

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3524
OFFERED BY MR. MEEKS OF NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Ensuring American Global Leadership and Engagement
4 Act” or the “EAGLE Act”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Findings.
- Sec. 4. Statement of policy.
- Sec. 5. Sense of Congress.
- Sec. 6. Rules of construction.

TITLE I—INVESTING IN AMERICAN COMPETITIVENESS

Subtitle A—Science and Technology

Sec. 101. Authorization to assist United States companies with global supply chain diversification and management.

Subtitle B—Global Infrastructure and Energy Development

- Sec. 111. Appropriate committees of Congress defined.
- Sec. 112. Sense of Congress on international quality infrastructure investment standards.
- Sec. 113. Supporting economic independence from the People’s Republic of China.
- Sec. 114. Strategy for advanced and reliable energy infrastructure.
- Sec. 115. Report on the People’s Republic of China’s investments in foreign energy development.
- Sec. 116. Ensuring the United States International Development Finance Corporation is positioned to achieve national security, economic, and development objectives.

Subtitle C—Economic Diplomacy and Leadership

- Sec. 121. Findings on regional economic order.
- Sec. 122. Review of trade and economic engagement globally of the People's Republic of China.
- Sec. 123. Report on entrenching American economic diplomacy in the Indo-Pacific.
- Sec. 124. Sense of Congress on the need to bolster American leadership in the Asia Pacific Economic Cooperation.
- Sec. 125. Sense of Congress on digital technology issues.
- Sec. 126. Digital trade agreements.
- Sec. 127. Digital connectivity and cybersecurity partnership.

Subtitle D—Financial Diplomacy and Leadership

- Sec. 131. Findings on Chinese financial industrial policy.
- Sec. 132. Report on importance of American financial strength for global leadership.
- Sec. 133. Review of Chinese companies on United States capital markets.
- Sec. 134. Report on diplomatic and economic implications of changes to cross-border payment and financial messaging systems.

TITLE II—INVESTING IN ALLIANCES AND PARTNERSHIPS

Subtitle A—Strategic and Diplomatic Matters

- Sec. 201. Appropriate committees of Congress defined.
- Sec. 202. United States commitment and support for allies and partners in the Indo-Pacific.
- Sec. 203. Boosting Quad cooperation.
- Sec. 204. Establishment of Quad Intra-Parliamentary Working Group.
- Sec. 205. Statement of policy on cooperation with ASEAN.
- Sec. 206. Young Southeast Asian Leaders Initiative.
- Sec. 207. Sense of Congress on negotiations with G7 and G20 countries.
- Sec. 208. Enhancing the United States-Taiwan partnership.
- Sec. 209. Taiwan diplomatic review.
- Sec. 210. Taiwan Peace and Stability Act.
- Sec. 211. Taiwan International Solidarity Act.
- Sec. 212. Taiwan Fellowship Program.
- Sec. 213. Increasing Department of State personnel and resources devoted to the Indo-Pacific.
- Sec. 214. Report on bilateral efforts to address Chinese fentanyl trafficking.
- Sec. 215. Facilitation of increased equity investments under the Better Utilization of Investments Leading to Development Act of 2018.
- Sec. 216. Expanding investment by United States International Development Finance Corporation for vaccine manufacturing.
- Sec. 217. Ensuring United States diplomatic posts align with American strategic national security and economic objectives.
- Sec. 218. Authorization of appropriations for the Fulbright-Hays Program.
- Sec. 219. Supporting independent media and countering disinformation.
- Sec. 219A. Global Engagement Center.
- Sec. 219B. Report on origins of the COVID-19 pandemic.
- Sec. 219C. Extension of Asia Reassurance Initiative Act of 2018.
- Sec. 219D. Investment, trade, and development in Africa and Latin America and the Caribbean.

Subtitle B—International Security Matters

- Sec. 221. Definitions.
- Sec. 222. Additional funding for international military education and training in the Indo-Pacific.
- Sec. 223. Statement of policy on maritime freedom of operations in international waterways and airspace of the Indo-Pacific and on artificial land features in the South China Sea.
- Sec. 224. Report on capability development of Indo-Pacific allies and partners.

Subtitle C—Multilateral Strategies to Bolster American Power

- Sec. 231. Findings on multilateral engagement.
- Sec. 232. Statement of policy on America's multilateral engagement.
- Sec. 233. Support for Americans at the United Nations.
- Sec. 234. Junior professional officers.
- Sec. 235. Report on American employment in international organizations.

Subtitle D—Regional Strategies to Bolster American Power

- Sec. 241. Statement of policy on cooperation with allies and partners around the world.

PART I—WESTERN HEMISPHERE

- Sec. 242. Sense of Congress regarding United States-Canada relations.
- Sec. 243. Sense of Congress regarding China's arbitrary imprisonment of Canadian citizens.
- Sec. 244. Strategy to enhance cooperation with Canada.
- Sec. 245. Strategy to strengthen economic competitiveness, governance, human rights, and the rule of law in Latin America and the Caribbean.
- Sec. 246. Engagement in international organizations and the defense sector in Latin America and the Caribbean.
- Sec. 247. Defense cooperation in Latin America and the Caribbean.
- Sec. 248. Engagement with civil society in Latin America and the Caribbean regarding accountability, human rights, and the risks of pervasive surveillance technologies.
- Sec. 249. Caribbean energy initiative as alternative to China's Belt and Road Initiative.
- Sec. 250. United States-Caribbean Resilience Partnership.
- Sec. 251. Countering China's educational and cultural diplomacy in Latin America.

PART II—TRANSATLANTIC RELATIONSHIPS

- Sec. 255. Sense of Congress on transatlantic relationships.
- Sec. 256. Strategy to enhance transatlantic cooperation with respect to the People's Republic of China.
- Sec. 257. Enhancing transatlantic cooperation on promoting private sector finance.
- Sec. 258. Report and briefing on cooperation between China and Iran and between China and Russia.

PART III—SOUTH AND CENTRAL ASIA

- Sec. 261. Sense of Congress on South and Central Asia.
- Sec. 262. Strategy to enhance cooperation with South and Central Asia.
- Sec. 263. Indian Ocean region strategic review.

PART IV—AFRICA

- Sec. 271. Assessment of political, economic, and security activity of the People's Republic of China in Africa.
- Sec. 272. Increasing the competitiveness of the United States in Africa.
- Sec. 273. Digital security cooperation with respect to Africa.
- Sec. 274. Support for Young African Leaders Initiative.
- Sec. 275. Africa broadcasting networks.
- Sec. 276. Africa energy security and diversification.

PART V—MIDDLE EAST AND NORTH AFRICA

- Sec. 281. Strategy to counter Chinese influence in, and access to, the Middle East and North Africa.
- Sec. 282. Sense of Congress on Middle East and North Africa engagement.

PART VI—ARCTIC REGION

- Sec. 285. Arctic diplomacy.

PART VII—OCEANIA

- Sec. 291. Statement of policy on United States engagement in Oceania.
- Sec. 292. Oceania strategic roadmap.
- Sec. 293. Oceania Security Dialogue.
- Sec. 294. Oceania Peace Corps partnerships.

PART VIII—PACIFIC ISLANDS

- Sec. 295. Short title.
- Sec. 296. Findings.
- Sec. 297. Statement of policy.
- Sec. 298. Definition.
- Sec. 299. Authority to consolidate reports; form of reports.
- Sec. 299A. Diplomatic presence in the Pacific Islands.
- Sec. 299B. Coordination with regional allies and partners.
- Sec. 299C. Climate resilient development in the Pacific Islands.
- Sec. 299D. International law enforcement academy for the Pacific Islands.
- Sec. 299E. Security assistance for the Pacific Islands.
- Sec. 299F. Countering transnational crime.
- Sec. 299G. Emergency preparedness initiative for the Pacific Islands.
- Sec. 299H. Peace Corps in the Pacific Islands.

TITLE III—INVESTING IN OUR VALUES

- Sec. 301. Statement of Congress on the continued violation of rights and freedoms of the people of Hong Kong.
- Sec. 302. Authorization of appropriations for promotion of democracy in Hong Kong.
- Sec. 303. Hong Kong people's freedom and choice.
- Sec. 304. Export prohibition of munitions items to the Hong Kong police force.
- Sec. 305. Sense of Congress on treatment of Uyghurs and other ethnic minorities in the Xinjiang Uyghur Autonomous Region.
- Sec. 306. Prevention of Uyghur forced labor.
- Sec. 307. Uyghur human rights protection.
- Sec. 308. Removal of members of the United Nations Human Rights Council that commit human rights abuses.
- Sec. 309. Policy with respect to Tibet.

- Sec. 310. United States policy and international engagement on the succession or reincarnation of the Dalai Lama and religious freedom of Tibetan Buddhists.
- Sec. 311. Development and deployment of internet freedom and Great Firewall circumvention tools for the people of Hong Kong.
- Sec. 312. Authorization of appropriations for protecting human rights in the People's Republic of China.
- Sec. 313. Modifications to and reauthorization of sanctions with respect to human rights violations.
- Sec. 314. Sense of Congress condemning anti-Asian racism and discrimination.
- Sec. 315. Annual reporting on censorship of free speech with respect to international abuses of human rights.
- Sec. 316. Policy toward the XXIV Olympic Winter Games and the XIII Paralympic Winter Games.

TITLE IV—INVESTING IN OUR ECONOMIC STATECRAFT

- Sec. 401. Sense of Congress regarding the People's Republic of China's industrial policy.
- Sec. 402. Economic defense response teams.
- Sec. 403. Countering overseas kleptocracy.
- Sec. 404. Annual report on Chinese surveillance companies.

TITLE V—ENSURING STRATEGIC SECURITY

- Sec. 501. Cooperation on a strategic nuclear dialogue.
- Sec. 502. Report on United States efforts to engage the People's Republic of China on nuclear issues and ballistic missile issues.
- Sec. 503. Countering the People's Republic of China's proliferation of ballistic missiles and nuclear technology to the Middle East.

TITLE VI—INVESTING IN A SUSTAINABLE FUTURE

- Sec. 601. Ensuring national security and economic priorities with the People's Republic of China and other countries account for environmental issues and climate change.
- Sec. 602. Enhancing security considerations for global climate disruptions.
- Sec. 603. Balancing accountability and cooperation with China.
- Sec. 604. Promoting responsible development alternatives to the People's Republic of China's Belt and Road Initiative.
- Sec. 605. Using climate diplomacy to better serve national security and economic interests.
- Sec. 606. Driving a global climate change resilience strategy.
- Sec. 607. Addressing international climate change mitigation, adaptation, and security.
- Sec. 608. Reducing the negative impacts from black carbon, methane, and high-GWP hydrofluorocarbons.
- Sec. 609. Building United States economic growth and technological innovation through the Green Climate Fund.
- Sec. 610. Ensuring a whole-of-government response to climate action.
- Sec. 611. Working with international partners to reduce deforestation.
- Sec. 612. Controlling the export of electronic waste to protect United States supply chains.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES.—Unless otherwise defined, the term “appro-
5 priate congressional committees” means—

6 (A) the Committee on Foreign Relations of
7 the Senate; and

8 (B) the Committee on Foreign Affairs of
9 the House of Representatives.

10 (2) CCP.—The term “CCP” means the Chinese
11 Communist Party.

12 (3) PEOPLE’S LIBERATION ARMY; PLA.—The
13 terms “People’s Liberation Army” and “PLA” mean
14 the armed forces of the People’s Republic of China.

15 (4) PRC; CHINA.—The terms “PRC” and
16 “China” mean the People’s Republic of China.

17 **SEC. 3. FINDINGS.**

18 Congress makes the following findings:

19 (1) The People’s Republic of China (PRC) is
20 leveraging its political, diplomatic, economic, mili-
21 tary, technological, and ideological power to become
22 a strategic, near-peer, global competitor of the
23 United States. The policies increasingly pursued by
24 the PRC in these domains are contrary to the inter-
25 ests and values of the United States, its partners,
26 and much of the rest of the world.

1 (2) A number of policies being pursued by the
2 PRC—

3 (A) threaten the future character of the
4 international order and are shaping the rules,
5 norms, and institutions that govern relations
6 among states;

7 (B) will put at risk the ability of the
8 United States to secure its national interests;
9 and

10 (C) will put at risk the future peace, pros-
11 perity, and freedom of the international commu-
12 nity in the coming decades.

13 (3) After normalizing diplomatic relations with
14 the PRC in 1979, the United States actively worked
15 to advance the PRC's economic and social develop-
16 ment to ensure that it participated in, and benefited
17 from, the free and open international order. The
18 United States pursued these goals and contributed
19 to the welfare of the Chinese people by—

20 (A) increasing the PRC's trade relations
21 and access to global capital markets;

22 (B) promoting the PRC's accession to the
23 World Trade Organization;

24 (C) providing development finance and
25 technical assistance;

- 1 (D) promoting research collaboration;
2 (E) educating the PRC's top students;
3 (F) permitting transfers of cutting-edge
4 technologies and scientific knowledge; and
5 (G) providing intelligence and military as-
6 sistance.

7 (4) It is now clear that the PRC has chosen to
8 pursue state-led, mercantilist economic policies, an
9 increasingly authoritarian governance model at home
10 through increased restrictions on personal freedoms,
11 and an aggressive and assertive foreign policy. These
12 policies frequently and deliberately undermine
13 United States interests and are contrary to core
14 United States values and the values of other nations,
15 both in the Indo-Pacific and beyond. In response to
16 this strategic decision of the CCP, the United States
17 has been compelled to reexamine and revise its strat-
18 egy towards the PRC and reanimate its defense of
19 the international order.

20 (5) The General Secretary of the CCP and the
21 Chairman of the People's Republic of China, Xi
22 Jinping, has elevated the "Great Rejuvenation of the
23 Chinese Nation" as central to the domestic and for-
24 eign policy of the PRC. His program demands—

- 25 (A) strong, centralized CCP leadership;

1 (B) concentration of military power;

2 (C) a dominant role for the CCP in the
3 state and the economy;

4 (D) an aggressive foreign policy seeking
5 control over broadly asserted territorial claims;
6 and

7 (E) the denial of any universal values and
8 individual rights that are deemed to threaten
9 the CCP.

10 (6) The PRC views its Leninist model of gov-
11 ernance as superior to, and at odds with, the con-
12 stitutional models of the United States and other de-
13 mocracies. This approach to governance is lauded by
14 the CCP as essential to securing the PRC's status
15 as a global leader, and to shaping the future of the
16 world. In a 2013 speech, General Secretary Xi said,
17 "We firmly believe that as socialism with Chinese
18 characteristics develops further . . . it is . . . inevi-
19 table that the superiority of our socialist system will
20 be increasingly apparent . . . [and] our country's
21 road of development will have increasingly greater
22 influence on the world."

23 (7) The PRC's objectives are to first establish
24 regional hegemony over the Indo-Pacific and then to
25 use that dominant position to propel the PRC to be-

1 come the “leading world power”, shaping an inter-
2 national order that is conducive to the its interests.
3 Achieving these objectives requires turning the PRC
4 into a wealthy nation under strict CCP rule by using
5 a strong military and advanced technological capa-
6 bility to pursue the PRC’s objectives, regardless of
7 other countries’ interests.

8 (8) The PRC is reshaping the current inter-
9 national order, which is built upon the rule of law
10 and free and open ideals and principles, by con-
11 ducting global information and influence operations,
12 seeking to redefine international laws and norms to
13 align with the objectives of the CCP, rejecting the
14 legitimacy of internationally recognized human
15 rights, and seeking to co-opt the leadership and
16 agenda of multinational organizations for the benefit
17 of the PRC and other authoritarian regimes at the
18 expense of the interests of the United States and the
19 international community.

20 (9) The PRC is encouraging other countries to
21 follow its model of development and governance.
22 During the 19th Party Congress in 2017, General
23 Secretary Xi said that the PRC could serve as a
24 model of development for other countries by utilizing

1 “Chinese wisdom” and a “Chinese approach to solv-
2 ing problems”.

3 (10) The PRC is promoting its governance
4 model and attempting to weaken other models of
5 governance by—

6 (A) undermining democratic institutions;

7 (B) subverting financial institutions;

8 (C) coercing businesses to accommodate
9 the policies of the PRC; and

10 (D) using disinformation to disguise the
11 nature of the actions described in subpara-
12 graphs (A) through (C).

13 (11) The PRC is progressing toward becoming
14 the global leader in science and technology. In May
15 2018, General Secretary Xi said that for the PRC
16 to reach “prosperity and rejuvenation”, it needs to
17 “endeavor to be a major world center for science and
18 innovation”. The PRC has invested the equivalent of
19 billions of dollars into education and research and
20 development and established joint scientific research
21 centers and science universities.

22 (12) The PRC’s drive to become a “manufac-
23 turing and technological superpower” and to pro-
24 mote “innovation with Chinese characteristics” is
25 coming at the expense of human rights and long-

1 standing international rules and norms with respect
2 to economic competition, and presents a challenge to
3 United States national security and the security of
4 allies and like-minded countries. In particular, the
5 PRC advances its illiberal political and social policies
6 through mass surveillance, social credit systems, and
7 a significant role of the state in internet governance.
8 Through these means, the PRC increases direct and
9 indirect government control over its citizens' every-
10 day lives. Its national strategy of "civil-military fu-
11 sion" mandates that civil and commercial research,
12 which increasingly drives global innovation, is lever-
13 aged to develop new military capabilities.

14 (13) The PRC is using legal and illegal means
15 to achieve its objective of becoming a manufacturing
16 and technological superpower. The PRC uses state-
17 directed industrial policies in anticompetitive ways to
18 ensure the dominance of PRC companies. The CCP
19 engages in and encourages actions that actively un-
20 dermine a free and open international market, such
21 as intellectual property theft, forced technology
22 transfers, regulatory and financial subsidies, and
23 mandatory CCP access to proprietary data as part
24 of business and commercial agreements between Chi-
25 nese and foreign companies.

1 (14) The policies referred to in paragraph (13)
2 are designed to freeze United States and other for-
3 foreign firms out of the PRC market, while eroding
4 competition in other important markets. The heavy
5 subsidization of Chinese companies includes poten-
6 tial violation of its World Trade Organization com-
7 mitments. In May 2018, General Secretary Xi said
8 that the PRC aims to keep the “initiatives of inno-
9 vation and development security . . . in [China’s]
10 own hands”.

11 (15) The PRC is advancing its global objectives
12 through a variety of avenues, including its signature
13 initiative, the Belt and Road Initiative (referred to
14 in this section as “BRI”), which is enshrined in the
15 Chinese Constitution and includes the Digital Silk
16 Road and Health Silk Road. The PRC describes
17 BRI as a straightforward and wholly beneficial plan
18 for all countries. Eventually, it seeks to create a web
19 of economic relations with the PRC at its center,
20 making it the most concrete geographical represen-
21 tation of the PRC’s global ambitions. BRI increases
22 the economic influence of state-owned PRC firms in
23 global markets, enhances the PRC’s political lever-
24 age with government leaders around the world, and
25 provides greater access to strategic nodes such as

1 ports and railways. Through BRI, the PRC seeks
2 political deference through economic dependence.

3 (16) The PRC is executing a plan to establish
4 regional hegemony over the Indo-Pacific and dis-
5 place the United States from the region. As a Pa-
6 cific power, the United States has built and sup-
7 ported enduring alliances and economic partnerships
8 that secure peace and prosperity and promote the
9 rule of law and political pluralism in a free and open
10 Indo-Pacific. In contrast, the PRC uses economic
11 and military coercion in the region to secure its own
12 interests.

13 (17) The PRC's military strategy seeks to keep
14 the United States military from operating in the
15 Western Pacific and erodes United States security
16 guarantees.

17 (18) The PRC is aggressively pursuing exclu-
18 sive control of critical land routes, sea lanes, and air
19 space in the Indo-Pacific in the hopes of eventually
20 exercising greater influence beyond the region. This
21 includes lanes crucial to commercial activity, energy
22 exploration, transport, and the exercise of security
23 operations in areas permitted under international
24 law.

1 (19) The PRC seeks so-called “reunification”
2 with Taiwan through whatever means may ulti-
3 mately be required. The CCP’s insistence that so-
4 called “reunification” is Taiwan’s only option makes
5 this goal inherently coercive. In January 2019, Gen-
6 eral Secretary Xi stated that the PRC “make[s] no
7 promise to renounce the use of force and reserve[s]
8 the option of taking all necessary means”. Taiwan’s
9 embodiment of democratic values and economic lib-
10 eralism challenges General Secretary Xi’s goal of
11 achieving national rejuvenation. The PRC plans to
12 exploit Taiwan’s dominant strategic position in the
13 First Island Chain and to project power into the
14 Second Island Chain and beyond.

15 (20) In the South China Sea, the PRC has exe-
16 cuted an illegal island-building campaign that
17 threatens freedom of navigation and the free-flow of
18 commerce, damages the environment, bolsters the
19 PLA power projection capabilities, and coerces and
20 intimidates other regional claimants in an effort to
21 advance its unlawful claims and control the waters
22 around neighboring countries. Despite General Sec-
23 retary Xi’s September 2015 speech, in which he said
24 the PRC was not militarizing the South China Sea,
25 during the 2017 19th Party Congress, General Sec-

1 retary Xi announced that “construction on islands
2 and reefs in the South China Sea have seen steady
3 progress”.

4 (21) The PRC is rapidly modernizing the PLA
5 to attain a level of capacity and capability superior
6 to the United States in terms of equipment and con-
7 duct of modern military operations by shifting its
8 military doctrine from having a force “adequate
9 [for] China’s defensive needs” to having a force
10 “commensurate with China’s international status”.
11 Ultimately, this transformation could enable China
12 to impose its will in the Indo-Pacific region through
13 the threat of military force. In 2017, General Sec-
14 retary Xi established the following developmental
15 benchmarks for the advancement of the PLA:

16 (A) A mechanized force with increased
17 informatized and strategic capabilities by 2020.

18 (B) The complete modernization of China’s
19 national defense by 2035.

20 (C) The full transformation of the PLA
21 into a world-class force by 2050.

22 (22) The PRC’s strategy and supporting poli-
23 cies described in this section undermine United
24 States interests, such as—

1 (A) upholding a free and open inter-
2 national order;

3 (B) maintaining the integrity of inter-
4 national institutions with liberal norms and val-
5 ues;

6 (C) preserving a favorable balance of
7 power in the Indo-Pacific;

8 (D) ensuring the defense of its allies;

9 (E) preserving open sea and air lanes;

10 (F) fostering the free flow of commerce
11 through open and transparent markets; and

12 (G) promoting individual freedom and
13 human rights.

14 (23) The global COVID–19 pandemic has in-
15 tensified and accelerated these trends in the PRC’s
16 behavior and therefore increased the need for United
17 States global leadership and a competitive posture.
18 The PRC has capitalized on the world’s focus on the
19 COVID–19 pandemic by—

20 (A) moving rapidly to undermine Hong
21 Kong’s autonomy, including imposing a so-
22 called “national security law” on Hong Kong;

23 (B) aggressively imposing its will in the
24 East and South China Seas;

1 (C) increasing its territorial aggression in
2 South Asia, including against India; and

3 (D) engaging in a widespread and govern-
4 ment-directed disinformation campaign to ob-
5 scure the PRC Government's efforts to cover up
6 the seriousness of COVID-19, sow confusion
7 about the origination of the outbreak, and dis-
8 credit the United States, its allies, and global
9 health efforts.

10 (24) The CCP's disinformation campaign re-
11 ferred to in paragraph (24)(D) has included—

12 (A) concerted efforts, in the early days of
13 the pandemic, to downplay the nature and
14 scope of the outbreak in Wuhan in the PRC, as
15 well as cases of person-to-person transmission;

16 (B) claims that the virus originated in
17 United States biological defense research at
18 Fort Detrick, Maryland;

19 (C) Chinese state media reports insinu-
20 ating a possible link between the virus and
21 other United States biological facilities; and

22 (D) efforts to block access to qualified
23 international infectious disease experts who
24 might contradict the CCP's narrative.

1 (25) In response to the PRC's strategy and
2 policies, the United States must adopt a policy of
3 strategic competition with the PRC to protect and
4 promote our vital interests and values.

5 (26) The United States policy of strategic com-
6 petition with respect to the People's Republic of
7 China is part of a broader strategic approach to the
8 Indo-Pacific and the world that aligns with coopera-
9 tion with United States allies and partners to ad-
10 vance shared values and interests and to preserve
11 and enhance a free, open, democratic, inclusive,
12 rules-based, stable, and diverse region.

13 (27) The Asia Reassurance Initiative Act of
14 2018 (Public Law 115–409) contributed to a com-
15 prehensive framework for promoting United State
16 security interests, economic interests, and values in
17 the Indo-Pacific region, investing \$7,500,000,000
18 over 5 years—

19 (A) to support greater security and defense
20 cooperation between the United States and al-
21 lies and partners in the Indo-Pacific region;

22 (B) to advance democracy and the protec-
23 tion and promotion of human rights in the
24 Indo-Pacific region;

1 (C) to enhance cybersecurity cooperation
2 between the United States and partners in the
3 Indo-Pacific;

4 (D) to deepen people-to-people engagement
5 through programs such as the Young Southeast
6 Asian Leaders Initiative and the ASEAN Youth
7 Volunteers program; and

8 (E) to enhance energy cooperation and en-
9 ergy security in the Indo-Pacific region.

10 **SEC. 4. STATEMENT OF POLICY.**

11 (a) OBJECTIVES.—It is the policy of the United
12 States to pursue the following objectives:

13 (1) The United States global leadership role is
14 sustained and its political system and major founda-
15 tions of national power are secured for the long-term
16 in the political, economic, technological, and military
17 domains.

18 (2) The United States position as an indispen-
19 sable power in the Indo-Pacific and globally is sus-
20 tained through diplomacy, multilateralism, and en-
21 gagement.

22 (3) The United States deters military con-
23 frontation with the PRC and both nations work to
24 reduce the risk of conflict.

1 (4) The United States and its allies maintain a
2 stable balance of power in the Indo-Pacific with
3 China. The United States and its allies maintain un-
4 fettered access to the region, including through free-
5 dom of navigation and the free flow of commerce,
6 consistent with international law and practice.

7 (5) The allies and partners of the United
8 States—

9 (A) maintain confidence in United States
10 leadership and its commitment to the Indo-Pa-
11 cific region;

12 (B) can withstand and combat subversion
13 by the PRC; and

14 (C) work closely with the United States in
15 setting global rules, norms, and standards that
16 benefit the international community.

17 (6) The combined economic and military
18 strength of the United States and its allies and part-
19 ners demonstrates to the PRC that the risks of at-
20 tempts to dominate other states outweigh the poten-
21 tial benefits.

22 (7) The United States leads the free, open, and
23 rules-based international order, which comprises re-
24 silient states and institutions that uphold and defend
25 principles, such as sovereignty, rule of law, indi-

1 vidual freedom, and human rights. The international
2 order is strong enough to withstand attempts at de-
3 stabilization by illiberal and authoritarian actors.

4 (8) The key rules, norms, and standards of
5 international engagement in the 21st century are
6 maintained, including—

7 (A) the protection of human rights, com-
8 mercial engagement and investment, and tech-
9 nology; and

10 (B) that such rules, norms, and standards
11 are in alignment with the values and interests
12 of the United States, its allies and partners,
13 and other stakeholders in the liberal inter-
14 national order.

15 (9) The United States counters attempts by the
16 PRC to—

17 (A) undermine open and democratic soci-
18 eties;

19 (B) distort global markets;

20 (C) manipulate the international trade sys-
21 tem;

22 (D) coerce other nations via economic,
23 cyber, and military means; or

1 (E) use its technological advantages to un-
2 dermine individual freedoms or other states' na-
3 tional security interests.

4 (10) The United States deters military con-
5 frontation with the PRC and both nations work to
6 reduce the risk of conflict.

7 (b) POLICY.—It is the policy of the United States,
8 in pursuit of the objectives set forth in subsection (a)—

9 (1) to strengthen the United States domestic
10 foundation by reinvesting in market-based economic
11 growth, education, scientific and technological inno-
12 vation, democratic institutions, and other areas that
13 improve the ability of the United States to pursue
14 its vital economic, foreign policy, and national secu-
15 rity interests;

16 (2) to pursue a strategy of strategic competition
17 with the PRC in the political, diplomatic, economic,
18 development, security, informational, and techno-
19 logical realms to maximize the United States'
20 strengths and increase the costs for the PRC of
21 harming the interests and values of the United
22 States and its partners and allies;

23 (3) to lead a free, open, and secure inter-
24 national system characterized by the rule of law,
25 open markets and the free flow of commerce, and a

1 shared commitment to security and peaceful resolu-
2 tion of disputes, human rights, good and transparent
3 governance, and freedom from coercion;

4 (4) to strengthen and deepen United States alli-
5 ances and partnerships by pursuing greater bilateral
6 and multilateral cooperative initiatives that advance
7 shared interests and values and bolster partner
8 countries' confidence that the United States is and
9 will remain a strong, committed, and reliable partner
10 that respects the views and interests of its allies and
11 friends;

12 (5) to encourage and collaborate with United
13 States allies and partners in boosting their own ca-
14 pabilities and resiliency to pursue, defend, and pro-
15 tect shared interests and values, free from coercion
16 and external pressure;

17 (6) to pursue fair, reciprocal treatment and
18 healthy, constructive competition in United States-
19 China economic relations by—

20 (A) advancing policies that harden the
21 United States economy against unfair and ille-
22 gal commercial or trading practices and the co-
23 ercion of United States businesses; and

24 (B) improving United States laws and reg-
25 ulations as necessary to prevent any PRC at-

1 tempts to harm United States economic com-
2 petitiveness;

3 (7) to demonstrate the value of private sector-
4 led growth in emerging markets around the world,
5 including through the use of United States Govern-
6 ment tools that—

7 (A) support greater private sector invest-
8 ment and advance capacity-building initiatives
9 that are grounded in the rule of law;

10 (B) promote open markets;

11 (C) establish clear policy and regulatory
12 frameworks;

13 (D) improve the management of key eco-
14 nomic sectors;

15 (E) combat corruption;

16 (F) foster and support greater collabora-
17 tion with and among partner countries and the
18 United States private sector to develop secure
19 and sustainable infrastructure; and

20 (G) support American workers and create
21 American jobs.

22 (8) to play a leading role in advancing inter-
23 national rules and norms that foster free and recip-
24 rocal trade and open and integrated markets;

1 (9) to conduct vigorous commercial diplomacy
2 in support of United States companies and busi-
3 nesses in partner countries that seek fair competi-
4 tion;

5 (10) to ensure that the United States is second
6 to none in the innovation of critical and emerging
7 technologies, such as next-generation telecommuni-
8 cations, artificial intelligence, quantum computing,
9 semiconductors, and biotechnology, by—

10 (A) providing necessary investment and
11 concrete incentives for the private sector to ac-
12 celerate development of such technologies;

13 (B) modernizing export controls and in-
14 vestment screening regimes and associated poli-
15 cies and regulations;

16 (C) enhancing the role of the United
17 States in technical standards-setting bodies and
18 avenues for developing norms regarding the use
19 of emerging critical technologies;

20 (D) reducing United States barriers and
21 increasing incentives for collaboration with al-
22 lies and partners on the research and co-devel-
23 opment of critical technologies;

24 (E) collaborating with allies and partners
25 to protect critical technologies by—

- 1 (i) coordinating and aligning export
2 control measures;
- 3 (ii) building capacity for defense tech-
4 nology security;
- 5 (iii) safeguarding chokepoints in stra-
6 tegically critical supply chains; and
- 7 (iv) ensuring diversification; and
- 8 (F) designing major defense capabilities
9 for export to vetted allies and partners;
- 10 (11) to collaborate with like-minded democ-
11 racies and other willing partners to promote ideals
12 and principles that—
- 13 (A) advance a free and open international
14 order;
- 15 (B) strengthen democratic institutions;
- 16 (C) protect and promote human rights;
- 17 and
- 18 (D) uphold a free press and fact-based re-
19 porting;
- 20 (12) to develop comprehensive strategies and
21 policies to counter PRC disinformation campaigns;
- 22 (13) to demonstrate effective leadership at the
23 United Nations, its associated agencies, and other
24 multilateral organizations and ensure the integrity

1 and effectiveness of these organizations in facili-
2 tating solutions to global challenges;

3 (14) to advocate for the defense of fundamental
4 freedoms and human rights in the United States re-
5 lationship with the PRC;

6 (15) to cooperate with allies, partners, and mul-
7 tilateral organizations that sustain and strengthen a
8 free and open order and address regional and global
9 challenges posed by the Government of the PRC re-
10 garding—

11 (A) violations and abuses of human rights;

12 (B) restrictions on religious practices; and

13 (C) the undermining and abrogation of
14 treaties, other international agreements, and
15 other international norms related to human
16 rights;

17 (16) to expose the PRC's use of corruption, re-
18 pression, and coercion to attain unfair economic ad-
19 vantages or compel other nations to defer to its po-
20 litical and strategic objectives in ways that threaten
21 the United States or its allies and partners;

22 (17) to maintain United States access to the
23 Western Pacific, including through necessary invest-
24 ments in United States military capabilities, policies,
25 and concepts in the Indo-Pacific, as well as robust

1 cooperation, exercises, and interoperability with al-
2 lies and partners;

3 (18) to deter the PRC from—

4 (A) initiating armed conflict;

5 (B) coercing nations; or

6 (C) using grey-zone tactics below the level
7 of armed conflict;

8 (19) to strengthen United States-PRC military-
9 to-military communication and improve both military
10 and civilian crisis avoidance and management proce-
11 dures to de-conflict operations and reduce the risk of
12 unwanted conflict, including through high-level visits
13 and recurrent exchanges between civilian and mili-
14 tary officials and other measures, in alignment with
15 United States interests; and

16 (20) to strengthen stability and reduce sus-
17 picions, cooperate with the PRC when interests
18 align, including through bilateral or multilateral
19 means and at the United Nations, as appropriate,
20 and especially in the following areas—

21 (A) global fight against climate change;

22 (B) nuclear security; and

23 (C) global financial stability.

1 **SEC. 5. SENSE OF CONGRESS.**

2 It is the sense of Congress that the execution of the
3 policy described in section 3(b) requires the following ac-
4 tions:

5 (1) Revitalizing American leadership globally
6 and in the Indo-Pacific will require the United
7 States—

8 (A) to marshal sustained political will to
9 protect its vital interests, promote its values,
10 and advance its economic and national security
11 objectives; and

12 (B) to achieve this sustained political will,
13 persuade the American people and United
14 States allies and partners of—

15 (i) the current challenges facing the
16 international rules based order; and

17 (ii) the need for long-term invest-
18 ments and engagement to defend shared
19 interests and values.

20 (2) The United States must coordinate closely
21 with allies and partners to compete effectively with
22 the PRC, including to encourage allies and partners
23 to assume, as appropriate, greater roles in balancing
24 and checking aggressive PRC behavior.

25 (3) Effective United States strategy toward
26 China requires—

1 (A) bipartisan cooperation within Con-
2 gress; and

3 (B) frequent, sustained, and meaningful
4 collaboration and consultation between the exec-
5 utive branch and Congress.

6 (4) The United States must ensure close inte-
7 gration among economic and foreign policymakers
8 and provide support to the private sector, civil soci-
9 ety, universities and academic institutions, and other
10 relevant actors in free and open societies to enable
11 such actors—

12 (A) to collaborate to advance common in-
13 terests; and

14 (B) to identify appropriate policies—

15 (i) to strengthen the United States
16 and its allies; and

17 (ii) to promote a compelling vision of
18 a free and open order.

19 (5) The United States must ensure that all
20 Federal departments, agencies, and overseas mis-
21 sions are organized and resourced to effectively de-
22 fend and advance United States interests, by—

23 (A) dedicating more personnel in the Indo-
24 Pacific region, at posts around the world, and
25 in Washington, DC;

1 (B) placing greater numbers of foreign
2 service officers, international development pro-
3 fessionals, members of the foreign commercial
4 service, intelligence professionals, and other
5 United States Government personnel in the
6 Indo-Pacific region; and

7 (C) ensuring that this workforce has the
8 training, demonstrated proficiency in language
9 and culture, technical skills, and other com-
10 petencies required to advance a successful strat-
11 egy in relation to the PRC.

12 (6) The United States must place renewed pri-
13 ority and emphasis on strengthening the nonmilitary
14 instruments of national power, including diplomacy,
15 information, technology, economics, foreign assist-
16 ance and development finance, commerce, intel-
17 ligence, and law enforcement, which are crucial for
18 addressing the challenges posed by the PRC.

19 (7) The United States must sustain military ca-
20 pabilities necessary to achieve United States political
21 objectives in the Indo-Pacific, including—

22 (A) promoting regional security in the
23 Indo-Pacific;

24 (B) reassuring allies and partners while
25 protecting them from coercion; and

1 (C) deterring PRC aggression and pre-
2 venting unwanted conflict.

3 (8) Competition with the PRC requires skillful
4 adaptation to the information environment of the
5 21st century. United States public diplomacy and
6 messaging efforts must effectively—

7 (A) promote the value of partnership with
8 the United States; and

9 (B) counter CCP propaganda and
10 disinformation that threatens United States in-
11 terests.

12 **SEC. 6. RULES OF CONSTRUCTION.**

13 (a) **APPLICABILITY OF EXISTING RESTRICTIONS ON**
14 **ASSISTANCE TO FOREIGN SECURITY FORCES.**—Nothing
15 in this Act shall be construed to diminish, supplant, super-
16 sede, or otherwise restrict or prevent responsibilities of the
17 United States Government under section 620M of the
18 Foreign Assistance Act of 1961 (22 U.S.C. 2378d) or sec-
19 tion 362 of title 10, United States Code.

20 (b) **NO AUTHORIZATION FOR THE USE OF MILITARY**
21 **FORCE.**—Nothing in this Act may be construed as author-
22 izing the use of military force.

1 **TITLE I—INVESTING IN**
2 **AMERICAN COMPETITIVENESS**
3 **Subtitle A—Science and**
4 **Technology**

5 **SEC. 101. AUTHORIZATION TO ASSIST UNITED STATES COM-**
6 **PANIES WITH GLOBAL SUPPLY CHAIN DIVER-**
7 **SIFICATION AND MANAGEMENT.**

8 (a) **AUTHORIZATION TO CONTRACT SERVICES.**—The
9 Secretary of State, in coordination with the Secretary of
10 Commerce, is authorized to establish a program to facili-
11 tate the contracting by the Department of State for the
12 professional services of qualified experts, on a reimburs-
13 able fee for service basis, to assist interested United States
14 persons and business entities with supply chain manage-
15 ment issues related to the People’s Republic of China
16 (PRC), including—

17 (1) exiting from the PRC market or relocating
18 certain production facilities to locations outside the
19 PRC;

20 (2) diversifying sources of inputs, and other ef-
21 forts to diversify supply chains to locations outside
22 of the PRC;

23 (3) navigating legal, regulatory, or other chal-
24 lenges in the course of the activities described in
25 paragraphs (1) and (2); and

1 (4) identifying alternative markets for produc-
2 tion or sourcing outside of the PRC, including
3 through providing market intelligence, facilitating
4 contact with reliable local partners as appropriate,
5 and other services.

6 (b) CHIEF OF MISSION OVERSIGHT.—The persons
7 contracted to perform the services described in subsection
8 (a) shall—

9 (1) be under the authority of the United States
10 Chief of Mission in the country in which they are
11 hired, in accordance with existing United States
12 laws;

13 (2) coordinate with Department of State and
14 Department of Commerce officers; and

15 (3) coordinate with United States missions and
16 relevant local partners in other countries as needed
17 to carry out the services described in subsection (a).

18 (c) PRIORITIZATION OF MICRO-, SMALL-, AND ME-
19 DIUM-SIZED ENTERPRISES.—The services described in
20 subsection (a) shall be prioritized for assisting micro-,
21 small-, and medium-sized enterprises with regard to the
22 matters described in subsection (a).

23 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated \$15,000,000 for each of fis-

1 cal years 2022 through 2026 for the purposes of carrying
2 out this section.

3 (e) PROHIBITION ON ACCESS TO ASSISTANCE BY
4 FOREIGN ADVERSARIES.—None of the funds appropriated
5 pursuant to this section may be provided to an entity—

6 (1) under the foreign ownership, control, or in-
7 fluence of the Government of the PRC or the CCP,
8 or other foreign adversary;

9 (2) determined to have beneficial ownership
10 from foreign individuals subject to the jurisdiction,
11 direction, or influence of foreign adversaries; and

12 (3) that has any contract in effect at the time
13 of the receipt of such funds, or has had a contract
14 within the previous one year that is no longer in ef-
15 fect, with—

16 (A) the Government of the PRC;

17 (B) the CCP;

18 (C) the PLA;

19 (D) an entity majority-owned, majority-
20 controlled, or majority-financed by the Govern-
21 ment of the PRC, the CCP, or the PLA; or

22 (E) a parent, subsidiary, or affiliate of an
23 entity described in subparagraph (D).

24 (f) DEFINITIONS.—The terms “foreign ownership,
25 control, or influence” and “FOCI” have the meanings

1 given to those terms in the National Industrial Security
2 Program Operating Manual (DOD 5220.22–M), or a suc-
3 cessor document.

4 **Subtitle B—Global Infrastructure** 5 **and Energy Development**

6 **SEC. 111. APPROPRIATE COMMITTEES OF CONGRESS DE-** 7 **FINED.**

8 In this subtitle, the term “appropriate committees of
9 Congress” means—

10 (1) the Committee on Foreign Relations and
11 the Committee on Appropriations of the Senate; and

12 (2) the Committee on Foreign Affairs and the
13 Committee on Appropriations of the House of Rep-
14 resentatives.

