

118TH CONGRESS
2D SESSION

S. 4789

To require the imposition of sanctions with respect to the People’s Republic of China if the People’s Liberation Army initiates a military invasion of Taiwan.

IN THE SENATE OF THE UNITED STATES

JULY 25, 2024

Mr. SULLIVAN (for himself and Ms. DUCKWORTH) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To require the imposition of sanctions with respect to the People’s Republic of China if the People’s Liberation Army initiates a military invasion of Taiwan.

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 “Sanctions Targeting Aggressors of Neighboring Democ-
6 racies with Taiwan Act of 2024” or the “STAND with
7 Taiwan Act of 2024”.

8 (b) TABLE OF CONTENTS.—The table of contents for
9 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Findings.
 Sec. 3. Sense of Congress.
 Sec. 4. Statement of policy.
 Sec. 5. Definitions.
 Sec. 6. Imposition of sanctions with respect to officials of the Government of the People's Republic of China and members of the Chinese Communist Party.
 Sec. 7. Imposition of sanctions with respect to financial institutions affiliated with the Government of the People's Republic of China.
 Sec. 8. Imposition of sanctions with respect to entities owned by or affiliated with the Government of the People's Republic of China or the Chinese Communist Party.
 Sec. 9. Prohibition on transfers of funds involving the People's Republic of China.
 Sec. 10. Prohibition on listing or trading of Chinese entities on United States securities exchanges.
 Sec. 11. Prohibition on investments by United States financial institutions that benefit the Government of the People's Republic of China or the Chinese Communist Party.
 Sec. 12. Prohibition on energy exports to, and investments in energy sector of, the People's Republic of China.
 Sec. 13. Suspension of normal trade relations with the People's Republic of China.
 Sec. 14. Exceptions; waiver.
 Sec. 15. Implementation; penalties.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Taiwan is a free and prosperous democracy
 4 of nearly 24,000,000 people, an important contrib-
 5 utor to peace and stability around the world, and
 6 continues to embody and promote democratic values,
 7 freedom, and human rights in Asia.

8 (2) The policy of the United States toward Tai-
 9 wan is guided by the Taiwan Relations Act (22
 10 U.S.C. 3301 et seq.), the United States-People's Re-
 11 public of China joint communiqués concluded in
 12 1972, 1978, and 1982, and the Six Assurances that

1 President Ronald Reagan communicated to Taiwan
2 in 1982.

3 (3) Under section 2 of the Taiwan Relations
4 Act (22 U.S.C. 3301), it is the policy of the United
5 States—

6 (A) “to preserve and promote extensive,
7 close, and friendly commercial, cultural, and
8 other relations between the people of the United
9 States and the people on Taiwan, as well as the
10 people on the China mainland and all other peo-
11 ples of the Western Pacific area”;

12 (B) “to declare that peace and stability in
13 the area are in the political, security, and eco-
14 nomic interests of the United States, and are
15 matters of international concern”;

16 (C) “to make clear that the United States
17 decision to establish diplomatic relations with
18 the People’s Republic of China rests upon the
19 expectation that the future of Taiwan will be
20 determined by peaceful means”;

21 (D) “to consider any effort to determine
22 the future of Taiwan by other than peaceful
23 means, including by boycotts or embargoes, a
24 threat to the peace and security of the Western

1 Pacific area and of grave concern to the United
2 States”;

3 (E) “to provide Taiwan with arms of a de-
4 fensive character”; and

5 (F) “to maintain the capacity of the
6 United States to resist any resort to force or
7 other forms of coercion that would jeopardize
8 the security, or the social or economic system,
9 of the people on Taiwan”.

10 (4) For decades and increasingly since the elec-
11 tion of President Tsai Ing-wen as President of Tai-
12 wan in 2016, the Chinese Communist Party has em-
13 ployed a variety of coercive military and nonmilitary
14 tactics short of armed conflict in its efforts to exert
15 existential pressure on Taiwan, including through
16 diplomatic isolation, restricting tourism,
17 cyberattacks, spreading disinformation, and control-
18 ling the ability of Taiwan to purchase COVID-19
19 vaccines from other countries.

