.

21 (g) REPORTS REQUIRED.—Not later than 120 days
22 after the date of the enactment of this Act, and annually
23 thereafter, the President shall submit to the appropriate
24 congressional committees a report that includes—

1 (1) a list of each foreign person with respect to
2 which the President imposed sanctions under sub-
3 section (b) during the year preceding the submission
4 of the report;

5 (2) a description of the type of sanctions im-
6 posed with respect to each such person;

7 (3) the number of foreign persons with respect
8 to which the President—

9 (A) imposed sanctions under subsection (b)
10 during that year; or

11 (B) terminated sanctions under subsection
12 (h) during that year;

13 (4) the dates on which such sanctions were im-
14 posed or terminated, as the case may be;

15 (5) the reasons for imposing or terminating
16 such sanctions; and

17 (6) a description of the efforts of the President
18 to encourage the governments of other countries to
19 impose sanctions that are similar to the sanctions
20 authorized by this section.

21 (h) TERMINATION OF SANCTIONS.—The President
22 may terminate the application of sanctions under this sec-
23 tion with respect to a person if the President determines
24 and reports to the appropriate congressional committees

1 not later than 15 days before the termination of the sanc-
2 tions that—

3 (1) credible information exists that the person
4 did not engage in the activity for which sanctions
5 were imposed;

6 (2) the person has been prosecuted appro-
7 priately for the activity for which sanctions were im-
8 posed;

9 (3) the foreign country of the person has been
10 upgraded from the Tier 2 list to the Tier 1 list es-
11 tablished under section 101(a); and

12 (4) the termination of the sanctions is in the
13 national security interests of the United States.

14 (i) REGULATORY AUTHORITY.—The President shall
15 issue such regulations, licenses, and orders as are nec-
16 essary to carry out this section.

17 (j) EXCEPTION RELATING TO IMPORTATION OF
18 GOODS.—

19 (1) IN GENERAL.—The authorities and require-
20 ments to impose sanctions under this section shall
21 not include the authority to impose sanctions on the
22 importation of goods.

23 (2) GOOD DEFINED.—In this subsection, the
24 term “good” means any article, natural or manmade
25 substance, material, supply, or manufactured prod-

1 uct, including inspection and test equipment, and ex-
2 cluding technical data.

3 (k) DEFINITIONS.—In this section:

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

7 (A) the Committee on Banking, Housing,
8 and Urban Affairs and the Committee on For-
9 eign Relations of the Senate; and

10 (B) the Committee on Financial Services
11 and the Committee on Foreign Affairs of the
12 House of Representatives.

13 (2) FOREIGN PERSON.—The term “foreign per-
14 son” means a person that is not a United States
15 person.

16 (3) PERSON.—The term “person” means an in-
17 dividual or entity.

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

20 (A) an individual who is a United States
21 citizen or an alien lawfully admitted for perma-
22 nent residence to the United States;

23 (B) an entity organized under the laws of
24 the United States or any jurisdiction within the

1 United States, including a foreign branch of
2 such an entity; or

3 (C) any person in the United States.

4 **SEC. 105. G-20 INVESTIGATION OF INTERNATIONAL RE-**
5 **SPONSE TO COVID-19.**

6 (a) IN GENERAL.—The President shall seek to work
7 with the heads of other Group of Twenty (commonly re-
8 ferred to as the “G-20”) countries and international orga-
9 nizations to—

10 (1) investigate and prepare a report on the
11 international response to the coronavirus disease
12 2019 (commonly known as “COVID-19”); and

13 (2) conduct an audit of the World Health Orga-
14 nization relating to its actions in response to
15 COVID-19.

16 (b) UNITED NATIONS ACTIONS.—The Permanent
17 United States Representative to the United Nations shall
18 request the United Nations Office of Internal Oversight
19 Services to establish a panel with representatives from
20 each G-20 country and international organization to—

21 (1) conduct a review of the World Health Orga-
22 nization’s response to COVID-19; and

23 (2) make recommendations to the United Na-
24 tions and the United Nations Security Council on
25 actions that can be taken to—

1 (A) ensure improved future responses; and

2 (B) ensure accountability of World Health

3 Organization officials for identified failures.

4 **SEC. 106. INTERNATIONAL RESPONSE TO WET MARKETS**

5 **GLOBALLY.**

6 (a) **IN GENERAL.**—The Permanent United States
7 Representative to the United Nations shall use the voice,
8 vote, and influence of the United States to seek the adop-
9 tion in the United Nations General Assembly or Security
10 Council of a resolution to ban wet markets described in
11 subsection (b) globally.

12 (b) **WET MARKETS DESCRIBED.**—A wet market de-
13 scribed in this subsection is a market where—

14 (1) animals are sold, dead or alive, for human
15 consumption;

16 (2) the origin of such animals and their health
17 cannot be certified; and

18 (3) the conditions in which such animals are
19 raised, kept, or sold are unhygienic.