15 **SEC. 112. SENSE OF CONGRESS ON INTERNATIONAL QUAL-** 16 **ITY INFRASTRUCTURE INVESTMENT STAND-** 17 **ARDS.**

18 (a) SENSE OF CONGRESS ON COLLABORATIVE
19 STANDARDS.—It is the sense of Congress that the United
20 States should initiate collaboration among governments,
21 the private sector, and civil society to encourage the adop-
22 tion of the standards for quality global infrastructure de-
23 velopment advanced by the G20 at Osaka in 2018, includ-
24 ing with respect to the following issues:

1 (1) Respect for the sovereignty of countries in
2 which infrastructure investments are made.

3 (2) Anti-corruption.

4 (3) Rule of law.

5 (4) Human rights and labor rights.

6 (5) Fiscal and debt sustainability.

7 (6) Social and governance safeguards.

8 (7) Transparency.

9 (8) Environmental and energy standards.

10 (b) SENSE OF CONGRESS ON COMMITMENT TO CO-
11 OPERATION.—It is the sense of Congress that the United
12 States should launch a series of fora around the world
13 showcasing the commitment of the United States and
14 partners of the United States to high-quality development
15 cooperation, including with respect to the issues described
16 in subsection (a).

17 **SEC. 113. SUPPORTING ECONOMIC INDEPENDENCE FROM**
18 **THE PEOPLE’S REPUBLIC OF CHINA.**

19 (a) FINDING.—It is in the national interest of the
20 United States to establish a coordinated interagency strat-
21 egy to marshal the resources of the United States Govern-
22 ment to provide foreign countries with financing that
23 strengthens independent economic capacity and therefore
24 reduces a foreign government’s need to enter into agree-

1 ments with the People's Republic of China (PRC), includ-
2 ing to obtain support from its Belt and Road Initiative.

3 (b) STRATEGY.—

4 (1) AUTHORITY.—Not later than 180 days
5 after the date of the enactment of this Act, the
6 President shall develop and submit a strategy to the
7 relevant congressional committees to use the re-
8 sources of Federal agencies to counteract offers of
9 assistance and financing from the PRC to foreign
10 governments that are of strategic importance to the
11 United States.

12 (2) COMPONENTS OF STRATEGY.—The strategy
13 shall—

14 (A) identify primary sectors where the
15 United States could provide a competitive ad-
16 vantage to increase a country's economic inde-
17 pendence;

18 (B) select countries with corresponding
19 economic needs, with priority given to those
20 who are vulnerable to Chinese economic influ-
21 ence;

22 (C) identify any corresponding existing fi-
23 nancing available from United States Govern-
24 ment entities to prioritize and devise specific fi-

1 nancing tailored to the needs of such foreign
2 governments if none are currently available;

3 (D) identify any cooperative and com-
4 plementary assistance and financing from
5 friendly foreign governments, including coordi-
6 nated assistance and co-financing;

7 (E) create a streamlined decision-making
8 process, directed by the National Security
9 Council, to devise financing and make agency
10 decisions and commitments on a timely basis to
11 support United States competitive offers;

12 (F) establish a formal G7+European Com-
13 mission Working Group to develop a com-
14 prehensive strategy to develop alternatives to
15 the PRC's Belt and Road Initiative for develop-
16 ment finance; and

17 (G) integrate existing efforts into the
18 strategy, including efforts to address the Gov-
19 ernment of the PRC's use of the United Na-
20 tions to advance the Belt and Road Initiative,
21 including the proliferation of memoranda of un-
22 derstanding between the PRC and United Na-
23 tions funds and programs regarding the imple-
24 mentation of the Belt and Road Initiative.

1 (3) PARTICIPATING AGENCIES.—Participating
2 Federal agencies should include the Department of
3 State, Department of the Treasury, United States
4 Agency for International Development (USAID),
5 United States International Development Finance
6 Corporation, Millennium Challenge Corporation,
7 United States Trade and Development Agency, De-
8 partment of Commerce, and other Federal depart-
9 ments and agencies as appropriate.

10 (4) EXECUTION OF STRATEGY.—The President
11 should issue an Executive Order to implement the
12 strategy and make such changes in agency regula-
13 tions and procedures as are necessary to put the
14 strategy into effect.

15 (5) RELEVANT CONGRESSIONAL COMMIT-
16 TEES.—In this section, the term “relevant congress-
17 sional committees” means—

18 (A) the Committee on Appropriations, the
19 Committee on Foreign Affairs, and the Com-
20 mittee on Financial Services of the House of
21 Representatives; and

22 (B) the Committee on Appropriations, the
23 Committee on Foreign Relations, and the Com-
24 mittee on Banking, Housing, and Urban Affairs
25 of the Senate.

1 (c) **AUTHORITY.**—The Secretary of State, in coordi-
2 nation with the Administrator of the USAID, is author-
3 ized to establish or continue an initiative, to be known as
4 the “Infrastructure Transaction and Assistance Net-
5 work”, under which the Secretary of State, in consultation
6 with other relevant Federal agencies, including those rep-
7 resented on the Global Infrastructure Coordinating Com-
8 mittee, may carry out various programs to advance the
9 development of sustainable, transparent, and high-quality
10 infrastructure worldwide in the Indo-Pacific region by—

11 (1) strengthening capacity-building programs to
12 improve project evaluation processes, regulatory and
13 procurement environments, and project preparation
14 capacity of countries that are partners of the United
15 States in such development;

16 (2) providing transaction advisory services and
17 project preparation assistance to support sustainable
18 infrastructure; and

19 (3) coordinating the provision of United States
20 assistance for the development of infrastructure, in-
21 cluding infrastructure that uses United States man-
22 ufactured goods and services, and catalyzing invest-
23 ment led by the private sector.

24 (d) **TRANSACTION ADVISORY FUND.**—As part of the
25 “Infrastructure Transaction and Assistance Network” de-

1 scribed under subsection (c), the Secretary of State is au-
2 thorized to provide support, including through the Trans-
3 action Advisory Fund, for advisory services to help boost
4 the capacity of partner countries to evaluate contracts and
5 assess the financial and environmental impacts of poten-
6 tial infrastructure projects, including through providing
7 services such as—

- 8 (1) legal services;
- 9 (2) project preparation and feasibility studies;
- 10 (3) debt sustainability analyses;
- 11 (4) bid or proposal evaluation; and
- 12 (5) other services relevant to advancing the de-
13 velopment of sustainable, transparent, and high-
14 quality infrastructure.

15 (e) STRATEGIC INFRASTRUCTURE FUND.—

16 (1) IN GENERAL.—As part of the “Infrastruc-
17 ture Transaction and Assistance Network” described
18 under subsection (c), the Secretary of State is au-
19 thorized to provide support, including through the
20 Strategic Infrastructure Fund, for technical assist-
21 ance, project preparation, pipeline development, and
22 other infrastructure project support.

23 (2) JOINT STRATEGIC INFRASTRUCTURE
24 PROJECTS.—Funds authorized for the Strategic In-
25 frastructure Fund should be used in coordination

1 with the Department of Defense, the International
2 Development Finance Corporation, like-minded
3 donor partners, and multilateral banks, as appro-
4 priate, to support joint infrastructure projects that
5 are in the national security interest of the United
6 States and vulnerable to strategic competitors.

7 (f) **AUTHORIZATION OF APPROPRIATIONS.**—There is
8 authorized to be appropriated, for each of fiscal years
9 2022 to 2026, \$75,000,000 to the Infrastructure Trans-
10 action and Assistance Network, of which \$20,000,000
11 should be made available for the Transaction Advisory
12 Fund.

13 **SEC. 114. STRATEGY FOR ADVANCED AND RELIABLE EN-**
14 **ERGY INFRASTRUCTURE.**

15 (a) **IN GENERAL.**—The President shall direct a com-
16 prehensive, multi-year, whole of government effort, in con-
17 sultation with the private sector, to counter predatory
18 lending and financing, including in the form of providing
19 support to companies incorporated in the People’s Repub-
20 lic of China (PRC) that engage in such activities, by the
21 Government of the PRC in the energy sectors of devel-
22 oping countries.

23 (b) **POLICY.**—It is the policy of the United States
24 to—

1 (1) regularly evaluate current and forecasted
2 energy needs and capacities of developing countries,
3 and analyze the presence and involvement of PRC
4 state-owned industries and other companies incor-
5 porated in the PRC, Chinese nationals providing
6 labor, and financing of energy projects, including di-
7 rect financing by the PRC government, PRC finan-
8 cial institutions, or direct state support to state-
9 owned enterprises and other companies incorporated
10 in the PRC;

11 (2) pursue strategic support and investment op-
12 portunities, and diplomatic engagement on power
13 sector reforms, to expand the development and de-
14 ployment of advanced energy technologies in devel-
15 oping countries;

16 (3) offer financing, loan guarantees, grants,
17 and other financial products on terms that advance
18 domestic economic and local employment opportuni-
19 ties, utilize advanced energy technologies, encourage
20 private sector growth, and, when appropriate United
21 States equity and sovereign lending products as al-
22 ternatives to the predatory lending tools offered by
23 Chinese financial institutions;

24 (4) pursue partnerships with likeminded inter-
25 national financial and multilateral institutions to le-

1 verage investment in advanced energy technologies
2 in developing countries; and

3 (5) pursue bilateral partnerships focused on the
4 cooperative development of advanced energy tech-
5 nologies with countries of strategic significance, par-
6 ticularly in the Indo-Pacific region, to address the
7 effects of energy engagement by the PRC through
8 predatory lending or other actions that negatively
9 impact other countries.

10 (c) **ADVANCED ENERGY TECHNOLOGIES EXPORTS.**—

11 Not later than 180 days after the date of the enactment
12 of this Act, and annually thereafter for 5 years, the Sec-
13 retary of State, in consultation with the Secretary of En-
14 ergy, shall submit to the appropriate committees of Con-
15 gress a United States Government strategy to increase
16 United States exports of advanced energy technologies
17 to—

18 (1) improve energy security in allied and devel-
19 oping countries;

20 (2) create open, efficient, rules-based, and
21 transparent energy markets;

22 (3) improve free, fair, and reciprocal energy
23 trading relationships; and

24 (4) expand access to affordable, reliable energy.

1 **SEC. 115. REPORT ON THE PEOPLE'S REPUBLIC OF CHINA'S**
2 **INVESTMENTS IN FOREIGN ENERGY DEVEL-**
3 **OPMENT.**

4 (a) IN GENERAL.—No later than 180 days after the
5 date of the enactment of this Act, and annually thereafter
6 for 5 years, the Secretary of State shall submit to the ap-
7 propriate committees of Congress a report that—

8 (1) identifies priority countries for deepening
9 United States engagement on energy matters, in ac-
10 cordance with the economic and national security in-
11 terests of the United States and where deeper en-
12 ergy partnerships are most achievable;

13 (2) describes the involvement of the Govern-
14 ment of the People's Republic of China (PRC) and
15 companies incorporated in the PRC in the develop-
16 ment, operation, financing, or ownership of energy
17 generation facilities, transmission infrastructure, or
18 energy resources in the countries identified in para-
19 graph (1);

20 (3) evaluates strategic or security concerns and
21 implications for United States national interests and
22 the interests of the countries identified in paragraph
23 (1), with respect to the PRC's involvement and in-
24 fluence in developing country energy production or
25 transmission; and

1 (4) outlines current and planned efforts by the
2 United States to partner with the countries identi-
3 fied in paragraph (1) on energy matters that sup-
4 port shared interests between the United States and
5 such countries.

6 (b) PUBLICATION.—The assessment required in sub-
7 section (a) shall be published on the Department of State’s
8 website.

9 **SEC. 116. ENSURING THE UNITED STATES INTERNATIONAL**
10 **DEVELOPMENT FINANCE CORPORATION IS**
11 **POSITIONED TO ACHIEVE NATIONAL SECU-**
12 **RITY, ECONOMIC, AND DEVELOPMENT OB-**
13 **JECTIVES.**

14 (a) FINDINGS.—Congress finds the following:

15 (1) When establishing the United States Inter-
16 national Development Finance Corporation (DFC),
17 Congress sought to facilitate the participation of pri-
18 vate sector capital and skills in the economic devel-
19 opment of countries with low- or lower-middle-in-
20 come economies and countries transitioning from
21 nonmarket to market economies in order to com-
22 plement United States assistance and foreign policy
23 objectives.

24 (2) The priority for such support has been and
25 remains intended for less developed countries with a

1 low-income economy or a lower-middle-income econ-
2 omy; however, using income as a discriminator for
3 which countries merit investment will not often cap-
4 ture other important factors, such as the wealth dis-
5 parity within a country, vulnerability to external
6 shocks including from natural disasters, and United
7 States foreign policy and national security concerns.
8 For this reason, Congress has currently authorized
9 DFC investment in less developed countries with an
10 upper-middle-income economy where the President
11 certifies to the appropriate congressional committees
12 that such support furthers the national economic or
13 foreign policy interests of the United States and
14 such support is designed to produce significant de-
15 velopmental outcomes or provide developmental ben-
16 efits to the poorest population of that country.

17 (3) It is the intent of Congress that this flexi-
18 bility in DFC directed assistance be made available
19 to all countries, including those with so-called high-
20 income economies such as the Bahamas, Barbados,
21 Chile, Trinidad and Tobago, and other allies and
22 partners exceeding the Gross National Income per
23 Capita definition threshold for high-income country.
24 Otherwise, previously eligible partner countries find
25 themselves now ineligible.

1 (4) The United States already provides a simi-
2 lar national security interest exception for high in-
3 come countries under the European Energy Security
4 and Diversification Act of 2019, which gives the
5 DFC the authority to work in Europe and Eurasia
6 on energy and energy related investments regardless
7 of the income status of the countries.

8 (b) SENSE OF CONGRESS.—While continuing to
9 prioritize DFC investment in low and lower-middle income
10 countries, it is the sense of Congress that the DFC should
11 support investments in certain projects in both upper-mid-
12 dle income and high-income countries that address key na-
13 tional security and economic interests. The DFC is au-
14 thorized to and should support projects in any country re-
15 gardless of income status when not doing so would damage
16 the United States’ interest or those of its allies and part-
17 ners vis-à-vis its global strategic competitors.

18 (c) AMENDMENT.—Section 1412(c) of the Better
19 Utilization of Investments Leading to Development Act of
20 2018 (22 U.S.C. 9612(c)) is amended by striking sub-
21 section (c) and inserting the following:

22 “(c) LESS DEVELOPED COUNTRY FOCUS; SUPPORT
23 IN UPPER-MIDDLE-INCOME AND HIGH-INCOME COUN-
24 TRIES.—

1 governing the international economic order following
2 the Second World War, yielding decades of domestic
3 economic and geopolitical prosperity and stability.

4 (2) In 2017, the United States withdrew from
5 the Trans-Pacific Partnership (TPP), an economic
6 pact that was negotiated by 12 countries that covered
7 40 percent of the world economy, leading the
8 11 remaining Asia-Pacific countries to sign the
9 Comprehensive and Progressive Agreement for
10 Trans-Pacific Partnership (CPTPP) the following
11 year, setting high-standard rules for regional economic
12 engagement.

13 (3) In 2020, the 10 countries of the Association
14 of Southeast Asian Nations along with South Korea,
15 China, Japan, Australia, and New Zealand signed
16 the Regional Comprehensive Economic Partnership
17 (RCEP), the world's biggest trade deal in terms of
18 GDP.

19 (4) Reduced United States economic engagement
20 has led United States allies and partners to
21 question the United States' commitment to the Indo-
22 Pacific region. Despite its distortive and unfair trade
23 practices, the People's Republic of China is taking
24 advantage of this vacuum by deepening its partner-

1 and the Secretary of Commerce, shall submit a report to
2 the appropriate congressional committees that describes
3 the global trade and investment diplomacy and engage-
4 ment of the People's Republic of China (PRC) over the
5 past decade, including any bilateral or plurilateral trade
6 and investment agreements it has signed, and their impact
7 on the United States economy, American companies and
8 workers, as well as on the countries that have entered into
9 agreements with the PRC and the global economy as a
10 whole.

11 (b) MATTERS TO BE INCLUDED.—The report shall
12 include the following:

13 (1) A survey and comparison of the PRC's
14 international economic practices, which will—

15 (A) provide an overview of the PRC's dis-
16 tortive trade policies;

17 (B) list the PRC's trade and investment
18 agreements globally, both agreements it has
19 signed or entered into and any ongoing negotia-
20 tions it has with individual countries or groups
21 of countries;

22 (C) detail the other mechanisms the PRC
23 uses to advance its international economic ob-
24 jectives, including economic and commercial
25 dialogues and BRI related activities;

1 (D) compare the United States and Chi-
2 nese approaches and priorities on trade and in-
3 vestment with major global economies, United
4 States allies, and for each region of the world;
5 and

6 (E) outline what further steps the PRC
7 may take in the Indo-Pacific region to bolster
8 its economic position and influence.

9 (2) An evaluation of the impacts of the PRC's
10 trade and investment policies, including—

11 (A) the impact of these trade and invest-
12 ment agreements on the PRC's economy, with
13 a focus on its trade and investment profile, the
14 impact on the PRC's economic growth and per-
15 capita income, and the impact on the profit-
16 ability and market share of Chinese companies
17 and SOEs;

18 (B) the impact of these agreements on the
19 PRC's political and diplomatic relations with
20 the countries it entered into agreements with
21 and by region; and

22 (C) the impact of the PRC's trade and in-
23 vestment relationships with other countries on
24 the market share of United States companies.

1 **SEC. 123. REPORT ON ENTRENCHING AMERICAN ECO-**
2 **NOMIC DIPLOMACY IN THE INDO-PACIFIC.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that United States national interests and the pri-
5 macy of United States power in the Indo-Pacific are inti-
6 mately tied to the following economic objectives:

7 (1) Deepening United States trade and invest-
8 ment relationships in the region, especially with key
9 allies and partners.

10 (2) Confirming American leadership and par-
11 ticipation in global regional economic organizations
12 and fora, including the Asia-Pacific Economic Co-
13 operation (APEC) and the World Trade Organiza-
14 tion (WTO).

15 (3) Leveraging bilateral and plurilateral sec-
16 toral agreements on trade and investment, as well as
17 negotiations at the WTO to reassert United States
18 economic leadership by writing the rules of the road
19 on critical economic questions.

20 (4) Building secure and resilient supply chains
21 for industries critical for United States national in-
22 terest, including semiconductors, vaccines, and per-
23 sonal protective equipment.

24 (5) Showcasing the benefits and appeal of a
25 market-based economic model.

1 (b) REPORTING.—Not later than 180 days after the
2 date of the enactment of this Act, the Secretary of State,
3 in coordination with the United States Trade Representa-
4 tive and the Secretary of Commerce, shall submit a report
5 to the appropriate committees of Congress that presents
6 the steps the United States is taking and plans to take
7 to achieve the objectives outlined in subsection (a) and in-
8 cludes specific action plans for the following:

9 (1) Enhancing United States trade and invest-
10 ment relationships in the region bilaterally and
11 plurilaterally, especially with United States allies
12 and the Association of Southeast Asian Nations.

13 (2) Reenergizing APEC as a critical component
14 of the region's economic architecture.

15 (3) Work to ensure that the United States ab-
16 sence from the Comprehensive and Progressive
17 Agreement for Trans-Pacific Partnership and the
18 Regional Comprehensive Economic Partnership do
19 not undermine the United States' ability to shape
20 regional trade and investment rules.

21 (4) Working with allies and partners to build
22 resilient and trusted supply chains especially for
23 critical and emerging technologies, including semi-
24 conductors, and products and components critical

1 for national health, including vaccines and related
2 materials and personal protective equipment.

3 (5) Driving the formation and adoption of high-
4 standards and rules for the region in the following
5 areas:

6 (A) Advanced technologies and the digital
7 sphere.

8 (B) Labor practices and environmental
9 standards.

10 (C) Intellectual property rights.

11 (6) Developing roadmaps for how to counter the
12 PRC's unfair trade and economic practices, with a
13 specific focus on—

14 (A) subsidies and unfair competition by
15 state-owned enterprises; and

16 (B) corruption and politicized infrastruc-
17 ture.

18 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
19 FINED.—In this section, the term “appropriate commit-
20 tees of Congress” means—

21 (1) the Committee on Foreign Relations and
22 the Committee on Banking, Housing and Urban Af-
23 fairs; and

24 (2) the Committee on Foreign Affairs and the
25 Committee on Energy and Commerce.

1 **SEC. 124. SENSE OF CONGRESS ON THE NEED TO BOLSTER**
2 **AMERICAN LEADERSHIP IN THE ASIA PA-**
3 **CIFIC ECONOMIC COOPERATION.**

4 It is the sense of Congress that—

5 (1) the United States has benefitted from the
6 regional economic integration agenda of the Asia Pa-
7 cific Economic Cooperation (APEC) forum since its
8 inception in 1989;

9 (2) APEC is a hub of trade and commerce for
10 21 member economies that, as of 2018, accounted
11 for 60 percent of global GDP and 48 percent of
12 global trade;

13 (3) APEC has contributed to the reduction in
14 trade barriers, harmonization of regulations, and en-
15 hanced access to global value chains, while raising
16 the profile of critical topics such as fair trade, sus-
17 tainability, gender parity, and inclusive growth;

18 (4) it is in the United States interest to engage
19 and lead at APEC to push for an open and inclusive
20 regional economy that benefits United States work-
21 ers, consumers, and businesses and better integrates
22 the United States economy with others in the region;

23 (5) when the United States last hosted APEC
24 in 2011, it was able to promote United States inter-
25 ests, while reassuring allies and partners about its

1 strong commitment to the region in the economic
2 arena;

3 (6) today, APEC can again be used as a forum
4 to make progress on several United States priorities,
5 that are shared by United States allies and partners,
6 including—

7 (A) making regional commerce more inclu-
8 sive;

9 (B) fostering innovation and digitization;
10 and

11 (C) addressing climate change and environ-
12 mental protection;

13 (7) hosting APEC would provide a tremendous
14 opportunity to leverage American leadership to
15 shape the regional economic agenda;

16 (8) hosting APEC would allow the United
17 States to advance several of its own priorities in the
18 region, including to—

19 (A) expand the participation of APEC
20 stakeholders to include labor groups, environ-
21 mental advocates, and other part of civil soci-
22 ety;

23 (B) upgrade APEC's work to empower and
24 promote small and medium enterprises;

1 (C) spotlight best practices and plans to
2 upgrade skills for the next-generation of tech-
3 nology jobs;

4 (D) advance a climate and sustainable
5 trade and development agenda with a focus on
6 green technologies, infrastructure and finance;
7 and

8 (E) advance work on digital trade, includ-
9 ing by expanding rules on data privacy, pro-
10 moting digital inclusiveness and promoting the
11 free flow of data; and

12 (9) with no host confirmed for 2023, the United
13 States should immediately announce its interest to
14 host APEC in 2023 and work with the APEC Secre-
15 tariat and like-minded APEC members to build sup-
16 port.

17 **SEC. 125. SENSE OF CONGRESS ON DIGITAL TECHNOLOGY**
18 **ISSUES.**

19 (a) **LEADERSHIP IN INTERNATIONAL STANDARDS**
20 **SETTING.**—It is the sense of Congress that the United
21 States must lead in international bodies that set the gov-
22 ernance norms and rules for critical digitally enabled tech-
23 nologies in order to ensure that these technologies operate
24 within a free, secure, interoperable, and stable digital do-
25 main.

1 (b) COUNTERING DIGITAL AUTHORITARIANISM.—It
2 is the sense of Congress that the United States, along with
3 allies and partners, should lead an international effort
4 that uses all of the economic and diplomatic tools at its
5 disposal to combat the expanding use of information and
6 communications technology products and services to sur-
7 veil, repress, and manipulate populations (also known as
8 “digital authoritarianism”).

9 (c) FREEDOM OF INFORMATION IN THE DIGITAL
10 AGE.—It is the sense of Congress that the United States
11 should lead a global effort to ensure that freedom of infor-
12 mation, including the ability to safely consume or publish
13 information without fear of undue reprisals, is maintained
14 as the digital domain becomes an increasingly integral
15 mechanism for communication.

16 (d) EFFORTS TO ENSURE TECHNOLOGICAL DEVEL-
17 OPMENT DOES NOT THREATEN DEMOCRATIC GOVERN-
18 ANCE OR HUMAN RIGHTS.—It is the sense of Congress
19 that the United States should lead a global effort to de-
20 velop and adopt a set of common principles and standards
21 for critical technologies to ensure that the use of such
22 technologies cannot be abused by malign actors, whether
23 they are governments or other entities, and that they do
24 not threaten democratic governance or human rights.

1 **SEC. 126. DIGITAL TRADE AGREEMENTS.**

2 It is the sense of Congress that—

3 (1) as the COVID–19 pandemic accelerated
4 United States dependence on digital tools, inter-
5 national rules around digital governance and trade
6 have remained largely piecemeal;

7 (2) the People’s Republic of China is operating
8 under and advancing a set of digital rules that are
9 contrary to United States values and interests, and
10 those of United States allies and partners;

11 (3) a patchwork of plurilateral, trilateral, and
12 bilateral digital trade agreements, including the
13 Comprehensive and Progressive Agreement for
14 Trans-Pacific Partnership, the Singapore-Australia
15 Digital Trade Agreement, and the Singapore-New
16 Zealand-Chile Digital Economy Partnership Agree-
17 ment have emerged, creating a set of rules that the
18 United States should be driving;

19 (4) the United States has already underscored
20 the need for such agreements by signing the U.S.-
21 Japan Digital Trade Agreement in October 2019
22 and including a robust digital trade or e-commerce
23 chapter in the United States-Mexico-Canada Agree-
24 ment;

25 (5) a regional deal on digital governance and
26 trade would allow the United States to unite a group

1 of like-minded economies around common standards
2 and norms, including the principles of openness, in-
3 clusiveness, fairness, transparency, and the free flow
4 of data with trust, that are increasingly vital for the
5 global economy;

6 (6) such an agreement would facilitate the cre-
7 ation of common rules and standards that govern
8 cross-border data flows, the protection of privacy,
9 and cybersecurity at a time of growing digital
10 vulnerabilities for individuals, businesses, and insti-
11 tutions around the world;

12 (7) such an agreement would facilitate the par-
13 ticipation of small and medium-sized enterprises in
14 the global economy through trade facilitation meas-
15 ures, including e-marketing, e-invoicing and e-pay-
16 ment; and

17 (8) the United States Trade Representative, in
18 consultation with the Secretary of State should ne-
19 gotiate bilateral and plurilateral agreements or ar-
20 rangements relating to digital trade with the like-
21 minded countries in the Indo-Pacific region, the Eu-
22 ropean Union, the member countries of the Five
23 Eyes intelligence-sharing alliance, and other part-
24 ners and allies, as appropriate.

1 **SEC. 127. DIGITAL CONNECTIVITY AND CYBERSECURITY**
2 **PARTNERSHIP.**

3 (a) DIGITAL CONNECTIVITY AND CYBERSECURITY
4 PARTNERSHIP.—The President is authorized to establish
5 a program, to be known as the “Digital Connectivity and
6 Cybersecurity Partnership” to help foreign countries—

7 (1) expand and increase secure Internet access
8 and digital infrastructure;

9 (2) adopt policies and regulatory positions that
10 foster and encourage open, interoperable, reliable,
11 and secure internet, equitable access, the free flow of
12 data, multi-stakeholder models of internet govern-
13 ance, and pro-competitive and secure information
14 and communications technology (ICT) policies and
15 regulations;

16 (3) promote and protect human rights and
17 counter corruption and predatory behavior through-
18 out communications and cybersecurity policy and im-
19 plementation;

20 (4) guard against privacy abuses, cybercrime,
21 disinformation and misinformation, and the use of
22 digital technology and services to carry out criminal
23 activity or human rights violations;

24 (5) bolster the role of civil society in informing
25 ICT policy and regulations;

1 (6) promote exports of United States ICT
2 goods and services and increase United States com-
3 pany market share in target markets;

4 (7) promote the innovation and diversification
5 of ICT goods and supply chain services to be less re-
6 liant on imports from the People's Republic of
7 China;

8 (8) build cybersecurity capacity, expand inter-
9 operability, and promote best practices for a national
10 approach to cybersecurity; and

11 (9) enhance the security of their digital infra-
12 structure to facilitate better information sharing
13 with the United States and United States allies and
14 partners, as appropriate.

15 (b) IMPLEMENTATION PLAN.—Not later than 180
16 days after the date of the enactment of this Act, the Sec-
17 retary of State and the Administrator of the United States
18 Agency for International Development shall jointly submit
19 to the appropriate congressional committees an implemen-
20 tation plan for the 3-year period beginning on the date
21 of the submission of the plan to advance the goals identi-
22 fied in subsection (a). The implementation plan shall also
23 include a description of interagency responsibilities to
24 carry out implementation, a description of any barriers to
25 successful implementation, and a description of any addi-

1 tional resources or authorities needed for successful imple-
2 mentation.

3 (c) CONSULTATION.—In developing the implementa-
4 tion plan required by subsection (b), the Secretary of State
5 and the Administrator of the United States Agency for
6 International Development shall consult with—

7 (1) the appropriate congressional committees;

8 (2) leaders of the United States industry;

9 (3) civil society leaders with expertise in tech-
10 nology, telecommunications, cybersecurity, economic
11 development and competitiveness, and human rights,
12 including from the Open Technology Fund;

13 (4) representatives from relevant United States
14 Government agencies; and

15 (5) representatives from like-minded allies and
16 partners.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated such sums as necessary for
19 each of fiscal years 2022 through 2026 to carry out this
20 section.

21 **Subtitle D—Financial Diplomacy** 22 **and Leadership**

23 **SEC. 131. FINDINGS ON CHINESE FINANCIAL INDUSTRIAL** 24 **POLICY.**

25 Congress makes the following findings:

1 (1) The People's Republic of China operates a
2 system of state-owned financial institutions including
3 retail banks, investment banks, asset managers, and
4 insurers which are given favorable treatment under
5 Chinese law while foreign financial institutions have
6 strict restrictions on their ability to operate in the
7 PRC.

8 (2) In order to join the World Trade Organiza-
9 tion (WTO) in 2001, the PRC Government com-
10 mitted to opening the credit card payment business
11 to foreign firms by 2006.

12 (3) After years of the PRC refusing to open its
13 payment market, the United States brought a case
14 against the PRC before the WTO. In 2012, the
15 WTO mandated that the PRC open its card pay-
16 ment market to global competitors.

17 (4) Even after the WTO's ruling, the PRC Gov-
18 ernment refused to comply with the ruling and
19 maintained a rule that required all yuan-denomi-
20 nated payment cards to use the PRC's Union Pay
21 network. Only in 2020, after the Chinese payment
22 market had grown to \$27 trillion, did the PRC Gov-
23 ernment approve the application of foreign firms to
24 enter the market.

1 (5) The PRC continues to maintain aggressive
2 capital controls, limiting access to the Chinese mar-
3 ket to foreign investors while hamstringing its own
4 citizens ability to control their money.

5 (6) On November 5, 2018, Chinese President
6 Xi Jinping announced that the PRC would launch a
7 technology innovation stock exchange. The Shanghai
8 Stock Exchange STAR Market launched on July 22,
9 2019.

10 (7) On October 24, 2020, Chinese billionaire
11 Jack Ma referred to “pawnshop mentality” of state-
12 owned banks. Shortly thereafter, the initial public
13 offering of his firm Ant Financial was canceled by
14 Chinese regulators.

15 (8) The PRC Government is pioneering the use
16 of a fully digitized yuan, which is set to be the
17 world’s first central bank backed digital currency,
18 and the People’s Bank of China and the Hong Kong
19 Monetary Authority have already begun testing the
20 cross-border functionality of the digital currency.

21 **SEC. 132. REPORT ON IMPORTANCE OF AMERICAN FINAN-**
22 **CIAL STRENGTH FOR GLOBAL LEADERSHIP.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) the dominance of the dollar as the global re-
2 serve currency has yielded significant benefits to the
3 United States and the American people by allowing
4 the United States to maintain economic independ-
5 ence, better control its monetary policy, and finance
6 government outlays;

7 (2) American global leadership has benefited
8 from the United States monetary stability, credit-
9 worthiness, deep capital markets, and financial tech-
10 nology innovations;

11 (3) effective diplomacy and safeguarding of
12 American national security rely on the United States
13 role as the global financial leader, hub of global
14 trade, and source of economic opportunity;

15 (4) by cracking down on dissent in the key fi-
16 nancial center of Hong Kong, driving the creation of
17 a technology focused stock exchange, and pushing
18 forward a Central Bank digital currency, the Peo-
19 ple's Republic of China is attempting to become the
20 leading hub of finance in the world; and

21 (5) the United States must maintain its posi-
22 tion as a global financial leader to continue its
23 broader global leadership role around the world.

24 (b) REPORT.—Not later than 180 days after the date
25 of the enactment of this Act, the Secretary of State, in

1 coordination with the Secretary of the Treasury, shall sub-
2 mit to the appropriate committees of Congress a report
3 that—

4 (1) lists and examines the benefits to American
5 foreign policy that derive from the United States fi-
6 nancial leadership and the dollar's status as the
7 world's global reserve currency;

8 (2) describes the actions taken by the People's
9 Republic of China that could cement China's role as
10 the world's leading financial center;

11 (3) analyzes the possible impact on American
12 national security and foreign policy were the yuan to
13 supplant the dollar as the world's leading reserve
14 currency;

15 (4) outlines how the United States can work
16 diplomatically with allies, partners, and other na-
17 tions to preserve a financial system that is free,
18 open, and fair; and

19 (5) identifies steps the United States can take
20 to preserve its status as the world's leading financial
21 center and maintain the dollar's position as the glob-
22 al reserve currency.

23 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
24 FINED.—In this section, the term “appropriate commit-
25 tees of Congress” means—

1 (1) the Committee on Foreign Affairs of the
2 House of Representatives;

3 (2) the Committee on Financial Services of the
4 House of Representatives;

5 (3) the Committee on Foreign Relations of the
6 Senate; and

7 (4) the Committee on Banking, Housing, and
8 Urban Affairs of the Senate.

9 **SEC. 133. REVIEW OF CHINESE COMPANIES ON UNITED**
10 **STATES CAPITAL MARKETS.**

11 (a) FINDINGS.—

12 (1) Beginning in the 1990s, a wave of Chinese
13 companies sought to raise capital and list shares on
14 American stock markets.

15 (2) In 2011 and 2012, more than 100 Chinese
16 firms were delisted from the New York Stock Ex-
17 change as a result of fraud, accounting scandals,
18 and other corporate governance failures.

19 (3) Following extensive diplomatic efforts by
20 the United States Government, the Public Company
21 Accounting Oversight Board (PCAOB) signed a
22 memorandum of understanding with the China Secu-
23 rities Regulatory Commission and the China Min-
24 istry of Finance for the production and exchange of
25 audit documents.

1 (4) Despite signing the agreement, Chinese reg-
2 ulators continue to hinder the PCAOB's access to
3 relevant documents that are necessary for the
4 PCAOB to carry out its enforcement duties.

5 (5) In August 2020, the Department of State
6 sent a letter to American universities warning about
7 national security implications related to Chinese
8 stock holdings.

9 (6) In December 2020, Congress passed and
10 the President signed the Holding Foreign Compa-
11 nies Accountable Act (Public Law 116–222), which
12 requires foreign companies listed on American stock
13 markets to comply with PCAOB auditing rules with-
14 in three years. Under the legislation, issuers not in
15 compliance within three years will be delisted.

16 (b) REPORT.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the Sec-
19 retary of State, in coordination with the Secretary of
20 the Treasury, shall submit to the appropriate con-
21 gressional committees a report that describes the
22 costs and benefits to the United States posed by the
23 presence of companies incorporated in the People's
24 Republic of China (PRC) that are listed on Amer-

1 ican stock exchanges or traded over the counter, in
2 the form of American depository receipts.

3 (2) MATTERS TO BE INCLUDED.—The report
4 shall—

5 (A) identify companies incorporated in the
6 PRC that—

7 (i) are listed or traded on one or sev-
8 eral stock exchanges within the United
9 States, including over-the-counter market
10 and “A Shares” added to indexes and ex-
11 change-traded funds out of mainland ex-
12 changes in the PRC; and

13 (ii) based on the factors for consider-
14 ation described in paragraph (3), have
15 knowingly and materially contributed to—

16 (I) activities that undermine
17 United States national security;

18 (II) serious abuses of internation-
19 ally recognized human rights; or

20 (III) a substantially increased fi-
21 nancial risk exposure for United
22 States-based investors;

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

1 (C) develop policy recommendations for the
2 United States Government, State governments,
3 United States financial institutions, United
4 States equity and debt exchanges, and other
5 relevant stakeholders to address the risks posed
6 by the presence in United States capital mar-
7 kets of the companies identified pursuant to
8 subparagraph (A).

9 (3) FACTORS FOR INCLUSION OF A COMPANY.—
10 In completing the report under paragraph (1), the
11 President shall consider whether a company should
12 be identified pursuant to paragraph (2)(A) because
13 the company has—

14 (A) materially contributed to the develop-
15 ment or manufacture, or sold or facilitated pro-
16 curement by the PLA, of lethal military equip-
17 ment or component parts of such equipment;

18 (B) contributed to the construction and
19 militarization of features in the South China
20 Sea;

21 (C) been sanctioned by the United States
22 or has been determined to have conducted busi-
23 ness with sanctioned entities;

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

1 (E) engaged in corporate or economic espionage;
2

3 (F) contributed to the proliferation of nuclear or missile technology in violation of
4 United Nations Security Council resolutions or
5 United States sanctions;
6

7 (G) contributed to the repression of religious and ethnic minorities within the PRC, including in Xinjiang Uyghur Autonomous Region or Tibet Autonomous Region;
8
9
10

11 (H) contributed to the development of technologies that enable censorship directed or
12 directly supported by the Government of the PRC; or
13
14

15 (I) contributed to other activities or behavior determined to be relevant by the President.
16

17 (4) FACTORS FOR MAKING POLICY RECOMMENDATIONS.—In completing the report under
18 paragraph (1), the President shall weigh the national security implications and consider the following factors identified pursuant to paragraph (3):
19
20
21

22 (A) The possibility that banning or delisting companies from United States markets
23 could lead to an outflow of companies to list in
24 the PRC.
25

1 (B) The possibility that banning or
2 delisting companies from United States markets
3 could impact the status of the United States as
4 the world's leading capital markets center, par-
5 ticularly vis-à-vis the PRC.

6 (C) The impact on American foreign policy
7 and national security if United States leader-
8 ship in capital markets was weakened vis-à-vis
9 the PRC.

10 (c) REPORT FORM.—The report required under sub-
11 section (b) shall be submitted in unclassified form.

12 (d) PUBLICATION.—The report required under sub-
13 section (b) shall be made accessible to the public online
14 through relevant United States Government websites.

15 **SEC. 134. REPORT ON DIPLOMATIC AND ECONOMIC IMPLI-**
16 **CATIONS OF CHANGES TO CROSS-BORDER**
17 **PAYMENT AND FINANCIAL MESSAGING SYS-**
18 **TEMS.**

19 (a) REPORT.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, the Sec-
22 retary of State, in coordination with the Secretary of
23 the Treasury, shall submit to the appropriate con-
24 gressional committees a report on the diplomatic and

1 economic implications of cross-border payment sys-
2 tems.

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

5 (A) assess the extent to which American
6 diplomacy and global leadership hinge upon the
7 current infrastructure and existing ecosystem of
8 cross-border payment and financial messaging
9 systems;

10 (B) examine the durability of the Society
11 for Worldwide Interbank Financial Tele-
12 communication cooperative;

13 (C) review and analyze ways in which the
14 Cross Border Interbank Payment Systems,
15 cryptocurrencies, and central bank digital cur-
16 rencies could erode this system; and

17 (D) analyze how changes to global cross-
18 border payment systems could undermine
19 United States national security interests includ-
20 ing impacts on the efficacy of sanctions, the
21 countering of terrorist finance, and the enforce-
22 ment of anti-money laundering provisions.

23 (b) REPORT FORM.—The report required under sub-
24 section (a)(1) shall be submitted in unclassified form.

1 (c) PUBLICATION.—The report under subsection
2 (a)(1) shall be made accessible to the public online
3 through relevant United States Government websites.

4 **TITLE II—INVESTING IN**
5 **ALLIANCES AND PARTNERSHIPS**
6 **Subtitle A—Strategic and**
7 **Diplomatic Matters**

8 **SEC. 201. APPROPRIATE COMMITTEES OF CONGRESS DE-**
9 **FINED.**

10 In this subtitle, the term “appropriate committees of
11 Congress” means—

12 (1) the Committee on Foreign Relations, the
13 Committee on Armed Services, and the Committee
14 on Appropriations of the Senate; and

15 (2) the Committee on Foreign Affairs, the
16 Committee on Armed Services, and the Committee
17 on Appropriations of the House of Representatives.