20 (5) Since 2020, military incursions by the Peo-
21 ple’s Republic of China into Taiwan’s air defense
22 identification zone have been occurring at a rapidly
23 increasing pace. In 2022, such incursions occurred
24 1,700 times, nearly double the total in 2021, which
25 was itself almost triple the 2020 total.

1 (6) Since 2021, there has been a notable in-
2 crease in military provocations by the People’s Lib-
3 eration Army against Taiwan, including incursions
4 over the midline separating the People’s Republic of
5 China from Taiwan, holding military exercises in the
6 vicinity of Taiwan’s controlled waters, and per-
7 forming live-fire exercises in the South China Sea.

8 (7) In August 2022, the People’s Republic of
9 China held unprecedented live-fire military exercises
10 and a simulated blockade involving hundreds of mili-
11 tary aircraft, dozens of warships, and launches of
12 short-range ballistic missiles over the territory of
13 Taiwan.

14 (8) The People’s Republic of China is attempt-
15 ing to erase the midline separating it from Taiwan,
16 increasing the prospects for incidental contact be-
17 tween forces of the People’s Republic of China and
18 Taiwan as well as shorting reaction times related to
19 provocations by the People’s Republic of China.

20 (9) On August 10, 2022, the Taiwan Affairs
21 Office of the State Council of the People’s Republic
22 of China released a white paper entitled “The Tai-
23 wan Question and China’s Reunification in the New
24 Era” that reiterated the long-standing position of
25 the Government of the People’s Republic of China

1 not to renounce the use of force to bring about unifi-
2 cation with Taiwan and to “always be ready to re-
3 spond with the use of force . . . to interference by
4 external forces or radical action by separatist ele-
5 ments”.

6 (10) In March 2021, then Commander of the
7 United States Indo-Pacific Command Admiral Philip
8 Davidson testified that the threat of a military inva-
9 sion of Taiwan by the People’s Liberation Army “is
10 manifest during this decade, in fact in the next six
11 years”.

12 (11) In March 2021, then Commander of the
13 United States Pacific Fleet Admiral John Aquilino
14 testified that the threat of a military invasion by the
15 People’s Liberation Army of Taiwan is “much closer
16 to us than most think” and could materialize well
17 before 2035.

18 (12) On February 24, 2022, the Armed Forces
19 of the Russian Federation initiated an unprovoked
20 and unjustified invasion of Ukraine, resulting in at
21 least 14,000 civilian casualties, including more than
22 5,000 deaths.

23 (13) The Russian Federation invasion has de-
24 stabilized global markets and supply chains, from
25 energy to food, contributing to high inflation and re-

1 cession in the United States and deep cuts to global
2 gross domestic product.

3 (14) With the assistance of the United States
4 and European allies, Ukrainian forces have success-
5 fully repelled the Russian Federation invasion and
6 recaptured significant portions of territory taken by
7 the Russian Federation in the initial stages of the
8 invasion.

9 (15) In addition to military power, timely mes-
10 saging around the use of economic and financial in-
11 struments of United States power and their poten-
12 tial use can have an important deterrent effect on
13 the actions of other countries.