20 **SEC. 107. PUBLIC HEALTH EMERGENCY OF INTER-**

21 **NATIONAL CONCERN DEFINED.**

22 In this Act, the term “public health emergency of
23 international concern” means a public health emergency
24 determined to be a public health emergency of inter-
25 national concern by the World Health Organization.

1 **TITLE II—REVOKING CCP’S**
2 **ABILITY TO GET VISAS**

3 **SEC. 201. DISCLOSURE ON CERTAIN VISA APPLICATIONS.**

4 (a) DISCLOSURE REQUIREMENT FOR F AND M
5 VISAS.—Not later than 180 days after the date of the en-
6 actment of this Act, the Secretary of Homeland Security
7 shall update Form I-20, or a successor form with respect
8 to eligibility for nonimmigrant student status, to require
9 an alien submitting such form to report—

10 (1) whether the alien has received or plans to
11 receive certain funds;

12 (2) the amount of any certain funds received by
13 the alien; and

14 (3) a description of the entity providing any
15 certain funds to the alien.

16 (b) DISCLOSURE REQUIREMENT FOR J VISAS.—Not
17 later than 180 days after the date of the enactment of
18 this Act, the Secretary of State shall update Form DS-
19 2019, or a successor form with respect to eligibility for
20 a exchange visitor status, to require an alien submitting
21 such form to report—

22 (1) whether the alien has received or plans to
23 receive certain funds;

24 (2) the amount of any certain funds received by
25 the alien; and

1 (3) a description of the entity providing any
2 certain funds to the alien.

3 (c) UPDATED DISCLOSURE REQUIREMENT.—

4 (1) IN GENERAL.—An alien who receives cer-
5 tain funds after receiving a visa under subparagraph
6 (F), (J), or (M) of section 101(a)(15) of the Immi-
7 gration and Nationality Act (8 U.S.C. 1101(a)(15))
8 shall report to the Secretary of Homeland Security
9 and the Secretary of State the receipt of such funds
10 not more than 90 days after the date on which such
11 funds are received.

12 (2) PROVISIONAL REVOCATION BASED ON FAIL-
13 URE TO COMPLY WITH DISCLOSURE REQUIRE-
14 MENT.—An alien who receives certain funds and
15 does not report such receipt pursuant to paragraph
16 (1) is subject to revocation of any visa or other entry
17 documentation regardless of when the visa or other
18 entry documentation was issued.

19 (d) DISCLOSURE FOR ALIEN SPOUSE AND MINOR
20 CHILDREN.—The disclosure requirements under sub-
21 sections (a) through (c) shall apply to an alien spouse or
22 any minor children applying for or receiving a visa under
23 subparagraph (F), (J), or (M) of section 101(a)(15) of
24 the Immigration and Nationality Act (8 U.S.C.
25 1101(a)(15)).

1 (e) APPLICABILITY.—Not later than 180 days after
2 the date of the enactment of this Act, an alien, alien
3 spouse, or any minor children who have a valid visa under
4 subparagraph (F), (J), or (M) of section 101(a)(15) of
5 the Immigration and Nationality Act (8 U.S.C.
6 1101(a)(15)) on the date of the enactment of this Act,
7 shall report to the Secretary of Homeland Security—

8 (1) whether such alien has received or plans to
9 receive certain funds;

10 (2) the amount of any certain funds received by
11 the alien; and

12 (3) a description of the entity providing any
13 certain funds to the alien.

14 (f) CERTAIN FUNDS DEFINED.—In this section, the
15 term “certain funds” includes any amount of money pro-
16 vided to an alien from the Chinese Communist Party or
17 any entity owned or controlled by the Chinese Communist
18 Party.

19 **TITLE III—TIGHTEN UP REGULA-**
20 **TIONS ON CONFUCIUS INSTI-**
21 **TUTES**

22 **SEC. 301. RESTRICTIONS ON CONFUCIUS INSTITUTES.**

23 (a) DEFINITION.—In this section, the term “Confu-
24 cius Institute” means a cultural institute directly or indi-

1 rectly funded by the Government of the People’s Republic
2 of China.

3 (b) RESTRICTIONS ON CONFUCIUS INSTITUTES.—An
4 institution of higher education or other postsecondary edu-
5 cational institution (referred to in this section as an “insti-
6 tution”) shall not be eligible to receive Federal funds from
7 the Department of Education (except funds under title IV
8 of the Higher Education Act of 1965 (20 U.S.C. 1070
9 et seq.) or other Department of Education funds that are
10 provided directly to students) unless the institution en-
11 sures that any contract or agreement between the institu-
12 tion and a Confucius Institute includes clear provisions
13 that—

- 14 (1) protect academic freedom at the institution;
15 (2) prohibit the application of any foreign law
16 on any campus of the institution; and
17 (3) grant full managerial authority of the Con-
18 fucius Institute to the institution, including full con-
19 trol over what is being taught, the activities carried
20 out, the research grants that are made, and who is
21 employed at the Confucius Institute.