18 **SEC. 202. UNITED STATES COMMITMENT AND SUPPORT**
19 **FOR ALLIES AND PARTNERS IN THE INDO-PA-**
20 **CIFIC.**

21 (a) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that—

23 (1) the United States treaty alliances in the
24 Indo-Pacific provide a unique strategic advantage to
25 the United States and are among the Nation’s most

1 precious assets, enabling the United States to ad-
2 vance its vital national interests, defend its territory,
3 expand its economy through international trade and
4 commerce, establish enduring cooperation with allies
5 while seeking to establish new partnerships, prevent
6 the domination of the Indo-Pacific and its sur-
7 rounding maritime and air lanes by a hostile power
8 or powers, and deter potential aggressors;

9 (2) the Governments of the United States,
10 Japan, South Korea, Australia, the Philippines, and
11 Thailand are critical allies in advancing a free and
12 open order in the Indo-Pacific region and tackling
13 challenges with unity of purpose, and have collabo-
14 rated to advance specific efforts of shared interest in
15 areas such as defense and security, economic pros-
16 perity, infrastructure connectivity, and fundamental
17 freedoms;

18 (3) the United States greatly values other part-
19 nerships in the Indo-Pacific region, including with
20 India, Singapore, Indonesia, Taiwan, New Zealand,
21 and Vietnam, as well as its trilateral and quadrilat-
22 eral dialogues, and regional architecture such as the
23 Association of Southeast Asian Nations (ASEAN),
24 and the Asia-Pacific Economic Cooperation, which
25 are essential to further shared interests;

1 (4) the security environment in the Indo-Pacific
2 demands consistent United States and allied com-
3 mitment to strengthening and advancing alliances so
4 that they are postured to meet these challenges, and
5 will require sustained political will, concrete partner-
6 ships, economic, commercial, technological, and secu-
7 rity cooperation, consistent and tangible commit-
8 ments, high-level and extensive consultations on
9 matters of mutual interest, mutual and shared co-
10 operation in the acquisition of key capabilities im-
11 portant to allied defenses, and unified mutual sup-
12 port in the face of political, economic, or military co-
13 ercion;

14 (5) fissures in the United States alliance rela-
15 tionships and partnerships benefit United States ad-
16 versaries and weaken the collective ability to advance
17 shared interests;

18 (6) the United States must work with allies to
19 prioritize human rights throughout the Indo-Pacific
20 region;

21 (7) as the report released in August 2020 by
22 the Expert Group of the International Military
23 Council on Climate and Security (IMCCS), entitled
24 “Climate and Security in the Indo-Asia Pacific”
25 noted, the Indo-Pacific region is one of the regions

1 most vulnerable to climate impacts, and as former
2 Deputy Under Secretary of Defense for Installations
3 and Environment Sherri Goodman, Secretary Gen-
4 eral of IMCCS, noted, climate shocks act as a threat
5 multiplier in the Indo-Pacific region, increasing hu-
6 manitarian response costs and impacting security
7 throughout the region as sea levels rise, fishing pat-
8 terns shift, food insecurity rises, and storms grow
9 stronger and more frequent;

10 (8) the United State should continue to engage
11 on and deepen cooperation with allies and partners
12 of the United States in the Indo-Pacific region, as
13 laid out in the Asia Reassurance Initiative Act (Pub-
14 lic Law 115–409), in the areas of—

15 (A) forecasting environmental challenges;

16 (B) assisting with transnational coopera-
17 tion on sustainable uses of forest and water re-
18 sources with the goal of preserving biodiversity
19 and access to safe drinking water;

20 (C) fisheries and marine resource conserva-
21 tion; and

22 (D) meeting environmental challenges and
23 developing resilience;

24 (9) the Secretary of State, in coordination with
25 the Secretary of Defense and the Administrator of

1 the United States Agency for International Develop-
2 ment, should facilitate a robust interagency Indo-Pa-
3 cific climate resiliency and adaptation strategy fo-
4 cusing on internal and external actions needed—

5 (A) to facilitate regional early recovery,
6 risk reduction, and resilience to weather-related
7 impacts on strategic interests of the United
8 States and partners and allies of the United
9 States in the region; and

10 (B) to address humanitarian and food se-
11 curity impacts of weather-related changes in the
12 region; and

13 (10) ASEAN centrality and ASEAN-led mecha-
14 nisms remain essential to the evolving institutional
15 architecture of the Indo-Pacific region.

16 (b) STATEMENT OF POLICY.—It shall be the policy
17 of the United States—

18 (1) to deepen diplomatic, economic, and secu-
19 rity cooperation with and among United States allies
20 in the Indo-Pacific, as appropriate, including
21 through diplomatic engagement, regional develop-
22 ment, energy security and development, scientific
23 and health partnerships, educational and cultural ex-
24 changes, intelligence-sharing, and other diplomatic
25 and defense-related initiatives;

1 (2) to uphold the United States multilateral
2 and bilateral treaty obligations, including—

3 (A) defending Japan consistent with the
4 Treaty of Mutual Cooperation and Security Be-
5 tween the United States of America and Japan,
6 done at Washington, January 19, 1960, and all
7 related and subsequent bilateral security agree-
8 ments and arrangements concluded on or before
9 the date of enactment of this Act;

10 (B) defending the Republic of Korea con-
11 sistent with the Mutual Defense Treaty Be-
12 tween the United States and the Republic of
13 Korea, done at Washington, October 1, 1953,
14 and all related and subsequent bilateral security
15 agreements and arrangements concluded on or
16 before the date of enactment of this Act;

17 (C) defending the Philippines consistent
18 with article IV of the Mutual Defense Treaty
19 Between the United States and the Republic of
20 the Philippines, done at Washington, August
21 30, 1951, and all related and subsequent bilat-
22 eral security agreements and arrangements con-
23 cluded on or before the date of enactment of
24 this Act;

1 (D) defending Thailand consistent with the
2 Southeast Asia Collective Defense Treaty (“Ma-
3 nila Pact”), done at Manila, September 8,
4 1954, understanding thereto the Thanat-Rusk
5 communique of 1962, and all related and subse-
6 quent bilateral security agreements and ar-
7 rangements concluded on or before the date of
8 enactment of this Act; and

9 (E) defending Australia consistent with the
10 Security Treaty Between Australia and the
11 United States of America, done at San Fran-
12 cisco, September 1, 1951, and all related and
13 subsequent bilateral security agreements and
14 arrangements concluded on or before the date
15 of enactment of this Act;

16 (3) to strengthen and deepen the United States’
17 bilateral and regional partnerships, including with
18 India, Taiwan, ASEAN, and New Zealand;

19 (4) to cooperate with allies and partners to pro-
20 mote human rights across the Indo-Pacific region bi-
21 laterally and through regional and multilateral fora
22 and pacts;

23 (5) to strengthen and advance diplomatic, eco-
24 nomic, and security cooperation with regional part-

1 ners, such as Taiwan, Vietnam, Malaysia, Singapore,
2 Indonesia, and India;

3 (6) to collaborate and cooperate on the sustain-
4 able development of the Mekong River Basin, includ-
5 ing by providing support for environmental conserva-
6 tion and protection initiatives in the Mekong sub-re-
7 gion and through assistance to Cambodia, Laos,
8 Thailand, and Vietnam, whose governments com-
9 prise the Mekong River Commission (MRC). United
10 States efforts should focus on increasing MRC mem-
11 ber countries' capacity in the sustainable conserva-
12 tion and management of natural resources.

13 **SEC. 203. BOOSTING QUAD COOPERATION.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) as a Pacific power, the United States should
17 continue to strengthen its cooperation with Aus-
18 tralia, India, and Japan, (commonly referred to as
19 the Quadrilateral Security Dialogue or “Quad”) to
20 enhance and implement a shared vision to meet re-
21 gional challenges and to promote a free, open, inclu-
22 sive, resilient, and healthy Indo-Pacific, character-
23 ized by respect for democratic norms, rule of law,
24 and market-driven economic growth, and that is free
25 from undue influence and coercion;

1 (2) the United States should expand dialogue
2 and cooperation through the Quad with a range of
3 partners to support the rule of law, freedom of navi-
4 gation and overflight, peaceful resolution of disputes,
5 democratic values, and territorial integrity, and to
6 uphold peace and prosperity and strengthen demo-
7 cratic resilience in the Indo-Pacific;

8 (3) the recent pledge from the first-ever Quad
9 leaders meeting on March 12, 2021, to respond to
10 the economic and health impacts of COVID–19, in-
11 cluding expanding safe, affordable, and effective vac-
12 cine production and equitable access, and to address
13 shared challenges, including in cyberspace, critical
14 technologies, counterterrorism, quality infrastructure
15 investment, and humanitarian assistance and dis-
16 aster relief, as well as maritime domains, further ad-
17 vances the important cooperation among Quad na-
18 tions that is so critical to the Indo-Pacific region;

19 (4) building upon their announced commitment
20 to finance 1,000,000,000 or more COVID–19 vac-
21 cines by the end of 2022 for use in the Indo-Pacific
22 region, the United States International Development
23 Finance Corporation, the Japan International Co-
24 operation Agency, and the Japan Bank for Inter-
25 national Cooperation, including through partnerships

1 other multilateral development banks, should also
2 venture to finance development and infrastructure
3 projects in the Indo-Pacific region that are competi-
4 tive, transparent, and sustainable;

5 (5) the United States should participate in the
6 Resilient Supply Chain Initiative launched by Aus-
7 tralia, Japan, and India in 2020, along with similar
8 initiatives that relocate supply chains in the health,
9 economic, and national security sectors to the
10 United States, its Quad partners, and other like-
11 minded countries; and

12 (6) the formation of a Quad Intra-Parliamen-
13 tary Working Group could—

14 (A) sustain and deepen engagement be-
15 tween senior officials of the Quad countries on
16 a full spectrum of issues; and

17 (B) be modeled on the successful and long-
18 standing bilateral intra-parliamentary groups
19 between the United States and Mexico, Canada,
20 and the United Kingdom, as well as other for-
21 mal and informal parliamentary exchanges.

22 (b) REPORTING REQUIREMENT.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of the enactment of this Act, the Sec-
25 retary of State shall submit to the appropriate con-

1 gressional committees a strategy for bolstering en-
2 gagement and cooperation with the Quad.

3 (2) MATTERS TO BE INCLUDED.—The strategy
4 required by paragraph (1) shall include the fol-
5 lowing:

6 (A) A description of how the United States
7 intends to demonstrate democratic leadership in
8 the Indo-Pacific through quadrilateral engage-
9 ment with India, Japan, and Australia on
10 shared interests and common challenges.

11 (B) A summary of—

12 (i) current and past Quad initiatives
13 across the whole of the United States Gov-
14 ernment, including to promote broad based
15 and inclusive economic growth, trade, and
16 investment, and to advance technology co-
17 operation, energy innovation, climate miti-
18 gation and adaptation, physical and digital
19 infrastructure development, education, dis-
20 aster management, and global health secu-
21 rity;

22 (ii) proposals shared among Quad
23 countries to deepen existing security co-
24 operation, intelligence sharing, economic

1 partnerships, and multilateral coordination;
2 and

3 (iii) initiatives and agreements under-
4 taken jointly with Quad countries, in addi-
5 tion to other like-minded partners in the
6 Indo-Pacific, on areas of shared interest.

7 (C) A description of efforts to jointly—

8 (i) expand ongoing COVID–19 co-
9 operation to prepare for the next pandemic
10 by focusing on medium-term vaccine and
11 medical supply production and building a
12 broader dialogue on global public health;

13 (ii) combat economic coercion, deepen
14 regional economic engagement and integra-
15 tion, and strengthen regional rules and
16 standards around trade and investment;

17 (iii) strengthen climate actions on
18 mitigation, adaptation, resilience, tech-
19 nology, capacity-building, and climate fi-
20 nance;

21 (iv) facilitate the development of qual-
22 ity infrastructure in the Indo-Pacific
23 through joint financing, investment, tech-
24 nical assistance, and standards setting;

1 (v) enhance joint maritime security
2 and maritime domain awareness initiatives
3 to protect the maritime commons and sup-
4 port international law and freedom of navi-
5 gation in the Indo-Pacific; and

6 (vi) develop international technology
7 standards and share or co-develop new in-
8 novative technologies of the future.

9 **SEC. 204. ESTABLISHMENT OF QUAD INTRA-PARLIAMEN-**
10 **TARY WORKING GROUP.**

11 (a) ESTABLISHMENT.—Not later than 30 days after
12 the date of the enactment of this Act, the Secretary of
13 State shall seek to enter into negotiations with the govern-
14 ments of Japan, Australia, and India (collectively, with the
15 United States, known as the “Quad”) with the goal of
16 reaching a written agreement to establish a Quad Intra-
17 Parliamentary Working Group to facilitate closer coopera-
18 tion on shared interests and values.

19 (b) UNITED STATES GROUP.—

20 (1) IN GENERAL.—At such time as the govern-
21 ments of the Quad countries enter into a written
22 agreement described in subsection (a) to establish a
23 Quad Intra-Parliamentary Working Group, there
24 shall be established a United States Group, which

1 shall represent the United States at the Quad Intra-
2 Parliamentary Working Group.

3 (2) MEMBERSHIP.—

4 (A) IN GENERAL.—The United States
5 Group shall be comprised of not more than 24
6 Members of Congress.

7 (B) APPOINTMENT.—Of the Members of
8 Congress appointed to the United States Group
9 under subparagraph (A)—

10 (i) half shall be appointed by the
11 Speaker of the House of Representatives
12 from among Members of the House, not
13 fewer than four of whom shall be members
14 of the Committee on Foreign Affairs; and

15 (ii) half shall be appointed by the
16 President Pro Tempore of the Senate,
17 based on recommendations of the majority
18 leader and minority leader of the Senate,
19 from among Members of the Senate, not
20 fewer than four of whom shall be members
21 of the Committee on Foreign Relations
22 (unless the majority leader and minority
23 leader determine otherwise).

24 (3) MEETINGS.—

1 (A) IN GENERAL.—The United States
2 Group shall seek to meet not less frequently
3 than annually with representatives and appro-
4 priate staff of the legislatures of Japan, Aus-
5 tralia, and India, and any other country invited
6 by mutual agreement of the Quad countries.

7 (B) LIMITATION.—A meeting described in
8 subparagraph (A) may be held—

9 (i) in the United States;

10 (ii) in another Quad country during
11 periods when Congress is not in session; or

12 (iii) virtually.

13 (4) CHAIRPERSON AND VICE CHAIRPERSON.—

14 (A) HOUSE DELEGATION.—The Speaker of
15 the House of Representatives shall designate
16 the chairperson or vice chairperson of the dele-
17 gation of the United States Group from the
18 House from among members of the Committee
19 on Foreign Affairs.

20 (B) SENATE DELEGATION.—The President
21 Pro Tempore of the Senate shall designate the
22 chairperson or vice chairperson of the delega-
23 tion of the United States Group from the Sen-
24 ate from among members of the Committee on
25 Foreign Relations.

1 (5) AUTHORIZATION OF APPROPRIATIONS.—

2 (A) IN GENERAL.—There is authorized to
3 be appropriated \$1,000,000 for each fiscal
4 years 2022 through 2025 for the United States
5 Group.

6 (B) DISTRIBUTION OF APPROPRIATIONS.—

7 (i) IN GENERAL.—For each fiscal year
8 for which an appropriation is made for the
9 United States Group, half of the amount
10 appropriated shall be available to the dele-
11 gation from the House of Representatives
12 and half of the amount appropriated shall
13 be available to the delegation from the
14 Senate.

15 (ii) METHOD OF DISTRIBUTION.—The
16 amounts available to the delegations of the
17 House of Representatives and the Senate
18 under clause (i) shall be disbursed on
19 vouchers to be approved by the chairperson
20 of the delegation from the House of Rep-
21 resentatives and the chairperson of the del-
22 egation from the Senate, respectively.

23 (6) PRIVATE SOURCES.—The United States
24 Group may accept gifts or donations of services or
25 property, subject to the review and approval, as ap-

1 (2) support high-level United States participa-
2 tion in the annual ASEAN Summit held each year;

3 (3) reaffirm the importance of United States-
4 ASEAN economic engagement, including the elimi-
5 nation of barriers to cross-border commerce, and
6 support the ASEAN Economic Community's (AEC)
7 goals, including strong, inclusive, and sustainable
8 long-term economic growth and cooperation with the
9 United States that focuses on innovation and capac-
10 ity-building efforts in technology, education, disaster
11 management, food security, human rights, and trade
12 facilitation, particularly for ASEAN's poorest coun-
13 tries;

14 (4) urge ASEAN to continue its efforts to fos-
15 ter greater integration and unity within the ASEAN
16 community, as well as to foster greater integration
17 and unity with non-ASEAN economic, political, and
18 security partners, including Japan, the Republic of
19 Korea, Australia, the European Union, and India;

20 (5) recognize the value of strategic economic
21 initiatives such as United States-ASEAN Connect,
22 which demonstrates a commitment to ASEAN and
23 the AEC and builds upon economic relationships in
24 the region;

1 (6) support ASEAN nations in addressing mar-
2 itime and territorial disputes in a constructive man-
3 ner and in pursuing claims through peaceful, diplo-
4 matic, and, as necessary, legitimate regional and
5 international arbitration mechanisms, consistent
6 with international law, including through the adop-
7 tion of a code of conduct in the South China Sea
8 that represents the interests of all parties and pro-
9 motes peace and stability in the region;

10 (7) urge all parties involved in the maritime
11 and territorial disputes in the Indo-Pacific region,
12 including the Government of the People's Republic
13 of China—

14 (A) to cease any current activities, and
15 avoid undertaking any actions in the future,
16 that undermine stability, or complicate or esca-
17 late disputes through the use of coercion, in-
18 timidation, or military force;

19 (B) to demilitarize islands, reefs, shoals,
20 and other features, and refrain from new ef-
21 forts to militarize, including the construction of
22 new garrisons and facilities and the relocation
23 of additional military personnel, material, or
24 equipment;

1 (C) to oppose actions by any country that
2 prevent other countries from exercising their
3 sovereign rights to the resources in their exclu-
4 sive economic zones and continental shelves by
5 enforcing claims to those areas in the South
6 China Sea that lack support in international
7 law; and

8 (D) to oppose unilateral declarations of ad-
9 ministrative and military districts in contested
10 areas in the South China Sea;

11 (8) urge parties to refrain from unilateral ac-
12 tions that cause permanent physical damage to the
13 marine environment and support the efforts of the
14 National Oceanic and Atmospheric Administration
15 and ASEAN to implement guidelines to address the
16 illegal, unreported, and unregulated fishing in the
17 region;

18 (9) urge ASEAN nations to develop a common
19 approach to encourage China and the Philippines to
20 comply with the decision of the Permanent Court of
21 Arbitration's 2016 ruling in favor of the Republic of
22 the Philippines in the case against the People's Re-
23 public of China's excessive maritime claims;

24 (10) reaffirm the commitment of the United
25 States to continue joint efforts with ASEAN to halt

1 human smuggling and trafficking in persons and
2 urge ASEAN to create and strengthen regional
3 mechanisms to provide assistance and support to
4 refugees and migrants;

5 (11) support the Mekong-United States Part-
6 nership;

7 (12) support newly created initiatives with
8 ASEAN nations, including the United States-
9 ASEAN Smart Cities Partnership, the ASEAN Pol-
10 icy Implementation Project, the United States-
11 ASEAN Innovation Circle, and the United States-
12 ASEAN Health Futures;

13 (13) encourage the President to communicate
14 to ASEAN leaders the importance of promoting the
15 rule of law and open and transparent government,
16 strengthening civil society, and protecting human
17 rights, including releasing political prisoners, ceasing
18 politically motivated prosecutions and arbitrary
19 killings, and safeguarding freedom of the press, free-
20 dom of assembly, freedom of religion, and freedom
21 of speech and expression;

22 (14) support efforts by organizations in
23 ASEAN that address corruption in the public and
24 private sectors, enhance anti-bribery compliance, en-
25 force bribery criminalization in the private sector,

1 and build beneficial ownership transparency through
2 the ASEAN–USAID PROSPECT project partnered
3 with the South East Asia Parties Against Corrup-
4 tion (SEA–PAC);

5 (15) support the Young Southeast Asian Lead-
6 ers Initiative as an example of a people-to-people
7 partnership that provides skills, networks, and lead-
8 ership training to a new generation that will create
9 and fill jobs, foster cross-border cooperation and
10 partnerships, and rise to address the regional and
11 global challenges of the future;

12 (16) support the creation of initiatives similar
13 to the Young Southeast Asian Leaders Initiative for
14 other parts of the Indo-Pacific to foster people-to-
15 people partnerships with an emphasis on civil society
16 leaders;

17 (17) acknowledge those ASEAN governments
18 that have fully upheld and implemented all United
19 Nations Security Council resolutions and inter-
20 national agreements with respect to the Democratic
21 People’s Republic of Korea’s nuclear and ballistic
22 missile programs and encourage all other ASEAN
23 governments to do the same; and

24 (18) allocate appropriate resources across the
25 United States Government to articulate and imple-

1 ment an Indo-Pacific strategy that respects and sup-
2 ports the crucial role of ASEAN and supports
3 ASEAN as a source of well-functioning and prob-
4 lem-solving regional architecture in the Indo-Pacific
5 community.

6 **SEC. 206. YOUNG SOUTHEAST ASIAN LEADERS INITIATIVE.**

7 (a) **SHORT TITLE.**—This section may be cited as the
8 “Young Southeast Asian Leaders Initiative Act” or the
9 “YSEALI Act”.

10 (b) **YOUNG SOUTHEAST ASIAN LEADERS INITIA-**
11 **TIVE.**—

12 (1) **ESTABLISHMENT.**—There is established in
13 the Department of State the Young Southeast Asian
14 Leaders Initiative (“YSEALI”) program.

15 (2) **GOALS.**—The YSEALI program shall seek
16 to build to capacity of young leaders in Southeast
17 Asia to—

18 (A) support young leaders from Southeast
19 Asia by offering professional development and a
20 global network to share expertise, including in
21 the areas of civic engagement, economic em-
22 powerment and social entrepreneurship, edu-
23 cation and environmental issues; and

24 (B) further strengthen the enduring part-
25 nership between the United States and South-

1 east Asia and connect United States experts
2 with YSEALI participants.

3 (3) YSEALI PROGRAMS.—

4 (A) YSEALI ACADEMIC FELLOWS PRO-
5 GRAM.—There is established the YSEALI Aca-
6 demic Fellows Program to bring students from
7 YSEALI partner countries to the United States
8 for the purposes of building practical expertise,
9 leadership skills, and professional networks re-
10 lating to one or more of the YSEALI themes.
11 The Secretary of State may award fellowships
12 under the Academic Fellows Program to eligible
13 individuals based on the following:

14 (i) Citizenship and residency in a
15 YSEALI partner country.

16 (ii) Status as a full-time under-
17 graduate student, or recent graduate of
18 college, university, or other institutions of
19 higher learning.

20 (iii) Other criteria determined appro-
21 priate by the Secretary.

22 (B) YSEALI PROFESSIONAL FELLOWS
23 PROGRAM.—There is established the YSEALI
24 Professional Fellows Program to bring profes-
25 sionals from YSEALI partner countries to the

1 United States for the purposes of building prac-
2 tical expertise, leadership skills, and profes-
3 sional networks relating to one or more of the
4 YSEALI themes. The Secretary of State may
5 award fellowships under the Professional Fel-
6 lows Program to eligible individuals based on
7 the following:

8 (i) Citizenship and residency in a
9 YSEALI partner country.

10 (ii) Status as an emerging leader in
11 government, civil society, or the private
12 sector, and demonstrated expertise relating
13 to one or more of the YSEALI themes.

14 (iii) Current employment, and two or
15 more years of professional work experience
16 relevant to one or more YSEALI themes.

17 (iv) Other criteria determined appro-
18 priate by the Secretary.

19 (C) OTHER INITIATIVES.—The Secretary
20 of State may designate other initiatives as
21 YSEALI initiatives under this section if they
22 advance the goals of the YSEALI program as
23 described in paragraph (2).

24 (4) ACTIVITIES.—

1 (A) UNITED STATES-BASED ACTIVITIES.—

2 The Secretary of State shall oversee all United
3 States-based activities carried out under the
4 YSEALI program, including the participation
5 of YSEALI Academic Fellows in a program at
6 a United States university or college, and the
7 participation of YSEALI Professional Fellows
8 at United States private and public sector orga-
9 nizations for individually-tailored work place-
10 ments. Both fellowships may include site visits,
11 professional networking opportunities, leader-
12 ship training, community service, and organized
13 cultural activities, as appropriate.

14 (B) SOUTHEAST ASIA-BASED ACTIVI-
15 TIES.—The Secretary of State should continue
16 to support overseas initiatives of the program,
17 including the following:

18 (i) Quality leadership training, profes-
19 sional development, and networking oppor-
20 tunities for YSEALI alumni.

21 (ii) Reciprocal exchanges for YSEALI
22 Professional Fellows Program's United
23 States professional hosts and interlocutors
24 to support post-United States exchange ac-

1 tion plans and other related public diplo-
2 macy goals, as appropriate.

3 (iii) Opportunities for networking with
4 YSEALI alumni and professionals and ex-
5 perts who are American and Southeast
6 Asian.

7 (iv) The YSEALI Regional Workshop
8 program, offering networking, mentoring,
9 hands-on training, and the tools necessary
10 to lead communities in addressing eco-
11 nomic, environmental, educational, and
12 civic engagement issues.

13 (v) The YSEALI Seeds for the Fu-
14 ture program, providing small, competitive
15 grants to young leaders in Southeast Asia
16 to improve their communities, countries,
17 and the region towards one or more of the
18 themes of civic engagement, economic em-
19 powerment and social entrepreneurship,
20 education, or environmental issues.

21 (vi) The YSEALI Academy at Ful-
22 bright University Vietnam, offering execu-
23 tive-level seminars for entry to mid-level
24 professionals around the themes of tech-

1 nology and innovation, public policy, and
2 entrepreneurship.

3 (vii) The YSEALI Women's Leader-
4 ship Academy Program, enhancing people-
5 to-people ties and engagement with young
6 and emerging leaders by promoting gender
7 equality and advancing the status of
8 women and girls, such as in the public
9 health sector

10 (C) ALUMNI PLATFORM.—The Secretary of
11 State is authorized to convene current YSEALI
12 participants and YSEALI alumni through a
13 platform to promote networking opportunities
14 within the YSEALI community.

15 (D) IMPLEMENTATION.—To carry out this
16 paragraph, United States diplomatic and con-
17 sular posts, the Secretary of State, and agency
18 external partners managing and implementing
19 the YSEALI program—

20 (i) shall promote United States policy
21 goals in Southeast Asia by providing tools
22 and resources to help young Southeast
23 Asian leaders develop important skills and
24 connections, including through online cam-
25 paigns and public diplomacy initiatives;

1 (ii) shall establish a system for moni-
2 toring, evaluating, and improving the
3 YSEALI program; and

4 (iii) may accept financial contribu-
5 tions from foundations, corporations, pri-
6 vate donors, program partners, and imple-
7 menting agency external partners intended
8 to foster the goals of the YSEALI pro-
9 gram.

10 (5) REPORTS.—

11 (A) STRATEGY.—The Secretary of State
12 shall submit to the appropriate congressional
13 committees a strategy for implementing the
14 YSEALI program, including the following:

15 (i) YSEALI program goals, targets,
16 and planned outcomes for each year and,
17 separately, for the YSEALI program gen-
18 erally during the duration of its implemen-
19 tation.

20 (ii) The continuation of YSEALI pro-
21 gram monitoring and evaluation plan, in-
22 cluding metrics for measuring YSEALI
23 program progress identification of annual
24 YSEALI program goals, and targets.

1 (B) ANNUAL REPORTS.—Not later than 1
2 year after the date of the enactment of this sec-
3 tion, and annually thereafter for 4 years, the
4 Secretary of State shall submit to the appro-
5 priate congressional committees and publish on
6 a publicly available website of the Department
7 a report on—

8 (i) YSEALI program progress and an
9 assessment of the metrics, goals, targets,
10 and outcomes described in subparagraph
11 (A)(i), including information relating to
12 YSEALI program implementation and out-
13 come activities during the year covered by
14 each report; and

15 (ii) recommendations for improve-
16 ments or amendments to the YSEALI pro-
17 gram and strategy, if any, that would im-
18 prove their effectiveness during subsequent
19 years of YSEALI program implementation.

20 (C) FINAL REPORT.—Not later than the
21 date of the submission of the last report re-
22 quired under subparagraph (B), the Secretary
23 of State shall submit to the appropriate con-
24 gressional committees a final assessment report
25 that evaluates YSEALI program implementa-

1 tion and outcomes during the entire duration of
2 YSEALI program operation, including rec-
3 ommendations regarding whether the YSEALI
4 program should be reauthorized and any
5 changes that would improve its effectiveness.

6 (6) DEFINITIONS.—In this section:

7 (A) APPROPRIATE CONGRESSIONAL COM-
8 MITTEES.—The term “appropriate congres-
9 sional committees” means—

10 (i) the Committee on Foreign Affairs
11 of the House of Representatives;

12 (ii) the Committee on Appropriations
13 of the House of Representatives;

14 (iii) the Committee on Foreign Rela-
15 tions of the Senate; and

16 (iv) the Committee on Appropriations
17 of the Senate.

18 (B) IMPLEMENTING AGENCY EXTERNAL
19 PARTNERS.—The term “implementing agency
20 external partners” means any external partner
21 that is not a United States Government agency,
22 and may include one or more of the following
23 entities:

24 (i) Local or multinational corpora-
25 tions.

1 (ii) Nongovernmental organizations.

2 (iii) Universities.

3 (iv) Regional institutions.

4 (C) YSEALI THEME.—The term

5 “YSEALI theme” means—

6 (i) civic engagement;

7 (ii) economic empowerment and social

8 entrepreneurship;

9 (iii) education;

10 (iv) environmental issues; or

11 (v) any other theme included by the

12 Secretary of State.

13 (D) YSEALI PARTNER COUNTRIES.—The

14 term “YSEALI partner countries” includes

15 each member country of the Association of

16 Southeast Asian Nations and each other coun-

17 try or political entity the Secretary of State de-

18 termines appropriate to include in the programs

19 established under this section.

20 **SEC. 207. SENSE OF CONGRESS ON NEGOTIATIONS WITH G7**

21 **AND G20 COUNTRIES.**

22 It is the sense of Congress that the President, acting

23 through the Secretary of State, should initiate an agenda

24 with G7 and G20 countries on matters relevant to eco-

1 nomic and democratic freedoms, including relating to the
2 following:

3 (1) Trade and investment issues and enforce-
4 ment.

5 (2) Building support for international infra-
6 structure standards, including standards agreed to
7 at the G20 summit in Osaka in 2018.

8 (3) The erosion of democracy and human
9 rights.

10 (4) The security of 5G telecommunications.

11 (5) Anti-competitive behavior, such as intellec-
12 tual property theft, massive subsidization of compa-
13 nies, and other policies and practices.

14 (6) Predatory international sovereign lending
15 that is inconsistent with Organisation for Economic
16 Cooperation and Development and Paris Club prin-
17 ciples.

18 (7) International influence campaigns.

19 (8) Environmental standards.

20 (9) Coordination with like-minded regional part-
21 ners that are not in the G7 and G20.

22 **SEC. 208. ENHANCING THE UNITED STATES-TAIWAN PART-**
23 **nership.**

24 (a) STATEMENT OF POLICY.—It is the policy of the
25 United States—

1 (1) to support the close economic, political, and
2 security relationship between Taiwan and the United
3 States and recognize Taiwan as a vital part of the
4 approach to the United States Indo-Pacific;

5 (2) to advance the security of Taiwan and its
6 democracy a vital national security interest of the
7 United States;

8 (3) to reinforce all existing United States Gov-
9 ernment commitments to Taiwan, consistent with
10 the Taiwan Relations Act (Public Law 96–8), the
11 three joint communiques, and the “Six Assurances”;

12 (4) to support Taiwan’s implementation of its
13 asymmetric defense strategy, including the priorities
14 identified in Taiwan’s Overall Defense Concept;

15 (5) to urge Taiwan to increase its defense
16 spending in order to fully resource its defense strat-
17 egy;

18 (6) to conduct regular transfers of defense arti-
19 cles to Taiwan in order to enhance Taiwan’s self-de-
20 fense capabilities, particularly its efforts to develop
21 and integrate asymmetric capabilities, such as anti-
22 ship, coastal defense, anti-armor, air defense, ad-
23 vanced command, control, communications, com-
24 puters, intelligence, surveillance, and reconnaissance,

1 and resilient command and control capabilities, into
2 its military forces;

3 (7) to advocate and actively advance Taiwan's
4 meaningful participation in international organiza-
5 tions, including the World Health Assembly, the
6 International Civil Aviation Organization, the Inter-
7 national Criminal Police Organization, and other
8 international bodies as appropriate;

9 (8) to advocate for information sharing with
10 Taiwan in the International Agency for Research on
11 Cancer;

12 (9) to promote meaningful cooperation among
13 the United States, Taiwan, and other like-minded
14 partners;

15 (10) to enhance bilateral trade, including poten-
16 tially through new agreements or resumption of
17 talks under the Trade and Investment Framework
18 Agreement;

19 (11) to actively engage in trade talks in pursu-
20 ance of a bilateral free trade agreement;

21 (12) to expand bilateral economic and techno-
22 logical cooperation, including improving supply chain
23 security;

24 (13) to support United States educational and
25 exchange programs with Taiwan, including by pro-

1 moting the study of Chinese language, culture, his-
2 tory, and politics in Taiwan; and

3 (14) to expand people-to-people exchanges be-
4 tween the United States and Taiwan.

5 (b) SUPPORTING UNITED STATES EDUCATIONAL
6 AND EXCHANGE PROGRAMS WITH TAIWAN.—

7 (1) ESTABLISHMENT OF THE UNITED STATES-
8 TAIWAN CULTURAL EXCHANGE FOUNDATION.—The
9 Secretary of State should consider establishing an
10 independent nonprofit entity that—

11 (A) is dedicated to deepening ties between
12 the future leaders of Taiwan and the United
13 States; and

14 (B) works with State and local school dis-
15 tricts and educational institutions in the United
16 States to send high school and university stu-
17 dents to Taiwan to study the Chinese language,
18 culture, history, politics, and other relevant sub-
19 jects.

20 (2) PARTNER.—State and local school districts
21 and educational institutions, including public univer-
22 sities, in the United States are encouraged to part-
23 ner with the Taipei Economic and Cultural Rep-
24 resentative Office in the United States to establish

1 programs to promote an increase in educational and
2 cultural exchanges.

3 **SEC. 209. TAIWAN DIPLOMATIC REVIEW.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) Pursuant to the Taiwan Relations Act (22
6 U.S.C. 3301(b)(1)), it is the policy of the United
7 States to “promote extensive, close, and friendly
8 commercial, cultural, and other relations between
9 the people of the United States and the people of
10 Taiwan”.

11 (2) In May 2019, the Taiwanese counterpart to
12 the American Institute in Taiwan, the Coordination
13 Council for North American Affairs, was renamed
14 the “Taiwan Council for U.S. Affairs”.

15 (3) It is the policy of the United States to refer
16 to Taiwan as “Taiwan”, not “Taipei” or “Chinese
17 Taipei”.

18 (4) The Taipei Economic and Cultural Rep-
19 resentative Office is inaptly named as it works to
20 cultivate the extensive, close, and friendly commer-
21 cial, cultural, and other relations between the people
22 of the United States and the people, organizations,
23 and enterprises of Taiwan, not merely those in Tai-
24 pei.

1 (b) NEGOTIATIONS TO RENAME TECRO.—Reflective
2 of the substantively deepening ties between Taiwan and
3 the United States, the Secretary of State shall seek to
4 enter into negotiations with appropriate officials of the
5 Taipei Economic and Cultural Representative Office in the
6 United States with the objective of renaming its office in
7 Washington, D.C., the Taiwan Representative Office in
8 the United States, and its subsidiary offices in the United
9 States, accordingly.

10 **SEC. 210. TAIWAN PEACE AND STABILITY ACT.**

11 (a) SHORT TITLE.—This section may be cited as the
12 “Taiwan Peace and Stability Act”.

13 (b) DEFINITIONS.—In this section:

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term “appropriate congressional com-
16 mittees” means—

17 (A) the Committee on Foreign Affairs of
18 the House of Representatives; and

19 (B) the Committee on Foreign Relations of
20 the Senate.

21 (2) INTERNATIONAL ORGANIZATION.—The term
22 “international organization” includes United Na-
23 tions funds, programs, specialized agencies, entities,
24 and bodies, as well as other organizations outside of
25 the United Nations system that the Secretary of

1 State determines appropriate, in consultation with
2 other relevant Federal departments and agencies.

3 (3) ONE-CHINA PRINCIPLE.—The term “One-
4 China Principle” means only the PRC’s policy to-
5 ward Taiwan.

6 (4) CIVIL SOCIETY ORGANIZATIONS.—The term
7 “civil society organizations” means international
8 civil society organizations that are critical to main-
9 taining Taiwan’s international space and enabling
10 Taiwan to play a positive and constructive role in
11 the global community.

12 (5) POTENTIAL PLA CAMPAIGNS.—The term
13 “potential PLA campaigns” means—

14 (A) a naval blockade of Taiwan;

15 (B) an amphibious assault and ground in-
16 vasion of Taiwan, especially such invasion de-
17 signed to accomplish a fiat accompli before
18 intervention is possible; or

19 (C) a seizure of one or more of Taiwan’s
20 outlying islands.

21 (c) FINDINGS.—Congress makes the following find-
22 ings:

23 (1) The United States has consistently sought
24 to advance peace and stability in East Asia as a cen-

1 tral element of United States foreign policy toward
2 the region.

3 (2) The Government of the People's Republic of
4 China (PRC), especially since the election of Tsai
5 Ing-Wen in 2016, has conducted a coordinated cam-
6 paign to weaken Taiwan diplomatically, economi-
7 cally, and militarily in a manner that threatens to
8 erode United States policy and create a fait accompli
9 on questions surrounding Taiwan's future.

10 (3) In order to ensure the longevity of United
11 States policy and preserve the ability of the people
12 of Taiwan to determine their future independently,
13 it is necessary to reinforce Taiwan's diplomatic, eco-
14 nomic, and physical space.

15 (4) Taiwan has provided monetary, humani-
16 tarian, and medical assistance to combat diseases
17 such as AIDS, tuberculosis, Ebola, and dengue fever
18 in countries around the world. During the COVID-
19 19 pandemic, Taiwan donated millions of pieces of
20 personal protective equipment and COVID-19 tests
21 to countries in need.

22 (5) Since 2016, the Gambia, São Tomé and
23 Principe, Panama, the Dominican Republic, Burkina
24 Faso, El Salvador, the Solomon Islands, and

1 Kiribati have severed diplomatic relations with Tai-
2 wan in favor of diplomatic relations with China.

3 (6) Taiwan was invited to participate in the
4 World Health Assembly (WHA), the decision-making
5 body of the World Health Organization, as an ob-
6 server annually between 2009 and 2016. Since the
7 2016 election of President Tsai, the PRC has in-
8 creasingly resisted Taiwan's participation in the
9 WHA. Taiwan was not invited to attend the WHA
10 in 2017, 2018, 2019, 2020, or 2021.

11 (7) The Taipei Flight Information Region re-
12 portedly served 1,750,000 flights and 68,900,000
13 passengers in 2018 and is home to Taiwan Taoyuan
14 International Airport, the 11th busiest airport in the
15 world. Taiwan has been excluded from participating
16 at the International Civil Aviation Organization
17 since 2013.

18 (8) United Nations General Assembly Resolu-
19 tion 2758 (1971) does not address the issue of rep-
20 resentation of Taiwan and its people at the United
21 Nations, nor does it give the PRC the right to rep-
22 resent the people on Taiwan.

23 (d) STATEMENT OF POLICY.—It is the policy of the
24 United States to—

1 (1) maintain the position that peace and sta-
2 bility in the Western Pacific are in the political, se-
3 curity, and economic interests of the United States,
4 and are matters of international concern; and

5 (2) work with allies and partners to promote
6 peace and stability in the Indo-Pacific and deter
7 military acts or other forms of coercive behavior that
8 would undermine regional stability.

9 (e) SENSE OF CONGRESS ON TAIWAN'S MEANINGFUL
10 PARTICIPATION IN THE INTERNATIONAL COMMUNITY.—

11 It is the sense of Congress that—

12 (1) Taiwan is free, democratic, and prosperous,
13 is home to 23,500,000 people, and is an important
14 contributor to the global community;

15 (2) multiple United States Government Admin-
16 istrations have taken important steps to advance
17 Taiwan's meaningful participation in international
18 organizations and to enhance cooperation with Tai-
19 wan to provide global public goods, including
20 through development assistance, humanitarian as-
21 sistance, and disaster relief in trilateral and multi-
22 lateral fora;

23 (3) nonetheless, significant structural, policy,
24 and legal barriers remain to advancing Taiwan's

1 meaningful participation in the international com-
2 munity; and

3 (4) efforts to share Taiwan’s expertise with
4 other parts of the global community could be further
5 enhanced through a systematic approach, along with
6 greater attention from Congress and the American
7 public to such efforts.

8 (f) STRATEGY TO SUPPORT TAIWAN’S MEANINGFUL
9 PARTICIPATION IN INTERNATIONAL ORGANIZATIONS.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this section, the
12 Secretary of State, in consultation with other Fed-
13 eral departments and agencies as appropriate, shall
14 submit to the appropriate congressional committees
15 a strategy—

16 (A) to advance Taiwan’s meaningful par-
17 ticipation in a prioritized set of international
18 organizations; and

19 (B) that responds to growing pressure
20 from the PRC on foreign governments, inter-
21 national organizations, commercial actors, and
22 civil society organizations to comply with its
23 “One-China Principle” with respect to Taiwan.