14 **SEC. 3. SENSE OF CONGRESS.**

15 It is the sense of Congress that—

16 (1) it is in the interests of the United States to
17 maintain a free and open Indo-Pacific region, with
18 peace and stability in the Taiwan Strait as a critical
19 component;

20 (2) efforts by the Government of the People's
21 Republic of China and the Chinese Communist
22 Party to unilaterally determine the future of Taiwan
23 through non-peaceful means, including threats and
24 the direct use of force, military coercion, economic

1 boycotts or embargoes, cyberattacks, and efforts to
2 internationally isolate or annex Taiwan—

3 (A) directly undermine the spirit, intent,
4 and purpose of the Taiwan Relations Act (22
5 U.S.C. 3301 et seq.);

6 (B) undermine peace and stability in the
7 Taiwan Strait;

8 (C) limit a free and open Indo-Pacific re-
9 gion; and

10 (D) are of grave concern to the Govern-
11 ment of the United States;

12 (3) the initiation of a military invasion of Tai-
13 wan by the People’s Liberation Army would—

14 (A) constitute a threat to the peace and se-
15 curity of the Western Pacific Area and threaten
16 the peace stability of the entire globe; and

17 (B) undermine the core political, security,
18 and economic interests of the United States at
19 home and abroad; and

20 (4) as an important deterrent measure against
21 a military invasion of Taiwan, the Government of
22 the People’s Republic of China and the Chinese
23 Communist Party must understand that initiating
24 such an invasion will result in catastrophic economic

1 and financial consequences for the People’s Republic
2 of China.

3 **SEC. 4. STATEMENT OF POLICY.**

4 The policy of the Government of the United States
5 on Taiwan is guided by the Taiwan Relations Act (22
6 U.S.C. 3301 et seq.), the United States-People’s Republic
7 of China joint communiqués concluded in 1972, 1978, and
8 1982, and the Six Assurances that President Ronald
9 Reagan communicated to Taiwan in 1982, but in the event
10 of the initiation of a military invasion of Taiwan by the
11 People’s Liberation Army, it is the policy of the United
12 States—

13 (1) to use and deploy all economic, commercial,
14 and financial instruments and levers of power, in-
15 cluding—

16 (A) the imposition of sanctions with re-
17 spect to leadership of the Chinese Communist
18 Party, key officials of the Government of the
19 People’s Republic of China, and financial insti-
20 tutions and other entities affiliated with the
21 Chinese Communist Party or the Government
22 of the People’s Republic of China;

23 (B) prohibiting the listing or trading of the
24 securities of Chinese entities on United States
25 securities exchanges;

1 (C) prohibiting investments by United
2 States financial institutions in economic sectors
3 of the People’s Republic of China; and

4 (D) prohibiting the importation of certain
5 goods mined, produced, or manufactured in the
6 People’s Republic of China into the United
7 States; and

8 (2) to work in close coordination with allies and
9 partners of the United States to encourage those al-
10 lies and partners to undertake similar economic,
11 commercial, and financial actions against the Gov-
12 ernment of the People’s Republic of China and the
13 Chinese Communist Party.

14 **SEC. 5. DEFINITIONS.**

15 In this Act:

16 (1) ACCOUNT; CORRESPONDENT ACCOUNT; PAY-
17 ABLE-THROUGH ACCOUNT.—The terms “account”,
18 “correspondent account”, and “payable-through ac-
19 count” have the meanings given those terms in sec-
20 tion 5318A of title 31, United States Code.

21 (2) ADMISSION; ADMITTED; ALIEN.—The terms
22 “admission”, “admitted”, and “alien” have the
23 meanings given those terms in section 101 of the
24 Immigration and Nationality Act (8 U.S.C. 1101).

1 (3) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Foreign Relations,
5 the Committee on Armed Services, and the
6 Committee on Banking, Housing, and Urban
7 Affairs of the Senate; and

8 (B) the Committee on Foreign Affairs, the
9 Committee on Armed Services, and the Com-
10 mittee on Financial Services of the House of
11 Representatives.

12 (4) COVERED DETERMINATION.—The term
13 “covered determination” means a determination by
14 the President, not later than 24 hours after a mili-
15 tary invasion of Taiwan by the People’s Liberation
16 Army or any of its proxies, that such an invasion
17 has occurred.