1 **TITLE IV—DELISTING CHINA**
2 **FROM STOCK MARKETS**

3 **SEC. 401. PROHIBITIONS RELATING TO CERTAIN COM-**
4 **MUNIST CHINESE MILITARY COMPANIES.**

5 (a) DEFINITIONS.—In this section:

6 (1) COMMISSION.—The term “Commission”
7 means the Securities and Exchange Commission.

8 (2) CONTROL; INSURANCE COMPANY.—The
9 terms “control” and “insurance company” have the
10 meaning given the terms in section 2(a) of the In-
11 vestment Company Act of 1940 (15 U.S.C. 80a-
12 2(a)).

13 (3) COVERED ENTITY.—

14 (A) IN GENERAL.—The term “covered en-
15 tity”—

16 (i) means an entity on—

17 (I) the list of Communist Chinese
18 military companies required by section
19 1237(b) of the Strom Thurmond Na-
20 tional Defense Authorization Act for
21 Fiscal Year 1999 (Public Law 105-
22 261; 50 U.S.C. 1701 note); or

23 (II) the entity list maintained by
24 the Bureau of Industry and Security
25 of the Department of Commerce and

1 set forth in Supplement No. 4 to part
2 744 of the title 15, Code of Federal
3 Regulations; and

4 (ii) includes a parent, subsidiary, or
5 affiliate of, or an entity controlled by, an
6 entity described in clause (i).

7 (B) GRACE PERIOD.—For the purposes of
8 this Act, and the amendments made by this
9 Act, an entity shall be considered to be a cov-
10 ered entity beginning on the date that is 1 year
11 after the date on which the entity first qualifies
12 under the applicable provision of subparagraph
13 (A).

14 (4) EXCHANGE; SECURITY.—The terms “ex-
15 change” and “security” have the meanings given
16 those terms in section 3(a) of the Securities Ex-
17 change Act of 1934 (15 U.S.C. 78c(a)).

18 (b) PROHIBITIONS.—

19 (1) LISTING ON EXCHANGE.—Beginning on the
20 date that is 1 year after the date of enactment of
21 this Act, the Commission shall prohibit a covered en-
22 tity from offering to sell or selling on an exchange
23 (or through any other method that is within the ju-
24 risdiction of the Commission to regulate, including
25 through the method of trading that is commonly re-

1 ferred to as the “over-the-counter” trading of securi-
2 ties) securities issued by the covered entity, includ-
3 ing pursuant to an exemption to section 5 of the Se-
4 curities Act of 1933 (15 U.S.C. 77e).

5 (2) INVESTMENTS; LIMITATION ON ACTIONS.—

6 (A) IN GENERAL.—The Investment Com-
7 pany Act of 1940 (15 U.S.C. 80a–1 et seq.) is
8 amended—

9 (i) in section 12(d) (15 U.S.C. 80a–
10 12(d)), by adding at the end the following:

11 “(4)(A) It shall be unlawful for any investment
12 company, or any person that would be an investment
13 company but for the application of paragraph (1) or
14 (7) of section 3(e), to invest in a covered entity.

15 “(B) In this paragraph, the term ‘covered enti-
16 ty’ has the meaning given the term in section 2(a)
17 of the American Financial Markets Integrity and Se-
18 curity Act.”; and

19 (ii) in section 13(c)(1) (15 U.S.C.
20 80a–13(c)(1))—

21 (I) in subparagraph (A), by strik-
22 ing “or” at the end;

23 (II) in subparagraph (B), by
24 striking the period at the end and in-
25 serting “or”; and

1 (III) by adding at the end the
2 following:

3 “(C) are covered entities, as that term is
4 defined in section 12(d)(4)(B).”.

5 (B) EFFECTIVE DATE.—The amendments
6 made by subparagraph (A) shall take effect on
7 the date that is 1 year after the date of enact-
8 ment of this Act.

9 (3) FEDERAL FUNDS.—

10 (A) IN GENERAL.—Except as provided in
11 subparagraph (B), on and after the date that is
12 180 days after the date of enactment of this
13 Act, no Federal funds may be used to enter
14 into, extend, or renew a contract or purchasing
15 agreement with a covered entity.

16 (B) WAIVER.—The head of a Federal
17 agency may issue a national security waiver to
18 the prohibition in subparagraph (A) for a pe-
19 riod of not more than 2 years with respect to
20 a covered entity if the agency head submits to
21 Congress a notification that includes—

22 (i) a written justification for the waiv-
23 er; and

1 (ii) a plan for a phase-out of the
2 goods or services provided by the covered
3 entity.

