

117TH CONGRESS
2D SESSION

S. 5265

To require a strategy for countering the People’s Republic of China.

IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2022

Mr. RUBIO introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require a strategy for countering the People’s Republic of China.

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.**

4 This Act may be cited as the “Taiwan Protection and
5 National Resilience Act of 2022”.

6 **SEC. 2. STRATEGY FOR COUNTERING THE PEOPLE’S RE-**
7 **PUBLIC OF CHINA.**

8 (a) IDENTIFICATION OF VULNERABILITIES AND LE-
9 VERAGE.—Not later than 180 days after the date of the
10 enactment of this Act, the Secretary of Defense, in con-
11 sultation with the Secretary of State, the Secretary of

1 Commerce, the Secretary of the Treasury, the Director of
2 the Office of Federal Procurement Policy, and the Direc-
3 tor of the Office of Science and Technology Policy, shall
4 submit to the appropriate committees of Congress a report
5 that identifies—

6 (1) goods and services from the United States
7 that are relied on by the People’s Republic of China
8 such that that reliance presents a strategic oppor-
9 tunity and source of leverage against the People’s
10 Republic of China; and

11 (2) procurement practices of the United States
12 Armed Forces and other Federal agencies that are
13 reliant on trade with the People’s Republic of China
14 and other inputs from the People’s Republic of
15 China, such that that reliance presents a strategic
16 vulnerability and source of leverage that the Chinese
17 Communist Party could exploit.

18 (b) STRATEGY.—Not later than 180 days after the
19 submission of the report required by subsection (a)—

20 (1) the Secretary of the Treasury, in consulta-
21 tion with the Secretary of the Defense, the Secretary
22 of Commerce, the Secretary of State, the Director of
23 the Office of Federal Procurement Policy, and the
24 Director of the Office of Science and Technology
25 Policy, shall submit to the appropriate committees of

1 Congress a report, utilizing the findings of the re-
2 port required by subsection (a), that describes a
3 comprehensive sanctions strategy to advise policy-
4 makers on policies the United States and allies and
5 partners of the United States could adopt with re-
6 spect to the People’s Republic of China in response
7 to an invasion of Taiwan by the People’s Republic
8 of China that—

9 (A) starves the People’s Liberation Army
10 of oil, natural gas, munitions, and other sup-
11 plies needed to conduct military operations
12 against Taiwan, United States facilities in the
13 Pacific and Indian Oceans, and allies and part-
14 ners of the United States in the region;

15 (B) diminishes the capacity of the indus-
16 trial base of the People’s Republic of China to
17 manufacture and deliver defense articles to re-
18 place those lost in operations of the People’s
19 Liberation Army against Taiwan, the United
20 States, and allies and partners of the United
21 States; and

22 (C) inhibits the ability of the People’s Re-
23 public of China to evade United States and
24 multilateral sanctions through third parties, in-
25 cluding through secondary sanctions; and

1 (2) the Secretary of Commerce, in consultation
2 with the Secretary of Defense, the Secretary of
3 State, the Director of National Intelligence, the
4 United States Trade Representative, the Director of
5 the Office of Federal Procurement Policy, and the
6 Director of the Office of Science and Technology
7 Policy, shall submit to the appropriate committees of
8 Congress a report that—

9 (A) identifies critical sectors within the
10 United States economy that rely on trade with
11 the People’s Republic of China and other inputs
12 from the People’s Republic of China (including
13 active pharmaceutical ingredients, rare earth
14 minerals, and metallurgical inputs), such that
15 those sectors present a strategic vulnerability
16 and source of leverage that the Chinese Com-
17 munist Party could exploit; and

18 (B) makes recommendations to Congress
19 on steps that can be taken to reduce the
20 sources of leverage described in subparagraph
21 (A) and subsection (a)(1), including through—

22 (i) provision of economic incentives
23 and making other trade and contracting
24 reforms to support United States industry
25 and job growth in critical sectors and to

1 indigenize production of critical resources;
2 and

3 (ii) policies to facilitate “near- or
4 friend-shoring”, or otherwise developing
5 strategies to facilitate that process with al-
6 lies and partners of the United States, in
7 other sectors for which domestic reshoring
8 would prove infeasible for any reason.

9 (c) FORM.—The reports required by subsections (a)
10 and (b) shall be submitted in unclassified form but may
11 include a classified annex.

12 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
13 FINED.—In this section, the term “appropriate commit-
14 tees of Congress” means—

15 (1) the Committee on Foreign Relations, the
16 Committee on Armed Services, the Select Committee
17 on Intelligence, the Committee on Finance, the Com-
18 mittee on Banking, Housing, and Urban Affairs,
19 and the Committee on Commerce, Science, and
20 Transportation of the Senate; and

21 (2) the Committee on Foreign Affairs, the
22 Committee on Armed Services, the Committee on Fi-
23 nancial Services, the Committee on Energy and

- 1 Commerce, and the Permanent Select Committee on
- 2 Intelligence of the House of Representatives.