18 (5) FINANCIAL INSTITUTION.—The term “fi-
19 nancial institution” means a financial institution
20 specified in subparagraph (A), (B), (C), (D), (E),
21 (F), (G), (H), (I), (J), (M), or (Y) of section
22 5312(a)(2) of title 31, United States Code.

23 (6) FOREIGN PERSON.—The term “foreign per-
24 son” means an individual or entity that is not a
25 United States person.

1 (7) KNOWINGLY.—The term “knowingly” with
2 respect to conduct, a circumstance, or a result,
3 means that a person had actual knowledge, or
4 should have known, of the conduct, the cir-
5 cumstance, or the result.

6 (8) MILITARY INVASION.—The term “military
7 invasion” includes—

8 (A) an amphibious landing or assault;

9 (B) an airborne operation or air assault;

10 (C) an aerial bombardment or blockade;

11 (D) missile attacks, including rockets, bal-
12 listic missiles, cruise missiles, and hypersonic
13 missiles;

14 (E) a naval bombardment or armed block-
15 ade; and

16 (F) attack on any territory controlled or
17 administered by the Government of Taiwan, in-
18 cluding offshore islands controlled or adminis-
19 tered by that Government.

20 (9) UNITED STATES PERSON.—The term
21 “United States person” means—

22 (A) a United States citizen or an alien law-
23 fully admitted for permanent residence to the
24 United States; or

1 (B) an entity organized under the laws of
2 the United States or any jurisdiction within the
3 United States, including a foreign branch of
4 such an entity.

5 **SEC. 6. IMPOSITION OF SANCTIONS WITH RESPECT TO OF-**
6 **FICIALS OF THE GOVERNMENT OF THE PEO-**
7 **PLE'S REPUBLIC OF CHINA AND MEMBERS OF**
8 **THE CHINESE COMMUNIST PARTY.**

9 (a) IN GENERAL.—Not later than 3 days after mak-
10 ing a covered determination, the President shall impose
11 the sanctions described in subsection (d) with respect to
12 officials of the Government of the People's Republic of
13 China and members of the Chinese Communist Party
14 specified in subsection (b), to the extent such officials and
15 members can be identified.

16 (b) OFFICIALS SPECIFIED.—The officials specified in
17 this subsection shall include—

18 (1) senior civilian and military officials of the
19 People's Republic of China and military officials who
20 have command or clear and direct decision-making
21 power over military campaigns, military operations,
22 and military planning against Taiwan conducted by
23 the People's Liberation Army;

24 (2) senior civilian and military officials of the
25 People's Republic of China who have command or

1 clear and direct decision-making power in the Chi-
2 nese Coast Guard and the Chinese People's Armed
3 Police and are engaged in planning or implementing
4 activities that involve the use of force against Tai-
5 wan;

6 (3) senior or special advisors to the General
7 Secretary of the Chinese Communist Party, the
8 Chairman of the Central Military Commission, or
9 the President of the People's Republic of China;

10 (4) officials of the Government of the People's
11 Republic of China who are members of the top deci-
12 sion-making bodies of that Government;

13 (5) the highest-ranking Chinese Communist
14 Party members of the decision-making bodies re-
15 ferred to in paragraph (4); and

16 (6) officials of the Government of the People's
17 Republic of China in the intelligence agencies or se-
18 curity services who—

19 (A) have clear and direct decision-making
20 power; and

21 (B) have engaged in or implemented activi-
22 ties that—

23 (i) materially undermine the military
24 readiness of Taiwan;

1 (ii) overthrow or decapitate the Tai-
2 wan's government;

3 (iii) debilitate Taiwan's electric grid,
4 critical infrastructure, or cybersecurity sys-
5 tems through offensive electronic or cyber
6 attacks;

7 (iv) undermine Taiwan's democratic
8 processes through campaigns to spread
9 disinformation; or

10 (v) involve committing serious human
11 rights abuses against citizens of Taiwan,
12 including forceful transfers, enforced dis-
13 appearances, unjust detainment, or tor-
14 ture.