4 (4) INVESTMENTS BY INSURANCE COMPA-
5 NIES.—

6 (A) IN GENERAL.—On and after the date
7 of enactment of this Act, an insurance company
8 may not invest in a covered entity.

9 (B) CERTIFICATION OF COMPLIANCE.—

10 (i) IN GENERAL.—Each insurance
11 company shall, on an annual basis, submit
12 to the Secretary of the Treasury a certifi-
13 cation of compliance with subparagraph
14 (A).

15 (ii) RESPONSIBILITIES OF THE SEC-
16 RETARY.—The Secretary of the Treasury
17 shall create a form for the submission re-
18 quired under clause (i) in such a manner
19 that minimizes the reporting burden on an
20 insurance company making the submission.

21 (C) SHARING INFORMATION.—The Sec-
22 retary of the Treasury, acting through the Fed-
23 eral Insurance Office, shall share the informa-
24 tion received under subparagraph (B) and co-

1 ordinate verification of compliance with State
2 insurance offices.

3 (c) QUALIFIED TRUSTS, ETC.—

4 (1) IN GENERAL.—Subsection (a) of section
5 401 of the Internal Revenue Code of 1986 is amend-
6 ed by inserting after paragraph (38) the following
7 new paragraph:

8 “(39) PROHIBITED INVESTMENTS.—A trust
9 which is part of a plan shall not be treated as a
10 qualified trust under this subsection unless the plan
11 provides that no part of the plan’s assets will be in-
12 vested in any covered entity (as defined in section
13 12(d)(6)(B) of the Investment Company Act of
14 1940).”.

15 (2) IRAS.—Paragraph (3) of section 408(a) of
16 such Code is amended by striking “contracts” and
17 inserting “contracts or in any covered entity (as de-
18 fined in section 12(d)(6)(B) of the Investment Com-
19 pany Act of 1940)”.

20 (3) FIDUCIARY DUTY.—Section 404 of the Em-
21 ployee Retirement Income Security Act of 1974 (29
22 U.S.C. 1104) is amended by adding at the end the
23 following new subsection:

24 “(f) PROHIBITED INVESTMENTS.—No fiduciary shall
25 cause any assets of a plan to be invested in any covered

1 entity (as defined in section 12(d)(6)(B) of the Investment
2 Company Act of 1940 (15 U.S.C. 80a–12(d)(6)(B))).”.

3 (4) EFFECTIVE DATE.—

4 (A) IN GENERAL.—Except as provided in
5 subparagraph (B), the amendments made by
6 this subsection shall apply to plan years begin-
7 ning after the date which is 180 days after the
8 date of the enactment of this Act.

9 (B) PLAN AMENDMENTS.—If subpara-
10 graph (C) applies to any retirement plan or
11 contract amendment—

12 (i) such plan or contract shall not fail
13 to be treated as being operated in accord-
14 ance with the terms of the plan during the
15 period described in subparagraph (C)(ii)
16 solely because the plan operates in accord-
17 ance with the amendments made by this
18 subsection; and

19 (ii) except as provided by the Sec-
20 retary of the Treasury (or the Secretary’s
21 delegate), such plan or contract shall not
22 fail to meet the any requirements of the
23 Internal Revenue Code of 1986 or the Em-
24 ployee Retirement Income Security Act of
25 1974 by reason of such amendment.

1 (C) AMENDMENTS TO WHICH PARAGRAPH
2 APPLIES.—

3 (i) IN GENERAL.—This subparagraph
4 shall apply to any amendment to any plan
5 or annuity contract which—

6 (I) is made pursuant to the pro-
7 visions of this section; and

8 (II) is made on or before the last
9 day of the first plan year beginning
10 on or after the date which is 2 years
11 after the date of the enactment of this
12 Act (4 years after such date of enact-
13 ment, in the case of a governmental
14 plan).

15 (ii) CONDITIONS.—This subparagraph
16 shall not apply to any amendment unless—

17 (I) during the period beginning
18 on the date which is 180 days after
19 the date of the enactment of this Act,
20 and ending on the date described in
21 clause (i)(II) (or, if earlier, the date
22 the plan or contract amendment is
23 adopted), the plan or contract is oper-
24 ated as if such plan or contract
25 amendment were in effect; and

1 (II) such plan or contract amend-
2 ment applies retroactively for such pe-
3 riod.

4 (D) SUBSEQUENT AMENDMENTS.—Rules
5 similar to the rules of subparagraphs (B) and
6 (C) shall apply in the case of any amendment
7 to any plan or annuity contract made pursuant
8 to any update of the list of Communist Chinese
9 military companies required by section 1237(b)
10 of the Strom Thurmond National Defense Au-
11 thorization Act for Fiscal Year 1999 (Public
12 Law 105–261; 50 U.S.C. 1701 note) which is
13 made after the effective date of the amend-
14 ments made by this subsection.