24 (2) MATTERS TO BE INCLUDED.—The strategy
25 required under paragraph (1) shall include—

1 (A) an assessment of the methods the PRC
2 uses to coerce actors to into adhering to its
3 “One-China Principle”, including those em-
4 ployed against governments, international orga-
5 nizations, and civil society organizations and
6 pressure on commercial actors, to the extent
7 relevant in the context of Taiwan’s meaningful
8 participation international organizations;

9 (B) an assessment of the policies of foreign
10 governments toward the PRC and Taiwan, to
11 identify likeminded allies and partners who
12 might become public or private partners in the
13 strategy;

14 (C) a systematic analysis of all inter-
15 national organizations, as practicable, to iden-
16 tify those that best lend themselves to advanc-
17 ing Taiwan’s participation, including—

18 (i) the organization’s policy on the re-
19 quirements to obtain membership and ob-
20 server status, as well as the foundational
21 documents defining membership require-
22 ments and observer status within the orga-
23 nization;

24 (ii) the organization’s participation
25 rules;

1 (iii) the processes for developing mem-
2 bership requirements and participation
3 rules;

4 (iv) the policies of current members
5 regarding Taiwan's political status; and

6 (v) the organization's relative reliance
7 on contributions from the PRC and how it
8 may affect internal decision-making;

9 (D) an evaluation of the feasibility and ad-
10 visability of expanding economic, security, and
11 diplomatic engagement with countries that have
12 demonstrably strengthened, enhanced, or up-
13 graded relations with Taiwan, where it aligns
14 with United States interests;

15 (E) a survey of international organizations
16 that have allowed Taiwan's meaningful partici-
17 pation, including an assessment of whether any
18 erosion in Taiwan's engagement has occurred
19 within those organizations and how Taiwan's
20 participation has positively strengthened the ca-
21 pacity and activity of these organizations, pro-
22 viding positive models for Taiwan's inclusion in
23 other similar forums;

24 (F) a list of not more than 20 inter-
25 national organizations at which the United

1 States Government will prioritize using its
2 voice, vote, and influence to advance Taiwan's
3 meaningful participation over the three-year pe-
4 riod following the date of enactment of this Act,
5 to be derived from the organizations identified
6 pursuant to subparagraph (C); and

7 (G) a description of the diplomatic strate-
8 gies and the coalitions the United States Gov-
9 ernment plans to develop to implement subpara-
10 graph (F).

11 (3) FORM.—The strategy required under para-
12 graph (1) shall be submitted in classified form but
13 may include an unclassified summary.

14 (4) CONSULTATION.—The Secretary of State
15 shall consult with the appropriate congressional com-
16 mittees—

17 (A) not later than 90 days after the date
18 of enactment of this Act, with respect to the
19 international organizations identified pursuant
20 to paragraph (2)(C); and

21 (B) not later than 180 days after the date
22 of the submission of the strategy required
23 under paragraph (1), and every 180 days there-
24 after for 2 years, regarding the development
25 and implementation of the strategy required.

1 (g) EXPANDING UNITED STATES-TAIWAN DEVELOP-
2 MENT COOPERATION.—

3 (1) IN GENERAL.—No later than 120 days after
4 the date of the enactment of this Act, the Adminis-
5 trator of the United States Agency for International
6 Development (USAID), in consultation with the
7 United States International Development Finance
8 Corporation (DFC), shall submit to the appropriate
9 congressional committees a report on cooperation
10 with Taiwan on trilateral and multilateral develop-
11 ment initiatives, through the American Institute in
12 Taiwan as appropriate.

13 (2) MATTERS TO BE INCLUDED.—The report
14 required in paragraph (1) shall include the following:

15 (A) A comprehensive review of existing co-
16 operation mechanisms and initiatives between
17 USAID or DFC and relevant departments and
18 agencies in Taiwan, including, but not limited
19 to Taiwan's International Cooperation and De-
20 velopment Fund (ICDF).

21 (B) An assessment of how USAID and
22 DFC development cooperation with relevant de-
23 partments and agencies in Taiwan compares to
24 comparable cooperation with partners of similar
25 economic size and foreign assistance capacity.

1 (C) An analysis of the opportunities and
2 challenges the cooperation described in subpara-
3 graph (A) has offered to date, including—

4 (i) opportunities collaboration has of-
5 fered to expand USAID's and DFC's abil-
6 ity to deliver assistance into a wider range
7 communities;

8 (ii) sectors where USAID, DFC,
9 ICDF, other relevant agencies and depart-
10 ments in Taiwan, or the organizations' im-
11 plementing partners, have a comparative
12 advantage in providing assistance; and

13 (iii) opportunities to transition virtual
14 capacity building events relevant depart-
15 ments and agencies in Taiwan, through the
16 Global Cooperation and Training Frame-
17 work and other forums, into in-person, en-
18 during forms of development cooperation.

19 (D) An assessment of any legal, policy,
20 logistical, financial, or administrative barriers
21 to expanding cooperation in trilateral or multi-
22 lateral development, including—

23 (i) availability of personnel at the
24 American Institute in Taiwan responsible

1 for coordinating development assistance co-
2 operation;

3 (ii) volume of current cooperation ini-
4 tiatives and barriers to expanding it;

5 (iii) diplomatic, policy, or legal bar-
6 riers facing the United States or other
7 partners to including Taiwan in formal
8 and informal multilateral development co-
9 operation mechanisms;

10 (iv) resource or capacity barriers to
11 expanding cooperation facing the United
12 States or Taiwan; and

13 (v) geopolitical barriers that com-
14 plicate United States-Taiwan cooperation
15 in third countries.

16 (E) Recommendations to address the chal-
17 lenges identified in subparagraph (D).

18 (F) A description of any additional re-
19 sources or authorities that expanding coopera-
20 tion might require.

21 (3) FORM.—The strategy required in paragraph
22 (1) shall be submitted in unclassified form but may
23 include a classified annex.

1 (h) SENSE OF CONGRESS ON EXPANDING UNITED
2 STATES ECONOMIC RELATIONS WITH TAIWAN.—It is the
3 sense of the Congress that—

4 (1) expanding United States economic relations
5 with Taiwan has benefited the people of both the
6 United States and Taiwan; and

7 (2) the United States should explore opportuni-
8 ties to deepen, and where possible expand, economic
9 ties between Taiwan and the United States, through
10 dialogue, and by developing the legal templates re-
11 quired to support potential future agreements.

12 (i) SENSE OF CONGRESS ON PEACE AND STABILITY
13 IN THE TAIWAN STRAIT.—It is the sense of Congress
14 that—

15 (1) PRC attempts to intimidate Taiwan, includ-
16 ing through high rates of PRC sorties into air space
17 near Taiwan, and PRC amphibious assault exercises
18 near Taiwan, jeopardizes the long-standing United
19 States position that differences in cross-Strait rela-
20 tions must be resolved peacefully;

21 (2) given the potential for a cross-Strait conflict
22 to be highly destructive and destabilizing, any in-
23 crease in the risk of conflict demands attention and
24 obligates leaders to reinforce deterrence, as the most
25 viable means to prevent war;

1 (3) Taiwan should continue to implement its
2 asymmetric defense strategy, including investing in
3 cost-effective and resilient capabilities, while also
4 strengthening recruitment and training of its reserve
5 and civil defense forces, and those capabilities in-
6 clude, but are not limited to, coastal defense cruise
7 missiles; and

8 (4) while enhancing deterrence, it is also essen-
9 tial to maintain open and effective crisis communica-
10 tion and risk reduction mechanisms, as a means to
11 reduce the risk of misunderstanding and ultimately,
12 conflict.

13 (j) STRATEGY TO ENHANCE DETERRENCE OVER A
14 CROSS-STRAIT CONFLICT.—

15 (1) IN GENERAL.—No later than 90 days after
16 the date of enactment of this Act, the President
17 shall submit to the appropriate congressional com-
18 mittees a whole-of-government strategy to enhance
19 deterrence over a cross-Strait military conflict be-
20 tween the PRC and Taiwan.

21 (2) MATTERS TO BE INCLUDED.—The strategy
22 shall include the following:

23 (A) A comprehensive review of existing
24 diplomatic, economic, and military tools to es-

1 tabish deterrence over a cross-Strait conflict
2 and an assessment of their efficacy.

3 (B) An examination of the present and fu-
4 ture capabilities of the United States and Tai-
5 wan to respond to the potential PLA campaigns
6 against Taiwan in 5, 10, and 15 years. The
7 analysis shall include an assessment of the
8 progress Taiwan has made in developing the
9 cost-effective and resilient capabilities needed to
10 respond to its strategic environment, as well as
11 any additional personnel, procurement, or train-
12 ing reforms required.

13 (C) An evaluation of the feasibility of ex-
14 panding coordination with United States allies
15 and partners to enhance deterrence over a
16 cross-Strait conflict. The review shall include a
17 review of the following matters:

18 (i) Expanding coordination of public
19 or private messaging on deterrence vis-à-
20 vis Taiwan.

21 (ii) Coordinating use of economic tools
22 to raise the costs of PRC military action
23 that could precipitate a cross-Strait con-
24 flict.

1 (iii) Enhancing codevelopment and co-
2 deployment of military capabilities related
3 to deterrence over a cross-Strait conflict,
4 or enhancing coordination on training of
5 Taiwan's military forces.

6 (D) Recommendations on significant addi-
7 tional diplomatic, economic, and military steps
8 available to the United States Government, uni-
9 laterally and in concert with United States al-
10 lies and partners, to enhance the clarity and
11 credibility of deterrence over a cross-Strait con-
12 flict.

13 (E) A description of any additional re-
14 sources or authorities needed to implement the
15 recommendations identified in subparagraph
16 (D).

17 (3) FORM.—The strategy required in paragraph
18 (1) shall be submitted classified form but may in-
19 clude an unclassified annex.

20 (4) CONSULTATION.—Not later than 90 days
21 after the date of enactment of this Act, and not less
22 frequently than every 180 days thereafter for 7
23 years, the President (or a designee), as well as rep-
24 resentatives from the agencies and departments in-
25 volved in developing the strategy required in para-

1 graph (1), shall consult with the appropriate con-
2 gressional committees regarding the development
3 and implementation of the strategy required in this
4 subsection. The representatives from the relevant
5 agencies and departments shall be at the Under Sec-
6 retary level or above.

7 (k) STRENGTHENING TAIWAN'S CIVILIAN DEFENSE
8 PROFESSIONALS.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of the enactment of this Act, the Sec-
11 retary of State, in consultation with the Secretary of
12 Defense, shall present to the appropriate congres-
13 sional committees a plan for strengthening the com-
14 munity of civilian defense professionals in Taiwan,
15 facilitated through the American Institute in Taiwan
16 as appropriate.

17 (2) MATTERS TO BE INCLUDED.—The plan re-
18 quired by paragraph (1) shall include the following:

19 (A) A comprehensive review of existing
20 United States Government and non-United
21 States Government programmatic and funding
22 modalities to support Taiwan's civilian defense
23 professionals in pursuing professional develop-
24 ment, educational, and cultural exchanges in
25 the United States, including—

1 (i) opportunities through Department
2 of State-supported programs, such as the
3 International Visitor Leaders Program;
4 and

5 (ii) opportunities offered through non-
6 governmental institutions, such as think
7 tanks, to the extent the review can prac-
8 tically make such an assessment.

9 (B) A description of the frequency that ci-
10 vilian defense professionals from Taiwan pursue
11 or are selected for the programs reviewed pur-
12 suant to subparagraph (A).

13 (C) An analysis of any funding, policy, ad-
14 ministrative, or other barriers preventing great-
15 er participation from Taiwan's civilian defense
16 professionals in the opportunities identified pur-
17 suant to subparagraph (A).

18 (D) An evaluation of the value expanding
19 the opportunities reviewed pursuant to subpara-
20 graph (A) would offer for strengthening Tai-
21 wan's existing civilian defense community, and
22 for increasing the perceived value of the field
23 for young professionals in Taiwan.

24 (E) An assessment of options the United
25 States Government could take individually, with

1 partners in Taiwan, or with foreign govern-
2 ments, or nongovernmental partners, to expand
3 the opportunities reviewed pursuant to subpara-
4 graph (A).

5 (F) A description of additional resources
6 and authorities required by the options assessed
7 pursuant to subparagraph (E).

8 (3) FORM.—The plan required by paragraph
9 (1) shall be submitted in unclassified form but may
10 include a classified annex.

11 **SEC. 211. TAIWAN INTERNATIONAL SOLIDARITY ACT.**

12 (a) SHORT TITLE.—This section may be cited as the
13 “Taiwan International Solidarity Act”.

14 (b) CLARIFICATION REGARDING UNITED NATIONS
15 GENERAL ASSEMBLY RESOLUTION 2758.—Subsection (a)
16 of section 2 of the Taiwan Allies International Protection
17 and Enhancement Initiative (TAIPEI) Act of 2019 (Pub-
18 lic Law 116–135) (relating to diplomatic relations with
19 Taiwan) is amended by adding at the end the following
20 new paragraphs:

21 “(10) United Nations General Assembly Reso-
22 lution 2758 (1971) established the representatives of
23 the Government of the People’s Republic of China as
24 the only lawful representatives of China to the
25 United Nations. The resolution did not address the

1 issue of representation of Taiwan and its people in
2 the United Nations or any related organizations, nor
3 did the resolution take a position on the relationship
4 between the People’s Republic of China and Taiwan
5 or include any statement pertaining to Taiwan’s sov-
6 ereignty.

7 “(11) The United States opposes any initiative
8 that seeks to change Taiwan’s status without the
9 consent of the people.”.

10 (c) UNITED STATES ADVOCACY FOR INTERNATIONAL
11 ORGANIZATIONS TO RESIST THE PEOPLE’S REPUBLIC OF
12 CHINA’S EFFORTS TO DISTORT THE “ONE CHINA” POSI-
13 TION.—Section 4 of the Taiwan Allies International Pro-
14 tection and Enhancement Initiative (TAIPEI) Act of 2019
15 (relating to the policy of the United States regarding Tai-
16 wan’s participation in international organizations) is
17 amended—

18 (1) in paragraph (2), by striking “and” after
19 the semicolon at the end;

20 (2) in paragraph (3), by striking the period at
21 the end and inserting “; and”; and

22 (3) by adding at the end the following new
23 paragraph:

24 “(4) to instruct, as appropriate, representatives
25 of the United States Government in all organizations

1 described in paragraph (1) to use the voice, vote,
2 and influence of the United States to advocate such
3 organizations to resist the People’s Republic of Chi-
4 na’s efforts to distort the decisions, language, poli-
5 cies, or procedures of such organizations regarding
6 Taiwan.”.

7 (d) OPPOSING THE PEOPLE’S REPUBLIC OF CHINA’S
8 EFFORTS TO UNDERMINE TAIWAN’S TIES AND PARTNER-
9 SHIPS INTERNATIONALLY.—Subsection (a) of section 5 of
10 the Taiwan Allies International Protection and Enhance-
11 ment Initiative (TAIPEI) Act of 2019 (relating to
12 strengthening ties with Taiwan) is amended—

13 (1) in paragraph (2), by striking “and” after
14 the semicolon at the end;

15 (2) in paragraph (3), by striking the period at
16 the end and inserting “; and”; and

17 (3) by adding at the end the following new
18 paragraph:

19 “(4) encourage, as appropriate, United States
20 allies and partners to oppose the People’s Republic
21 of China’s efforts to undermine Taiwan’s official
22 diplomatic relationships and its partnerships with
23 countries with which it does not maintain diplomatic
24 relations.”.

1 (e) REPORT ON THE PEOPLE'S REPUBLIC OF
2 CHINA'S ATTEMPTS TO PROMOTE ITS "ONE CHINA" PO-
3 SITION.—

4 (1) IN GENERAL.—Subsection (b) of section 5
5 of the Taiwan Allies International Protection and
6 Enhancement Initiative (TAIPEI) Act of 2019 (re-
7 lating to strengthening ties with Taiwan) is amended
8 by inserting before the period at the end the fol-
9 lowing: “, as well as information relating to any
10 prior or ongoing attempts by the People's Republic
11 of China to undermine Taiwan's membership or ob-
12 server status in all organizations described in section
13 (4)(1) and Taiwan's ties and relationships with
14 other countries in accordance with subsection (a) of
15 this section”.

16 (2) EFFECTIVE DATE.—The amendment made
17 by paragraph (1) shall take effect on the date of the
18 enactment of this Act and apply beginning with the
19 first report required under subsection (b) of section
20 5 of the Taiwan Allies International Protection and
21 Enhancement Initiative (TAIPEI) Act of 2019, as
22 amended by paragraph (1), that is required after
23 such date.

1 **SEC. 212. TAIWAN FELLOWSHIP PROGRAM.**

2 (a) SHORT TITLE.—This section may be cited as the
3 “Taiwan Fellowship Act”.

4 (b) FINDINGS; PURPOSES.—

5 (1) FINDINGS.—Congress finds the following:

6 (A) The Taiwan Relations Act (Public Law
7 96–8; 22 U.S.C. 3301 et seq.) affirmed United
8 States policy “to preserve and promote exten-
9 sive, close, and friendly commercial, cultural,
10 and other relations between the people of the
11 United States and the people on Taiwan, as
12 well as the people on the China mainland and
13 all other peoples of the Western Pacific area”.

14 (B) Consistent with the Asia Reassurance
15 Initiative Act of 2018 (Public Law 115–409),
16 the United States has grown its strategic part-
17 nership with Taiwan’s vibrant democracy of
18 23,000,000 people.

19 (C) Despite a concerted campaign by the
20 People’s Republic of China to isolate Taiwan
21 from its diplomatic partners and from inter-
22 national organizations, including the World
23 Health Organization, Taiwan has emerged as a
24 global leader in the coronavirus global pandemic
25 response, including by donating more than

1 2,000,000 surgical masks and other medical
2 equipment to the United States.

3 (D) The creation of a United States fellow-
4 ship program with Taiwan would support—

5 (i) a key priority of expanding people-
6 to-people exchanges, which was outlined in
7 President Donald J. Trump’s 2017 Na-
8 tional Security Strategy;

9 (ii) President Joseph R. Biden’s com-
10 mitment to Taiwan, “a leading democracy
11 and a critical economic and security part-
12 ner”, as expressed in his March 2021 In-
13 terim National Security Strategic Guid-
14 ance; and

15 (iii) April 2021 guidance from the De-
16 partment of State based on a review re-
17 quired under the Taiwan Assurance Act of
18 2020 (subtitle B of title III of division FF
19 of Public Law 116–260) to “encourage
20 U.S. government engagement with Taiwan
21 that reflects our deepening unofficial rela-
22 tionship”.

23 (2) PURPOSES.—The purposes of this section
24 are—

1 (A) to further strengthen the United
2 States-Taiwan strategic relationship and broad-
3 en understanding of the Indo-Pacific region by
4 temporarily assigning officials of agencies of the
5 United States Government to Taiwan for inten-
6 sive study in Mandarin Chinese and placement
7 as Fellows with the governing authorities on
8 Taiwan or a Taiwanese civic institution;

9 (B) to expand United States Government
10 expertise in Mandarin Chinese language skills
11 and understanding of the politics, history, and
12 culture of Taiwan and the Indo-Pacific region
13 by providing eligible United States personnel
14 the opportunity to acquire such skills and un-
15 derstanding through the Taiwan Fellowship
16 Program established under subsection (c); and

17 (C) to better position the United States to
18 advance its economic, security, and human
19 rights interests and values in the Indo-Pacific
20 region.

21 (c) TAIWAN FELLOWSHIP PROGRAM.—

22 (1) DEFINITIONS.—In this section:

23 (A) AGENCY HEAD.—The term “agency
24 head” means, in the case of the executive
25 branch of United States Government, or in the

1 case of a legislative branch agency specified in
2 subparagraph (B), the head of the respective
3 agency.

4 (B) AGENCY OF THE UNITED STATES GOV-
5 ERNMENT.—The term “agency of the United
6 States Government” includes the Government
7 Accountability Office, the Congressional Budget
8 Office, the Congressional Research Service, and
9 the United States-China Economic and Security
10 Review Commission of the legislative branch, as
11 well as any agency of the executive branch.

12 (C) APPROPRIATE CONGRESSIONAL COM-
13 MITTEES.—The term “appropriate congres-
14 sional committees” means—

15 (i) the Committee on Appropriations,
16 the Committee on Foreign Affairs, and the
17 Committee on Armed Services of the
18 House of Representatives; and

19 (ii) the Committee on Appropriations
20 and the Committee on Foreign Relations
21 of the Senate.

22 (D) DETAILEE.—The term “detailee”
23 means an employee of an agency of the United
24 States Government on loan to the American In-
25 stitute in Taiwan, without a change of position

1 from the agency at which such employee is em-
2 ployed.

3 (E) IMPLEMENTING PARTNER.—The term
4 “implementing partner” means any United
5 States organization described in section
6 501(c)(3) of the Internal Revenue Code of 1986
7 and exempt from tax under section 501(a) of
8 such Code that—

9 (i) is selected through a competitive
10 process;

11 (ii) performs logistical, administrative,
12 and other functions, as determined by the
13 Department of State and the American In-
14 stitute of Taiwan, in support of the Tai-
15 wan Fellowship Program; and

16 (iii) enters into a cooperative agree-
17 ment with the American Institute in Tai-
18 wan to administer the Taiwan Fellowship
19 Program.

20 (2) ESTABLISHMENT OF TAIWAN FELLOWSHIP
21 PROGRAM.—

22 (A) ESTABLISHMENT.—The Secretary of
23 State shall establish the “Taiwan Fellowship
24 Program” (referred to in this section as the
25 “Program”) to provide a fellowship opportunity

1 in Taiwan of up to two years for eligible United
2 States citizens through the cooperative agree-
3 ment established in subparagraph (B). The Sec-
4 retary of State, in consultation with appropriate
5 counterparts at the American Institute in Tai-
6 wan and the implementing partner, may modify
7 the name of the Program.

8 (B) COOPERATIVE AGREEMENTS.—

9 (i) IN GENERAL.—The American In-
10 stitute in Taiwan shall use amounts appro-
11 priated pursuant to the authorization
12 under paragraph (6)(A) to enter into an
13 annual or multi-year cooperative agree-
14 ment with an appropriate implementing
15 partner.

16 (ii) FELLOWSHIPS.—The Secretary of
17 State, in consultation with the American
18 Institute in Taiwan and, as appropriate,
19 the implementing partner, shall award to
20 eligible United States citizens, subject to
21 available funding—

22 (I) not fewer than five fellow-
23 ships during the first two years of the
24 Program; and

1 (II) not fewer than ten fellow-
2 ships during each of the remaining
3 years of the Program.

4 (C) INTERNATIONAL AGREEMENT; IMPL-
5 MENTING PARTNER.—Not later than 30 days
6 after the date of the enactment of this Act, the
7 American Institute in Taiwan, in consultation
8 with the Secretary of State, shall—

9 (i) begin negotiations with the Taipei
10 Economic and Cultural Representative Of-
11 fice, or with another appropriate entity, for
12 the purpose of entering into an agreement
13 to facilitate the placement of fellows in an
14 agency of the governing authorities on Tai-
15 wan; and

16 (ii) begin the process of selecting an
17 implementing partner, which—

18 (I) shall agree to meet all of the
19 legal requirements required to operate
20 in Taiwan; and

21 (II) shall be composed of staff
22 who demonstrate significant experi-
23 ence managing exchange programs in
24 the Indo-Pacific region.

25 (D) CURRICULUM.—

1 (i) FIRST YEAR.—During the first
2 year of each fellowship under this sub-
3 section, each fellow should study—

4 (I) the Mandarin Chinese lan-
5 guage;

6 (II) the people, history, and polit-
7 ical climate on Taiwan; and

8 (III) the issues affecting the rela-
9 tionship between the United States
10 and the Indo-Pacific region.

11 (ii) SECOND YEAR.—During the sec-
12 ond year of each fellowship under this sec-
13 tion, each fellow, subject to the approval of
14 the Secretary of State, the American Insti-
15 tute in Taiwan, and the implementing
16 partner, and in accordance with the pur-
17 poses of this section, shall work in—

18 (I) a parliamentary office, min-
19 istry, or other agency of the governing
20 authorities on Taiwan; or

21 (II) an organization outside of
22 the governing authorities on Taiwan,
23 whose interests are associated with
24 the interests of the fellow and the
25 agency of the United States Govern-

1 ment from which the fellow had been
2 employed.

3 (E) FLEXIBLE FELLOWSHIP DURATION.—

4 Notwithstanding any requirement under this
5 section, the Secretary of State, in consultation
6 with the American Institute in Taiwan and, as
7 appropriate, the implementing partner, may
8 award fellowships that have a duration of be-
9 tween nine months and two years, and may
10 alter the curriculum requirements under sub-
11 paragraph (D) for such purposes.

12 (F) SUNSET.—The Program shall termi-
13 nate ten years after the date of the enactment
14 of this section.

15 (3) PROGRAM REQUIREMENTS.—

16 (A) ELIGIBILITY REQUIREMENTS.—A
17 United States citizen is eligible for a fellowship
18 under this section if he or she—

19 (i) is an employee of the United
20 States Government;

21 (ii) has at least two years of experi-
22 ence in any branch of the United States
23 Government;

24 (iii) has received at least one exem-
25 plary performance review in his or her cur-

1 rent United States Government role within
2 at least the last three years prior to begin-
3 ning the fellowship;

4 (iv) has a demonstrated professional
5 or educational background in the relation-
6 ship between the United States and coun-
7 tries in the Indo-Pacific region; and

8 (v) has demonstrated his or her com-
9 mitment to further service in the United
10 States Government.

11 (B) RESPONSIBILITIES OF FELLOWS.—

12 Each recipient of a fellowship under this section
13 shall agree, as a condition of such fellowship—

14 (i) to maintain satisfactory progress
15 in language training and appropriate be-
16 havior in Taiwan, as determined by the
17 Department of State, the American Insti-
18 tute in Taiwan and, as appropriate, its im-
19 plementing partner;

20 (ii) to refrain from engaging in any
21 intelligence or intelligence-related activity
22 on behalf of the United States Govern-
23 ment; and

24 (iii) to continue Federal Government
25 employment for a period of not less than

1 four years after the conclusion of the fel-
2 lowship, or for not less than two years for
3 a fellowship that is one year or shorter.

4 (C) RESPONSIBILITIES OF IMPLEMENTING
5 PARTNER.—

6 (i) SELECTION OF FELLOWS.—The
7 implementing partner, in close coordination
8 with the Secretary of State and the Amer-
9 ican Institute in Taiwan, shall—

10 (I) make efforts to recruit fellow-
11 ship candidates who reflect the diver-
12 sity of the United States;

13 (II) select fellows for the Pro-
14 gram based solely on merit, with ap-
15 propriate supervision from the De-
16 partment of State and the American
17 Institute in Taiwan; and

18 (III) prioritize the selection of
19 candidates willing to serve a fellow-
20 ship lasting one year or longer.

21 (ii) FIRST YEAR.—The implementing
22 partner should provide each fellow in the
23 first year (or shorter duration, as jointly
24 determined by the Secretary of State and
25 the American Institute in Taiwan, for

1 those who are not serving a two-year fel-
2 lowship) with—

3 (I) intensive Mandarin Chinese
4 language training; and

5 (II) courses in the politic, cul-
6 ture, and history of Taiwan, China,
7 and the broader Indo-Pacific.

8 (iii) WAIVER OF REQUIRED TRAIN-
9 ING.—The Secretary of State, in coordina-
10 tion with the American Institute in Taiwan
11 and, as appropriate, the implementing
12 partner, may waive any of the training re-
13 quired under clause (ii) to the extent that
14 a fellow has Mandarin Chinese language
15 skills, knowledge of the topics described in
16 clause (ii)(II), or for other related reasons
17 approved by the Secretary of State and the
18 American Institute in Taiwan. If any of
19 the training requirements are waived for a
20 fellow serving a two-year fellowship, the
21 training portion of his or her fellowship
22 may be shortened to the extent appro-
23 priate.

24 (iv) OFFICE; STAFFING.—The imple-
25 menting partner, in consultation with the

1 Secretary of State and the American Insti-
2 tute in Taiwan, shall maintain an office
3 and at least one full-time staff member in
4 Taiwan to—

5 (I) liaise with the American In-
6 stitute in Taiwan and the governing
7 authorities on Taiwan; and

8 (II) serve as the primary in-coun-
9 try point of contact for the recipients
10 of fellowships under this section and
11 their dependents.

12 (v) OTHER FUNCTIONS.—The imple-
13 menting partner should perform other
14 functions in association in support of the
15 Program, including logistical and adminis-
16 trative functions, as included in the cooper-
17 ative agreement entered into pursuant to
18 paragraph (2)(B) by the Secretary of State
19 and the American Institute in Taiwan.

20 (D) NONCOMPLIANCE.—

21 (i) IN GENERAL.—Any fellow who
22 fails to comply with the requirements
23 under this section shall reimburse the
24 American Institute in Taiwan for—

1 (I) the Federal funds expended
2 for the fellow's participation in the
3 fellowship, as set forth in clauses (ii)
4 and (iii); and

5 (II) interest accrued on such
6 funds (calculated at the prevailing
7 rate).

8 (ii) FULL REIMBURSEMENT.—Any fel-
9 low who violates clause (i) or (ii) of sub-
10 paragraph (B) shall reimburse the Amer-
11 ican Institute in Taiwan in an amount
12 equal to the sum of—

13 (I) all of the Federal funds ex-
14 pended for the fellow's participation
15 in the fellowship; and

16 (II) interest on the amount speci-
17 fied in subclause (I), which shall be
18 calculated at the prevailing rate.

19 (iii) PRO RATA REIMBURSEMENT.—
20 Any fellow who violates subparagraph
21 (B)(iii) shall reimburse the American Insti-
22 tute in Taiwan in an amount equal to the
23 difference between—

24 (I) the amount specified in clause
25 (ii); and

1 (II) the product of—

2 (aa) the amount the fellow
3 received in compensation during
4 the final year of the fellowship,
5 including the value of any allow-
6 ances and benefits received by
7 the fellow; multiplied by

8 (bb) the percentage of the
9 period specified in subparagraph
10 (B)(iii) during which the fellow
11 did not remain employed by the
12 United States Government.

13 (E) ANNUAL REPORT.—Not later than 90
14 days after the selection of the first class of fel-
15 lows under this section and annually thereafter
16 for 10 years, the Secretary of State shall offer
17 to brief the appropriate congressional commit-
18 tees regarding the following:

19 (i) An assessment of the performance
20 of the implementing partner in fulfilling
21 the purposes of this section.

22 (ii) The number of applicants each
23 year, the number of applicants willing to
24 serve a fellowship lasting one year or

1 longer, and the number of such applicants
2 selected for a fellowship.

3 (iii) The names and sponsoring agen-
4 cies of the fellows selected by the imple-
5 menting partner and the extent to which
6 such fellows represent the diversity of the
7 United States.

8 (iv) The names of the parliamentary
9 offices, ministries, other agencies of the
10 governing authorities on Taiwan, and non-
11 governmental institutions to which each
12 fellow was assigned.

13 (v) Any recommendations, as appro-
14 priate, to improve the implementation of
15 the Program, including added flexibilities
16 in the administration of the program.

17 (vi) An assessment of the Program's
18 value upon the relationship between the
19 United States and Taiwan or the United
20 States and Asian countries.

21 (F) ANNUAL FINANCIAL AUDIT.—

22 (i) IN GENERAL.—The financial
23 records of any implementing partner shall
24 be audited annually in accordance with
25 generally accepted auditing standards by

1 independent certified public accountants or
2 independent licensed public accountants
3 who are certified or licensed by a regu-
4 latory authority of a State or another po-
5 litical subdivision of the United States.

6 (ii) LOCATION.—Each audit under
7 clause (i) shall be conducted at the place
8 or places where the financial records of the
9 implementing partner are normally kept.

10 (iii) ACCESS TO DOCUMENTS.—The
11 implementing partner shall make available
12 to the accountants conducting an audit
13 under clause (i)—

14 (I) all books, financial records,
15 files, other papers, things, and prop-
16 erty belonging to, or in use by, the
17 implementing partner that are nec-
18 essary to facilitate the audit; and

19 (II) full facilities for verifying
20 transactions with the balances or se-
21 curities held by depositories, fiscal
22 agents, and custodians.

23 (iv) REPORT.—

24 (I) IN GENERAL.—Not later than
25 180 days after the end of each fiscal

1 year, the implementing partner shall
2 provide a report of the audit con-
3 ducted for such fiscal year under
4 clause (i) to the Secretary of State
5 and the American Institute in Taiwan.

6 (II) CONTENTS.—Each audit re-
7 port under subclause (I) shall—

8 (aa) set forth the scope of
9 the audit at issue;

10 (bb) include such state-
11 ments, along with the auditor’s
12 opinion of those statements, as
13 may be necessary to present fair-
14 ly the implementing partner’s as-
15 sets and liabilities, surplus or
16 deficit, with reasonable detail;

17 (cc) include a statement of
18 the implementing partner’s in-
19 come and expenses during the
20 year; and

21 (dd) include a schedule of—

22 (AA) all contracts and
23 cooperative agreements re-
24 quiring payments greater
25 than \$5,000; and

1 (BB) any payments of
2 compensation, salaries, or
3 fees at a rate greater than
4 \$5,000 per year.

5 (III) COPIES.—Each audit report
6 shall be produced in sufficient copies
7 for distribution to the public.

8 (4) TAIWAN FELLOWS ON DETAIL FROM GOV-
9 ERNMENT SERVICE.—

10 (A) IN GENERAL.—

11 (i) DETAIL AUTHORIZED.—With the
12 approval of the Secretary of State, an
13 agency head may detail, for a period of not
14 more than two years, an employee of the
15 agency of the United States Government
16 who has been awarded a fellowship under
17 this Act, to the American Institute in Tai-
18 wan for the purpose of assignment to the
19 governing authorities on Taiwan or an or-
20 ganization described in paragraph
21 (2)(D)(ii)(II).

22 (ii) AGREEMENT.—Each detailee shall
23 enter into a written agreement with the
24 Federal Government before receiving a fel-
25 lowship, in which the fellow shall agree—

1 (I) to continue in the service of
2 the sponsoring agency at the end of
3 fellowship for a period of at least four
4 years (or at least two years if the fel-
5 lowship duration is one year or short-
6 er) unless such detailee is involun-
7 tarily separated from the service of
8 such agency; and

9 (II) to pay to the American Insti-
10 tute in Taiwan any additional ex-
11 penses incurred by the United States
12 Government in connection with the
13 fellowship if the detailee voluntarily
14 separates from service with the spon-
15 soring agency before the end of the
16 period for which the detailee has
17 agreed to continue in the service of
18 such agency.

19 (iii) EXCEPTION.—The payment
20 agreed to under clause (ii)(II) may not be
21 required of a detailee who leaves the serv-
22 ice of the sponsoring agency to enter into
23 the service of another agency of the United
24 States Government unless the head of the
25 sponsoring agency notifies the detailee be-

1 fore the effective date of entry into the
2 service of the other agency that payment
3 will be required under this subsection.

4 (B) STATUS AS GOVERNMENT EM-
5 PLOYEE.—A detailee under this paragraph—

6 (i) is deemed, for the purpose of pre-
7 serving allowances, privileges, rights, se-
8 niority, and other benefits, to be an em-
9 ployee of the sponsoring agency;

10 (ii) is entitled to pay, allowances, and
11 benefits from funds available to such agen-
12 cy, which is deemed to comply with section
13 5536 of title 5, United States Code; and

14 (iii) may be assigned to a position
15 with an entity described in paragraph
16 (2)(D)(ii)(I) if acceptance of such position
17 does not involve—

18 (I) the taking of an oath of alle-
19 giance to another government; or

20 (II) the acceptance of compensa-
21 tion or other benefits from any foreign
22 government by such detailee.

23 (C) RESPONSIBILITIES OF SPONSORING
24 AGENCY.—

1 (i) IN GENERAL.—The agency of the
2 United States Government from which a
3 detailee is detailed should provide the fel-
4 low allowances and benefits that are con-
5 sistent with Department of State Stand-
6 ardized Regulations or other applicable
7 rules and regulations, including—

8 (I) a living quarters allowance to
9 cover the cost of housing in Taiwan;

10 (II) a cost of living allowance to
11 cover any possible higher costs of liv-
12 ing in Taiwan;

13 (III) a temporary quarters sub-
14 sistence allowance for up to seven
15 days if the fellow is unable to find
16 housing immediately upon arriving in
17 Taiwan;

18 (IV) an education allowance to
19 assist parents in providing the fellow's
20 minor children with educational serv-
21 ices ordinarily provided without
22 charge by public schools in the United
23 States;

24 (V) moving expenses to transport
25 personal belongings of the fellow and

1 his or her family in their move to Tai-
2 wan, which is comparable to the al-
3 lowance given for American Institute
4 in Taiwan employees assigned to Tai-
5 wan; and

6 (VI) an economy-class airline
7 ticket to and from Taiwan for each
8 fellow and the fellow's immediate fam-
9 ily.

10 (ii) MODIFICATION OF BENEFITS.—

11 The American Institute in Taiwan and its
12 implementing partner, with the approval of
13 the Department of State, may modify the
14 benefits set forth in clause (i) if such
15 modification is warranted by fiscal cir-
16 cumstances.

17 (D) NO FINANCIAL LIABILITY.—The
18 American Institute in Taiwan, the imple-
19 menting partner, and any governing authorities
20 on Taiwan or nongovernmental entities in Tai-
21 wan at which a fellow is detailed during the sec-
22 ond year of the fellowship may not be held re-
23 sponsible for the pay, allowances, or any other
24 benefit normally provided to the detailee.

1 (E) REIMBURSEMENT.—Fellows may be
2 detailed under clause (A)(ii) without reimburse-
3 ment to the United States by the American In-
4 stitute in Taiwan.

5 (F) ALLOWANCES AND BENEFITS.—
6 Detailees may be paid by the American Insti-
7 tute in Taiwan for the allowances and benefits
8 listed in subparagraph (C).

9 (5) GAO REPORT.—Not later than one year be-
10 fore the sunset of the Program pursuant to para-
11 graph (2)(F), the Comptroller General of the United
12 States shall transmit to the Committee on Foreign
13 Relations of the Senate and the Committee on For-
14 eign Affairs of the House of Representatives a re-
15 port that includes the following:

16 (A) An analysis of United States Govern-
17 ment participants in the Program, including the
18 number of applicants and the number of fellow-
19 ships undertaken, and the places of employ-
20 ment.

21 (B) An assessment of the costs and bene-
22 fits for participants in the Program and for the
23 United States Government of such fellowships.

24 (C) An analysis of the financial impact of
25 the fellowship on United States Government of-

1 fices that have detailed fellows to participate in
2 the Program.

3 (D) Recommendations, if any, on how to
4 improve the Program.

5 (6) FUNDING.—

6 (A) AUTHORIZATION OF APPROPRIA-
7 TIONS.—There are authorized to be appro-
8 priated to the American Institute in Taiwan—

9 (i) for fiscal year 2022, \$2,900,000,
10 of which \$500,000 should be made avail-
11 able to an appropriate implementing part-
12 ner to launch the Program; and

13 (ii) for fiscal year 2023, and each suc-
14 ceeding fiscal year, \$2,400,000.

15 (B) PRIVATE SOURCES.—The imple-
16 menting partner selected to implement the Pro-
17 gram may accept, use, and dispose of gifts or
18 donations of services or property in carrying
19 out such program, subject to the review and ap-
20 proval of the American Institute in Taiwan.

21 **SEC. 213. INCREASING DEPARTMENT OF STATE PER-**
22 **SONNEL AND RESOURCES DEVOTED TO THE**
23 **INDO-PACIFIC.**

24 (a) FINDINGS.—Congress makes the following find-
25 ings:

1 (1) In fiscal year 2020, the Department of
2 State allocated \$1,500,000,000 to the Indo-Pacific
3 region in bilateral and regional foreign assistance re-
4 sources, including as authorized by section 201(b) of
5 the Asia Reassurance Initiative Act of 2018 (Public
6 Law 115–409; 132 Stat. 5391), and \$798,000,000
7 in the fiscal year 2020 diplomatic engagement budg-
8 et. These amounts represent only 5 percent of the
9 diplomatic engagement budget and only 4 percent of
10 the total Department of State-USAID budget.

11 (2) Over the last 5 years the diplomatic engage-
12 ment budget and personnel levels in the Indo-Pacific
13 averaged only 5 percent of the total, while foreign
14 assistance resources averaged only 4 percent of the
15 total.

16 (3) In 2020, the Department of State began a
17 process to realign certain positions at posts to en-
18 sure that its personnel footprint matches the de-
19 mands of great-power competition, including in the
20 Indo-Pacific.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that—

23 (1) the size of the United States diplomatic
24 corps must be sufficient to meet the current and

1 emerging challenges of the 21st century, including
2 those in the Indo-Pacific region and elsewhere;

3 (2) robust Chinese-language skills are necessary
4 for the success of the United States diplomatic corps
5 and integral to its ability to meet national security
6 objectives;

7 (3) the increase must be designed to meet the
8 objectives of an Indo-Pacific strategy focused on
9 strengthening the good governance and sovereignty
10 of countries that adhere to and uphold the rules-
11 based international order; and

12 (4) the increase must be implemented with a
13 focus on increased numbers of economic, political,
14 and public diplomacy officers, representing a cumu-
15 lative increase of at least 200 Foreign Service officer
16 generalists, to—

17 (A) advance free, fair, and reciprocal trade
18 and open investment environments for United
19 States entities, and engaged in increased com-
20 mercial diplomacy in key markets;

21 (B) better articulate and explain United
22 States policies, strengthen civil society and
23 democratic principles, enhance reporting on
24 global activities, promote people-to-people ex-

1 changes, and advance United States influence;
2 and

3 (C) increase capacity at small- and me-
4 dium-sized embassies and consulates in the
5 Indo-Pacific and other regions around the
6 world, as necessary.

7 (c) STATEMENT OF POLICY.—It shall be the policy
8 of the United States to—

9 (1) ensure Department of State funding levels
10 and personnel footprint in the Indo-Pacific reflect
11 the region’s high degree of importance and signifi-
12 cance to United States political, economic, and secu-
13 rity interests; and

14 (2) increase diplomatic engagement and foreign
15 assistance funding and the quantity of personnel
16 dedicated to the Indo-Pacific region respective to the
17 Department of State’s total budget.

18 (d) ACTION PLAN.—Not later than 180 days after
19 the date of the enactment of this Act, the Secretary of
20 State shall provide to the appropriate congressional com-
21 mittees of Congress an action plan that includes the fol-
22 lowing elements:

23 (1) Identification of requirements to advance
24 United States strategic objectives in the Indo-Pacific
25 and the personnel and budgetary resources for the

1 Department of State needed to satisfy such objec-
2 tives, assuming an unconstrained resource environ-
3 ment.

4 (2) A plan to increase the portion of the De-
5 partment's budget dedicated to the Indo-Pacific in
6 terms of DE and FA focused on development, eco-
7 nomic, and security assistance.