15 (c) ADDITIONAL OFFICIALS.—

16 (1) LIST REQUIRED.—Not later than 30 days
17 after making a covered determination, and every 90
18 days thereafter, the President shall submit a list to
19 the appropriate congressional committees that iden-
20 tifies any additional foreign persons who—

21 (A) the President determines are officials
22 specified in subsection (b); and

23 (B) who were not included on any previous
24 list of such officials.

1 (2) IMPOSITION OF SANCTIONS.—Upon the sub-
2 mission of the list required under paragraph (1), the
3 President shall impose the sanctions described in
4 subsection (d) with respect to each official included
5 on the list.

6 (d) SANCTIONS DESCRIBED.—The sanctions de-
7 scribed in this subsection to be imposed with respect to
8 an official specified in subsection (b) or (c) are the fol-
9 lowing:

10 (1) BLOCKING OF PROPERTY.—

11 (A) IN GENERAL.—The President shall ex-
12 ercise all of the powers granted by the Inter-
13 national Emergency Economic Powers Act (50
14 U.S.C. 1701 et seq.) to block and prohibit all
15 transactions in all property and interests in
16 property of the official if such property and in-
17 terests in property are in the United States,
18 come within the United States, or are or come
19 within the possession or control of a United
20 States person.

21 (B) INAPPLICABILITY OF NATIONAL EMER-
22 GENCY REQUIREMENT.—The requirements of
23 section 202 of the International Emergency
24 Economic Powers Act (50 U.S.C. 1701) shall
25 not apply for purposes of this section.

1 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR
2 PAROLE.—

3 (A) VISAS, ADMISSION, OR PAROLE.—The
4 official shall be—

5 (i) inadmissible to the United States;

6 (ii) ineligible to receive a visa or other
7 documentation to enter the United States;
8 and

9 (iii) otherwise ineligible to be admitted
10 or paroled into the United States or to re-
11 ceive any other benefit under the Immigra-
12 tion and Nationality Act (8 U.S.C. 1101 et
13 seq.).

14 (B) CURRENT VISAS REVOKED.—

15 (i) IN GENERAL.—The visa or other
16 entry documentation of the official shall be
17 revoked, regardless of when such visa or
18 other entry documentation is or was
19 issued.

20 (ii) IMMEDIATE EFFECT.—A revoca-
21 tion under subparagraph (A) shall—

22 (I) take effect immediately; and

23 (II) automatically cancel any
24 other valid visa or entry documenta-
25 tion that is in the official's possession.

1 (e) EXCEPTION FOR COMPLIANCE WITH INTER-
2 NATIONAL OBLIGATIONS AND LAW ENFORCEMENT AC-
3 TIVITIES.—Sanctions under this section shall not apply
4 with respect to an official if—

5 (1) admitting or paroling the official into the
6 United States is necessary—

7 (A) to permit the United States to comply
8 with the Agreement regarding the Head-
9 quarters of the United Nations, signed at Lake
10 Success on June 26, 1947, and entered into
11 force November 21, 1947, between the United
12 Nations and the United States, or other appli-
13 cable international obligations of the United
14 States; or

15 (B) to carry out or assist law enforcement
16 activity in the United States; or

17 (2) the alien holds a valid, unexpired A-1, A-
18 2, C-2, G-1, or G-2 visa.

19 (f) TOP DECISION-MAKING BODIES DEFINED.—In
20 this section, the term “top decision-making bodies” may
21 include—

22 (1) the Political Bureau of the Central Com-
23 mittee of the Chinese Communist Party;

1 (2) the Standing Committee of the Political Bu-
2 reau of the Central Committee of the Chinese Com-
3 munist Party;

4 (3) the Central Military Commission of the Chi-
5 nese Communist Party;

6 (4) the Central Military Commission of the Peo-
7 ple’s Republic of China;

8 (5) the National People’s Congress of the Peo-
9 ple’s Republic of China;

10 (6) the Central Committee of the Chinese Com-
11 munist Party; and

12 (7) the State Council of the People’s Republic
13 of China.