15 **SEC. 402. MODIFICATION OF REQUIREMENTS FOR LIST OF**
16 **COMMUNIST CHINESE MILITARY COMPANIES.**

17 Section 1237(b) of the Strom Thurmond National
18 Defense Authorization Act for Fiscal Year 1999 (Public
19 Law 105–261; 50 U.S.C. 1701 note) is amended—

20 (1) by striking paragraph (2) and inserting the
21 following:

22 “(2) REVISIONS TO THE LIST.—

23 “(A) ADDITIONS.—The Secretary of De-
24 fense, the Secretary of Commerce, or the Direc-
25 tor of National Intelligence may add a person

1 to the list required by paragraph (1) at any
2 time.

3 “(B) REMOVALS.—A person may be re-
4 moved from the list required by paragraph (1)
5 if the Secretary of Defense, the Secretary of
6 Commerce, and the Director of National Intel-
7 ligence agree to remove the person from the
8 list.

9 “(C) SUBMISSION OF UPDATES TO CON-
10 GRESS.—Not later than February 1 of each
11 year, the Secretary of Defense shall submit a
12 version of the list required in paragraph (1),
13 updated to include any additions or removals
14 under this paragraph, to the committees and of-
15 ficers specified in paragraph (1).”;

16 (2) by striking paragraph (3) and inserting the
17 following:

18 “(3) CONSULTATION.—In carrying out para-
19 graphs (1) and (2), the Secretary of Defense, the
20 Secretary of Commerce, and the Director of Na-
21 tional Intelligence shall consult with each other, the
22 Attorney General, and the Director of the Federal
23 Bureau of Investigation.”; and

24 (3) in paragraph (4), in the matter preceding
25 subparagraph (A), by striking “making the deter-

1 mination required by paragraph (1) and of carrying
2 out paragraph (2)” and inserting “this section”.

3 **SEC. 403. ANALYSIS OF FINANCIAL AMBITIONS OF THE**
4 **GOVERNMENT OF THE PEOPLE’S REPUBLIC**
5 **OF CHINA.**

6 (a) ANALYSIS REQUIRED.—The Director of the Of-
7 fice of Commercial and Economic Analysis of the Air
8 Force shall conduct an analysis of—

9 (1) the strategic importance to the Government
10 of the People’s Republic of China of inflows of
11 United States dollars through capital markets to the
12 People’s Republic of China;

13 (2) the methods by which that Government
14 seeks to manage such inflows;

15 (3) how the inclusion of the securities of Chi-
16 nese entities in stock or bond indexes affects such
17 inflows and serves the financial ambitions of that
18 Government; and

19 (4) how the listing of the securities of Chinese
20 entities on exchanges in the United States assists
21 in—

22 (A) meeting the strategic goals of that
23 Government, including defense, surveillance,
24 and intelligence goals; and

1 (B) the fusion of the civilian and military
2 components of that Government.

3 (b) SUBMISSION TO CONGRESS.—The Director of the
4 Office of Commercial and Economic Analysis of the Air
5 Force shall submit to Congress a report—

6 (1) setting forth the results of the analysis con-
7 ducted under subsection (a); and

8 (2) based on that analysis, making rec-
9 ommendations for best practices to mitigate any na-
10 tional security and economic risks to the United
11 States relating to the financial ambitions of the Gov-
12 ernment of the People’s Republic of China.

13 **TITLE V—REVOKING CHINA’S**
14 **MOST FAVORED NATION STATUS**

15 **SEC. 501. WITHDRAWAL OF NORMAL TRADE RELATIONS**
16 **TREATMENT FROM THE PEOPLE’S REPUBLIC**
17 **OF CHINA.**

18 Notwithstanding the provisions of title I of Public
19 Law 106–286 (114 Stat. 880) or any other provision of
20 law, effective on the date of the enactment of this Act—

21 (1) normal trade relations treatment shall not
22 apply pursuant to section 101 of that Act to the
23 products of the People’s Republic of China;

24 (2) normal trade relations treatment may there-
25 after be extended to the products of the People’s Re-

1 public of China only in accordance with the provi-
2 sions of chapter 1 of title IV of the Trade Act of
3 1974 (19 U.S.C. 2431 et seq.), as in effect with re-
4 spect to the products of the People’s Republic of
5 China on the day before the effective date of the ac-
6 cession of the People’s Republic of China to the
7 World Trade Organization; and

8 (3) the extension of waiver authority that was
9 in effect with respect to the People’s Republic of
10 China under section 402(d)(1) of the Trade Act of
11 1974 (19 U.S.C. 2432(d)(1)) on the day before the
12 effective date of the accession of the People’s Repub-
13 lic of China to the World Trade Organization shall,
14 upon the enactment of this Act, be deemed not to
15 have expired, and shall continue in effect until the
16 date that is 90 days after the date of such enact-
17 ment.