8 (3) A plan to increase the number of positions
9 at posts in the Indo-Pacific region and bureaus with
10 responsibility for the Indo-Pacific region, including a
11 description of increases at each post or bureau, a
12 breakdown of increases by cone, and a description of
13 how such increases in personnel will advance United
14 States strategic objectives in the Indo-Pacific region.

15 (4) A plan to increase the number of Chinese-
16 language speakers and translation specialists at
17 posts in the Indo-Pacific region and within bureau
18 offices with responsibility for the Indo-Pacific region,
19 including in INR.

20 (5) A description of any staffing or other train-
21 ing or personnel reforms that may be required to
22 quickly increase departmental capacity to address
23 the inter-disciplinary, interconnected opportunities
24 and challenges presented in the Indo-Pacific, includ-
25 ing but not limited to issues related to climate

1 change, public health, supply chains, cybersecurity,
2 and digital technology issues.

3 (6) Defined concrete and annual benchmarks
4 that the Department will meet in implementing the
5 action plan.

6 (7) A description of any barriers to imple-
7 menting the action plan and recommendations to ad-
8 dress these barriers, noting whether additional au-
9 thorities or resources from Congress is needed to ad-
10 dress these barriers.

11 (e) UPDATES TO REPORT AND BRIEFING.—Every
12 180 days after the submission of the action plan described
13 in subsection (d) for not more than 3 years, the Secretary
14 of State shall submit an update and brief the appropriate
15 congressional committees on the implementation of such
16 action plan, with supporting data and including a detailed
17 assessment of benchmarks reached.

18 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated, for fiscal year 2022,
20 \$2,000,000,000 in bilateral and regional foreign assist-
21 ance resources to carry out the purposes of part I and
22 chapter 4 of part II of the Foreign Assistance Act of 1961
23 (22 U.S.C. 2151 et seq., 2346 et seq.) to the Indo-Pacific
24 region and \$1,250,000,000 in diplomatic engagement re-
25 sources to the Indo-Pacific region.

1 (g) INCLUSION OF AMOUNTS APPROPRIATED PURSU-
2 ANT TO ASIA REASSURANCE INITIATIVE ACT OF 2018.—
3 Amounts authorized to be appropriated under subsection
4 (f) include funds authorized to be appropriated pursuant
5 to section 201(b) of the Asia Reassurance Initiative Act
6 of 2018 (Public Law 115–409).

7 (h) BENCHMARKS UPDATE.—Not later than 2 years
8 after the date of the enactment of this Act, the Secretary
9 of State shall report to the appropriate congressional com-
10 mittees on the extent to which the strategic objectives de-
11 scribed in the action plan in subsection (d) have been sat-
12 isfied or progress toward such satisfaction has been made.

13 **SEC. 214. REPORT ON BILATERAL EFFORTS TO ADDRESS**
14 **CHINESE FENTANYL TRAFFICKING.**

15 (a) CHINA’S CLASS SCHEDULING OF FENTANYL AND
16 SYNTHETIC OPIOID PRECURSORS.—Not later than 180
17 days after the date of the enactment of this Act, the Sec-
18 retary of State and Attorney General shall submit to the
19 appropriate congressional committees a written report de-
20 tailing—

21 (1) a description of United States Government
22 efforts to gain a commitment from the Government
23 of the People’s Republic of China (PRC) to submit
24 unregulated fentanyl precursors such as 4-AP to
25 controls;

1 seq.) for purposes of applying the requirements of such
2 Act to such support.

3 (b) **MAXIMUM CONTINGENT LIABILITY.**—Section
4 1433 of the Better Utilization of Investments Leading to
5 Development Act of 2018 (22 U.S.C. 9633) is amended
6 by striking “\$60,000,000,000” and inserting
7 “\$100,000,000,000”.

8 (c) **REPORT.**—Not later than 180 days after the date
9 of the enactment of this Act, the Chief Executive Officer
10 of the United States International Development Finance
11 Corporation shall submit to the appropriate congressional
12 committees and the Committee on Appropriations of the
13 House of Representatives and the Senate a report on—

14 (1) a plan to expand the Corporation’s financ-
15 ing to support United States national security and
16 development priorities in critical regions; and

17 (2) the budgetary, staffing, and programmatic
18 resources that would be required in order to carry
19 out the plan required by this subsection.

20 **SEC. 216. EXPANDING INVESTMENT BY UNITED STATES**
21 **INTERNATIONAL DEVELOPMENT FINANCE**
22 **CORPORATION FOR VACCINE MANUFAC-**
23 **TURING.**

24 (a) **IN GENERAL.**—The Development Finance Cor-
25 poration is authorized to provide financing to entities in

1 India and in other less developed countries to increase vac-
2 cine manufacturing capacity for the following purposes:

3 (1) Manufacturing Stringent Regulatory Au-
4 thorization (SRA) or World Health Organization
5 (WHO) Emergency Use Listing COVID–19 vac-
6 cines.

7 (2) Manufacturing SRA or WHO Emergency
8 Use Listing therapeutics used to treat symptoms re-
9 lated to COVID–19.

10 (3) Manufacturing critical medical supplies
11 needed for preventing, detecting and treating
12 COVID–19, including ventilators, personal protective
13 equipment, oxygen, diagnostics, therapeutics and
14 vaccines.

15 (b) REPORTING REQUIREMENT.—Not later than 180
16 days after the date of the enactment of this Act, the Chief
17 Executive Officer of the Development Finance Corpora-
18 tion, in coordination with the Secretary of State, shall pro-
19 vide a report to the appropriate congressional commit-
20 tees—

21 (1) outlining the countries where DFC financ-
22 ing could be most impactful for vaccine manufac-
23 turing and to achieve the goal of manufacturing 1
24 billion COVID–19 vaccines by 2022;

1 (2) including a detailed explanation of the
2 United States and partner country interests served
3 by the United States providing support to such
4 projects;

5 (3) including a detailed description of any sup-
6 port provided by other United States allies and part-
7 ners to expand the initiatives outlined in subsection
8 (a); and

9 (4) including a detailed description of any sup-
10 port provided by the People's Republic of China in
11 support of the initiatives outlined in subsection (a).

12 (c) FORM OF REPORT.—The report required by sub-
13 section (b) shall be submitted in unclassified form with
14 a classified annex if necessary.

15 **SEC. 217. ENSURING UNITED STATES DIPLOMATIC POSTS**
16 **ALIGN WITH AMERICAN STRATEGIC NA-**
17 **TIONAL SECURITY AND ECONOMIC OBJEC-**
18 **TIVES.**

19 (a) FINDING.—With 276 embassies and other rep-
20 resentative offices globally, China now has more diplo-
21 matic posts around the world than any other country, in-
22 cluding the United States. Many of Beijing's new missions
23 can be found in countries that recently broke ties with Tai-
24 wan (Burkina Faso, the Dominican Republic, El Salvador,
25 the Gambia, and São Tomé and Príncipe) or do not have

1 any United States diplomatic physical presence despite
2 these countries asking for increased United States engage-
3 ment and investment (Antigua and Barbuda and Domi-
4 nica).

5 (b) SENSE OF CONGRESS.—It is the sense of Con-
6 gress, that the Department of State should conduct an
7 assessment of all United States diplomatic missions and
8 posts to verify such missions and posts align with United
9 States national security and economic interests, as well as
10 ensuring that these locations position the United States
11 appropriately with its strategic competitors to advance the
12 national interest in every country worldwide, including
13 those countries currently lacking any physical United
14 States diplomatic presence, whether an embassy, consulate
15 general, or principal officer post.

16 (c) REPORTING.—Not later than 180 days after the
17 date of the enactment of this Act and biennially thereafter
18 for 4 years, the Secretary of State shall submit to the ap-
19 propriate congressional committees a report assessing the
20 number, location, and objectives of each of its diplomatic
21 missions and posts worldwide, including an assessment of
22 any gaps that exist compared to other country strategic
23 competitors. The Secretary of State shall coordinate with
24 the heads of other Federal departments and agencies hav-
25 ing an overseas presence at any United States diplomatic

1 mission or post to ensure such assessment reflects all Fed-
2 eral Government equities and viewpoints.

3 **SEC. 218. AUTHORIZATION OF APPROPRIATIONS FOR THE**
4 **FULBRIGHT-HAYS PROGRAM.**

5 There are authorized to be appropriated, for the 5-
6 year period beginning on October 1, 2021, \$105,500,000,
7 to promote education, training, research, and foreign lan-
8 guage skills through the Fulbright-Hays Program, in ac-
9 cordance with section 102(b) of the Mutual Educational
10 and Cultural Exchange Act of 1961 (22 U.S.C. 2452(b)).

11 **SEC. 219. SUPPORTING INDEPENDENT MEDIA AND COUN-**
12 **TERING DISINFORMATION.**

13 (a) AUTHORIZATION OF USAGM APPROPRIA-
14 TIONS.—There is authorized to be appropriated for the
15 United States Agency for Global Media \$100,000,000 for
16 each of fiscal years 2022 through 2026, for ongoing and
17 new programs to support local media, build independent
18 media, combat CCP disinformation inside and outside of
19 the People’s Republic of China, invest in technology to
20 subvert censorship, and monitor and evaluate such pro-
21 grams, of which—

22 (1) not less than \$50,000,000 shall be directed
23 to a grant to Radio Free Asia language services;

24 (2) not less than \$20,000,000 shall be made
25 available to serve populations in China through

1 Mandarin, Cantonese, Uyghur, and Tibetan lan-
2 guage services; and

3 (3) not less than \$5,500,000 shall be made
4 available for digital media services—

5 (A) to counter propaganda of non-Chinese
6 populations in foreign countries; and

7 (B) to counter propaganda of Chinese pop-
8 ulations in China through “Global Mandarin”
9 programming.

10 (b) SUPPORT FOR LOCAL MEDIA.—The Secretary of
11 State, acting through the Assistant Secretary of State for
12 Democracy, Human Rights, and Labor, and the Adminis-
13 trator of the United States Agency for International De-
14 velopment, acting through the Assistant Administrator for
15 Development, Democracy, and Innovation, shall jointly
16 support and train foreign journalists on investigative tech-
17 niques necessary to ensure public accountability, promote
18 transparency, fight corruption, and support the ability of
19 the public to develop informed opinions about pressing
20 issues facing their countries.

21 (c) INTERNET FREEDOM PROGRAMS.—The Bureau
22 of Democracy, Human Rights, and Labor shall continue
23 to support internet freedom programs.

24 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated to the Department of State

1 and United States Agency for International Development
2 \$170,000,000 for each of fiscal years 2022 through 2026,
3 for ongoing and new programs in support of press free-
4 dom, training, and protection of journalists. Amounts ap-
5 propriated pursuant to this authorization are authorized
6 to remain available until expended and shall be in addition
7 to amounts otherwise authorized to be appropriated to
8 support press freedom, training, and protection of journal-
9 ists.

10 **SEC. 219A. GLOBAL ENGAGEMENT CENTER.**

11 (a) FINDING.—Congress established the Global En-
12 gagement Center to “direct, lead, and coordinate efforts”
13 of the Federal Government to “recognize, understand, ex-
14 pose, and counter foreign state and non-state propaganda
15 and disinformation globally”.

16 (b) EXTENSION.—Section 1287(j) of the National
17 Defense Authorization Act for Fiscal Year 2017 (22
18 U.S.C. 2656 note) is amended by striking “the date that
19 is 8 years after the date of the enactment of this Act”
20 and inserting “December 31, 2027”.

21 (c) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that the Global Engagement Center should expand
23 its coordinating capacity of diplomatic messaging through
24 the exchange of liaison officers with Federal departments
25 and agencies that manage aspects of identifying and coun-

1 tering foreign disinformation, including the Office of the
2 Director of National Intelligence and Special Operations
3 Command's Joint MISO Web Operations Center.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated \$150,000,000 for fiscal year
6 2022 for the Global Engagement Center to counter foreign
7 state and non-state sponsored propaganda and
8 disinformation.

9 **SEC. 219B. REPORT ON ORIGINS OF THE COVID-19 PAN-**
10 **DEMIC.**

11 (a) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that—

13 (1) it is critical to understand the origins of the
14 COVID-19 pandemic so the United States can bet-
15 ter prepare, prevent, and respond to pandemic
16 health threats in the future;

17 (2) given the impact of the COVID-19 pan-
18 demic on all Americans, the American people deserve
19 to know what information the United States Govern-
20 ment possesses about the origins of COVID-19, as
21 appropriate;

22 (3) it is critical for independent experts to have
23 full access to all pertinent human, animal, and envi-
24 ronmental data, biological sample, research, and per-

1 sonnel involved in the early stages of the outbreak
2 relevant to determining how this pandemic emerged;

3 (4) Congress shares the concerns expressed by
4 the United States Government and 13 other foreign
5 governments that the international team of experts
6 dispatched to the People’s Republic of China by the
7 World Health Organization (WHO) to study the ori-
8 gins of the SARS–CoV–2 virus was “significantly
9 delayed and lacked access to complete, original data
10 and samples”;

11 (5) the March 30, 2021, statement by the Di-
12 rector-General of the WHO, Dr. Tedros Adhanom
13 Ghebreyesus, further affirms that the investigative
14 team had encountered “difficulties” in accessing
15 necessary raw data, that “we have not yet found the
16 source of the virus”, and that “all hypotheses re-
17 main on the table”;

18 (6) the G7 communique expressing support for
19 full implementation of the International Health Reg-
20 ulations, including “a timely, transparent, expert-
21 led, and science-based WHO-convened Phase 2
22 COVID–19 Origins study including, as rec-
23 ommended by the experts’ report, in China” is a val-
24 uable commitment by the United States and its al-

1 lies to investigating the origins of COVID–19 in
2 order to better prepare for future pandemics; and

3 (7) Congress supports the effort announced by
4 President Biden, directing the intelligence commu-
5 nity to conduct a 90 day review to further analyze
6 information pointing to the origins of COVID–19.

7 (b) REPORT REQUIRED.—Not later than 180 days
8 after enactment of this Act, the President shall submit
9 to the appropriate committees of Congress a report con-
10 sisting of—

11 (1) an assessment of the most likely source or
12 origin of the SARS–CoV–2 virus, including a de-
13 tailed review of all information the United States
14 possesses that it has identified as potentially rel-
15 evant to the source or origin of the SARS–CoV–2
16 virus, including zoonotic transmission and spillover,
17 or other sources of origin, transmission, or spillover,
18 based on the information the United States Govern-
19 ment has to date;

20 (2) its level of confidence in its assessment; and

21 (3) challenges identified to its ability to make
22 such an assessment.

23 (c) FORM.—The report required by subsection (b)
24 shall be submitted in unclassified form but may include
25 a classified annex.

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

4 (1) the Committee on Foreign Relations of the
5 Senate;

6 (2) the Select Committee on Intelligence of the
7 Senate;

8 (3) the Committee on Health, Education,
9 Labor, and Pensions of the Senate;

10 (4) the Committee on Energy and Natural Re-
11 sources of the Senate;

12 (5) the Committee on Foreign Affairs of the
13 House of Representatives;

14 (6) the Permanent Select Committee on Intel-
15 ligence of the House of Representatives; and

16 (8) the Committee on Energy and Commerce of
17 the House of Representatives.

18 **SEC. 219C. EXTENSION OF ASIA REASSURANCE INITIATIVE**

19 **ACT OF 2018.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that—

22 (1) the Indo-Pacific region is home to many of
23 the world’s most dynamic democracies, economic op-
24 portunities, as well as many challenges to United
25 States interests and values as a result of the growth

1 in authoritarian governance in the region and by
2 broad challenges posed by nuclear proliferation, the
3 changing environment, and deteriorating adherence
4 to human rights principles and obligations;

5 (2) the People’s Republic of China poses a par-
6 ticular threat as it repeatedly violates internationally
7 recognized human rights, engages in unfair economic
8 and trade practices, disregards international laws
9 and norms, coerces its neighbors, engages in malign
10 influence operations, and enables global digital
11 authoritarianism;

12 (3) the Asia Reassurance Initiative Act of 2018
13 (“ARIA”) enhances the United States’ commitment
14 in the Indo-Pacific region by—

15 (A) expanding its defense cooperation with
16 its allies and partners;

17 (B) investing in democracy and the protec-
18 tion of human rights;

19 (C) engaging in cybersecurity initiatives;
20 and

21 (D) supporting people-to-people engage-
22 ment and other shared priorities; and

23 (4) the 2019 Department of Defense Indo-Pa-
24 cific Strategy Report concludes that ARIA “en-
25 shrines a generational whole-of-government policy

1 framework that demonstrates U.S. commitment to a
2 free and open Indo-Pacific region”.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—The
4 Asia Reassurance Initiative Act of 2018 (Public Law 115–
5 409) is amended—

6 (1) in section 201(b), by striking
7 “\$1,500,000,000 for each of the fiscal years 2019
8 through 2023” and inserting “\$2,000,000,000 for
9 each of fiscal years 2022 through 2026”;

10 (2) in section 215(b), by striking “2023” and
11 inserting “2026”;

12 (3) in section 306(a)—

13 (A) in paragraph (1), by striking “5
14 years” and inserting “8 years”; and

15 (B) in paragraph (2), by striking “2023”
16 and inserting “2026”;

17 (4) in section 409(a)(1), by striking “2023”
18 and inserting “2026”;

19 (5) in section 410—

20 (A) in subsection (c), by striking “2023”
21 and inserting “2026”; and

22 (B) in subsection (d), in the matter pre-
23 ceding paragraph (1), by striking “2023” and
24 inserting “2026”; and

1 (6) in section 411, by striking “2023” and in-
2 sserting “2026”.

3 **SEC. 219D. INVESTMENT, TRADE, AND DEVELOPMENT IN**
4 **AFRICA AND LATIN AMERICA AND THE CAR-**
5 **IBBEAN.**

6 (a) STRATEGY REQUIRED.—

7 (1) IN GENERAL.—The President shall establish
8 United States strategies to promote, facilitate, and
9 increase trade and investment and development in
10 Africa and Latin America and the Caribbean.

11 (2) FOCUS OF STRATEGY.—The strategy re-
12 quired by paragraph (1) shall focus on increasing
13 two-way trade and investment with Africa and Latin
14 America and the Caribbean by 200 percent in real
15 dollar value by the date that is years after the date
16 of the enactment of this Act.

17 (3) SUBMISSION TO CONGRESS.—

18 (A) UNITED STATES STRATEGY TO PRO-
19 MOTE TWO-WAY TRADE AND INVESTMENT IN
20 AFRICA, LATIN AMERICA, AND THE CARIB-
21 BEAN.—Not later than 180 days after the date
22 of the enactment of this Act, the President, in
23 consultation with the heads of the relevant Fed-
24 eral departments and agencies, shall submit to
25 the appropriate congressional committees and

1 make publicly available a government-wide
2 strategy for Africa, to be known as the Prosper
3 Africa Strategy, and for Latin America and the
4 Caribbean, that provides detailed descriptions of
5 how the United States intends to fulfill the pol-
6 icy objectives described in paragraph (2). The
7 strategies shall—

8 (i) support and be aligned with other
9 existing United States Government strate-
10 gies; and

11 (ii) include specific and measurable
12 goals, benchmarks, performance metrics,
13 timetables, and monitoring and evaluation
14 plans to ensure the accountability and ef-
15 fectiveness of all policies and initiatives
16 carried out under the strategy.

17 (B) SPECIFIC PLANS FOR DEPARTMENTS
18 AND AGENCIES.—The strategies submitted pur-
19 suant to subparagraph (A) shall also include
20 specific implementation plans, in coordination
21 with the recommendations and activities of the
22 Economic Diplomacy Action Group under sec-
23 tion 708 of the Championing American Busi-
24 ness Through Diplomacy Act of 2019 (22

1 U.S.C. 9904), from each of the relevant Federal
2 departments and agencies that describes—

3 (i) the anticipated contributions of the
4 department or agency, including technical,
5 financial, and in-kind contributions, to im-
6 plement the strategies;

7 (ii) the efforts of the department or
8 agency to ensure that the policies and ini-
9 tiatives carried out pursuant to the strate-
10 gies are designed to achieve maximum im-
11 pact and effectiveness; and

12 (iii) recommendations on necessary re-
13 sources, including staffing, to expand ef-
14 forts to promote trade and investment be-
15 tween the United States and Africa, and
16 the United States and Latin America and
17 the Caribbean.

18 (C) INTERAGENCY COORDINATION.—The
19 strategies submitted pursuant to subparagraph
20 (A) shall include plans for coordinating with
21 relevant departments and agencies the imple-
22 mentation of agency-specific plans described in
23 subparagraph (B), particularly as it relates to
24 advancing two-way trade and investment trans-

1 actions and business enabling environment re-
2 forms.

3 (b) REPORT.—Not later than 180 days after the sub-
4 mission of the strategies required by subsection (a)(3),
5 and annually thereafter until 2026, the President shall
6 submit to the appropriate congressional committees a re-
7 port, in coordination with the report required by section
8 707 of the Championing American Business Through Di-
9 plomacy Act of 2019 (22 U.S.C. 9903) that—

10 (1) summarizes and evaluates the implementa-
11 tion of United States diplomatic efforts and foreign
12 assistance programs, projects, and activities to ad-
13 vance the policy objectives set forth in subsection
14 (a)(2);

15 (2) describes the nature and extent of the co-
16 ordination among the relevant Federal departments
17 and agencies, including summary of activities and
18 engagements of the Economic Diplomacy Action
19 Group; and

20 (3) describes the monitoring and evaluation
21 tools, mechanisms, and indicators to assess progress
22 made on the policy objectives of this section.

23 (c) EXECUTIVE DIRECTORS FOR AFRICA AND LATIN
24 AMERICA AND THE CARIBBEAN TRADE AND INVEST-
25 MENT.—The President shall designate an individual to

1 serve as the Executive Director for Trade and Investment
2 Strategy in Africa, also known as the Prosper Africa Exec-
3 utive Director, and an individual to serve as Executive Di-
4 rector for Trade and Investment Strategy in Latin Amer-
5 ica and the Caribbean to—

6 (1) oversee the development and implementa-
7 tion of the strategies required by subsection (a); and

8 (2) coordinate developing and implementing the
9 strategy with the Office of the United States Trade
10 Representative, the Office of Management and
11 Budget, and the relevant departments and agencies.

12 (d) BUSINESS DEVELOPMENT EXCHANGES WITH
13 AFRICA AND LATIN AMERICA AND THE CARIBBEAN.—It
14 is the sense of Congress that, not later than one year after
15 the date of the enactment of this Act, high-level officials
16 of relevant departments and agencies of the United States
17 Government with responsibility for promoting trade, in-
18 vestment, financing, and development should conduct joint
19 activities to advance the strategies described in sub-
20 section(a), including business development exchanges with
21 public and private sector representatives from Africa and
22 Latin America, and the Caribbean who are focused on pro-
23 moting two-way trade and investment.

1 (e) TRAINING, INTERAGENCY COORDINATION, AND
2 INFORMATION SHARING.—The President shall develop a
3 plan—

4 (1) to standardize the training received by
5 United States and Foreign Commercial Service offi-
6 cers, economic officers of the Department of State,
7 and economic officers of the United States Agency
8 for International Development with respect to the
9 programs and procedures of the Export-Import
10 Bank of the United States, the United States Inter-
11 national Development Finance Corporation, the
12 Small Business Administration, and the United
13 States Trade and Development Agency; and

14 (2) to ensure that—

15 (A) not later than one year after the date
16 of the enactment of this Act—

17 (i) all personnel referred to in para-
18 graph (1) receive the training described in
19 that paragraph; and

20 (ii) relevant departments and agencies
21 share information on trade and investment
22 transactions facilitated by the United
23 States Government and funded by the pub-
24 lic or private sector;

1 (B) not later than 60 days after the date
2 of the enactment of this Act, the Administrator
3 of USAID and the Chief Executive Officer of
4 DFC shall develop a plan to enhance coordina-
5 tion and expedite information sharing that in-
6 cludes—

7 (i) a process for sharing of informa-
8 tion in a timely fashion, and at least
9 monthly, on—

10 (I) active and early stage leads
11 on transactions initiated, promoted, or
12 facilitated by DFC;

13 (II) transactions deemed ineli-
14 gible for DFC support or not being
15 pursued by DFC for other reasons;
16 and

17 (III) transaction opportunities
18 identified by USAID or other relevant
19 United States departments and agen-
20 cies submitted for DFC consideration;
21 and

22 (ii) any training required for DFC,
23 USAID, or other interagency staff to im-
24 plement the plan;

1 (C) the Executive Directors and their ap-
2 pointed staff shall be responsible for coordi-
3 nating implementation of this plan; and

4 (D) DFC and USAID shall, in consulta-
5 tion with the Executive Directors and Congress,
6 identify targets for DFC's financial commit-
7 ments and any private capital mobilized to fi-
8 nalize a transaction.

9 (f) DATA SHARING PLATFORM.—

10 (1) ESTABLISHMENT.—The Administrator of
11 USAID shall, in consultation with the Executive Di-
12 rectors and relevant department and agencies, estab-
13 lish an interoperable digital platform maintained by
14 the staff of the Executive Directors to—

15 (A) facilitate interagency information shar-
16 ing and collaboration on trade and investment
17 transactions; and

18 (B) ensure relevant department and agen-
19 cies use such platform to review, track, and de-
20 velop consensus on transactions and their rel-
21 ative priorities.

22 (2) COORDINATION.—The Executive Directors
23 shall coordinate regularly with the leadership of rel-
24 evant Federal department and agencies to—

25 (A) advance and finalize transactions; or

1 (B) provide a written justification for any
2 transaction deemed ineligible for United States
3 Government financing under existing authori-
4 ties.

5 (g) DEFINITIONS.—In this section:

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

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

11 (B) the Committee on Appropriations of
12 the Senate;

13 (C) the Committee on Foreign Affairs of
14 the House of Representatives; and

15 (D) the Committee on Appropriations of
16 the House of Representatives.

17 (2) RELEVANT FEDERAL DEPARTMENTS AND
18 AGENCIES.—The term “relevant Federal depart-
19 ments and agencies” includes—

20 (A) the Department of State;

21 (B) the Department of the Treasury;

22 (C) the Department of Commerce;

23 (D) the United States Agency for Inter-
24 national Development (USAID);

25 (E) the Millennium Challenge Corporation;

1 (F) the United States International Development Finance Corporation (DFC);

2
3 (G) the United States Trade and Development Agency;

4
5 (H) the United States African Development Foundation;

6
7 (I) the Export Import Bank;

8 (J) the Small Business Administration;

9 (K) the Department of Agriculture; and

10 (L) any other entity deemed appropriate
11 by the President.

12 (3) EARLY-STAGE LEAD.—The term “early-stage lead” means a prospective transaction which is
13 being evaluated by DFC staff, prior to DFC holding
14 an internal screening meeting or accepting an application.
15
16

17 (4) TWO-WAY TRADE AND INVESTMENT.—The
18 term “two-way trade and investment” means United
19 States exports to Africa and Latin America and the
20 Caribbean, United States public and private investment in Africa and Latin America and the Caribbean,
21 exports from Africa and Latin America and the Caribbean, exports from Africa and Latin America and
22 the Caribbean to the United States, and Africa and
23 Latin America and the Caribbean investment in the
24 United States.
25

1 **Subtitle B—International Security**
2 **Matters**

3 **SEC. 221. DEFINITIONS.**

4 In this subtitle:

5 (1) APPROPRIATE COMMITTEES OF CON-
6 GRESS.—The term “appropriate committees of Con-
7 gress” means—

8 (A) the Committee on Foreign Relations,
9 the Committee on Armed Services, and the
10 Committee on Appropriations of the Senate;
11 and

12 (B) the Committee on Foreign Affairs, the
13 Committee on Armed Services, and the Com-
14 mittee on Appropriations of the House of Rep-
15 resentatives.

16 **SEC. 222. ADDITIONAL FUNDING FOR INTERNATIONAL**
17 **MILITARY EDUCATION AND TRAINING IN THE**
18 **INDO-PACIFIC.**

19 There is authorized to be appropriated for each of
20 fiscal years 2022 through fiscal year 2026 for the Depart-
21 ment of State, out of amounts authorized to be appro-
22 priated or otherwise made available for assistance under
23 chapter 5 of part II of the Foreign Assistance Act of 1961
24 (22 U.S.C. 2347 et seq.) (relating to international military
25 education and training assistance), \$45,000,000 for activi-

1 ties in the Indo-Pacific region in accordance with this sub-
2 title. Funds may be disbursed only after vetting of individ-
3 uals proposed to be trained, consistent with sections 502B
4 and 620M of the Foreign Assistance Act of 1961 (22
5 U.S.C. 2304 and 2378d).

6 **SEC. 223. STATEMENT OF POLICY ON MARITIME FREEDOM**
7 **OF OPERATIONS IN INTERNATIONAL WATER-**
8 **WAYS AND AIRSPACE OF THE INDO-PACIFIC**
9 **AND ON ARTIFICIAL LAND FEATURES IN THE**
10 **SOUTH CHINA SEA.**

11 (a) SENSE OF CONGRESS.—Congress—

12 (1) condemns coercive and threatening actions
13 or the use of force to impede freedom of navigation
14 operations in international airspace by military or ci-
15 vilian aircraft, to alter the status quo, or to desta-
16 bilize the Indo-Pacific region;

17 (2) urges the Government of the People's Re-
18 public of China to refrain from implementing the de-
19 clared East China Sea Air Defense Identification
20 Zone (ADIZ), or an ADIZ in the South China Sea,
21 where contrary to freedom of overflight in inter-
22 national airspace, and to refrain from taking similar
23 provocative actions elsewhere in the Indo-Pacific re-
24 gion;

1 (3) reaffirms that the 2016 Permanent Court
2 of Arbitration decision is final and legally binding on
3 both parties and that the People’s Republic of Chi-
4 na’s claims to offshore resources across most of the
5 South China Sea are unlawful; and

6 (4) condemns the People’s Republic of China
7 for failing to abide by the 2016 Permanent Court of
8 Arbitration ruling, despite the PRC’s obligations as
9 a state party to the United Nations Convention on
10 the Law of the Sea.

11 (b) STATEMENT OF POLICY.—It shall be the policy
12 of the United States to—

13 (1) reaffirm its commitment and support for al-
14 lies and partners in the Indo-Pacific region, includ-
15 ing with respect to the mutual defense treaties with
16 Indo-Pacific allies;

17 (2) oppose claims that impinge on the rights,
18 freedoms, and lawful use of the sea, or the airspace
19 above it, that are available to all countries, and op-
20 pose the militarization of new and reclaimed land
21 features in the South China Sea;

22 (3) continue certain policies with respect to the
23 PRC claims in the South China Sea, specifically—

1 (A) that PRC claims in the South China
2 Sea, including to offshore resources across most
3 of the South China Sea, are unlawful;

4 (B) that the PRC cannot lawfully assert a
5 maritime claim vis-à-vis the Philippines in areas
6 that the Permanent Court of Arbitration found
7 to be in the Philippines' Exclusive Economic
8 Zone (EEZ) or on its continental shelf;

9 (C) to reject any PRC claim to waters be-
10 yond a 12 nautical mile territorial sea derived
11 from islands it claims in the Spratly Islands;
12 and

13 (D) that the PRC has no lawful territorial
14 or maritime claim to James Shoal;

15 (4) urge all parties to refrain from engaging in
16 destabilizing activities, including environmentally
17 harmful and provocative land reclamation;

18 (5) ensure that disputes are managed without
19 intimidation, coercion, or force;

20 (6) call on all claimants to clarify or adjust
21 claims in accordance with international law;

22 (7) uphold the principle that territorial and
23 maritime claims, including territorial waters or terri-
24 torial seas, must derive from land features and oth-
25 erwise comport with international law;

1 (8) oppose the imposition of new fishing regula-
2 tions covering disputed areas in the South China
3 Sea, regulations which have raised tensions in the
4 region;

5 (9) support an effective Code of Conduct, if
6 that Code of Conduct reflects the interests of South-
7 east Asian claimant countries and does not serve as
8 a vehicle for the People's Republic of China to ad-
9 vance its unlawful maritime claims;

10 (10) reaffirm that an existing body of inter-
11 national rules and guidelines, including the Inter-
12 national Regulations for Preventing Collisions at
13 Sea, done at London October 12, 1972 (COLREGs),
14 is sufficient to ensure the safety of navigation be-
15 tween the United States Armed Forces and the
16 forces of other countries, including the People's Re-
17 public of China;

18 (11) support the development of regional insti-
19 tutions and bodies, including the ASEAN Regional
20 Forum, the ASEAN Defense Minister's Meeting
21 Plus, the East Asia Summit, and the expanded
22 ASEAN Maritime Forum, to build practical coopera-
23 tion in the region and reinforce the role of inter-
24 national law;

1 (12) encourage the deepening of partnerships
2 with other countries in the region for maritime do-
3 main awareness and capacity building, as well as ef-
4 forts by the United States Government to explore
5 the development of appropriate multilateral mecha-
6 nisms for a “common operating picture” in the
7 South China Sea among Southeast Asian countries
8 that would serve to help countries avoid destabilizing
9 behavior and deter risky and dangerous activities;

10 (13) oppose actions by any country to prevent
11 any other country from exercising its sovereign
12 rights to the resources of the exclusive economic
13 zone (EEZ) and continental shelf by making claims
14 to those areas in the South China Sea that have no
15 support in international law; and

16 (14) assure the continuity of operations by the
17 United States in the Indo-Pacific region, including,
18 when appropriate, in cooperation with partners and
19 allies, to reaffirm freedom of navigation and over-
20 flight and other lawful uses of the sea.

21 **SEC. 224. REPORT ON CAPABILITY DEVELOPMENT OF INDO-**
22 **PACIFIC ALLIES AND PARTNERS.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) the Secretary of State should expand and
2 strengthen existing measures under the United
3 States Conventional Arms Transfer Policy to provide
4 capabilities to allies and partners consistent with
5 agreed-on division of responsibility for alliance roles,
6 missions and capabilities, prioritizing allies and part-
7 ners in the Indo-Pacific region in accordance with
8 United States strategic imperatives;

9 (2) the United States should design for export
10 to Indo-Pacific allies and partners capabilities crit-
11 ical to maintaining a favorable military balance in
12 the region, including long-range precision fires, air
13 and missile defense systems, anti-ship cruise mis-
14 siles, land attack cruise missiles, conventional
15 hypersonic systems, intelligence, surveillance, and re-
16 connaissance capabilities, and command and control
17 systems consistent with law, regulation, policy, and
18 international commitments;

19 (3) the United States should pursue, to the
20 maximum extent possible, anticipatory technology
21 security and foreign disclosure policy on the systems
22 described in paragraph (2);

23 (4) the Secretary of State, in coordination with
24 the Secretary of Defense, should—

1 (A) urge allies and partners to invest in
2 sufficient quantities of munitions to meet con-
3 tingency requirements and avoid the need for
4 accessing United States stocks in wartime; and

5 (B) cooperate with allies to deliver such
6 munitions, or when necessary, to increase allies'
7 capacity to produce such munitions; and

8 (5) it is in the United States interest to not au-
9 thorize arms transfers or security cooperation to
10 governments that demonstrate patterns of gross vio-
11 lations of human rights if such arms or security co-
12 operation could be used to commit or support such
13 violations.

14 (b) APPROPRIATE COMMITTEES OF CONGRESS.—In
15 this section, the term “appropriate committees of Con-
16 gress” means—

17 (1) the Committee on Foreign Relations, the
18 Committee on Armed Services, and the Committee
19 on Appropriations of the Senate; and

20 (2) the Committee on Foreign Affairs, the
21 Committee on Armed Services, and the Committee
22 on Appropriations of the House of Representatives.

23 (c) REPORT.—

24 (1) IN GENERAL.—Not later than 90 days after
25 the date of the enactment of this Act, the Secretary

1 of State, in consultation with the Secretary of De-
2 fense, shall submit to the appropriate committees of
3 Congress a report that describes United States pri-
4 orities for building more capable security partners in
5 the Indo-Pacific region.

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

8 (A) provide a priority list of defense and
9 military capabilities that Indo-Pacific allies and
10 partners must possess for the United States to
11 be able to achieve its military objectives in the
12 Indo-Pacific region;

13 (B) identify, from the list referred to in
14 subparagraph (A), the capabilities that are best
15 provided, or can only be provided, by the
16 United States;

17 (C) identify—

18 (i) actions required to expedite field-
19 ing the capabilities identified in subpara-
20 graph (B); and

21 (ii) steps needed to fully account for
22 and a plan to integrate all means of
23 United States foreign military sales, direct
24 commercial sales, security assistance, and
25 all applicable authorities of the Depart-

1 ment of State and the Department of De-
2 fense;

3 (D) assess the requirements for United
4 States security assistance, including Inter-
5 national Military Education and Training, in
6 the Indo-Pacific region, as a part of the means
7 to deliver critical partner capability require-
8 ments identified in subparagraph (B);

9 (E) assess the resources necessary to meet
10 the requirements for United States security as-
11 sistance, and identify resource gaps;

12 (F) assess the major obstacles to fulfilling
13 requirements for United States security assist-
14 ance in the Indo-Pacific region, including re-
15 sources and personnel limits, foreign legislative
16 and policy barriers, and factors related to spe-
17 cific partner countries;

18 (G) identify limitations on the ability of
19 the United States to provide such capabilities,
20 including capabilities identified under subpara-
21 graph (B), because of existing United States
22 treaty obligations, United States policies, in-
23 cluding sections 502B and 620M of the Foreign
24 Assistance Act of 1961 (22 U.S.C. 2304 and
25 2378d), or other regulations;

1 (H) recommend improvements to the proc-
2 ess for developing requirements for United
3 States partner capabilities; and

4 (I) identify required jointly agreed rec-
5 ommendations for infrastructure and posture,
6 based on any ongoing mutual dialogues.

7 (3) FORM.—The report required under this
8 subsection shall be unclassified, but may include a
9 classified annex.

10 **Subtitle C—Multilateral Strategies** 11 **to Bolster American Power**

12 **SEC. 231. FINDINGS ON MULTILATERAL ENGAGEMENT.**

13 Congress finds the following:

14 (1) Every UN member state is legally required
15 to finance the UN's core budget in order to ensure
16 that these missions are properly resourced, and as-
17 sessment rates are renegotiated every three years by
18 the UN General Assembly.

19 (2) While the United States is the largest single
20 financial contributor to the UN system, the current
21 model is beneficial because it requires all UN mem-
22 ber states, no matter how big or small, to help
23 shoulder the UN's regular and peacekeeping budgets
24 at specified levels.

1 (3) Failing to meet our financial commitments
2 to the UN also empowers the PRC, which has raised
3 our annual shortfalls to claim we are not a reliable
4 partner and is seeking to leverage its own contribu-
5 tions to the regular budget and peacekeeping in
6 ways that run counter to United States interests and
7 values.

8 (4) The People's Republic of China is now the
9 second largest financial contributor to UN peace-
10 keeping, having gone from an assessment rate of
11 just 3 percent in 2008 to more than 15 percent
12 today, and is the ninth largest troop-contributor to
13 UN missions, providing more personnel than the
14 other four permanent members of the Security
15 Council combined.

16 (5) With greater engagement comes greater in-
17 fluence, and PRC diplomats have sought to use their
18 expanded clout to push back against the human
19 rights, civilian protection, and gender-based violence
20 aspects of UN peacekeeping mandates, using United
21 States funding shortfalls as a pretext.

22 (6) The PRC has also used its growing clout to
23 fill key posts at UN agencies: Chinese nationals cur-
24 rently occupy the top posts of four of the UN's 15

1 specialized agencies, while the United States occu-
2 pies only one.

3 (7) From 2021 to 2022, there will be 15 elec-
4 tions for the heads of UN specialized agencies and
5 five for major UN funds and programs. With the ex-
6 ception of the World Food Programme, none are
7 currently led by Americans.

8 (8) A 2020 Department of State Inspector Gen-
9 eral Inspection found that the Bureau for Inter-
10 national Organizations did not have a standard oper-
11 ating procedure for tracking and promoting the em-
12 ployment of American Citizens in the UN system,
13 and their recommendation to the department to es-
14 tablish one remains open.

15 **SEC. 232. STATEMENT OF POLICY ON AMERICA'S MULTI-**
16 **LATERAL ENGAGEMENT.**

17 It is the policy of the United States that—

18 (1) the Permanent Representative of the United
19 States to the United Nations serves as a standing
20 member of the cabinet;

21 (2) assessed dues to multilateral organizations
22 be paid in full in a timely fashion;

23 (3) Federal agencies utilize all the authorities
24 under section 3343 of title 5, United States Code,
25 and subpart C of title 5, Code of Federal Regula-

1 tions (relating to detail and transfer of Federal em-
2 ployees to international organizations), to detail or
3 transfer employees to relevant international organi-
4 zations;

5 (4) the Secretary of State should assist the De-
6 partment of State and other Federal agencies in car-
7 rying out paragraph (3) to the fullest extent;

8 (5) the Secretary of State should support quali-
9 fied American candidates in their bid to win election
10 to United Nations-related leadership positions; and

11 (6) the Secretary of State should support the
12 placement of Junior Professional Officers sponsored
13 by the United States in United Nations-affiliated
14 agencies.

15 **SEC. 233. SUPPORT FOR AMERICANS AT THE UNITED NA-**
16 **TIONS.**

17 (a) **ESTABLISHMENT.**—The Secretary of State is au-
18 thorized to establish within the Department of State’s Bu-
19 reau of International Organization Affairs an Office of
20 Multilateral Strategy and Personnel.