14 **SEC. 7. IMPOSITION OF SANCTIONS WITH RESPECT TO FI-**
15 **NANCIAL INSTITUTIONS AFFILIATED WITH**
16 **THE GOVERNMENT OF THE PEOPLE’S REPUB-**
17 **LIC OF CHINA.**

18 (a) IN GENERAL.—Not later than 3 days after a cov-
19 ered determination is made, the Secretary of the Treas-
20 ury—

21 (1) shall impose the sanctions described in sub-
22 section (b) with respect to—

23 (A) the People’s Bank of China; and

24 (B) state-owned banks; and

1 (2) may impose those sanctions with respect to
2 any subsidiary of, or successor entity to, a state-
3 owned bank.

4 (b) SANCTIONS DESCRIBED.—The sanctions de-
5 scribed in this subsection are the following:

6 (1) BLOCKING OF PROPERTY.—

7 (A) IN GENERAL.—The President shall ex-
8 ercise all of the powers granted to the President
9 under the International Emergency Economic
10 Powers Act (50 U.S.C. 1701 et seq.) to the ex-
11 tent necessary to block and prohibit all trans-
12 actions in property and interests in property of
13 a financial institution subject to subsection (a)
14 if such property and interests in property are in
15 the United States, come within the United
16 States, or are or come within the possession or
17 control of a United States person.

18 (B) INAPPLICABILITY OF NATIONAL EMER-
19 GENCY REQUIREMENT.—The requirements of
20 section 202 of the International Emergency
21 Economic Powers Act (50 U.S.C. 1701) shall
22 not apply for purposes of this section.

23 (2) RESTRICTIONS ON CORRESPONDENT AND
24 PAYABLE-THROUGH ACCOUNTS.—The President
25 shall prohibit the opening, and prohibit or impose

1 strict conditions on the maintaining, in the United
2 States of a correspondent account or payable-
3 through account by a financial institution subject to
4 subsection (a).

5 (c) STATE-OWNED BANK DEFINED.—In this section,
6 the term “state-owned bank”—

7 (1) means a bank that—

8 (A) is incorporated in the People’s Repub-
9 lic of China; and

10 (B) is owned in whole or part by the Gov-
11 ernment of the People’s Republic of China; and

12 (2) includes—

13 (A) the Export-Import Bank of China;

14 (B) the China Development Bank;

15 (C) the Agricultural Development Bank of
16 China;

17 (D) the Industrial and Commercial Bank
18 of China;

19 (E) the China Construction Bank;

20 (F) the Bank of Communications;

21 (G) the Agricultural Bank of China; and

22 (H) the Bank of China.

1 **SEC. 8. IMPOSITION OF SANCTIONS WITH RESPECT TO EN-**
2 **TITIES OWNED BY OR AFFILIATED WITH THE**
3 **GOVERNMENT OF THE PEOPLE'S REPUBLIC**
4 **OF CHINA OR THE CHINESE COMMUNIST**
5 **PARTY.**

6 (a) IN GENERAL.—Not later than 3 days after a cov-
7 ered determination is made, the Secretary of the Treasury
8 shall impose the sanctions described in subsection (b) with
9 respect to any entity that—

10 (1) the Government of the People's Republic of
11 China or the Chinese Communist Party has an own-
12 ership interest in; or

13 (2) is otherwise affiliated with the Government
14 of the People's Republic of China or the Chinese
15 Communist Party.

16 (b) BLOCKING OF PROPERTY.—

17 (1) IN GENERAL.—The President shall exercise
18 all of the powers granted to the President under the
19 International Emergency Economic Powers Act (50
20 U.S.C. 1701 et seq.) to the extent necessary to block
21 and prohibit all transactions in property and inter-
22 ests in property of an entity subject to subsection
23 (a) if such property and interests in property are in
24 the United States, come within the United States, or
25 are or come within the possession or control of a
26 United States person.