18 **SEC. 502. EXPANSION OF BASES OF INELIGIBILITY OF PEO-**
19 **PLE’S REPUBLIC OF CHINA FOR NORMAL**
20 **TRADE RELATIONS.**

21 (a) IN GENERAL.—Section 402 of the Trade Act of
22 1974 (19 U.S.C. 2432) is amended—

23 (1) in the section heading, by striking “**FREE-**
24 **DOM OF EMIGRATION IN EAST-WEST TRADE**”

1 and inserting “**EAST-WEST TRADE AND HUMAN**
2 **RIGHTS**”; and

3 (2) by adding at the end the following:

4 “(f) **ADDITIONAL BASES OF INELIGIBILITY OF PEO-**
5 **PLE’S REPUBLIC OF CHINA FOR NORMAL TRADE RELA-**
6 **TIONS.—**

7 “(1) **IN GENERAL.—**Products from the People’s
8 Republic of China shall not be eligible to receive
9 nondiscriminatory treatment (normal trade rela-
10 tions), the People’s Republic of China shall not par-
11 ticipate in any program of the Government of the
12 United States which extends credits or credit guar-
13 antees or investment guarantees, directly or indi-
14 rectly, and the President shall not conclude any
15 commercial agreement with the People’s Republic of
16 China, during the period—

17 “(A) beginning with the date on which the
18 President determines that the People’s Republic
19 of China—

20 “(i) is in violation of paragraph (1),
21 (2), or (3) of subsection (a);

22 “(ii) uses or provides for the use of
23 slave labor;

24 “(iii) operates ‘vocational training and
25 education centers’ or other concentration

1 camps where people are held against their
2 will;

3 “(iv) performs or otherwise orders
4 forced abortion or sterilization procedures;

5 “(v) harvests the organs of prisoners
6 without their consent;

7 “(vi) hinders the free exercise of reli-
8 gion;

9 “(vii) intimidates or harasses nation-
10 als of the People’s Republic of China living
11 outside the People’s Republic of China; or

12 “(viii) engages in systematic economic
13 espionage against the United States, in-
14 cluding theft of the intellectual property of
15 United States persons; and

16 “(B) ending on the date on which the
17 President determines that the People’s Republic
18 of China is no longer in violation of any of
19 clauses (i) through (viii) of subparagraph (A).

20 “(2) REPORT REQUIRED.—

21 “(A) IN GENERAL.—After the date of the
22 enactment of this subsection, products of the
23 People’s Republic of China may be eligible to
24 receive nondiscriminatory treatment (normal
25 trade relations), the People’s Republic of China

1 may participate in any program of the Govern-
2 ment of the United States which extends credits
3 or credit guarantees or investment guarantees,
4 and the President may conclude a commercial
5 agreement with the People’s Republic of China,
6 only after the President has submitted to Con-
7 gress a report indicating that the People’s Re-
8 public of China is not in violation of any of
9 clauses (i) through (viii) of paragraph (1)(A).

10 “(B) ELEMENTS.—The report required by
11 subparagraph (A) shall include information as
12 to the nature and implementation of laws and
13 policies of the People’s Republic of China relat-
14 ing to the matters specified in clauses (i)
15 through (viii) of paragraph (1)(A).

16 “(C) DEADLINES.—The report required by
17 subparagraph (A) shall be submitted on or be-
18 fore each June 30 and December 31 of each
19 year for as long as products of the People’s Re-
20 public of China receive nondiscriminatory treat-
21 ment (normal trade relations), the People’s Re-
22 public of China participates in any program of
23 the Government of the United States which ex-
24 tends credits or credit guarantees or investment

1 guarantees, or a commercial agreement with the
2 People’s Republic of China is in effect.

3 “(3) WAIVER.—

4 “(A) IN GENERAL.—The President is au-
5 thorized to waive by Executive order the appli-
6 cation of paragraphs (1) and (2) for a 12-
7 month period if the President submits to Con-
8 gress a report that the President—

9 “(i) has determined that such waiver
10 will substantially promote the objectives of
11 this subsection; and

12 “(ii) has received assurances that the
13 practices of the People’s Republic of China
14 relating to the matters specified in clauses
15 (i) through (viii) of paragraph (1)(A) will
16 in the future lead substantially to the
17 achievement of the objectives of this sub-
18 section.