21 (b) **DUTIES.**—The office established under subsection
22 (a) of this section shall be responsible for—

23 (1) promoting United States leadership and
24 participation in the United Nations system, with a
25 focus on issue areas where authoritarian nations are

1 exercising increased influence in and determining the
2 agenda of the United Nations system;

3 (2) establishing and implementing a standard
4 operating procedure for the promotion and efficient
5 tracking of United States citizen employment at the
6 United Nations and other international organiza-
7 tions that includes Mission Geneva;

8 (3) monitoring the pipeline of United Nations
9 jobs and identifying qualified United States citizens
10 and other qualified nationals to promote for such po-
11 sitions;

12 (4) tracking leadership changes in United Na-
13 tions Secretariat, funds, programs, and agencies,
14 and developing strategies to ensure that coalitions of
15 like-minded countries are assembled to ensure lead-
16 ership races are not won by countries that do not
17 share United States interests;

18 (5) eliminating current barriers to the employ-
19 ment of United States citizens in the United Nations
20 Secretariat, funds, programs, and agencies; and

21 (6) increasing the number of qualified United
22 States candidates for leadership and oversight posi-
23 tions at the United Nations Secretariat, funds, pro-
24 grams, agencies, and at other international organiza-
25 tions.

1 **SEC. 234. JUNIOR PROFESSIONAL OFFICERS.**

2 (a) INCREASE IN JUNIOR PROFESSIONAL OFFICER
3 POSITIONS.—The Secretary of State should increase the
4 number of Junior Professional Officer positions sponsored
5 by the United States within the United Nations system.

6 (b) REPORT.—Not later than December 31 of each
7 year, the Secretary of State shall provide the appropriate
8 congressional committees information regarding the
9 amount of funding each bureau has designated during the
10 immediately preceding fiscal year for Junior Professional
11 Officer positions in the United Nations system and the
12 number of such positions that exist as of the end of the
13 prior fiscal year.

14 **SEC. 235. REPORT ON AMERICAN EMPLOYMENT IN INTER-**
15 **NATIONAL ORGANIZATIONS.**

16 (a) IN GENERAL.—Not later than 180 days after the
17 date of the enactment of this Act and annually thereafter,
18 the Secretary of State, in consultation with the heads of
19 other Federal departments and agencies as appropriate,
20 shall develop and submit to the appropriate congressional
21 committees a report on how many Federal employees are
22 currently detailed or transferred to an international orga-
23 nization during the immediately preceding 1-year period
24 and a strategy for increasing the number of Federal em-
25 ployees so detailed or transferred.

1 (b) MATTERS TO BE INCLUDED.—Each report re-
2 quired by subsection (a) shall include the following:

3 (1) The number of Federal employees detailed
4 or transferred to an international organization under
5 section 3343 of title 5, United States Code, and sub-
6 part C of title 5, Code of Federal Regulations (relat-
7 ing to the detail and transfer of Federal employees
8 to international organizations), including—

9 (A) an identification of the Federal agency
10 from which such employees were detailed or
11 transferred; and

12 (B) an identification of the international
13 organizations to and from which such employ-
14 ees have been so detailed or transferred.

15 (2) A list of international organizations to and
16 from which the United States previously detailed or
17 transferred Federal employees.

18 **Subtitle D—Regional Strategies to**
19 **Bolster American Power**

20 **SEC. 241. STATEMENT OF POLICY ON COOPERATION WITH**
21 **ALLIES AND PARTNERS AROUND THE WORLD.**

22 It is the policy of the United States—

23 (1) to strengthen alliances and partnerships
24 with like-minded countries around the globe; and

1 (2) to work in collaboration with such allies and
2 partners—

3 (A) to address significant diplomatic, eco-
4 nomic, and military challenges posed by the
5 People’s Republic of China (PRC);

6 (B) to deter the PRC from pursuing mili-
7 tary aggression;

8 (C) to promote the peaceful resolution of
9 territorial disputes in accordance with inter-
10 national law;

11 (D) to promote private sector-led long-term
12 economic development while countering efforts
13 by the Government of the PRC to leverage
14 predatory economic practices as a means of po-
15 litical and economic coercion in the Indo-Pacific
16 region and beyond;

17 (E) to promote the values of democracy
18 and human rights, including through efforts to
19 end the repression by the PRC of political dis-
20 sidents, Uyghurs and other Muslim minorities,
21 Tibetan Buddhists, Christians, and other ethnic
22 minorities;

23 (F) to respond to the crackdown by the
24 PRC, in contravention of the commitments
25 made under the Sino-British Joint Declaration

1 of 1984 and the Basic Law of Hong Kong, on
2 the legitimate aspirations of the people of Hong
3 Kong; and

4 (G) to counter the PRC Government's ef-
5 forts to spread disinformation in the PRC and
6 beyond with respect to its response to COVID-
7 19.

8 **PART I—WESTERN HEMISPHERE**

9 **SEC. 242. SENSE OF CONGRESS REGARDING UNITED**
10 **STATES-CANADA RELATIONS.**

11 It is the sense of Congress that—

12 (1) the United States and Canada have a
13 unique relationship based on shared geography, ex-
14 tensive personal connections, deep economic ties,
15 mutual defense commitments, and a shared vision to
16 uphold democracy, human rights, and the rules
17 based international order established after World
18 War II;

19 (2) the United States and Canada can better
20 address the People's Republic of China's economic,
21 political, and security influence through closer co-
22 operation on counternarcotics, environmental stew-
23 ardship, transparent practices in public procurement
24 and infrastructure planning, the Arctic, energy and
25 connectivity issues, trade and commercial relations,

1 bilateral legal matters, and support for democracy,
2 good governance, and human rights;

3 (3) amidst the COVID–19 pandemic, the
4 United States and Canada should maintain joint ini-
5 tiatives to address border management, commercial
6 and trade relations and infrastructure, a shared ap-
7 proach with respect to the People’s Republic of
8 China, and transnational challenges, including
9 pandemics, energy security, and environmental stew-
10 ardship;

11 (4) the United States and Canada should en-
12 hance cooperation to counter Chinese disinformation,
13 influence operations, economic espionage, and propa-
14 ganda efforts;

15 (5) the People’s Republic of China’s infrastruc-
16 ture investments, particularly in 5G telecommuni-
17 cations technology, extraction of natural resources,
18 and port infrastructure, pose national security risks
19 for the United States and Canada;

20 (6) the United States should share, as appro-
21 priate, intelligence gathered regarding—

22 (A) Huawei’s 5G capabilities; and

23 (B) the PRC government’s intentions with
24 respect to 5G expansion;

1 (7) the United States and Canada should con-
2 tinue to advance collaborative initiatives to imple-
3 ment the January 9, 2020, United States-Canada
4 Joint Action Plan on Critical Minerals Development
5 Collaboration; and

6 (8) the United States and Canada should
7 prioritize cooperation on continental defense and in
8 the Arctic, including by modernizing the North
9 American Aerospace Defense Command (NORAD)
10 sensor architecture to provide effective warning and
11 tracking of threats by peer competitors, including
12 long-range missiles and high-precision weapons, to
13 the Northern Hemisphere.

14 **SEC. 243. SENSE OF CONGRESS REGARDING CHINA'S ARBI-**
15 **TRARY IMPRISONMENT OF CANADIAN CITI-**
16 **ZENS.**

17 It is the sense of Congress that—

18 (1) the Government of the People's Republic of
19 China's apparent arbitrary detention and abusive
20 treatment of Canadian nationals Michael Spavor and
21 Michael Kovrig in apparent retaliation for the Gov-
22 ernment of Canada's arrest of Meng Wanzhou is
23 deeply concerning;

24 (2) the Government of Canada has shown inter-
25 national leadership by—

1 (A) upholding the rule of law and com-
2 plying with its international legal obligations,
3 including obligations pursuant to the Extra-
4 dition Treaty Between the United States of
5 America and Canada, signed at Washington
6 December 3, 1971; and

7 (B) launching the Declaration Against Ar-
8 bitrary Detention in State-to-State Relations,
9 which has been endorsed by 57 countries and
10 the European Union, and reaffirms well-estab-
11 lished prohibitions under international human
12 rights conventions against the arbitrary deten-
13 tion of foreign nationals to be used as leverage
14 in country-to-country relations; and

15 (3) the United States continues to join the Gov-
16 ernment of Canada in calling for the immediate re-
17 lease of Michael Spavor and Michael Kovrig and for
18 due process for Canadian national Robert
19 Schellenberg.

20 **SEC. 244. STRATEGY TO ENHANCE COOPERATION WITH**
21 **CANADA.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of the enactment of this Act, the President shall sub-
24 mit to the appropriate congressional committees, and the
25 Committees on Armed Services of the Senate and the

1 House of Representatives, a strategy that describes how
2 the United States will enhance cooperation with the Gov-
3 ernment of Canada in managing relations with the Gov-
4 ernment of the People's Republic of China.

5 (b) ELEMENTS.—The strategy required under sub-
6 section (a) shall—

7 (1) identify key policy points of convergence
8 and divergence between the United States and Can-
9 ada in managing relations with the People's Repub-
10 lic of China in the areas of technology, trade, eco-
11 nomic practices, cyber security, secure supply chains
12 and critical minerals, and illicit narcotics;

13 (2) include a description of United States devel-
14 opment and coordination efforts with Canadian
15 counterparts to enhance the cooperation between the
16 United States and Canada with respect to—

17 (A) managing economic relations with the
18 People's Republic of China;

19 (B) democracy and human rights in the
20 People's Republic of China;

21 (C) technology issues involving the Peo-
22 ple's Republic of China;

23 (D) defense issues involving the People's
24 Republic of China; and

1 (E) international law enforcement and
2 transnational organized crime issues;

3 (3) detail diplomatic efforts and future plans to
4 work with Canada to counter the People's Republic
5 of China's projection of an authoritarian governing
6 model around the world;

7 (4) detail diplomatic, defense, and intelligence
8 cooperation to date and future plans to support Ca-
9 nadian efforts to identify cost-effective alternatives
10 to Huawei's 5G technology;

11 (5) detail diplomatic and defense collabora-
12 tion—

13 (A) to advance joint United States-Cana-
14 dian priorities for responsible stewardship in
15 the Arctic Region; and

16 (B) to counter the People's Republic of
17 China's efforts to project political, economic,
18 and military influence into the Arctic Region;
19 and

20 (6) detail diplomatic efforts to work with Can-
21 ada to track and counter the People's Republic of
22 China's attempts to exert influence across the multi-
23 lateral system.

24 (c) FORM.—The strategy required under this section
25 shall be submitted in an unclassified form that can be

1 made available to the public, but may include a classified
2 annex, if necessary.

3 (d) CONSULTATION.—Not later than 90 days after
4 the date of the enactment of this Act and not less fre-
5 quently than every 180 days thereafter for five years, the
6 Secretary of State shall consult with the appropriate con-
7 gressional committees, and the Committees on Armed
8 Services of the Senate and the House of Representatives,
9 regarding the development and implementation of the
10 strategy required under this section.

11 **SEC. 245. STRATEGY TO STRENGTHEN ECONOMIC COM-**
12 **PETITIVENESS, GOVERNANCE, HUMAN**
13 **RIGHTS, AND THE RULE OF LAW IN LATIN**
14 **AMERICA AND THE CARIBBEAN.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of the enactment of this Act, the Secretary of State,
17 in consultation, as appropriate, with the Secretary of the
18 Treasury, the Secretary of Commerce, the Administrator
19 of the United States Agency for International Develop-
20 ment (USAID), the Attorney General, the United States
21 Trade Representative, and the Chief Executive Officer of
22 the United States International Development Finance
23 Corporation, shall submit to the appropriate congressional
24 committees, the Committee on Ways and Means and the
25 Committee on Appropriations of the House of Representa-

1 tives, and the Committee on Finance and the Committee
2 on Appropriations of the Senate a multi-year strategy for
3 increasing United States economic competitiveness and
4 promoting good governance, human rights, and the rule
5 of law in Latin American and Caribbean countries, par-
6 ticularly in the areas of—

7 (1) investment;

8 (2) equitable, inclusive, and sustainable develop-
9 ment;

10 (3) commercial relations;

11 (4) anti-corruption activities; and

12 (5) infrastructure projects.

13 (b) ADDITIONAL ELEMENTS.—The strategy required
14 under subsection (a) shall include a plan of action, includ-
15 ing benchmarks to achieve measurable progress, to—

16 (1) enhance the technical capacity of Latin
17 American and Caribbean countries to advance the
18 sustainable and inclusive development of equitable
19 economies;

20 (2) reduce trade and non-tariff barriers between
21 such countries;

22 (3) facilitate a more open, transparent, and
23 competitive environment for United States busi-
24 nesses in the region;

1 (4) establish frameworks or mechanisms to re-
2 view long term financial sustainability and security
3 implications of foreign investments in strategic sec-
4 tors or services, including transportation, commu-
5 nications, natural resources, and energy;

6 (5) establish competitive, transparent, and in-
7 clusive infrastructure project selection and procure-
8 ment processes that promote transparency, supplier
9 diversity, open competition, financial sustainability,
10 adherence to robust global standards, and the em-
11 ployment of a diverse local workforce and manage-
12 ment;

13 (6) strengthen legal structures critical to robust
14 democratic governance, fair competition, combatting
15 corruption, and ending impunity; and

16 (7) enhance transparent, affordable, and equi-
17 table access to the internet and digital infrastructure
18 in the Western Hemisphere.

19 (c) BRIEFING REQUIREMENT.—Not later than one
20 year after the date of the enactment of this Act and annu-
21 ally thereafter for five years, the Secretary of State, after
22 consultation with the Secretary of the Treasury, the Sec-
23 retary of Commerce, the Attorney General, the United
24 States Trade Representative, and the leadership of the
25 United States International Development Finance Cor-

1 poration, shall brief the congressional committees specified
2 in subsection (a) regarding the implementation of this sec-
3 tion, including examples of successes and challenges.

4 **SEC. 246. ENGAGEMENT IN INTERNATIONAL ORGANIZA-**
5 **TIONS AND THE DEFENSE SECTOR IN LATIN**
6 **AMERICA AND THE CARIBBEAN.**

7 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
8 FINED.—In this section, the term “appropriate commit-
9 tees of Congress” means—

10 (1) the Committee on Foreign Relations of the
11 Senate;

12 (2) the Select Committee on Intelligence of the
13 Senate;

14 (3) the Committee on Armed Services of the
15 Senate;

16 (4) the Committee on Foreign Affairs of the
17 House of Representatives;

18 (5) the Permanent Select Committee on Intel-
19 ligence of the House of Representatives; and

20 (6) the Committee on Armed Services of the
21 House of Representatives.

22 (b) REPORTING REQUIREMENT.—

23 (1) IN GENERAL.—Not later than 90 days after
24 the date of the enactment of this Act, the Secretary
25 of State, in coordination with the Director of Na-

1 tional Intelligence, the Director of the Central Intel-
2 ligence Agency, and the Defense Intelligence Agency,
3 shall submit to the appropriate committees of Con-
4 gress a report that assesses the nature, intent, and
5 impact on United States strategic interests of Chi-
6 nese diplomatic activity aimed at influencing the de-
7 cisions, procedures, and programs of multilateral or-
8 ganizations in Latin America and the Caribbean, in-
9 cluding the World Bank, International Monetary
10 Fund, Organization of American States, and the
11 Inter-American Development Bank.

12 (2) DEFENSE SECTOR.—The report required
13 under paragraph (1) shall include an assessment of
14 the nature, intent, and impact on United States
15 strategic interests of Chinese military activity in
16 Latin America and the Caribbean, including military
17 education and training programs, weapons sales, and
18 space-related activities in the military or civilian
19 spheres, such as—

20 (A) the satellite and space control station
21 the People’s Republic of China constructed in
22 Argentina; and

23 (B) defense and security cooperation car-
24 ried out by the People’s Republic of China in
25 Latin America and the Caribbean, including

1 sales of surveillance and monitoring technology
2 to governments in the region such as Venezuela,
3 Cuba, Ecuador, and Colombia, and the poten-
4 tial use of such technologies as tools of Chinese
5 intelligence services.

6 (3) FORM.—The report required under para-
7 graph (1) shall be submitted in unclassified form
8 and include classified annexes.

9 **SEC. 247. DEFENSE COOPERATION IN LATIN AMERICA AND**
10 **THE CARIBBEAN.**

11 (a) IN GENERAL.—There is authorized to be appro-
12 priated to the Department of State \$13,500,000 for the
13 International Military Education and Training Program
14 for Latin America and the Caribbean for each of fiscal
15 years 2022 through 2026.

16 (b) MODERNIZATION.—The Secretary of State shall
17 modernize and strengthen the programs receiving funding
18 in accordance with subsection (a) to ensure that such pro-
19 grams are vigorous, substantive, and the preeminent
20 choice for international military education and training for
21 Latin American and Caribbean partners.

22 (c) REQUIRED ELEMENTS.—The programs referred
23 to in subsection (a) shall—

1 (1) provide training and capacity-building op-
2 portunities to Latin American and Caribbean secu-
3 rity services;

4 (2) provide practical skills and frameworks
5 for—

6 (A) improving the functioning and organi-
7 zation of security services in Latin America and
8 the Caribbean;

9 (B) creating a better understanding of the
10 United States and its values; and

11 (C) using technology for maximum effi-
12 ciency and organization;

13 (3) promote and ensure that security services in
14 Latin America and the Caribbean respect civilian
15 authority and operate in compliance with inter-
16 national norms, standards, and rules of engagement,
17 including a respect for human rights, and full com-
18 pliance with requirements under section 620M of the
19 Foreign Assistance Act of 1961 (22 U.S.C. 2378d;
20 commonly referred to as the “Leahy law”); and

21 (4) receive funds only after vetting of individ-
22 uals proposed to be trained, consistent with sections
23 502B and 620M of the Foreign Assistance Act of
24 1961 (22 U.S.C. 2304 and 2378d).

1 **SEC. 248. ENGAGEMENT WITH CIVIL SOCIETY IN LATIN**
2 **AMERICA AND THE CARIBBEAN REGARDING**
3 **ACCOUNTABILITY, HUMAN RIGHTS, AND THE**
4 **RISKS OF PERVASIVE SURVEILLANCE TECH-**
5 **NOLOGIES.**

6 (a) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that—

8 (1) the Government of the People’s Republic of
9 China is exporting its model for internal security
10 and state control of society through advanced tech-
11 nology and artificial intelligence; and

12 (2) the inclusion of communication networks
13 and communications supply chains with equipment
14 and services from companies with close ties to or
15 that are susceptible to pressure from governments or
16 security services without reliable legal checks on gov-
17 ernmental powers can lead to breaches of citizens’
18 private information, increased censorship, violations
19 of human rights, and harassment of political oppo-
20 nents.

21 (b) DIPLOMATIC ENGAGEMENT.—The Secretary of
22 State shall conduct diplomatic engagement with govern-
23 ments and civil society organizations in Latin America and
24 the Caribbean to—

1 (1) help identify and mitigate the risks to civil
2 liberties posed by technologies and services described
3 in subsection (a); and

4 (2) offer recommendations on ways to mitigate
5 such risks.

6 (c) INTERNET FREEDOM PROGRAMS.—The Chief Ex-
7 ecutive Officer of the United States Agency for Global
8 Media, who may work through the Open Technology Fund
9 of the Agency, and the Secretary of State, working
10 through the Bureau of Democracy, Human Rights, and
11 Labor’s Internet Freedom and Business and Human
12 Rights Section, shall expand and prioritize efforts to pro-
13 vide anti-censorship technology and services to journalists
14 in Latin America and the Caribbean, in order to enhance
15 their ability to safely access or share digital news and in-
16 formation.

17 (d) SUPPORT FOR CIVIL SOCIETY.—The Secretary of
18 State, in coordination with the Administrator of the
19 United States Agency for International Development, shall
20 work through nongovernmental organizations to—

21 (1) support and promote programs that support
22 internet freedom and the free flow of information
23 online in Latin America and the Caribbean;

1 (2) protect open, interoperable, secure, and reli-
2 able access to internet in Latin America and the
3 Caribbean;

4 (3) provide integrated support to civil society
5 for technology, digital safety, policy and advocacy,
6 and applied research programs in Latin America
7 and the Caribbean;

8 (4) train journalists and civil society leaders in
9 Latin America and the Caribbean on investigative
10 techniques necessary to ensure public accountability
11 and prevent government overreach in the digital
12 sphere;

13 (5) assist independent media outlets and jour-
14 nalists in Latin America and the Caribbean to build
15 their own capacity and develop high-impact, in-depth
16 news reports covering governance and human rights
17 topics;

18 (6) provide training for journalists and civil so-
19 ciety leaders on investigative techniques necessary to
20 improve transparency and accountability in govern-
21 ment and the private sector;

22 (7) provide training on investigative reporting
23 of incidents of corruption and unfair trade, business,
24 and commercial practices;

1 (8) assist nongovernmental organizations to
2 strengthen their capacity to monitor the incidents
3 and practices described in paragraph (7); and

4 (9) identify local resources to support the pre-
5 ponderance of activities that would be carried out
6 under this subsection.

7 **SEC. 249. CARIBBEAN ENERGY INITIATIVE AS ALTER-**
8 **NATIVE TO CHINA'S BELT AND ROAD INITIA-**
9 **TIVE.**

10 (a) FINDINGS.—Congress makes the following find-
11 ings:

12 (1) The countries of the Caribbean are heavily
13 reliant upon imported oil to provide for approxi-
14 mately 90 percent of their energy production.

15 (2) The level of dependence is even higher in-
16 cluding—

17 (A) Jamaica, which relies on oil for 95.9
18 percent of its electricity;

19 (B) Barbados, which relies on oil for 96
20 percent of its electricity;

21 (C) The Virgin Islands, which relies on oil
22 for nearly 100 percent of its electricity; and

23 (D) St. Lucia, which relies on oil for 100
24 percent of its electricity.

1 (3) Overreliance on imported fossil fuels has
2 had a detrimental effect on economic development,
3 growth, and competitiveness in the Caribbean.

4 (4) Since 1970, more than 80 percent of Carib-
5 bean coral reefs have been lost due to coastal devel-
6 opment and pollution. Soot particulates and climate
7 change caused by burning fossil fuels have seriously
8 damaged coral reefs, which are a significant source
9 of tourism dollars, fishing, biodiversity, and natural
10 beauty.

11 (5) Air pollution caused by burning oil for elec-
12 tricity—

13 (A) has serious health impacts in the form
14 of higher rates of asthma and other lung ail-
15 ments; and

16 (B) can also exacerbate climate change.

17 (6) The Caribbean region is particularly vulner-
18 able to sea level rise and stronger storms.

19 (7) Between 2005 and 2018, the dependence of
20 the countries of the Caribbean on oil was perpet-
21 uated by the Venezuelan-led Petrocaribe oil alliance,
22 which—

23 (A) offered preferential terms for oil sales;
24 and

1 (B) supplies some countries with up to 40
2 percent of their energy production needs.

3 (8) The ongoing domestic economic crisis and
4 political turmoil in Venezuela has forced the Govern-
5 ment of Venezuela to retract its commitments to the
6 Petrocaribe oil alliance and step away as a regional
7 power. Only Cuba still receives preferential
8 Petrocaribe pricing on fuel exports from Venezuela,
9 while other Petrocaribe member countries are experi-
10 encing a destabilized flow of oil.

11 (9) China has spent more than
12 \$244,000,000,000 on energy projects worldwide
13 since 2000, 25 percent of which was spent in Latin
14 America and the Caribbean. Although the majority
15 of this spending was for oil, gas, and coal, China has
16 also been the largest investor in clean energy glob-
17 ally for almost a decade.

18 (10) The World Bank estimates that the Carib-
19 bean will need \$12,000,000,000 in power invest-
20 ments through 2035.

21 (11) Renewable energy technology costs have
22 decreased dramatically in recent years, offering a
23 more viable economic alternative for energy produc-
24 tion. Solar energy prices have fallen by 80 percent
25 since 2008, causing significant market growth, and

1 according to data released by the International Re-
2 newable Energy Agency, $\frac{1}{3}$ of global power capacity
3 is based in renewable energy.

4 (12) In 2016, the International Monetary Fund
5 estimated that transportation accounted for 36 per-
6 cent of the total primary energy consumed in the
7 Caribbean subregion.

8 (13) According to the United Nations Environ-
9 ment Programme, Latin America and the Caribbean
10 could achieve annual savings of \$621,000,000,000
11 and a reduction of 1,100,000,000 tons of CO₂ by
12 2050 if the region's energy and transport sectors
13 reach net zero emissions.

14 (14) The Caribbean has an abundance of on-
15 shore and offshore resources needed for renewable
16 energy, including sun, wind, geothermal, and some
17 hydropower production capacity.

18 (15) The United States Government is deeply
19 engaged in providing technical and policy assistance
20 to countries of the Caribbean on energy issues
21 through—

22 (A) the Energy and Climate Partnership of
23 the Americas;

24 (B) Connecting the Americas 2022; and

25 (C) bilateral assistance programs.

1 (16) On February 19, 2014, at the North
2 American Leaders' Summit, President Barack
3 Obama, Prime Minister Stephen Harper of Canada,
4 and President Enrique Peña Nieto of Mexico re-
5 affirmed their commitment to bring affordable, reli-
6 able, and increasingly renewable power to the Carib-
7 bean, while opening wider markets for clean energy
8 and green technology.

9 (17) On June 19, 2015, President Barack
10 Obama announced the Caribbean Energy Security
11 Initiative, which would partner with individual coun-
12 tries—

13 (A) to transform its energy sector;

14 (B) to work to increase access to finance,
15 good governance, and diversification; and

16 (C) to maximize the impact of existing
17 donor effects.

18 (18) On May 4, 2016, at the United States-
19 Caribbean-Central American Energy Summit, the
20 energy security task force formally launched the
21 Caribbean Sustainable Energy Roadmap and Strat-
22 egy (C-SERMS) as a mechanism to manage re-
23 gional coordination and action on energy security
24 and agreed to expand the regional market and trans-
25 mission system.

1 (19) The United States has an important op-
2 portunity—

3 (A) to deepen this engagement;

4 (B) to work as a partner with Caribbean
5 countries on a more regional and coordinated
6 basis;

7 (C) to help ease the region’s dependence
8 on imported oil; and

9 (D) to promote affordable alternative
10 sources of energy.

11 (b) DEFINITIONS.—In this section:

12 (1) CARIBBEAN COUNTRIES.—The term “Carib-
13 bean countries” means countries in the Caribbean
14 region, but does not include Cuba or Venezuela.

15 (2) CARIBBEAN GOVERNMENTS.—The term
16 “Caribbean governments” means the national gov-
17 ernments of the Caribbean countries.

18 (c) STATEMENT OF POLICY.—It is the policy of the
19 United States to help Caribbean countries—

20 (1) achieve greater energy security and improve
21 domestic energy resource mobilization;

22 (2) lower their dependence on imported fuels;

23 (3) eliminate the use of diesel, heavy fuel oil,
24 other petroleum products, and coal for the genera-
25 tion of electricity;

1 (4) increase production of renewable energy;

2 and

3 (5) meet the greenhouse gas mitigation goals of
4 their national determined contributions to the Paris
5 Agreement.

6 (d) STRATEGY.—

7 (1) SUBMISSION.—Not later than 120 days
8 after the date of the enactment of this Act, the Sec-
9 retary of State, in coordination with the Adminis-
10 trator of the United States Agency for International
11 Development (USAID), shall submit to the appro-
12 priate congressional committees a multi-year strat-
13 egy that describes how the Department of State will
14 promote regional cooperation with Caribbean coun-
15 tries—

16 (A) to lower dependence on imported fuels,
17 grow domestic clean energy production in the
18 region, strengthen regional energy security, and
19 lower energy sector greenhouse gas emissions;

20 (B) to decrease dependence on oil in the
21 transportation sector;

22 (C) to increase energy efficiency, energy
23 conservation, and investment in alternatives to
24 imported fuels;

1 (D) to improve grid reliability and mod-
2 ernize electricity transmission networks;

3 (E) to advance deployment of innovative
4 solutions to expand community and individuals'
5 access to electricity;

6 (F) to help reform energy markets to en-
7 courage good regulatory governance and to pro-
8 mote a climate of private sector investment; and

9 (G) to mitigate greenhouse gas emissions
10 from the energy and transportation sector.

11 (2) ELEMENTS.—The strategy required under
12 subsection (a) shall include—

13 (A) a thorough review and inventory of
14 United States Government activities that are
15 being carried out bilaterally, regionally, and in
16 coordination with multilateral institutions—

17 (i) to promote energy and climate se-
18 curity in the Caribbean region; and

19 (ii) to reduce the region's reliance on
20 oil for electricity generation;

21 (B) opportunities for marshaling regional
22 cooperation—

23 (i) to overcome market barriers result-
24 ing from the small size of Caribbean en-
25 ergy markets;

1 (ii) to address the high transportation
2 and infrastructure costs faced by Carib-
3 bean countries;

4 (iii) to ensure greater donor coordina-
5 tion between governments, multilateral in-
6 stitutions, multilateral banks, and private
7 investors; and

8 (iv) to expand regional financing op-
9 portunities to allow for lower cost energy
10 entrepreneurship;

11 (C) measures to ensure that each Carib-
12 bean government has—

13 (i) an independent utility regulator or
14 equivalent;

15 (ii) affordable access by third party
16 investors to its electrical grid with minimal
17 regulatory interference;

18 (iii) effective energy efficiency and en-
19 ergy conservation;

20 (iv) programs to address technical and
21 nontechnical issues;

22 (v) a plan to eliminate major market
23 distortions;

24 (vi) cost-reflective tariffs; and

1 (vii) no tariffs or other taxes on clean
2 energy solutions; and

3 (D) recommendations for how United
4 States policy, technical, and economic assist-
5 ance can be used in the Caribbean region—

6 (i) to advance renewable energy devel-
7 opment and the incorporation of renewable
8 technologies into existing energy grids and
9 the development and deployment of micro-
10 grids where appropriate and feasible to
11 boost energy security and reliability, par-
12 ticularly to underserved communities;

13 (ii) to increase the generation of clean
14 energy sufficiently to replace and allow for
15 the retirement of obsolete fossil fuel energy
16 generation units in Caribbean countries;

17 (iii) to create regional financing op-
18 portunities to allow for lower cost energy
19 entrepreneurship;

20 (iv) to deploy transaction advisors in
21 the region to help attract private invest-
22 ment and break down any market or regu-
23 latory barriers; and

1 (v) to establish a mechanism for each
2 host government to have access to inde-
3 pendent legal advice—

4 (I) to speed the development of
5 energy-related contracts; and

6 (II) to better protect the inter-
7 ests of Caribbean governments and
8 citizens.

9 (3) CONSULTATION.—In devising the strategy
10 under this subsection, the Secretary of State shall
11 work with the Secretary of Energy and shall consult
12 with—

13 (A) the Secretary of the Interior;

14 (B) the Secretary of Commerce;

15 (C) the Secretary of the Treasury;

16 (D) the Board of Directors of the Export-
17 Import Bank of the United States;

18 (E) the Board of Directors of the Develop-
19 ment Finance Corporation;

20 (F) the Administrator of the United States
21 Agency for International Development;

22 (G) the Caribbean governments;

23 (H) the Inter-American Development
24 Bank;

25 (I) the World Bank Group; and

1 (J) the Caribbean Electric Utility Services
2 Corporation.

3 **SEC. 250. UNITED STATES-CARIBBEAN RESILIENCE PART-**
4 **NERSHIP.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) The United States shares with the Carib-
8 bean a collective vulnerability to natural disasters,
9 which affects the lives and the economies of our citi-
10 zens.

11 (2) The April 9, 2021, eruption of the La
12 Soufriere volcano is another reminder of the devas-
13 tation caused by the many natural disasters the Car-
14ibbean confronts each year and the region’s vulner-
15 ability to external shocks. Hurricane Dorian, the
16 largest storm to hit the region, wiped out large parts
17 of the northern Bahamas in 2019, and Hurricanes
18 Maria and Irma devastated multiple islands across
19 the region in 2017, including Puerto Rico. According
20 to IMF research, of the 511 plus disasters worldwide
21 to hit small states since 1950, around two-thirds
22 (324) have been in the Caribbean.

23 (3) This region is seven times more likely to ex-
24 perience a natural disaster than elsewhere. And,

1 when one occurs, it will incur as much as six times
2 more damage.

3 (4) Extreme weather events and other environ-
4 mental impacts will only worsen over the coming
5 years, and if not addressed, we will see only increas-
6 ing economic shocks on these countries, driving ir-
7 regular migration.

8 (5) While the United States has considerable
9 expertise and capacity in assisting countries with
10 disaster response, there remains a need for stronger
11 partnerships that build regional resilience through
12 efficient and interoperable platforms, protecting peo-
13 ple and speeding recovery.

14 (6) The People's Republic of China has dra-
15 matically increased its engagement in the Caribbean
16 in the past five years, including offering loans and
17 grants related to disaster response and resilience
18 and sought to acquire property rights in the Carib-
19 bean that would be detrimental to United States na-
20 tional security interests.

21 (7) In 2019, the United States launched a new
22 U.S.-Caribbean Resilience Partnership to deepen co-
23 operation and investment to strengthen our disaster
24 resilience throughout the Caribbean region, includ-
25 ing—

1 (A) to streamline early warning response
2 networks and formalize communication chan-
3 nels;

4 (B) to enhance, encourage, and work col-
5 laboratively on further developing aviation dis-
6 aster resilience plans and partnerships;

7 (C) to prioritize regional technical ex-
8 change in energy planning, risk reduction, and
9 resilience;

10 (D) to increase communications network
11 interoperability between Caribbean partners and
12 the United States;

13 (E) to utilize storm surge mapping data
14 and share real-time information in preparation
15 for potential damage resulting from tropical cy-
16 clones and tsunamis;

17 (F) to use meteorological services to
18 strengthen and deepen physical and commu-
19 nications infrastructure, data collection net-
20 works, and human and technical capacity
21 throughout the region, as well as interactions
22 with the public;

23 (G) to understand that while the use of
24 international and military and civil defense as-
25 sets in disaster response may only be considered

1 as a last resort, when local, national, and inter-
2 national civilian capabilities are overwhelmed,
3 civil-military coordination should occur, in sup-
4 port of the affected nation;

5 (H) to develop a framework that would
6 govern the deployment of international military
7 and civil defense assets in disaster response
8 when local, national, and international civilian
9 capabilities are overwhelmed, in support of the
10 affected nation;

11 (I) to seek common mechanisms for ensur-
12 ing rapid disaster response and recovery, in-
13 cluding waiving or expediting diplomatic clear-
14 ances, waiving of or reducing customs fees,
15 streamlining overflight and airspace clearance,
16 and ensuring that the first responders have the
17 ability to rapidly respond to disasters in other
18 countries;

19 (J) to promote the integration and coordi-
20 nation of regional response mechanisms in the
21 Caribbean, including through the Caribbean
22 Disaster Emergency Management Agency, the
23 Regional Security System, United States Gov-
24 ernment Agencies, and allies in ways that facili-
25 tate more effective and efficient planning, miti-

1 gation, response, and resilience to natural disas-
2 ters;

3 (K) to share best practices in improved
4 building codes with national disaster organiza-
5 tions, including building better programs, at re-
6 gional, national and community levels; and

7 (L) to promote community-based disaster
8 preparedness and mitigation activities, particu-
9 larly in underserved communities, with the aim
10 of increasing broad public participation and re-
11 silience.

12 (b) POLICY.—It is the policy of the United States to
13 help Caribbean countries—

14 (1) increase their resilience and adapt to nat-
15 ural disasters and the impacts of severe weather
16 events and a changing environment;

17 (2) partner with United States Federal, State,
18 and local agencies and engage in technical coopera-
19 tion, dialogue, and assistance activities;

20 (3) harmonize standards and practices related
21 to paragraphs (1) and (2) to promote increased in-
22 vestment and integration;

23 (4) increase investment from United States
24 companies in the Caribbean on resilience-building,
25 adaptation, and climate-related mitigation efforts;

1 (5) promote regional cooperation and ensure ef-
2 forts by the United States, Caribbean countries, and
3 international partners complement each other; and

4 (6) further assist with the efforts described in
5 subsection (a)(7).

6 (c) STRATEGY.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of State,
8 in coordination with the heads of other Federal depart-
9 ments and agencies, shall submit to the appropriate con-
10 gressional committees a multi-year strategy that describes
11 how the Department of State will achieve the policies de-
12 scribed in subsection (b).

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated for activities, programs,
15 technical assistance, and engagement under this section
16 the following:

17 (1) \$20,000,000 for fiscal year 2022.

18 (2) \$25,000,000 for fiscal year 2023.

19 (3) \$30,000,000 for fiscal year 2024 and each
20 fiscal year thereafter.

21 (e) REPORTING AND MONITORING.—

22 (1) IN GENERAL.—Of the amounts authorized
23 to be appropriated each fiscal year pursuant to sub-
24 section (d), at least five percent of all programming
25 funding allocation shall support and be directed to-

1 ward reporting, monitoring, and assessment of effective-
2 tiveness.

3 (2) ENGAGEMENT AND COLLABORATION.—The
4 Department of State shall ensure that at least 20
5 percent of amounts authorized to be appropriated
6 pursuant to subsection (d) directly support the
7 training of, engagement with, collaboration with, and
8 exchange of expertise on resilience between United
9 States Federal, State, and local officials and their
10 Caribbean government counterparts. Such amounts
11 should also support, as appropriate, increased academic,
12 civil society, media, and private sector engagement
13 in the fields of resilience-building, adaptation,
14 and mitigation.

15 **SEC. 251. COUNTERING CHINA'S EDUCATIONAL AND CULTURAL DIPLOMACY IN LATIN AMERICA.**

17 (a) FINDINGS.—Congress finds the following:

18 (1) According to a report by the National Endowment for Democracy, China has spent the equivalent of billions of dollars to shape public opinion
19 and perceptions around the world through thousands
20 of people-to-people exchanges, cultural activities,
21 educational programs, and the development of media
22 enterprises and information initiatives with global
23 reach.
24
25

1 (2) Educational and exchange programs are a
2 core element of United States public diplomacy, ele-
3 vating our culture, policies, and interests worldwide.

4 (3) These programs provide students with ac-
5 cess to international knowledge, an opportunity to
6 learn foreign languages, and a unique environment
7 for developing cultural understanding, all of which
8 are valuable skills in today's global economy.

9 (4) 90 percent of ECA's appropriation is spent
10 in the United States or invested directly in American
11 citizens or American organizations.

12 (b) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that—

14 (1) China's efforts to mold public opinion and
15 influence educational institutions undermine United
16 States' influence in Latin America and the Carib-
17 bean and threaten democratic institutions and prac-
18 tices in the region;

19 (2) the United States Government should ex-
20 pand current educational and cultural exchange pro-
21 grams in Latin America and the Caribbean, which
22 are cost-effective and strengthen people-to-people di-
23 plomacy, to promote national security and foreign
24 policy interests of the United States; and

1 (3) educational exchanges foster linguistic, cul-
2 tural, and educational skills that advance United
3 States economic competitiveness, strengthen alli-
4 ances, and support democracies worldwide.

5 (c) STRATEGY.—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary of State,
7 acting through the Assistant Secretary of State for Edu-
8 cational and Cultural Affairs, and in coordination with the
9 Assistant Administrator for the Bureau of Economic
10 Growth, Education, and Environment at the United
11 States Agency for International Development, shall devise
12 a strategy—

13 (1) to evaluate and expand existing programs
14 and, as necessary, design and implement new edu-
15 cational, professional, and cultural exchanges and
16 other programs to—

17 (A) create and sustain mutual under-
18 standing with other countries necessary to ad-
19 vance United States foreign policy goals by cul-
20 tivating people-to-people ties among current and
21 future global leaders that build enduring net-
22 works and personal relationships; and

23 (B) promote United States national secu-
24 rity interests and values, including through the
25 expansion of exchange visitor programs such as

1 international visitor leadership programs and
2 the Young Leaders of the Americas Initiative,
3 as well as professional capacity building pro-
4 grams that prioritize building skills in entrepre-
5 neurship, promoting transparency, and tech-
6 nology;

7 (2) to ensure that exchange programs for
8 Americans abroad and international visitors attract
9 a diverse pool of participants, including from under-
10 represented, marginalized, and low-income commu-
11 nities; and

12 (3) to evaluate, expand, and strengthen existing
13 programs, and, as necessary, design and implement
14 new basic and higher education programs in Latin
15 America and the Caribbean, in accordance with the
16 United States Strategy on International Basic Edu-
17 cation and the United States Agency for Inter-
18 national Development Education Policy, to enable all
19 young adults, youth, and children to acquire the
20 quality education and skills needed to be productive
21 members in society, which will lead to better indi-
22 vidual and societal outcomes.

23 (d) REPORT WITH INTELLIGENCE ASSESSMENT.—
24 Not later than 180 days after the date of the enactment
25 of this Act, the Secretary of State shall, in coordination

1 with the Director of National Intelligence, submit to the
2 appropriate congressional committees a report that as-
3 sesses the nature and impact of the People's Republic of
4 China's educational and cultural sector activity in Latin
5 America and the Caribbean, its impact on United States'
6 strategic interests, and recommendations for the United
7 States Government to expand people-to-people ties.