1 (2) INAPPLICABILITY OF NATIONAL EMER-
2 GENCY REQUIREMENT.—The requirements of section
3 202 of the International Emergency Economic Pow-
4 ers Act (50 U.S.C. 1701) shall not apply for pur-
5 poses of this section.

6 **SEC. 9. PROHIBITION ON TRANSFERS OF FUNDS INVOLV-**
7 **ING THE PEOPLE’S REPUBLIC OF CHINA.**

8 (a) IN GENERAL.—Except as provided by subsection
9 (b), not later than 3 days after a covered determination
10 is made, a depository institution (as defined in section
11 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C.
12 461(b)(1)(A))) or a broker or dealer in securities reg-
13 istered with the Securities and Exchange Commission
14 under the Securities Exchange Act of 1934 (15 U.S.C.
15 78a et seq.) may not process transfers of funds—

16 (1) to or from the People’s Republic of China;
17 or

18 (2) for the direct or indirect benefit of officials
19 of the Government of the People’s Republic of China
20 or members of the Chinese Communist Party.

21 (b) EXCEPTION.—A depository institution, broker, or
22 dealer described in subsection (a) may process a transfer
23 described in that subsection if the transfer—

24 (1) arises from, and is ordinarily incident and
25 necessary to give effect to, an underlying transaction

1 that is authorized by a specific or general license;
2 and

3 (2) does not involve debiting or crediting an
4 Chinese account.

5 **SEC. 10. PROHIBITION ON LISTING OR TRADING OF CHI-**
6 **NESE ENTITIES ON UNITED STATES SECURI-**
7 **TIES EXCHANGES.**

8 (a) IN GENERAL.—The Securities and Exchange
9 Commission shall prohibit the securities of an issuer de-
10 scribed in subsection (b) from being traded on a national
11 securities exchange on and after the date that is 3 days
12 after a covered determination is made.

13 (b) ISSUERS.—An issuer described in this subsection
14 is an issuer that is—

15 (1) an official of or individual affiliated with the
16 Government of the People’s Republic of China or the
17 Chinese Communist Party; or

18 (2) an entity that—

19 (A) the Government of the People’s Repub-
20 lic of China or the Chinese Communist Party
21 has an ownership interest in; or

22 (B) is otherwise affiliated with the Govern-
23 ment of the People’s Republic of China or the
24 Chinese Communist Party.

25 (c) DEFINITIONS.—In this section:

1 (1) ISSUER; SECURITY.—The terms “issuer”
 2 and “security” have the meanings given those terms
 3 in section 3(a) of the Securities Exchange Act of
 4 1934 (15 U.S.C. 78c).

5 (2) NATIONAL SECURITIES EXCHANGE.—The
 6 term “national securities exchange” means an ex-
 7 change registered as a national securities exchange
 8 in accordance with section 6 of the Securities Ex-
 9 change Act of 1934 (15 U.S.C. 78f).

10 **SEC. 11. PROHIBITION ON INVESTMENTS BY UNITED**
 11 **STATES FINANCIAL INSTITUTIONS THAT BEN-**
 12 **EFIT THE GOVERNMENT OF THE PEOPLE’S**
 13 **REPUBLIC OF CHINA OR THE CHINESE COM-**
 14 **MUNIST PARTY.**

15 (a) IN GENERAL.—Not later than 3 days after a cov-
 16 ered determination is made, the Secretary of the Treasury
 17 shall prohibit any United States financial institution from
 18 making any investments described in subsection (b).