19 “(B) TERMINATION OF WAIVER.—A waiver
20 under subparagraph (A) shall terminate on the
21 earlier of—

22 “(i) the day after the waiver authority
23 granted by this paragraph ceases to be ef-
24 fective under paragraph (4); or

1 “(ii) the effective date of an Executive
2 order providing for termination of the
3 waiver.

4 “(4) EXTENSION OF WAIVER AUTHORITY.—

5 “(A) RECOMMENDATIONS.—If the Presi-
6 dent determines that the further extension of
7 the waiver authority granted under paragraph
8 (3) will substantially promote the objectives of
9 this subsection, the President may recommend
10 further extensions of such authority for succes-
11 sive 12-month periods. Any such recommenda-
12 tions shall—

13 “(i) be made not later than 30 days
14 before the expiration of such authority;

15 “(ii) be made in a document sub-
16 mitted to the House of Representatives
17 and the Senate setting forth the reasons of
18 the President for recommending the exten-
19 sion of such authority; and

20 “(iii) include—

21 “(I) a determination that con-
22 tinuation of the waiver will substan-
23 tially promote the objectives of this
24 subsection; and

1 “(II) a statement setting forth
2 the reasons of the President for such
3 determination.

4 “(B) CONTINUATION IN EFFECT OF WAIV-
5 ER.—If the President recommends under sub-
6 paragraph (A) the further extension of the
7 waiver authority granted under paragraph (3),
8 such authority shall continue in effect until the
9 end of the 12-month period following the end of
10 the previous 12-month extension, unless—

11 “(i) Congress adopts and transmits to
12 the President a joint resolution of dis-
13 approval under paragraph (5) before the
14 end of the 60-day period beginning on the
15 date the waiver authority would expire but
16 for an extension under subparagraph (A);
17 and

18 “(ii) if the President vetoes the joint
19 resolution, each House of Congress votes
20 to override the veto on or before the later
21 of—

22 “(I) the last day of the 60-day
23 period referred to in clause (i); or

24 “(II) the last day of the 15-day
25 period (excluding any day described in

1 section 154(b)) beginning on the date
2 on which Congress receives the veto
3 message from the President.

4 “(C) TERMINATION OF WAIVER PURSUANT
5 TO JOINT RESOLUTION OF DISAPPROVAL.—If a
6 joint resolution of disapproval is enacted into
7 law pursuant to paragraph (5), the waiver au-
8 thority granted under paragraph (3) shall cease
9 to be effective as of the day after the 60-day
10 period beginning on the date of the enactment
11 of the joint resolution.

12 “(5) JOINT RESOLUTION OF DISAPPROVAL.—

13 “(A) JOINT RESOLUTION OF DISAPPROVAL
14 DEFINED.—In this paragraph, the term ‘joint
15 resolution of disapproval’ means a joint resolu-
16 tion the matter after the resolving clause of
17 which is as follows: ‘That Congress does not ap-
18 prove the extension of the authority contained
19 in paragraph (3) of section 402(f) of the Trade
20 Act of 1974 with respect to the People’s Repub-
21 lic of China recommended by the President to
22 Congress under paragraph (4) of that section
23 on _____.’, with the blank space being filled
24 with the appropriate date.

1 “(B) PROCEDURES IN HOUSE AND SEN-
2 ATE.—The provisions of subsections (b)
3 through (f) of section 152 shall apply with re-
4 spect to a joint resolution of approval to the
5 same extent and in the same manner as such
6 provisions apply with respect to a resolution de-
7 scribed in subsection (a) of that section, except
8 that subsection (e)(2) of that section shall be
9 applied and administered by substituting ‘Con-
10 sideration’ for ‘Debate’.

11 “(C) RULES OF THE HOUSE OF REP-
12 RESENTATIVES AND SENATE.—This paragraph
13 is enacted by Congress—

14 “(i) as an exercise of the rulemaking
15 power of the House of Representatives and
16 the Senate, respectively, and as such is
17 deemed a part of the rules of each House,
18 respectively, and supersedes other rules
19 only to the extent that it is inconsistent
20 with such other rules; and

21 “(ii) with full recognition of the con-
22 stitutional right of either House to change
23 the rules (so far as relating to the proce-
24 dure of that House) at any time, in the

1 same manner and to the same extent as in
 2 the case of any other rule of that House.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
 4 for the Trade Act of 1974 is amended by striking the item
 5 relating to section 402 and inserting the following:

“Sec. 402. East-West trade and human rights.”.

6 **TITLE VI—REMOVAL OF CHINA**
 7 **FROM THE WTO**

8 **SEC. 601. REMOVAL OF CHINA FROM THE WTO.**

9 The President shall direct the U.S. Permanent Mis-
 10 sion to the World Trade Organization (WTO) to use the
 11 voice, vote, and influence of the United States to seek the
 12 removal of the People’s Republic of China from the WTO.