8 **PART II—TRANSATLANTIC RELATIONSHIPS**

9 **SEC. 255. SENSE OF CONGRESS ON TRANSATLANTIC RELA-**
10 **TIONSHIPS.**

11 It is the sense of Congress that—

12 (1) the United States, European Union, the
13 United Kingdom, and other European countries are
14 close partners, sharing values grounded in democ-
15 racy, human rights, transparency, and the rules-
16 based international order established after World
17 War II;

18 (2) without a common approach by the United
19 States, European Union, the United Kingdom, and
20 other European countries on connectivity, trade,
21 transnational challenges, and support for democracy
22 and human rights, the People's Republic of China
23 will continue to increase its economic, political, and
24 security leverage in Europe;

1 (3) the People’s Republic of China’s deployment
2 of assistance to European countries following the
3 COVID–19 outbreak showcased a coercive approach
4 to aid, but it also highlighted Europe’s deep eco-
5 nomic ties to the People’s Republic of China;

6 (4) as European countries seek to recover from
7 the economic toll of the COVID–19 outbreak, the
8 United States must stand in partnership with Eu-
9 rope to support our collective economic recovery, re-
10 inforce our collective national security, and defend
11 shared values;

12 (5) the United States, European Union, the
13 United Kingdom, and other European countries
14 should coordinate on joint strategies to diversify reli-
15 ance on supply chains away from the People’s Re-
16 public of China, especially in the medical and phar-
17 maceutical sectors;

18 (6) the United States, European Union, the
19 United Kingdom, and other European countries
20 should leverage their respective economic innovation
21 capabilities to support the global economic recovery
22 from the COVID–19 recession and draw a contrast
23 with the centralized economy of the People’s Repub-
24 lic of China;

1 (7) the United States, United Kingdom, and
2 European Union should accelerate efforts to de-escalate
3 their trade disputes, including negotiating a
4 United States-European Union trade agreement that
5 benefits workers and the broader economy in both
6 the United States and European Union;

7 (8) the United States, European Union, and
8 Japan should continue trilateral efforts to address
9 the security, economic, democracy, and human rights
10 challenges posed by the People's Republic of China;

11 (9) the United States, European Union, the
12 United Kingdom, and other European countries
13 should enhance cooperation to counter People's Re-
14 public of China disinformation, influence operations,
15 and propaganda efforts;

16 (10) the United States and Europe share seri-
17 ous concerns with the repressions being supported
18 and executed by the Government of the People's Re-
19 public of China, and should continue implementing
20 measures to address the Government of the People's
21 Republic of China's specific abuses in Tibet, Hong
22 Kong, and Xinjiang, and should build joint mecha-
23 nisms and programs to prevent the export of China's
24 authoritarian governance model to countries around
25 the world;

1 (11) the United States and Europe should re-
2 main united in their shared values against attempts
3 by the Government of the People’s Republic of
4 China at the United Nations and other multilateral
5 organizations to promote efforts that erode the Uni-
6 versal Declaration of Human Rights, like the “com-
7 munity of a shared future for mankind” and “de-
8 mocratization of international relations”;

9 (12) the People’s Republic of China’s infra-
10 structure investments around the world, particularly
11 in 5G telecommunications technology and port infra-
12 structure, could threaten democracy across Europe
13 and the national security of key countries;

14 (13) as appropriate, the United States should
15 share intelligence with European allies and partners
16 on Huawei’s 5G capabilities and the intentions of
17 the Government of the People’s Republic of China
18 with respect to 5G expansion in Europe;

19 (14) the European Union’s Investment Screen-
20 ing Regulation, which came into force in October
21 2020, is a welcome development, and member states
22 should closely scrutinize PRC investments in their
23 countries through their own national investment
24 screening measures;

1 (15) the President should actively engage the
2 European Union on the implementation of the Ex-
3 port Control Reform Act regulations and to better
4 harmonize United States and European Union poli-
5 cies with respect to export controls;

6 (16) the President should strongly advocate for
7 the listing of more items and technologies to restrict
8 dual use exports controlled at the National Security
9 and above level to the People’s Republic of China
10 under the Wassenaar Arrangement;

11 (17) the United States should explore the value
12 of establishing a body akin to the Coordinating
13 Committee for Multilateral Export Controls
14 (CoCom) that would specifically coordinate United
15 States and European Union export control policies
16 with respect to limiting exports of sensitive tech-
17 nologies to the People’s Republic of China; and

18 (18) the United States should work with coun-
19 terparts in Europe to—

20 (A) evaluate United States and European
21 overreliance on goods originating in the Peo-
22 ple’s Republic of China, including in the med-
23 ical and pharmaceutical sectors, and develop
24 joint strategies to diversify supply chains;

1 (B) develop a common strategy for pro-
2 moting energy security and economic growth in
3 eastern Europe and the Balkans that addresses
4 shared concerns related to China's Belt and
5 Road Initiative in these regions, including com-
6plementary investments in the Three Seas Ini-
7tiative Fund for clean energy and digital
8connectivity projects;

9 (C) counter PRC efforts to use COVID-
1019-related assistance as a coercive tool to pres-
11sure developing countries by offering relevant
12United States and European expertise and as-
13sistance; and

14 (D) leverage the United States and Euro-
15pean private sectors to advance the post-
16COVID-19 economic recovery.

17 **SEC. 256. STRATEGY TO ENHANCE TRANSATLANTIC CO-**
18 **OPERATION WITH RESPECT TO THE PEO-**
19 **PLE'S REPUBLIC OF CHINA.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of the enactment of this Act, the President shall brief
22 the appropriate congressional committees, the Committee
23 on Armed Services of the Senate, and the Committee on
24 Armed Services of the House of Representatives on a
25 strategy for how the United States will enhance coopera-

1 tion with the European Union, NATO, and European
2 partner countries with respect to the People's Republic of
3 China.

4 (b) ELEMENTS.—The briefing required under sub-
5 section (a) shall include the following elements with re-
6 spect to the strategy referred to in such subsection:

7 (1) An identification of the senior Senate-con-
8 firmed Department of State official who leads
9 United States efforts to cooperate with the Euro-
10 pean Union, NATO, and European partner countries
11 to advance a shared approach with respect to the
12 People's Republic of China.

13 (2) An identification of key policy points of con-
14 vergence and divergence between the United States
15 and European allies and partners with respect to the
16 People's Republic of China in the areas of tech-
17 nology, trade, and economic practices.

18 (3) A description of efforts to advance shared
19 interests with European counterparts on—

20 (A) security and economic challenges with
21 respect to the People's Republic of China;

22 (B) democracy and human rights chal-
23 lenges with respect to the People's Republic of
24 China;

1 (C) technology issues with respect to the
2 People's Republic of China;

3 (D) defense issues with respect to the Peo-
4 ple's Republic of China; and

5 (E) developing a comprehensive strategy to
6 respond to the Belt and Road Initiative (BRI)
7 established by the Government of the People's
8 Republic of China.

9 (4) A description of the coordination mecha-
10 nisms among key regional and functional bureaus
11 within the Department of State and Department of
12 Defense tasked with engaging with European allies
13 and partners on the People's Republic of China.

14 (5) A detailing of diplomatic efforts up to the
15 date of the briefing and future plans to work with
16 European allies and partners to counter the Govern-
17 ment of the People's Republic of China's advance-
18 ment of an authoritarian governance model around
19 the world.

20 (6) A detailing of the diplomatic efforts made
21 up to the date of the briefing and future plans to
22 support European efforts to identify cost-effective al-
23 ternatives to Huawei's 5G technology.

24 (7) A detailing of how United States public di-
25 plomacy tools, including the Global Engagement

1 Center of the Department of State, will coordinate
2 efforts with counterpart entities within the Euro-
3 pean Union to counter Chinese propaganda.

4 (8) A description of the staffing and budget re-
5 sources the Department of State dedicates to en-
6 gagement between the United States and the Euro-
7 pean Union on the People's Republic of China and
8 provide an assessment of out-year resource needs to
9 execute such strategy.

10 (9) A detailing of diplomatic efforts to work
11 with European allies and partners to track and
12 counter Chinese attempts to exert influence across
13 multilateral fora, including at the World Health Or-
14 ganization.

15 (c) FORM.—The briefing required under section (a)
16 shall be classified.

17 (d) CONSULTATION.—Not later than 180 days after
18 the date of the enactment of this Act and annually there-
19 after for three years, the Secretary of State shall consult
20 with the appropriate congressional committees, the Com-
21 mittee on Armed Services of the Senate, and the Com-
22 mittee on Armed Services of the House of Representatives
23 regarding the development and implementation of the ele-
24 ments described in subsection (b).

1 **SEC. 257. ENHANCING TRANSATLANTIC COOPERATION ON**
2 **PROMOTING PRIVATE SECTOR FINANCE.**

3 (a) IN GENERAL.—The President should work with
4 transatlantic partners to build on the agreement among
5 the Development Finance Corporation, FinDev Canada,
6 and the European Development Finance Institutions (re-
7 ferred to as the “DFI Alliance”) to enhance coordination
8 on shared objectives to foster private sector-led develop-
9 ment and provide market-based alternatives to state-di-
10 rected financing in emerging markets, particularly as re-
11 lated to the People’s Republic of China’s Belt and Road
12 Initiative (BRI), including by integrating efforts such
13 as—

14 (1) the European Union Strategy on Con-
15 necting Europe and Asia;

16 (2) the Three Seas Initiative and Three Seas
17 Initiative Fund;

18 (3) the Blue Dot Network among the United
19 States, Japan, and Australia; and

20 (4) a European Union-Japan initiative that has
21 leveraged \$65,000,000,000 for infrastructure
22 projects and emphasizes transparency standards.

23 (b) STANDARDS.—The United States and the Euro-
24 pean Union should coordinate and develop a strategy to
25 enhance transatlantic cooperation with the OECD and the
26 Paris Club on ensuring the highest possible standards for

1 Belt and Road Initiative contracts and terms with devel-
2 oping countries.

3 **SEC. 258. REPORT AND BRIEFING ON COOPERATION BE-**
4 **TWEEN CHINA AND IRAN AND BETWEEN**
5 **CHINA AND RUSSIA.**

6 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
7 FINED.—In this section, the term “appropriate commit-
8 tees of Congress” means—

9 (1) the Committee on Foreign Relations, the
10 Select Committee on Intelligence, the Committee on
11 Armed Services, the Committee on Commerce,
12 Science, and Transportation, the Committee on En-
13 ergy and Natural Resources, the Committee on
14 Banking, Housing, and Urban Affairs, the Com-
15 mittee on Finance, and the Committee on Appro-
16 priations of the Senate; and

17 (2) the Committee on Foreign Affairs, the Per-
18 manent Select Committee on Intelligence, the Com-
19 mittee on Armed Services, the Committee on Energy
20 and Commerce, the Committee on Financial Serv-
21 ices, the Committee on Ways and Means, and the
22 Committee on Appropriations of the House of Rep-
23 resentatives.

24 (b) REPORT AND BRIEFING REQUIRED.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Di-
3 rector of National Intelligence shall, in coordination
4 with the Secretary of State, the Secretary of De-
5 fense, the Secretary of Commerce, the Secretary of
6 Energy, the Secretary of the Treasury, and such
7 other heads of Federal agencies as the Director con-
8 siders appropriate, submit to the appropriate com-
9 mittees of Congress a report and brief such commit-
10 tees on cooperation between—

11 (A) the People’s Republic of China and the
12 Islamic Republic of Iran; and

13 (B) the People’s Republic of China and the
14 Russian Federation.

15 (2) CONTENTS.—The report and briefing under
16 paragraph (1) shall include the following elements:

17 (A) An identification of major areas of dip-
18 lomatic energy, infrastructure, banking, finan-
19 cial, economic, military, and space coopera-
20 tion—

21 (i) between the People’s Republic of
22 China and the Islamic Republic of Iran;
23 and

24 (ii) between the People’s Republic of
25 China and the Russian Federation.

1 (B) An assessment of the effect of the
2 COVID–19 pandemic on such cooperation.

3 (C) An assessment of the effect that
4 United States compliance with the Joint Com-
5 prehensive Plan of Action (JCPOA) starting in
6 January 14, 2016, and United States with-
7 drawal from the JCPOA on May 8, 2018, had
8 on the cooperation described in subparagraph
9 (A)(i).

10 (D) An assessment of the effect on the co-
11 operation described in subparagraph (A)(i) that
12 would be had by the United States reentering
13 compliance with the JCPOA or a successor
14 agreement and the effect of the United States
15 not reentering compliance with the JCPOA or
16 reaching a successor agreement.

17 (3) FORM.—The report submitted under para-
18 graph (1) shall be submitted in unclassified form,
19 but may include a classified annex.

20 (c) SENSE OF CONGRESS ON SHARING WITH ALLIES
21 AND PARTNERS.—It is the sense of Congress that the Di-
22 rector of National Intelligence and the heads of other ap-
23 propriate Federal departments and agencies should share
24 with important allies and partners of the United States,

1 as appropriate, the findings of the report required under
2 subsection (b).

3 **PART III—SOUTH AND CENTRAL ASIA**

4 **SEC. 261. SENSE OF CONGRESS ON SOUTH AND CENTRAL**
5 **ASIA.**

6 It is the sense of Congress that—

7 (1) the United States should continue to stand
8 with friends and partners, while also working to es-
9 tablish new partners in South and Central Asia as
10 they contend with efforts by the Government of the
11 People’s Republic of China to interfere in their re-
12 spective political systems and encroach upon their
13 sovereign territory; and

14 (2) the United States should reaffirm its com-
15 mitment to the Comprehensive Global Strategic
16 Partnership with India and further deepen bilateral
17 defense consultations and collaboration with India
18 commensurate with its status as a major defense
19 partner.

20 **SEC. 262. STRATEGY TO ENHANCE COOPERATION WITH**
21 **SOUTH AND CENTRAL ASIA.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of the enactment of this Act, the President shall sub-
24 mit to the appropriate congressional committees, the Com-
25 mittee on Armed Services of the Senate and, the Com-

1 mittee on Armed Services of the House of Representatives
2 a strategy for how the United States will engage with the
3 countries of South and Central Asia, including through
4 the C5+1 mechanism, with respect to the People's Repub-
5 lic of China.

6 (b) ELEMENTS.—The strategy required under sub-
7 section (a) shall include the following elements:

8 (1) A detailed description of the security and
9 economic challenges that the People's Republic of
10 China (PRC) poses to the countries of South and
11 Central Asia, including border disputes with South
12 and Central Asian countries that border the People's
13 Republic of China, and PRC investments in land
14 and sea ports, transportation infrastructure, and en-
15 ergy projects across the region.

16 (2) A detailed description of United States ef-
17 forts to provide alternatives to PRC investment in
18 infrastructure and other sectors in South and Cen-
19 tral Asia.

20 (3) A detailed description of bilateral and re-
21 gional efforts to work with countries in South Asia
22 on strategies to build resilience against PRC efforts
23 to interfere in their political systems and economies.

24 (4) A detailed description of United States dip-
25 lomatic efforts to work with the Government of Af-

1 ghanistan on addressing the challenges posed by
2 PRC investment in the Afghan mineral sector.

3 (5) A detailed description of United States dip-
4 lomatic efforts with the Government of Pakistan
5 with respect to matters relevant to the People's Re-
6 public of China, including investments by the Peo-
7 ple's Republic of China in Pakistan through the Belt
8 and Road Initiative.

9 (6) In close consultation with the Government
10 of India, identification of areas with respect to which
11 the United States Government can provide diplo-
12 matic and other support as appropriate for India's
13 efforts to address economic and security challenges
14 posed by the People's Republic of China in the re-
15 gion.

16 (7) A description of the coordination mecha-
17 nisms among key regional and functional bureaus
18 within the Department of State and Department of
19 Defense tasked with engaging with the countries of
20 South and Central Asia on issues relating to the
21 People's Republic of China.

22 (8) A description of the efforts being made by
23 Federal departments and agencies, including the De-
24 partment of State, the United States Agency for
25 International Development, the Department of Com-

1 merce, the Department of Energy, and the Office of
2 the United States Trade Representative, to help the
3 countries of South and Central Asia develop trade
4 and commerce links that will help those countries di-
5 versify their trade away from the People's Republic
6 of China.

7 (9) A detailed description of United States dip-
8 lomatic efforts with Central Asian countries, Turkey,
9 and any other countries with significant populations
10 of Uyghurs and other ethnic minorities fleeing perse-
11 cution in the People's Republic of China to press
12 those countries to refrain from deporting ethnic mi-
13 norities to the People's Republic of China, protect
14 ethnic minorities from intimidation by Chinese Gov-
15 ernment authorities, and protect the right to the
16 freedoms of assembly and expression.

17 (c) FORM.—The strategy required under section (a)
18 shall be submitted in an unclassified form that can be
19 made available to the public, but may include a classified
20 annex as necessary.

21 (d) CONSULTATION.—Not later than 120 days after
22 the date of the enactment of this Act and not less often
23 than annually thereafter for five years, the Secretary of
24 State shall consult with the appropriate congressional
25 committees, the Committee on Armed Services of the Sen-

1 ate, and the Committee on Armed Services of the House
2 of Representatives regarding the development and imple-
3 mentation of the strategy required under subsection (a).

4 **SEC. 263. INDIAN OCEAN REGION STRATEGIC REVIEW.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) The Indian Ocean region is a vitally impor-
8 tant part of the Indo-Pacific where the United
9 States has political, economic, and security interests.

10 (2) The United States has an interest in work-
11 ing with partners in the Indo-Pacific, including
12 India, Japan, and Australia, to address regional gov-
13 ernance, economic connectivity, and security chal-
14 lenges including threats to freedom of navigation.

15 (b) STATEMENT OF POLICY.—As a part of the
16 United States engagement in the Indo-Pacific, it shall be
17 the policy of the United States to strengthen engagement
18 with the countries in the Indian Ocean region, including
19 with governments, civil society, and private sectors in such
20 countries to—

21 (1) promote United States political engagement
22 with such region, including through active participa-
23 tion in regional organizations, and strengthened dip-
24 lomatic relations with United States partners in
25 such region;

1 (2) enhance United States economic
2 connectivity and commercial exchange with such re-
3 gion;

4 (3) defend freedom of navigation in such region
5 from security challenges, including related to piracy;

6 (4) support the ability of governments and or-
7 ganizations in such region to respond to natural dis-
8 asters;

9 (5) support and facilitate the role of regional al-
10 lies and partners as net providers of security to such
11 region and as partners to the United States in ad-
12 dressing security challenges in such region, including
13 through assistance to such allies and partners to
14 build capacity in maritime security and maritime do-
15 main awareness;

16 (6) continue to build the United States-India
17 relationship in order to regularize security coopera-
18 tion through the negotiation of agreements con-
19 cerning access, communication, and navigation, in-
20 cluding through foundational agreements; and

21 (7) promote cooperation with United States al-
22 lies in the Indo-Pacific, including Japan and Aus-
23 tralia, and major defense partners, including India,
24 and NATO allies, including the United Kingdom and

1 France, to support a rules-based order in such re-
2 gion.

3 (c) STRATEGY.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of State, in coordination with the Secretary of
7 Defense and the Administrator of the United States
8 Agency for International Development (USAID),
9 shall submit to the appropriate committees of Con-
10 gress a multi-year strategy for United States en-
11 gagement to support United States interests in the
12 Indian Ocean region. Such strategy shall—

13 (A) define United States political, eco-
14 nomic, and security interests in the Indian
15 Ocean region;

16 (B) outline challenges to the interests of
17 the United States in such region;

18 (C) outline efforts to improve cooperation
19 between the United States and members of the
20 Quad, including India, Japan, and Australia,
21 through coordination in diplomacy and develop-
22 ment priorities, joint military exercises and op-
23 erations, and other activities that promote
24 United States political, economic, and security
25 interests;

1 (D) outline efforts to support economic
2 connectivity in such region, including through
3 the United States-India-Japan Trilateral Infra-
4 structure Working Group, the Asia-Africa
5 Growth Corridor, and other efforts to expand
6 and enhance connectivity across the Indo-Pa-
7 cific, including with the countries of Southeast
8 Asia, that maintain high standards of invest-
9 ment and support for civil society and people-
10 to-people connectivity;

11 (E) describe how the United States can en-
12 gage with regional intergovernmental organiza-
13 tions and entities, including the Indian Ocean
14 Rim Association, to promote United States po-
15 litical, economic, and security interests in such
16 region;

17 (F) review the United States diplomatic
18 posture in such region, including an assessment
19 of United States diplomatic engagement in
20 countries without a permanent United States
21 embassy or diplomatic mission, and an assess-
22 ment of ways to improve the cooperation with
23 the Maldives, the Seychelles, and Comoros;

24 (G) review United States diplomatic agree-
25 ments with countries in such region that facili-

1 tate United States military operations in such
2 region, including bilateral and multilateral
3 agreements, and describe efforts to expand
4 United States cooperation with such countries
5 through the negotiation of additional agree-
6 ments; and

7 (H) include a security assistance strategy
8 for such region that outlines priorities, objec-
9 tives, and actions for United States security as-
10 sistance efforts to governments of countries in
11 such region to promote United States political,
12 economic, and security interests in such region.

13 (2) INCLUSION.—The strategy required under
14 paragraph (1) may be submitted as a part of any
15 other strategy relating to the Indo-Pacific.

16 (3) REPORT ON IMPLEMENTATION.—Not later
17 than one year after the submission of the strategy
18 required under paragraph (1) and one year there-
19 after, the Secretary of State shall submit to the ap-
20 propriate congressional committees a report on
21 progress made toward implementing such strategy.

22 (d) UNITED STATES-CHINA ECONOMIC AND SECU-
23 RITY REVIEW COMMISSION.—

24 (1) IN GENERAL.—Subparagraph (E) of section
25 1238(e)(2) of the Floyd D. Spence National Defense

1 Authorization Act for Fiscal Year 2001 (22 U.S.C.
2 7002(e)(2)) is amended—

3 (A) by inserting “, including in the Indian
4 Ocean region” after “deployments of the Peo-
5 ple’s Republic of China military”; and

6 (B) by adding at the end the following new
7 sentence: “In this subparagraph, the term ‘In-
8 dian Ocean region’ means the Indian Ocean, in-
9 cluding the Arabian Sea and the Bay of Bengal,
10 and the littoral areas surrounding the Indian
11 Ocean.”.

12 (2) EFFECTIVE DATE.—The amendments made
13 by paragraph (1) shall take effect on the date of the
14 enactment of this Act and apply beginning with the
15 first report required under section 1238 of the Floyd
16 D. Spence National Defense Authorization Act for
17 Fiscal Year 2001 (as amended by such paragraph)
18 that is submitted after such date.

19 (e) DEFINITIONS.—In this section:

20 (1) APPROPRIATE COMMITTEES OF CON-
21 GRESS.—The term “appropriate committees of Con-
22 gress” means the Committee on Foreign Affairs and
23 the Committee on Armed Services of the House of
24 Representatives and the Committee on Foreign Re-

1 lations and the Committee on Armed Services of the
2 Senate.

3 (2) INDIAN OCEAN REGION.—The term “Indian
4 Ocean region” means the Indian Ocean, including
5 the Arabian Sea and the Bay of Bengal, and the lit-
6 toral areas surrounding the Indian Ocean.

7 **PART IV—AFRICA**

8 **SEC. 271. ASSESSMENT OF POLITICAL, ECONOMIC, AND SE-** 9 **CURITY ACTIVITY OF THE PEOPLE’S REPUB-** 10 **LIC OF CHINA IN AFRICA.**

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

14 (1) the Committee on Foreign Relations, the
15 Committee on Armed Services, and the Select Com-
16 mittee on Intelligence of the Senate; and

17 (2) the Committee on Foreign Affairs, the
18 Committee on Armed Services, and the Permanent
19 Select Committee on Intelligence of the House of
20 Representatives.

21 (b) INTELLIGENCE ASSESSMENT.—Not later than
22 180 days after the date of the enactment of this Act, the
23 Secretary of State shall, in coordination with the Director
24 of National Intelligence, submit to the appropriate com-
25 mittees of Congress a report that assesses the nature and

1 impact of the People’s Republic of China’s political, eco-
2 nomic, socio-cultural, and security sector activity in Afri-
3 ca, and its impact on United States strategic interests,
4 including information relating to—

5 (1) the amount and impact of direct invest-
6 ment, loans, development financing, oil-for-loans
7 deals, and other preferential trading arrangements;

8 (2) the involvement of People’s Republic of
9 China (PRC) state-owned enterprises in Africa;

10 (3) the amount of African debt held by the
11 PRC;

12 (4) the involvement of PRC private security,
13 technology and media companies in Africa;

14 (5) the scale and impact of PRC arms sales to
15 African countries;

16 (6) the scope of PRC investment in and control
17 of African energy resources and minerals critical for
18 emerging and foundational technologies;

19 (7) an analysis on the linkages between PRC’s
20 aid and assistance to African countries and African
21 countries supporting PRC geopolitical goals in inter-
22 national fora;

23 (8) the methods, tools, and tactics used to fa-
24 cilitate illegal and corrupt activity, including trade in
25 counterfeit and illicit goods, to include smuggled ex-

1 tractive resources and wildlife products, between Af-
2 rica and the PRC;

3 (9) the methods and techniques that the PRC
4 uses to exert undue influence on African govern-
5 ments and facilitate corrupt activity in Africa, in-
6 cluding through the CCP's party-to-party training
7 program, and to influence African multilateral orga-
8 nizations; and

9 (10) an analysis of the soft power, cultural and
10 educational activities undertaken by the PRC and
11 CCP to seek to expand its influence in Africa.

12 **SEC. 272. INCREASING THE COMPETITIVENESS OF THE**
13 **UNITED STATES IN AFRICA.**

14 (a) **APPROPRIATE COMMITTEES OF CONGRESS DE-**
15 **FINED.**—In this section, the term “appropriate commit-
16 **tees of Congress”** means—

17 (1) the Committee on Foreign Relations, the
18 Committee on Appropriations, and the Committee on
19 Finance of the Senate; and

20 (2) the Committee on Foreign Affairs, the
21 Committee on Appropriations, and the Committee on
22 Ways and Means of the House of Representatives.

23 (b) **STRATEGY REQUIREMENT.**—Not later than 180
24 days after the date of the enactment of this Act, the Sec-
25 retary of State shall, in consultation with the Secretary

1 of the Treasury, the Secretary of Commerce, the Attorney
2 General, the United States Trade Representative, the Ad-
3 ministrator of the United States Agency for International
4 Development, and the leadership of the United States
5 International Development Finance Corporation, submit
6 to the appropriate committees of Congress a report setting
7 forth a multi-year strategy for increasing United States
8 economic competitiveness and promoting improvements in
9 the investment climate in Africa, including through sup-
10 port for—

11 (1) democratic institutions and the rule of law,
12 including property rights; and

13 (2) improved transparency, anti-corruption ef-
14 forts, and good governance.

15 (c) ELEMENTS.—The strategy submitted pursuant to
16 subsection (a) shall include—

17 (1) a description and assessment of barriers to
18 United States investment in Africa for United States
19 businesses, including a clear identification of the dif-
20 ferent barriers facing small-sized and medium-sized
21 businesses, and an assessment of whether existing
22 programs effectively address such barriers;

23 (2) a description and assessment of barriers to
24 African diaspora investment in Africa, and rec-
25 ommendations to overcome such barriers;

1 (3) an identification of the economic sectors in
2 the United States that have a comparative advan-
3 tage in African markets;

4 (4) a determination of priority African coun-
5 tries for promoting two-way trade and investment
6 and an assessment of additional foreign assistance
7 needs, including democracy and governance and rule
8 of law support, to promote a conducive operating en-
9 vironment in priority countries;

10 (5) an identification of opportunities for stra-
11 tegic cooperation with European allies on trade and
12 investment in Africa, and for establishing a dialogue
13 on trade, security, development, and environmental
14 issues of mutual interest; and

15 (6) a plan to regularly host a United States-Af-
16 rica Leaders Summit to promote two-way trade and
17 investment, strategic engagement, and security in
18 Africa.

19 (d) ASSESSMENT OF UNITED STATES GOVERNMENT
20 HUMAN RESOURCES CAPACITY.—The Comptroller Gen-
21 eral of the United States shall—

22 (1) conduct a review of the number of Foreign
23 Commercial Service Officers and Department of
24 State Economic Officers at United States embassies
25 in sub-Saharan Africa; and

1 (2) develop and submit to the appropriate con-
2 gressional committees an assessment of whether
3 human resource capacity in such embassies is ade-
4 quate to meet the goals of the various trade and eco-
5 nomic programs and initiatives in Africa, including
6 the African Growth and Opportunity Act and Pros-
7 per Africa.

8 **SEC. 273. DIGITAL SECURITY COOPERATION WITH RESPECT**
9 **TO AFRICA.**

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

13 (1) the Committee on Foreign Relations, the
14 Committee on Armed Services, and the Select Com-
15 mittee on Intelligence of the Senate; and

16 (2) the Committee on Foreign Affairs, the
17 Committee on Armed Services, and the Permanent
18 Select Committee on Intelligence of the House of
19 Representatives.

20 (b) INTERAGENCY WORKING GROUP TO COUNTER
21 PRC CYBER AGGRESSION IN AFRICA.—

22 (1) IN GENERAL.—The President shall establish
23 an interagency Working Group, which shall include
24 representatives of the Department of State, the De-
25 partment of Defense, the Office of the Director of

1 National Intelligence, and such other agencies of the
2 United States Government as the President con-
3 siders appropriate, on means to counter PRC cyber
4 aggression with respect to Africa.

5 (2) DUTIES.—The Working Group established
6 pursuant to this subsection shall develop and submit
7 to the appropriate congressional committees a set of
8 recommendations, such as for—

9 (A) bolstering the capacity of governments
10 in Africa to ensure the integrity of their data
11 networks and critical infrastructure, where ap-
12 plicable;

13 (B) providing alternatives to Huawei;

14 (C) an action plan for United States em-
15 bassies in Africa to provide assistance to host-
16 country governments with respect to protecting
17 their vital digital networks and infrastructure
18 from PRC espionage, including an assessment
19 of staffing resources needed to implement the
20 action plan in embassies in Africa;

21 (D) utilizing interagency resources to
22 counter PRC disinformation and propaganda in
23 traditional and digital media targeted to Afri-
24 can audiences; and

1 (E) helping civil society in Africa counter
2 digital authoritarianism and identifying tools
3 and assistance to enhance and promote digital
4 democracy.

5 **SEC. 274. SUPPORT FOR YOUNG AFRICAN LEADERS INITIA-**
6 **TIVE.**

7 (a) FINDING.—Congress finds that youth in Africa
8 can have a positive impact on efforts to foster economic
9 growth, improve public sector transparency and govern-
10 ance, and counter extremism, and should be an area of
11 focus for United States outreach on the continent.

12 (b) POLICY.—It is the policy of the United States,
13 in cooperation and collaboration with private sector com-
14 panies, civic organizations, nongovernmental organiza-
15 tions, and national and regional public sector entities, to
16 commit resources to enhancing the entrepreneurship and
17 leadership skills of African youth with the objective of en-
18 hancing their ability to serve as leaders in the public and
19 private sectors in order to help them spur growth and
20 prosperity, strengthen democratic governance, and en-
21 hance peace and security in their respective countries of
22 origin and across Africa.

23 (c) YOUNG AFRICAN LEADERS INITIATIVE.—

24 (1) IN GENERAL.—There is hereby established
25 the Young African Leaders Initiative (referred to in

1 this section as the “Initiative”), to be carried out by
2 the Secretary of State.

3 (2) FELLOWSHIPS.—The Secretary of State is
4 authorized to continue to support the participation
5 in the Initiative, in the United States, of fellows
6 from Africa each year for such education and train-
7 ing in leadership and professional development
8 through the Department of State as the Secretary
9 considers appropriate. The Secretary shall establish
10 and publish criteria for eligibility for participation as
11 such a fellow, and for selection of fellows among eli-
12 gible applicants for a fellowship.

13 (3) RECIPROCAL EXCHANGES.—Under the Ini-
14 tiative, United States citizens may engage in such
15 reciprocal exchanges in connection with and collabo-
16 ration on projects with fellows under paragraph (1)
17 as the Secretary of State considers appropriate.

18 (4) NETWORKS.—The Secretary of State is au-
19 thorized to continue to maintain an online network
20 that provides information and online courses for
21 young leaders in Africa on topics related to entrepre-
22 neurship and leadership.

23 (5) REGIONAL CENTERS.—The Administrator
24 of the United States Agency for International Devel-
25 opment is authorized to establish regional centers in

1 Africa to provide in-person and online training
2 throughout the year in business and entrepreneur-
3 ship, civic leadership, and public management.

4 (d) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the Secretary of State should increase the num-
6 ber of fellows from Africa participating in the Mandela
7 Washington Fellowship above the current 700 projected
8 for fiscal year 2021.

9 **SEC. 275. AFRICA BROADCASTING NETWORKS.**

10 Not later than 180 days after the date of the enact-
11 ment of this Act, the Chief Executive Officer of the United
12 States Agency for Global Media shall submit to the appro-
13 priate congressional committees a report on the resources
14 and timeline needed to establish within the Agency an or-
15 ganization the mission of which shall be to promote demo-
16 cratic values and institutions in Africa by providing objec-
17 tive, accurate, and relevant news and information to the
18 people of Africa and counter disinformation from malign
19 actors, especially in countries in which a free press is
20 banned by the government or not fully established, about
21 the region, the world, and the United States through un-
22 censored news, responsible discussion, and open debate.

1 **SEC. 276. AFRICA ENERGY SECURITY AND DIVERSIFICA-**
2 **TION.**

3 (a) STATEMENT OF POLICY.—It is the policy of the
4 United States to support increased access to energy in Af-
5 rica and reduce Africa’s energy dependence on countries
6 that use energy reliance for undue political influence such
7 as the Russian Federation and the People’s Republic of
8 China.

9 (b) FINDINGS.—Congress finds the following:

10 (1) Lack of access to energy remains a signifi-
11 cant barrier to economic advancement and oppor-
12 tunity in Africa. As of 2018, an estimated
13 789,000,000 people, the vast majority of them in
14 sub-Saharan Africa, lacked access to any modern
15 electricity. Even in the region’s most advanced
16 economies, average annual per capita electricity con-
17 sumption is often under 200 kilowatt-hours, less
18 than what is needed to power a typical refrigerator.
19 Only a small fraction of the 12,000,000 young Afri-
20 cans who enter the job market each year find em-
21 ployment; and the cost and reliability of electricity
22 remain top constraints to job creation and economic
23 competitiveness.

24 (2) The United States’ global strategic competi-
25 tors have stepped in to address this disparity and fi-
26 nance energy sector development across Africa.

1 China is the single largest trading partner for Afri-
2 can countries in aggregate, and the largest bilateral
3 lender for public sector loans across Africa. Approxi-
4 mately 65 percent of Chinese lending to Africa goes
5 to infrastructure, and between 2013–2020, the en-
6 ergy sector consistently accounted for the largest
7 share of all investment under China’s Belt and Road
8 Initiative.

9 (3) Reliable, affordable, and sustainable power
10 is the foundation for all modern economies and nec-
11 essary for increasing growth and employment.

12 (4) Increasing energy supply in low- and lower
13 middle-income countries is necessary in the next dec-
14 ades in order to meet human, social, security, and
15 economic needs.

16 (5) Addressing energy poverty, powering inclu-
17 sive economies, and making energy systems resilient
18 in low- and lower middle-income countries will re-
19 quire diversified power systems and a mix of tech-
20 nologies that align with local conditions, resources,
21 and needs.

22 (c) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that countries in Africa continue to be important
24 partners to the United States and the DFC should con-
25 tinue to make investments in sub-Saharan Africa to facili-

1 tate technologies that contribute to energy security and
2 reliable, affordable, and sustainable power in low and
3 lower middle-income countries.

4 (d) AMENDMENT.—Section 3 of the Electrify Africa
5 Act of 2015 (Public Law 114–121; 22 U.S.C. 2293 note)
6 is amended—

7 (1) in paragraph (8), by striking “and” at the
8 end;

9 (2) in paragraph (9), by striking the period and
10 inserting a semicolon; and

11 (3) by inserting after paragraph (9) the fol-
12 lowing:

13 “(10) advance United States foreign policy and
14 development goals by assisting African countries to
15 reduce their dependence on energy resources from
16 countries that use energy dependence for undue po-
17 litical influence, such as the Russian Federation or
18 the People’s Republic of China, which have used en-
19 ergy and financial resources to influence other coun-
20 tries;

21 “(11) promote the energy security of allies and
22 partners of the United States by encouraging the de-
23 velopment of accessible, transparent, and competitive
24 energy markets that provide diversified sources and
25 reliable, affordable, and sustainable power;

1 “(12) encourage United States public and pri-
2 vate sector investment in African energy infrastruc-
3 ture projects to bridge the gap between energy secu-
4 rity requirements and commercial demand in a way
5 that is consistent with the region’s capacity; and

6 “(13) help facilitate the export of United States
7 energy resources, technology, and expertise to global
8 markets in a way that benefits the energy security
9 of allies and partners of the United States, including
10 in Africa.”.

11 **PART V—MIDDLE EAST AND NORTH AFRICA**

12 **SEC. 281. STRATEGY TO COUNTER CHINESE INFLUENCE IN,**
13 **AND ACCESS TO, THE MIDDLE EAST AND**
14 **NORTH AFRICA.**

15 (a) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that—

17 (1) the People’s Republic of China is upgrading
18 its influence in the Middle East and North Africa
19 through its energy and infrastructure investments,
20 technology transfer, and arms sales;

21 (2) the People’s Republic of China seeks to es-
22 tablish military or dual use facilities in geographi-
23 cally strategic locations in the Middle East and
24 North Africa to further its Belt and Road Initiative

1 at the expense of United States national security in-
2 terests; and

3 (3) the export of certain communications infra-
4 structure from the People's Republic of China de-
5 grades the security of partner networks, exposes in-
6 tellectual property to theft, threatens the ability of
7 the United States to conduct security cooperation
8 with compromised regional partners, and furthers
9 China's authoritarian surveillance model.

10 (b) STRATEGY REQUIRED.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of this Act, the Sec-
13 retary of State, in consultation with the Secretary of
14 Defense, the Administrator of the United States
15 Agency for International Development, and the
16 heads of other appropriate Federal agencies, shall
17 jointly develop and submit to the appropriate con-
18 gressional committees and the Committees on Armed
19 Services of the Senate and the House of Representa-
20 tives a strategy for countering and limiting the Peo-
21 ple's Republic of China's influence in, and access to,
22 the Middle East and North Africa.

23 (2) ELEMENTS.—The strategy required under
24 paragraph (1) shall include—

1 (A) an assessment of the People's Republic
2 of China's intent with regards to increased co-
3 operation with Middle East and North African
4 countries and how such cooperation fits into its
5 broader global strategic objectives;

6 (B) an assessment of how governments
7 across the region are responding to the People's
8 Republic of China's efforts to increase its mili-
9 tary presence in their countries;

10 (C) efforts to improve regional cooperation
11 through foreign military sales, financing, and
12 efforts to build partner capacity and increase
13 interoperability with the United States;

14 (D) an assessment of the People's Republic
15 of China's joint research and development with
16 the Middle East and North Africa, impacts on
17 the United States' national security interests,
18 and recommended steps to mitigate the People's
19 Republic of China's influence in such area;

20 (E) an assessment of arms sales and weap-
21 ons technology transfers from the People's Re-
22 public of China to the Middle East and North
23 Africa, impacts on United States' national secu-
24 rity interests, and recommended steps to miti-

1 gate the People’s Republic of China’s influence
2 in such area;

3 (F) an assessment of the People’s Republic
4 of China’s military sales to the region, including
5 lethal and non-lethal unmanned aerial systems;

6 (G) an assessment of People’s Republic of
7 China military basing and dual-use facility ini-
8 tiatives across the Middle East and North Afri-
9 ca, impacts on United States’ national security
10 interests, and recommended steps to mitigate
11 the People’s Republic of China’s influence in
12 such area;

13 (H) efforts to improve regional security co-
14 operation with United States allies and partners
15 with a focus on—

16 (i) maritime security in the Arabian
17 Gulf, the Red Sea, and the Eastern Medi-
18 terranean;

19 (ii) integrated air and missile defense;

20 (iii) cyber security;

21 (iv) border security; and

22 (v) critical infrastructure security, to
23 include energy security;

24 (I) increased support for government-to-
25 government engagement on critical infrastruc-

1 ture development projects, including ports and
2 water infrastructure;

3 (J) efforts to encourage United States pri-
4 vate sector and public-private partnerships in
5 healthcare technology and foreign direct invest-
6 ment in non-energy sectors;

7 (K) efforts to expand youth engagement
8 and professional education exchanges with key
9 partner countries;

10 (L) specific steps to counter increased in-
11 vestment from the People's Republic of China
12 in telecommunications infrastructure and diplo-
13 matic efforts to stress the political, economic,
14 and social benefits of a free and open internet;

15 (M) efforts to promote United States pri-
16 vate sector engagement in and public-private
17 partnerships on renewable energy development;

18 (N) the expansion of public-private part-
19 nership efforts on water, desalination, and irri-
20 gation projects; and

21 (O) efforts to warn United States partners
22 in the Middle East and North Africa of the
23 risks associated with the People's Republic of
24 China's telecommunications infrastructure and

1 provide alternative “clean paths” to the Peo-
2 ple’s Republic of China’s technology.

3 (c) FORM.—The strategy required under section (b)
4 shall be submitted in an unclassified form that can be
5 made available to the public, but may include a classified
6 annex as necessary.

7 **SEC. 282. SENSE OF CONGRESS ON MIDDLE EAST AND**
8 **NORTH AFRICA ENGAGEMENT.**

9 (a) FINDINGS.—Congress makes the following find-
10 ings:

11 (1) The United States and the international
12 community have long-term interests in the stability,
13 security, and prosperity of the people of the Middle
14 East and North Africa.

15 (2) In addition to and apart from military and
16 security efforts, the United States should harness a
17 whole of government approach, including bilateral
18 and multilateral statecraft, economic lines of effort,
19 and public diplomacy to compete with and counter
20 PRC influence.

21 (3) A clearly articulated positive narrative of
22 United States engagement, transparent governance
23 structures, and active civil society engagement help
24 counter predatory foreign investment and influence
25 efforts.