19 (b) INVESTMENTS DESCRIBED.—An investment de-
 20 scribed in this subsection is a monetary investment—

21 (1) to—

22 (A) an entity owned or controlled by the
 23 Government of the People’s Republic of China
 24 or the Chinese Communist Party; or

25 (B) the People’s Liberation Army; or

1 (2) for the benefit of any priority industrial sec-
2 tor identified in the “Made in China 2025” plan or
3 the “14th Five Year Smart Manufacturing Develop-
4 ment Plan”, including—

5 (A) agriculture machinery;

6 (B) information technology;

7 (C) artificial intelligence, machine learning,
8 and robotics;

9 (D) green energy and green vehicles;

10 (E) aerospace equipment;

11 (F) ocean engineering and high tech ships;

12 (G) railway equipment;

13 (H) power equipment;

14 (I) new materials;

15 (J) medicine and medical devices;

16 (K) fifth generation and future generation
17 telecommunications and other advanced wireless
18 networking technologies;

19 (L) semiconductor manufacturing;

20 (M) biotechnology;

21 (N) quantum computing;

22 (O) surveillance technologies, including fa-
23 cial recognition technologies and censorship
24 software;

25 (P) fiber optic cables; and

1 (Q) mining and resource development.

2 (c) UNITED STATES FINANCIAL INSTITUTION DE-
3 FINED.—In this section, the term “United States financial
4 institution”—

5 (1) means any financial institution that is a
6 United States person; and

7 (2) includes an investment company, private eq-
8 uity company, venture capital company, or hedge
9 fund that is a United States person.

10 **SEC. 12. PROHIBITION ON ENERGY EXPORTS TO, AND IN-**
11 **VESTMENTS IN ENERGY SECTOR OF, THE**
12 **PEOPLE’S REPUBLIC OF CHINA.**

13 (a) PROHIBITION ON EXPORTS.—

14 (1) IN GENERAL.—On and after the date that
15 is 3 days after a covered determination is made, the
16 Secretary of Commerce shall prohibit, under the Ex-
17 port Control Reform Act of 2018 (50 U.S.C. 4801
18 et seq.), the export, reexport, or in-country transfer
19 to or in the People’s Republic of China any energy
20 or energy product produced in the United States.

21 (2) DEFINITIONS.—In this subsection, the
22 terms “export”, “in-country transfer”, “reexport”,
23 and “United States person” have the meanings
24 given those terms in section 1742 of the Export
25 Control Reform Act of 2018 (50 U.S.C. 4801).

1 (b) PROHIBITION ON INVESTMENTS.—On and after
2 the date that is 3 days after a covered determination is
3 made, a United States person may not make an invest-
4 ment in the energy sector of the People’s Republic of
5 China.

6 **SEC. 13. SUSPENSION OF NORMAL TRADE RELATIONS WITH**
7 **THE PEOPLE’S REPUBLIC OF CHINA.**

8 Notwithstanding the provisions of title I of Public
9 Law 106–286 (114 Stat. 880) or any other provision of
10 law, beginning on the date that is 3 days after a covered
11 determination is made, normal trade relations treatment
12 shall not apply pursuant to section 101(a) of that Act to
13 the products of the People’s Republic of China.

14 **SEC. 14. EXCEPTIONS; WAIVER.**

15 (a) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—
16 This Act shall not apply with respect to activities subject
17 to the reporting requirements under title V of the National
18 Security Act of 1947 (50 U.S.C. 3091 et seq.) or any au-
19 thorized intelligence activities of the United States.

20 (b) NATIONAL SECURITY WAIVER.—The President
21 may waive the imposition of sanctions under this Act with
22 respect to a person if the President—

23 (1) determines that such a waiver is in the na-
24 tional security interests of the United States; and

1 (2) submits to the appropriate congressional
2 committees a notification of the waiver and the rea-
3 sons for the waiver.

4 **SEC. 15. IMPLEMENTATION; PENALTIES.**

5 (a) IMPLEMENTATION.—The President may exercise
6 all authorities provided under sections 203 and 205 of the
7 International Emergency Economic Powers Act (50
8 U.S.C. 1702 and 1704) to carry out this Act.

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

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