13 **TITLE VII—END LENDING TO**
 14 **THE CCP FROM WORLD BANK**

15 **SEC. 701. OPPOSITION TO PROVISION OF ASSISTANCE TO**
 16 **PEOPLE’S REPUBLIC OF CHINA BY MULTI-**
 17 **LATERAL DEVELOPMENT BANKS.**

18 (a) FINDINGS.—Congress makes the following find-
 19 ings:

20 (1) The People’s Republic of China is the
 21 world’s second largest economy and a major global
 22 lender.

23 (2) In February 2021, the foreign exchange re-
 24 serves of the People’s Republic of China totaled
 25 more than \$3,200,000,000,000.

1 (3) The World Bank classifies the People’s Re-
2 public of China as having an upper-middle-income
3 economy.

4 (4) On February 25, 2021, President Xi
5 Jinping announced “complete victory” over extreme
6 poverty in the People’s Republic of China.

7 (5) The Government of the People’s Republic of
8 China utilizes state resources to create and promote
9 the Asian Infrastructure Investment Bank, the New
10 Development Bank, and the Belt and Road Initia-
11 tive.

12 (6) The People’s Republic of China is the
13 world’s largest official creditor.

14 (7) Through a multilateral development bank,
15 countries are eligible to borrow until they can man-
16 age long-term development and access to capital
17 markets without financial resources from the bank.

18 (8) The World Bank reviews the graduation of
19 a country from eligibility to borrow from the Inter-
20 national Bank for Reconstruction and Development
21 once the country reaches the graduation discussion
22 income, which is equivalent to the gross national in-
23 come. For fiscal year 2021, the graduation discus-
24 sion income is a gross national income per capita ex-
25 ceeding \$7,065.

1 (9) Many of the other multilateral development
2 banks, such as the Asian Development Bank, use
3 the gross national income per capita benchmark
4 used by the International Bank for Reconstruction
5 and Development to trigger the graduation process.

6 (10) The People’s Republic of China exceeded
7 the graduation discussion income threshold in 2016.

8 (11) Since 2016, the International Bank for
9 Reconstruction and Development has approved
10 projects totaling \$8,930,000,000 to the People’s Re-
11 public of China.

12 (12) Since 2016, the Asian Development Bank
13 has continued to approve loans and technical assist-
14 ance to the People’s Republic of China totaling
15 \$7,600,000,000. The Bank has also approved non-
16 sovereign commitments in the People’s Republic of
17 China totaling \$1,800,000,000 since 2016.

18 (13) The World Bank calculates the People’s
19 Republic of China’s most recent year (2019) gross
20 national income per capita as \$10,390.

21 (b) STATEMENT OF POLICY.—It is the policy of the
22 United States to oppose any additional lending from the
23 multilateral development banks, including the Inter-
24 national Bank for Reconstruction and Development and
25 the Asian Development Bank, to the People’s Republic of

1 China as a result of the People's Republic of China's suc-
2 cessful graduation from the eligibility requirements for as-
3 sistance from those banks.

4 (c) OPPOSITION TO LENDING TO PEOPLE'S REPUB-
5 LIC OF CHINA.—The Secretary of the Treasury shall in-
6 struct the United States Executive Director at each multi-
7 lateral development bank to use the voice, vote, and influ-
8 ence of the United States—

9 (1) to oppose any loan or extension of financial
10 or technical assistance by the bank to the People's
11 Republic of China; and

12 (2) to end lending and assistance to countries
13 that exceed the graduation discussion income of the
14 bank.

15 (d) REPORT REQUIRED.—Not later than one year
16 after the date of the enactment of this Act, and annually
17 thereafter, the Secretary of the Treasury shall submit to
18 the appropriate congressional committees a report that in-
19 cludes—

20 (1) an assessment of the status of borrowing by
21 the People's Republic of China from each multilat-
22 eral development bank;

23 (2) a description of voting power, shares, and
24 representation by the People's Republic of China at
25 each such bank;

1 (3) a list of countries that have exceeded the
2 graduation discussion income at each such bank;

3 (4) a list of countries that have graduated from
4 eligibility for assistance from each such bank; and

5 (5) a full description of the efforts taken by the
6 United States to graduate countries from such eligi-
7 bility once they exceed the graduation discussion in-
8 come at each such bank.

9 (e) DEFINITIONS.—In this section:

10 (1) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES.—The term “appropriate congressional com-
12 mittees” means—

13 (A) the Committee on Foreign Relations of
14 the Senate; and

15 (B) the Committee on Financial Services
16 and the Committee on Foreign Affairs of the
17 House of Representatives.

18 (2) MULTILATERAL DEVELOPMENT BANKS.—
19 The term “multilateral development banks” has the
20 meaning given that term in section 1701(c) of the
21 International Financial Institutions Act (22 U.S.C.
22 262r(c)).

○