1 (b) STATEMENT OF POLICY.—It is the policy of the
2 United States that the United States and the international
3 community should continue diplomatic and economic ef-
4 forts throughout the Middle East and North Africa that
5 support reform efforts to—

6 (1) promote greater economic opportunity;

7 (2) foster private sector development;

8 (3) strengthen civil society;

9 (4) promote transparent and democratic gov-
10 ernance and the rule of law; and

11 (5) promote greater regional integration and
12 intraregional cooperation, including with Israel.

13 **PART VI—ARCTIC REGION**

14 **SEC. 285. ARCTIC DIPLOMACY.**

15 (a) SENSE OF CONGRESS ON ARCTIC SECURITY.—

16 It is the sense of Congress that—

17 (1) the rapidly changing Arctic environment—

18 (A) creates new national and regional secu-
19 rity challenges due to increased military activity
20 in the Arctic;

21 (B) heightens the risk of the Arctic emerg-
22 ing as a major theater of conflict in ongoing
23 strategic competition;

24 (C) threatens maritime safety as Arctic lit-
25 toral countries have inadequate capacity to pa-

1 trol the increased vessel traffic in this remote
2 region, which is a result of diminished annual
3 levels of sea ice;

4 (D) impacts public safety due to increased
5 human activity in the Arctic region where
6 search and rescue capacity remains very lim-
7 ited; and

8 (E) threatens the health of the Arctic's
9 fragile and pristine environment and the unique
10 and highly sensitive species found in the Arc-
11 tic's marine and terrestrial ecosystems; and

12 (2) the United States should reduce the con-
13 sequences described in paragraph (1) by—

14 (A) evaluating the wide variety and dy-
15 namic set of security and safety risks devel-
16 oping in the Arctic;

17 (B) developing policies and making prep-
18 arations to mitigate and respond to threats and
19 risks in the Arctic, including by continuing to
20 work with allies and partners in the Arctic re-
21 gion to deter potential aggressive activities and
22 build Arctic competencies;

23 (C) adequately funding the National Earth
24 System Prediction Capability to substantively
25 improve weather, ocean, and ice predictions on

1 the time scales necessary to ensure regional se-
2 curity and trans-Arctic shipping;

3 (D) investing in resources, including a sig-
4 nificantly expanded icebreaker fleet, to ensure
5 that the United States has adequate capacity to
6 prevent and respond to security threats in the
7 Arctic region; and

8 (E) pursuing diplomatic engagements with
9 all states in the Arctic region to reach an agree-
10 ment for—

11 (i) maintaining peace and stability in
12 the Arctic region;

13 (ii) fostering cooperation on steward-
14 ship and safety initiatives in the Arctic re-
15 gion;

16 (iii) ensuring safe and efficient man-
17 agement of commercial maritime traffic in
18 the Arctic;

19 (iv) promoting responsible natural re-
20 source management and economic develop-
21 ment; and

22 (v) countering China's Polar Silk
23 Road initiative;

1 (vi) examining the possibility of recon-
2 vening the Arctic Chiefs of Defense
3 Forum; and

4 (vii) reducing black carbon and meth-
5 ane emissions in the Arctic Region, includ-
6 ing by working with observers of the Arctic
7 Council, including India and the People's
8 Republic of China, to adopt mitigation
9 plans consistent with the findings and rec-
10 ommendations of the Arctic Council's
11 Framework for Action on Black Carbon
12 and Methane.

13 (b) STATEMENT OF POLICY.—It is the policy of the
14 United States—

15 (1) to recognize only the states specified in sub-
16 section (c)(1) as Arctic states, and to reject all other
17 claims to such status; and

18 (2) that the militarization of the Arctic poses a
19 serious threat to Arctic peace and stability, and the
20 interests of United States allies and partners.

21 (c) DEFINITIONS.—In this section:

22 (1) ARCTIC STATES.—The term “Arctic states”
23 means Russia, Canada, the United States, Norway,
24 Denmark (including Greenland), Finland, Sweden,
25 and Iceland.

1 (2) ARCTIC REGION.—The term “Arctic Re-
2 gion” means the geographic region north of the
3 66.56083 parallel latitude north of the equator.

4 (d) DESIGNATION OF AMBASSADOR AT LARGE FOR
5 ARCTIC AFFAIRS.—There is established within the De-
6 partment of State an Ambassador at Large for Arctic Af-
7 fairs (referred to in this section as the “Ambassador”),
8 appointed in accordance with paragraph (1).

9 (1) APPOINTMENT.—The Ambassador shall be
10 appointed by the President, by and with the advice
11 and consent of the Senate.

12 (2) DUTIES.—

13 (A) DIPLOMATIC REPRESENTATION.—Sub-
14 ject to the direction of the President and the
15 Secretary of State, the Ambassador is author-
16 ized to represent the United States in matters
17 and cases relevant to the Arctic Region in—

18 (i) contacts with foreign governments,
19 intergovernmental organizations, and spe-
20 cialized agencies of the United Nations,
21 the Arctic Council, and other international
22 organizations of which the United States is
23 a member; and

24 (ii) multilateral conferences and meet-
25 ings relating to Arctic affairs.

1 (B) CHAIR OF THE ARCTIC COUNCIL.—The
2 Ambassador shall serve as the Chair of the Ar-
3 ctic Council when the United States holds the
4 Chairmanship of the Arctic Council.

5 (3) POLICIES AND PROCEDURES.—The Amba-
6 sador shall coordinate United States policies related
7 to the Arctic Region, including—

8 (A) meeting national security, economic,
9 and commercial needs pertaining to Arctic af-
10 fairs;

11 (B) protecting the Arctic environment and
12 conserving its biological resources;

13 (C) promoting environmentally sustainable
14 natural resource management and economic de-
15 velopment;

16 (D) strengthening institutions for coopera-
17 tion among the Arctic states;

18 (E) involving Arctic indigenous people in
19 decisions that affect them;

20 (F) enhancing scientific monitoring and re-
21 search on local, regional, and global environ-
22 mental issues;

23 (G) integrating scientific data on the cur-
24 rent and projected effects of climate change in
25 the Arctic Region and ensure that such data is

1 applied to the development of security strategies
2 for the Arctic Region;

3 (H) making available the methods and ap-
4 proaches on the integration of climate science
5 to other regional security planning programs in
6 the Department of State to better ensure that
7 broader decision-making processes may more
8 adequately account for the effects of climate
9 change; and

10 (I) reducing black carbon and methane
11 emissions in the Arctic Region.

12 (e) ARCTIC REGION SECURITY POLICY.—The Am-
13 bassador shall develop a policy, to be known as the “Arctic
14 Region Security Policy”, to assess, develop, budget for,
15 and implement plans, policies, and actions—

16 (1) to bolster the diplomatic presence of the
17 United States in Arctic states, including through en-
18 hancements to diplomatic missions and facilities,
19 participation in regional and bilateral dialogues re-
20 lated to Arctic security, and coordination of United
21 States initiatives and assistance programs across
22 agencies to protect the national security of the
23 United States and its allies and partners;

24 (2) to enhance the resilience capacities of Arctic
25 states to the effects of environmental change and in-

1 increased civilian and military activity by Arctic states
2 and other states that may result from increased ac-
3 cessibility of the Arctic Region;

4 (3) to assess specific added risks to the Arctic
5 Region and Arctic states that—

6 (A) are vulnerable to the changing Arctic
7 environment; and

8 (B) are strategically significant to the
9 United States;

10 (4) to coordinate the integration of environ-
11 mental change and national security risk and vulner-
12 ability assessments into the decision making process
13 on foreign assistance awards with Greenland;

14 (5) to advance principles of good governance by
15 encouraging and cooperating with Arctic states on
16 collaborative approaches—

17 (A) to responsibly manage natural re-
18 sources in the Arctic Region;

19 (B) to share the burden of ensuring mari-
20 time safety in the Arctic Region;

21 (C) to prevent the escalation of security
22 tensions by mitigating against the militarization
23 of the Arctic Region;

24 (D) to develop mutually agreed upon mul-
25 tilateral policies among Arctic states on the

1 management of maritime transit routes through
2 the Arctic Region and work cooperatively on the
3 transit policies for access to and transit in the
4 Arctic Region by non-Arctic states; and

5 (E) to facilitate the development of Arctic
6 Region Security Action Plans to ensure stability
7 and public safety in disaster situations in a hu-
8 mane and responsible fashion;

9 (6) to evaluate the vulnerability, security, sur-
10 vivability, and resiliency of United States interests
11 and non-defense assets in the Arctic Region; and

12 (7) to reduce black carbon and methane emis-
13 sions in the Arctic.

14 **PART VII—OCEANIA**

15 **SEC. 291. STATEMENT OF POLICY ON UNITED STATES EN-** 16 **GAGEMENT IN OCEANIA.**

17 It shall be the policy of the United States—

18 (1) to elevate the countries of Oceania as a
19 strategic national security and economic priority of
20 the United States Government;

21 (2) to promote civil society, the rule of law, and
22 democratic governance across Oceania as part of a
23 free and open Indo-Pacific region;

24 (3) to broaden and deepen relationships with
25 the Freely Associated States of the Republic of

1 Palau, the Republic of the Marshall Islands, and the
2 Federated States of Micronesia through robust de-
3 fense, diplomatic, economic, and development ex-
4 changes that promote the goals of individual coun-
5 tries and the entire region;

6 (4) to work with the Governments of Australia,
7 New Zealand, and Japan to advance shared alliance
8 goals of the Oceania region concerning health, envi-
9 ronmental protection, disaster resilience and pre-
10 paredness, illegal, unreported and unregulated fish-
11 ing, maritime security, and economic development;

12 (5) to participate, wherever possible and appro-
13 priate, in existing regional organizations and inter-
14 national structures to promote the national security
15 and economic goals of the United States and coun-
16 tries of Oceania;

17 (6) to invest in a whole-of-government United
18 States strategy that will enhance youth engagement
19 and advance long-term growth and development
20 throughout the region, especially as such relates to
21 protecting marine resources that are critical to liveli-
22 hoods and strengthening the resilience of the coun-
23 tries of Oceania against current and future threats
24 resulting from extreme weather and severe changes
25 in the environment;

1 (7) to deter and combat acts of malign foreign
2 influence and corruption aimed at undermining the
3 political, environmental, social, and economic sta-
4 bility of the people and governments of the countries
5 of Oceania;

6 (8) to improve the local capacity of the coun-
7 tries of Oceania to address public health challenges
8 and improve global health security;

9 (9) to help the countries of Oceania access mar-
10 ket-based private sector investments that adhere to
11 best practices regarding transparency, debt sustain-
12 ability, and environmental and social safeguards as
13 an alternative to state-directed investments by au-
14 thoritarian governments;

15 (10) to ensure the people and communities of
16 Oceania remain safe from the risks of old and de-
17 grading munitions hazards and other debris that
18 threaten health and livelihoods;

19 (11) to cooperate with Taiwan by offering
20 United States support for maintaining Taiwan's dip-
21 lomatic partners in Oceania; and

22 (12) to work cooperatively with all governments
23 in Oceania to promote the dignified return of the re-
24 mains of members of the United States Armed

1 Forces who are missing in action from previous con-
2 flicts in the Indo-Pacific region.

3 **SEC. 292. OCEANIA STRATEGIC ROADMAP.**

4 (a) OCEANIA STRATEGIC ROADMAP.—Not later than
5 180 days after the date of the enactment of this Act, the
6 Secretary of State shall submit to the appropriate congres-
7 sional committees a strategic roadmap for strengthening
8 United States engagement with the countries of Oceania,
9 including an analysis of opportunities to cooperate with
10 Australia, New Zealand, and Japan, to address shared
11 concerns and promote shared goals in pursuit of security
12 and resiliency in the countries of Oceania.

13 (b) ELEMENTS.—The strategic roadmap required by
14 subsection (a) shall include the following:

15 (1) A description of United States regional
16 goals and concerns with respect to Oceania and in-
17 creasing engagement with the countries of Oceania.

18 (2) An assessment, based on paragraph (1), of
19 United States regional goals and concerns that are
20 shared by Australia, New Zealand, and Japan, in-
21 cluding a review of issues related to anti-corruption
22 efforts, maritime and other security issues, environ-
23 mental protection, fisheries management, economic
24 growth and development, and disaster resilience and
25 preparedness.

1 (3) A review of ongoing programs and initia-
2 tives by the Governments of the United States, Aus-
3 tralia, New Zealand, and Japan in pursuit of shared
4 regional goals and concerns.

5 (4) A review of ongoing programs and initia-
6 tives by regional organizations and other related
7 intergovernmental structures aimed at addressing
8 shared regional goals and concerns.

9 (5) A plan for aligning United States programs
10 and resources in pursuit of shared regional goals
11 and concerns, as appropriate.

12 (6) Recommendations for additional United
13 States authorities, personnel, programs, or resources
14 necessary to execute the strategic roadmap.

15 (7) Any other elements the Secretary of State
16 considers appropriate.

17 **SEC. 293. OCEANIA SECURITY DIALOGUE.**

18 (a) IN GENERAL.—Not later than one year after the
19 date of the enactment of this Act, the Secretary of State
20 shall brief the appropriate committees of Congress on the
21 feasibility and advisability of establishing a United States-
22 based public-private sponsored security dialogue (to be
23 known as the “Oceania Security Dialogue”) among the
24 countries of Oceania for the purposes of jointly exploring
25 and discussing issues affecting the economic, diplomatic,

1 and national security of the Indo-Pacific countries of Oce-
2 ania.

3 (b) REPORT REQUIRED.—The briefing required by
4 subsection (a) shall, at a minimum, include the following:

5 (1) A review of the ability of the Department
6 of State to participate in a public-private sponsored
7 security dialogue.

8 (2) An assessment of the potential locations for
9 conducting an Oceania Security Dialogue in the ju-
10 risdiction of the United States.

11 (3) Consideration of dates for conducting an
12 Oceania Security Dialogue that would maximize par-
13 ticipation of representatives from the Indo-Pacific
14 countries of Oceania.

15 (4) A review of the funding modalities available
16 to the Department of State to help finance an Oce-
17 ania Security Dialogue, including grant-making au-
18 thorities available to the Department of State.

19 (5) An assessment of any administrative, statu-
20 tory, or other legal limitations that would prevent
21 the establishment of an Oceania Security Dialogue
22 with participation and support of the Department of
23 State.

24 (6) An analysis of how an Oceania Security
25 Dialogue could help to advance the Boe Declaration

1 on Regional Security, including its emphasis on the
2 changing environment as the greatest existential
3 threat to countries of Oceania.

4 (7) An evaluation of how an Oceania Security
5 Dialogue could help amplify the issues and work of
6 existing regional structures and organizations dedi-
7 cated to the security of the Oceania region, such as
8 the Pacific Island Forum and Pacific Environmental
9 Security Forum.

10 (8) An analysis of how an Oceania Security
11 Dialogue would help with implementation of the
12 strategic roadmap required by section 292 and ad-
13 vance the National Security Strategy of the United
14 States.

15 (c) INTERAGENCY CONSULTATION.—To the extent
16 practicable, the Secretary of State may consult with the
17 Secretary of Defense and, where appropriate, evaluate the
18 lessons learned of the Regional Centers for Security Stud-
19 ies of the Department of Defense to determine the feasi-
20 bility and advisability of establishing the Oceania Security
21 Dialogue.

22 **SEC. 294. OCEANIA PEACE CORPS PARTNERSHIPS.**

23 (a) IN GENERAL.—Not later than one year after the
24 date of the enactment of this Act, the Director of the
25 Peace Corps shall submit to the appropriate congressional

1 committees a report on strategies to reasonably and safely
2 expand the number of Peace Corps volunteers in Oceania,
3 with the goals of—

4 (1) expanding the presence of the Peace Corps
5 to all currently feasible locations in Oceania; and

6 (2) working with regional and international
7 partners of the United States to expand the presence
8 of Peace Corps volunteers in low-income Oceania
9 communities in support of climate resilience initia-
10 tives.

11 (b) ELEMENTS.—The report required by subsection
12 (a) shall—

13 (1) assess the factors contributing to the cur-
14 rent absence of the Peace Corps and its volunteers
15 in Oceania;

16 (2) examine potential remedies that include
17 working with United States Government agencies
18 and regional governments, including governments of
19 United States allies—

20 (A) to increase the health infrastructure
21 and medical evacuation capabilities of the coun-
22 tries of Oceania to better support the safety of
23 Peace Corps volunteers while in such countries;

1 (B) to address physical safety concerns
2 that have decreased the ability of the Peace
3 Corps to operate in Oceania; and

4 (C) to increase transportation infrastruc-
5 ture in the countries of Oceania to better sup-
6 port the travel of Peace Corps volunteers and
7 their access to necessary facilities;

8 (3) evaluate the potential to expand the deploy-
9 ment of Peace Corps Response volunteers to help the
10 countries of Oceania address social, economic, and
11 development needs of their communities that require
12 specific professional expertise; and

13 (4) explore potential new operational models to
14 address safety and security needs of Peace Corps
15 volunteers in the countries of Oceania, including—

16 (A) changes to volunteer deployment dura-
17 tions; and

18 (B) scheduled redeployment of volunteers
19 to regional or United States-based healthcare
20 facilities for routine physical and behavioral
21 health evaluation.

22 (c) VOLUNTEERS IN LOW-INCOME OCEANIA COMMU-
23 NITIES.—

24 (1) IN GENERAL.—In examining the potential
25 to expand the presence of Peace Corps volunteers in

1 low-income Oceania communities under subsection
2 (a)(2), the Director of the Peace Corps shall con-
3 sider the development of initiatives described in
4 paragraph (2).

5 (2) INITIATIVES DESCRIBED.—Initiatives de-
6 scribed in this paragraph are volunteer initiatives
7 that help the countries of Oceania address social,
8 economic, and development needs of their commu-
9 nities, including by—

10 (A) addressing, through appropriate resil-
11 ience-based interventions, the vulnerability that
12 communities in Oceania face as result of ex-
13 treme weather, severe environmental change,
14 and other climate related trends; and

15 (B) improving, through smart infrastruc-
16 ture principles, access to transportation and
17 connectivity infrastructure that will help ad-
18 dress the economic and social challenges that
19 communities in Oceania confront as a result of
20 poor or nonexistent infrastructure.

21 (d) OCEANIA DEFINED.—In this section, the term
22 “Oceania” includes the following:

23 (1) Easter Island of Chile.

24 (2) Fiji.

25 (3) French Polynesia of France.

- 1 (4) Kiribati.
- 2 (5) New Caledonia of France.
- 3 (6) Nieu of New Zealand.
- 4 (7) Papua New Guinea.
- 5 (8) Samoa.
- 6 (9) Vanuatu.
- 7 (10) The Ashmore and Cartier Islands of Aus-
- 8 tralia.
- 9 (11) The Cook Islands of New Zealand.
- 10 (12) The Coral Islands of Australia.
- 11 (13) The Federated States of Micronesia.
- 12 (14) The Norfolk Island of Australia.
- 13 (15) The Pitcairn Islands of the United King-
- 14 dom.
- 15 (16) The Republic of the Marshal Islands.
- 16 (17) The Republic of Palau.
- 17 (18) The Solomon Islands.
- 18 (19) Tokelau of New Zealand.
- 19 (20) Tonga.
- 20 (21) Tuvalu.
- 21 (22) Wallis and Futuna of France.

1 **PART VIII—PACIFIC ISLANDS**

2 **SEC. 295. SHORT TITLE.**

3 This part may be cited as the “Boosting Long-term
4 U.S. Engagement in the Pacific Act” or the “BLUE Pa-
5 cific Act”.

6 **SEC. 296. FINDINGS.**

7 Congress finds the following:

8 (1) The Pacific Islands—

9 (A) are home to roughly 10 million resi-
10 dents, including over 8.6 million in Papua New
11 Guinea, constituting diverse and dynamic cul-
12 tures and peoples;

13 (B) are spread across an expanse of the
14 Pacific Ocean equivalent to 15 percent of the
15 Earth’s surface, including the three sub-regions
16 of Melanesia, Micronesia, and Polynesia; and

17 (C) face shared challenges in development
18 that have distinct local contexts, including cli-
19 mate change and rising sea levels, geographic
20 distances from major markets, and vulnerability
21 to external shocks such as natural disasters.

22 (2) The United States is a Pacific country with
23 longstanding ties and shared values and interests
24 with the Pacific Islands, including through the Com-
25 pacts of Free Association with the Freely Associated
26 States, the Republic of the Marshall Islands, the

1 Federated States of Micronesia, and the Republic of
2 Palau.

3 (3) The United States has vital national secu-
4 rity interests in the Pacific Islands, including—

5 (A) protecting regional peace and security
6 that fully respects the sovereignty of all nations;

7 (B) advancing economic prosperity free
8 from coercion through trade and sustainable de-
9 velopment; and

10 (C) supporting democracy, good govern-
11 ance, the rule of law, and human rights and
12 fundamental freedoms.

13 (4) Successive United States administrations
14 have recognized the importance of the Pacific region,
15 including the Pacific Islands, in high-level strategic
16 documents, including the following:

17 (A) The 2015 National Security Strategy,
18 which first declared the rebalance to Asia and
19 the Pacific, affirmed the United States as a Pa-
20 cific nation, and paved the way for subsequent
21 United States engagement with the Pacific Is-
22 lands, including several new policies focused on
23 conservation and resilience to climate change
24 announced in September 2016.

1 (B) The 2017 National Security Strategy,
2 which includes a commitment to “shore up
3 fragile partner states in the Pacific Islands re-
4 gion to reduce their vulnerability to economic
5 fluctuations and natural disasters”.

6 (C) The 2019 Indo-Pacific Strategy Re-
7 port, which identified the Pacific Islands as
8 “critical to U.S. strategy because of our shared
9 values, interests, and commitments” and com-
10 mitted the United States to “building capacity
11 and resilience to address maritime security; Ille-
12 gal, Unreported, and Unregulated fishing; drug
13 trafficking; and resilience to address climate
14 change and disaster response”.

15 (5) The United States has deepened its diplo-
16 matic engagement with the Pacific Islands through
17 several recent initiatives, including—

18 (A) the Pacific Pledge, which provided an
19 additional \$100,000,000 in 2019 and
20 \$200,000,000 in 2020, on top of the approxi-
21 mately \$350,000,000 that the United States
22 provides annually to the region to support
23 shared priorities in economic and human devel-
24 opment, climate change, and more; and

1 (B) the Small and Less Populous Island
2 Economies (SALPIE) Initiative launched in
3 March 2021 to strengthen United States col-
4 laboration with island countries and territories,
5 including in the Pacific Islands, on COVID–19
6 economic challenges, long-term economic devel-
7 opment, climate change, and other shared inter-
8 ests.

9 (6) The Boe Declaration on Regional Security,
10 signed by leaders of the Pacific Islands Forum in
11 2018, affirmed that climate change “remains the
12 single greatest threat to the livelihoods, security, and
13 wellbeing of the peoples of the Pacific” and asserted
14 “the sovereign right of every Member to conduct its
15 national affairs free of external interference and co-
16 ercion”.

17 (7) The Asian Development Bank has estimated
18 that the Pacific Islands region needs upwards of
19 \$2.8 billion a year in investment needs through
20 2030, in addition to \$300 million a year for climate
21 mitigation and adaptation over the same period.

22 (8) The Pacific Islands swiftly enacted effective
23 policies to prevent and contain the spread of the
24 Coronavirus Disease 2019 (commonly referred to as
25 “COVID–19”) pandemic to their populations. The

1 United States has provided over \$130,000,000 in as-
2 sistance to the Pacific Islands for their COVID-19
3 response. However, priorities must be met to ensure
4 continued success in preventing the spread of the
5 COVID-19 pandemic, achieving swift and wide-
6 spread vaccinations, and pursuing long-term eco-
7 nomic recovery in the Pacific Islands, including
8 through—

9 (A) expanding testing capacity and acquisi-
10 tion of needed medical supplies, including avail-
11 able COVID-19 vaccines and supporting vac-
12 cination efforts, through a reliable supply chain;

13 (B) planning for lifting of lockdowns and
14 reopening of economic and social activities; and

15 (C) mitigating and recovering from the im-
16 pacts of the COVID-19 pandemic on the health
17 system and the reliance on food and energy im-
18 ports as well as lost tourism revenue and other
19 economic and food security damages caused by
20 the pandemic.

21 (9) Since 1966, thousands of Peace Corps vol-
22 unteers have proudly served in the Pacific Islands,
23 building strong people-to-people relationships and
24 demonstrating the United States commitment to
25 peace and development in the region. Prior to the

1 COVID–19 pandemic, the Peace Corps maintained
2 presence in four countries of the Pacific Islands.
3 Peace Corps volunteers continue to be in high de-
4 mand in the Pacific Islands and have been requested
5 across the region.

6 **SEC. 297. STATEMENT OF POLICY.**

7 It is the policy of the United States—

8 (1) to develop and commit to a comprehensive,
9 multifaceted, and principled United States policy in
10 the Pacific Islands that—

11 (A) promotes peace, security, and pros-
12 perity for all countries through a rules-based
13 regional order that respects the sovereignty and
14 political independence of all nations;

15 (B) preserves the Pacific Ocean as an open
16 and vibrant corridor for international maritime
17 trade and promotes trade and sustainable devel-
18 opment that supports inclusive economic growth
19 and autonomy for all nations and addresses so-
20 cioeconomic challenges related to public health,
21 education, renewable energy, digital
22 connectivity, and more;

23 (C) supports regional efforts to address the
24 challenges posed by climate change, including
25 by strengthening resilience to natural disasters

1 and through responsible stewardship of natural
2 resources;

3 (D) improves civil society, strengthens
4 democratic governance and the rule of law, and
5 promotes human rights and the preservation of
6 the region's unique cultural heritages;

7 (E) assists the Pacific Islands in pre-
8 venting and containing the spread of the
9 COVID-19 pandemic and in pursuing long-
10 term economic recovery; and

11 (F) supports existing regional architecture
12 and international norms;

13 (2) to support the vision, values, and objectives
14 of existing regional multilateral institutions and
15 frameworks, such as the Pacific Islands Forum and
16 the Pacific Community, including—

17 (A) the 2014 Framework for Pacific Re-
18 gionalism;

19 (B) the 2018 Boe Declaration on Regional
20 Security; and

21 (C) the Boe Declaration Action Plan;

22 (3) to extend and renew the provisions of the
23 Compacts of Free Association and related United
24 States law that will expire in 2023 for the Republic
25 of the Marshall Islands and the Federated States of

1 Micronesia and in 2024 for the Republic of Palau
2 unless they are extended and renewed; and

3 (4) to work closely with United States allies
4 and partners with existing relationships and inter-
5 ests in the Pacific Islands, such as Australia, Japan,
6 New Zealand, and Taiwan, in advancing common
7 goals.

8 **SEC. 298. DEFINITION.**

9 In this part, the terms “Pacific Islands” means the
10 Cook Islands, the Republic of Fiji, the Republic of
11 Kiribati, the Republic of the Marshall Islands, the Fed-
12 erated States of Micronesia, the Republic of Nauru, Niue,
13 the Republic of Palau, the Independent State of Papua
14 New Guinea, the Independent State of Samoa, the Sol-
15 omon Islands, the Kingdom of Tonga, Tuvalu, and the Re-
16 public of Vanuatu.

17 **SEC. 299. AUTHORITY TO CONSOLIDATE REPORTS; FORM**
18 **OF REPORTS.**

19 (a) **AUTHORITY TO CONSOLIDATE REPORTS.**—Any
20 reports required to be submitted to the appropriate con-
21 gressional committees under this part that are subject to
22 deadlines for submission consisting of the same units of
23 time may be consolidated into a single report that is sub-
24 mitted to the appropriate congressional committees pursu-

1 ant to such deadlines and that contains all information
2 required under such reports.

3 (b) FORM OF REPORTS.—Each report required by
4 this part shall be submitted in unclassified form but may
5 contain a classified annex.

6 **SEC. 299A. DIPLOMATIC PRESENCE IN THE PACIFIC IS-**
7 **LANDS.**

8 (a) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that—

10 (1) the strategic importance of the Pacific Is-
11 lands necessitates an examination of whether United
12 States diplomatic, economic, and development en-
13 gagement and presence in the Pacific Islands region
14 is sufficient to effectively support United States ob-
15 jectives and meaningful participation in regional
16 fora;

17 (2) improving shared understanding of and
18 jointly combatting the transnational challenges perti-
19 nent to the Pacific Islands region with countries of
20 the Pacific Islands and regional partners such as
21 Australia, New Zealand, Japan, and Taiwan is vi-
22 tally important to our shared long-term interests of
23 stability, security, and prosperity;

24 (3) the United States should seek to participate
25 in and support efforts to coordinate a regional re-

1 sponse toward maritime security, including through
2 continued United States and Pacific Islands partici-
3 pation in the Pacific Fusion Centre in Vanuatu and
4 Information Fusion Centre in Singapore, and robust
5 cooperation with regional allies and partners; and

6 (4) the United States Government should com-
7 mit to sending appropriate levels of representation to
8 regional events.

9 (b) REPORT.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act and an-
12 nually thereafter for five years, the Secretary of
13 State, in consultation with the Secretary of Com-
14 merce and the Administrator of the United States
15 Agency for International Development, shall submit
16 to the appropriate congressional committees a report
17 on the diplomatic and development presence of the
18 United States in the Pacific Islands.

19 (2) ELEMENTS.—The report required by para-
20 graph (1) shall include the following:

21 (A) A description of the Department of
22 State, United States Agency for International
23 Development, United States International De-
24 velopment Finance Corporation, Millennium
25 Challenge Corporation, and United States Com-

1 merchial Service presence, staffing, program-
2 ming, and resourcing of operations in the Pa-
3 cific Islands, including programming and
4 resourcing not specifically allocated to the Pa-
5 cific Islands.

6 (B) A description of gaps in such presence,
7 including unfilled full-time equivalent positions.

8 (C) A description of limitations and chal-
9 lenges such gaps pose to United States stra-
10 tegic objectives, including—

11 (i) gaps in support of the Pacific Is-
12 lands due to operations being conducted
13 from the United States Agency for Inter-
14 national Development offices in Manila and
15 Suva; and

16 (ii) gaps in programming and
17 resourcing.

18 (D) A strategy to expand and elevate such
19 presence to fill such gaps, including by estab-
20 lishing new missions, expanding participation in
21 regional forums, and elevating United States
22 representation in regional forums.

23 (c) **AUTHORITY TO ENHANCE DIPLOMATIC AND ECO-**
24 **NOMIC ENGAGEMENT.**—The Secretary of State and the
25 Secretary of Commerce are authorized to hire locally em-

1 ployed staff in the Pacific Islands for the purpose of pro-
2 moting increased diplomatic engagement and economic
3 and commercial engagement between the United States
4 and the Pacific Islands.

5 (d) REGIONAL DEVELOPMENT COOPERATION STRAT-
6 EGY.—Not later than 180 days after the date of the enact-
7 ment of this Act, and every five years thereafter, the Ad-
8 ministrator of the United States Agency for International
9 Development shall submit to the appropriate congressional
10 committees a regional development cooperation strategy
11 for the Pacific Islands.

12 **SEC. 299B. COORDINATION WITH REGIONAL ALLIES AND**
13 **PARTNERS.**

14 (a) IN GENERAL.—The Secretary of State shall con-
15 sult and coordinate with regional allies and partners, such
16 as Australia, Japan, New Zealand, Taiwan, and regional
17 institutions such as the Pacific Islands Forum and the Pa-
18 cific Community, with respect to programs to provide as-
19 sistance to the Pacific Islands, including programs estab-
20 lished by this Act, including for purposes of—

21 (1) deconflicting programming;

22 (2) ensuring that any programming does not
23 adversely affect the absorptive capacity of the Pa-
24 cific Islands; and

1 (3) ensuring complementary programs benefit
2 the Pacific Islands to the maximum extent prac-
3 ticable.

4 (b) FORMAL CONSULTATIVE PROCESS.—The Sec-
5 retary of State shall establish a formal consultative proc-
6 ess with such regional allies and partners to coordinate
7 with respect to such programs and future-years program-
8 ming.

9 (c) REPORT.—Not later than 180 days after the date
10 of the enactment of this Act and annually thereafter, the
11 Secretary of State shall submit to the appropriate congres-
12 sional committees and the Armed Services Committees of
13 the Senate and the House of Representatives a report that
14 includes—

15 (1) a review of ongoing efforts, initiatives, and
16 programs undertaken by regional allies and part-
17 ners, including multilateral organizations, to advance
18 priorities identified in this Act;

19 (2) a review of ongoing efforts, initiatives, and
20 programs undertaken by non-allied foreign actors
21 that are viewed as being potentially harmful or in
22 any way detrimental to one or more countries of the
23 Pacific Islands;

24 (3) an assessment of United States programs in
25 the Pacific Islands and their alignment and

1 complementarity with the efforts of regional allies
2 and partners identified in paragraph (1); and

3 (4) a review of the formal consultative process
4 required in subsection (b) to summarize engage-
5 ments held and identify opportunities to improve co-
6 ordination with regional allies and partners.

7 **SEC. 299C. CLIMATE RESILIENT DEVELOPMENT IN THE PA-**
8 **CIFIC ISLANDS.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that—

11 (1) the United States Government should lever-
12 age the full range of authorities and programs avail-
13 able to assist the Pacific Islands in achieving their
14 development goals;

15 (2) United States development assistance
16 should seek to build on existing public and private
17 sector investments while creating new opportunities
18 toward a favorable environment for additional such
19 investments; and

20 (3) United States development efforts should be
21 coordinated with and seek to build on existing ef-
22 forts by like-minded partners and allies and regional
23 and international multilateral organizations.

24 (b) STRATEGY.—The Secretary of State, in coordina-
25 tion with the Administrator of the United States Agency

1 for International Development, the Secretary of the Treas-
2 ury, and the Chief Executive Officer of the United States
3 International Development Finance Corporation, shall de-
4 velop and implement a strategy to—

5 (1) invest in and improve critical infrastructure,
6 including transport connectivity, information and
7 communications technology, food security, coastal
8 zone management, marine and water resource man-
9 agement, and energy security and access to elec-
10 tricity in the Pacific Islands, with an emphasis on
11 climate resiliency and sustainable development;

12 (2) provide technical assistance to assist local
13 government and civil society leaders assess risks to
14 local infrastructure, especially those posed by climate
15 change, consider and implement risk mitigation ef-
16 forts and policies to strengthen resilience, and evalu-
17 ate proposed projects and solutions for their efficacy
18 and sustainability; and

19 (3) support investment and improvement in eco-
20 system conservation and protection for the long-term
21 sustainable use of ecosystem services, especially
22 those that mitigate effects of climate change and
23 those that support food security and livelihoods.

24 (c) CONDUCT OF STRATEGY.—The strategy devel-
25 oped under this section shall be coordinated with like-

1 minded partners and allies, regional and international
2 multilateral organizations, and regional frameworks for
3 development in the Pacific Islands.

4 (d) INTERNATIONAL FINANCIAL INSTITUTIONS.—
5 The Secretary of the Treasury shall direct the representa-
6 tives of the United States to the World Bank Group, the
7 International Monetary Fund, and the Asian Development
8 Bank to use the voice and vote of the United States to
9 support climate resilient infrastructure projects in the Pa-
10 cific Islands.

11 (e) REPORT.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment this Act and annu-
14 ally thereafter, the Secretary of State shall submit
15 to the appropriate congressional committees, the
16 Committee on Natural Resources of the House of
17 Representatives, and the Committee on Energy and
18 Natural Resources of the Senate a report on foreign
19 infrastructure developments in the Pacific Islands.

20 (2) MATTERS TO BE INCLUDED.—The report
21 required by paragraph (1) shall include—

22 (A) a review of foreign infrastructure de-
23 velopments in the Pacific Islands by non-United
24 States allies and partners;

1 (B) assessments of the environmental im-
2 pact and sustainability of such developments;
3 and

4 (C) an analysis of the financial sustain-
5 ability of such developments and their impacts
6 on the debt of host countries in the Pacific Is-
7 lands.

8 (f) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated \$50,000,000 for each
10 of the fiscal years 2022 through 2026 to carry out this
11 section.

12 **SEC. 299D. INTERNATIONAL LAW ENFORCEMENT ACADEMY**
13 **FOR THE PACIFIC ISLANDS.**

14 (a) IN GENERAL.—The Secretary of State shall de-
15 velop and implement a plan to expand coverage of the
16 International Law Enforcement Academies (ILEA) pro-
17 gram for the Pacific Islands, including by—

18 (1) expanding coverage of the regional program
19 located in Bangkok, Thailand, to the Pacific Islands;
20 or

21 (2) establishing a new regional program for the
22 Pacific Islands.

23 (b) MATTERS TO BE INCLUDED.—The plan required
24 by subsection (a) shall include consultation and coordina-
25 tion with existing regional law enforcement entities, in-

1 cluding the Pacific Islands Chiefs of Police and civil soci-
2 ety, including those focused on human rights and special-
3 izing in victim-centered approaches, and take into consid-
4 eration costs of implementation, effectiveness, and capac-
5 ity of the Pacific Islands to participate in the ILEA pro-
6 gram.

7 (c) BRIEFING REQUIRED.—Not later than 180 days
8 after the date of the enactment of this Act, the Secretary
9 of State shall provide the appropriate congressional com-
10 mittees a briefing on the plan developed under this section.

11 **SEC. 299E. SECURITY ASSISTANCE FOR THE PACIFIC IS-**
12 **LANDS.**

13 (a) STRATEGY.—

14 (1) IN GENERAL.—The Secretary of State, with
15 the concurrence of the Secretary of Defense and in
16 coordination with the Secretary of Homeland Secu-
17 rity, shall develop and implement a comprehensive
18 strategy to provide assistance to and build the ca-
19 pacity of local civilian and national security institu-
20 tions of the Pacific Islands for purposes of—

21 (A) enhancing maritime security and mari-
22 time domain awareness to address challenges
23 such as illegal, unreported, and unregulated
24 fishing;

1 (B) assisting local law enforcement in de-
2 tecting, preventing, and combatting human and
3 drug trafficking and other forms of
4 transnational crime;

5 (C) participating in efforts by regional in-
6 stitutions and frameworks to coordinate and fa-
7 cilitate cooperation on shared security chal-
8 lenges; and

9 (D) expanding information sharing and to
10 work toward operational coordination and inter-
11 operability among Pacific Island maritime secu-
12 rity forces, including through regional fusion
13 centers.

14 (2) PROGRAMS AND AUTHORITIES DE-
15 SCRIBED.—The strategy required by this subsection
16 shall build on but not be limited to the following
17 programs and authorities:

18 (A) The International Military Education
19 and Training program.

20 (B) The Foreign Military Financing pro-
21 gram.

22 (C) The authority to build the capacity of
23 foreign security forces under section 333 of title
24 10, United States Code.

1 (D) The authority to provide excess de-
2 fense articles under section 516 of the Foreign
3 Assistance Act of 1961 (22 U.S.C. 2321j).

4 (E) The Department of Defense State
5 Partnership Program.

6 (3) NATIONAL POLICE FORCES AND COAST
7 GUARDS.—The national police forces and coast
8 guards of the Pacific Islands are eligible to receive
9 assistance under the programs and authorities de-
10 scribed in paragraph (2) (other than the programs
11 and authorities described in subparagraphs (A), (D),
12 and (F) of paragraph (2)) for purposes of the strat-
13 egy required by this subsection.

14 (b) MATTERS TO BE INCLUDED.—The strategy re-
15 quired by subsection (a) shall seek to preserve peace and
16 regional stability in the Pacific Islands and take into con-
17 sideration and seek to build upon but not duplicate exist-
18 ing assistance provided by United States allies and part-
19 ners.

20 (c) REPORT.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date of the enactment of this Act, the Sec-
23 retary shall submit to the appropriate congressional
24 committees a report that contains the strategy devel-
25 oped under this section.

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

3 (A) an assessment of security challenges to
4 the Pacific Islands;

5 (B) an analysis of demonstrated needs of
6 the Pacific Islands for assistance;

7 (C) a review of existing security assistance
8 programs in the Pacific Islands, including pro-
9 grams and efforts provided by United States al-
10 lies and partners;

11 (D) a plan for programs for training,
12 equipping, and sustainment, including excess
13 defense equipment and related materials;

14 (E) a list of militaries, national police
15 forces, coast guards, and other national security
16 forces of the Pacific Islands receiving assistance
17 under the strategy;

18 (F) a review of existing cross-border mari-
19 time law enforcement operations (commonly
20 known as “shiprider agreements”) with the Pa-
21 cific Islands, an assessment of additional
22 resourcing needs to enhance operational capac-
23 ity, and a plan to improve on these programs
24 and operations;

1 (G) a review of existing Department of De-
2 fense State Partnership Programs with the Pa-
3 cific Islands and an assessment of additional
4 opportunities to leverage Department of De-
5 fense State Partnership Programs to address
6 national security, law enforcement, disaster re-
7 lief and emergency management, and related
8 priorities;

9 (H) a review of current efforts and
10 progress in removing unexploded ordnance in
11 the Pacific Islands and an assessment of addi-
12 tional resourcing needed to ensure continued
13 progress, including to support coordination with
14 regional efforts and those of United States al-
15 lies and partners;

16 (I) a review of existing regional fusion cen-
17 ters and other cooperative intelligence sharing
18 efforts in the Pacific Islands to address mari-
19 time security, transnational crime, natural dis-
20 asters, and other security challenges and an as-
21 sessment of opportunities for the United States
22 to participate in such efforts, including by allo-
23 cating staff and supplying resourcing;

24 (J) measures to evaluate success for the
25 strategy; and

1 (K) a detailed assessment of appropria-
2 tions required to achieve the objectives for the
3 strategy in future years.

4 (3) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES DEFINED.—In this subsection, the term “ap-
6 propriate congressional committees” means—

7 (A) the Committee on Foreign Affairs, the
8 Committee on Armed Services, and the Com-
9 mittee on Transportation and Infrastructure of
10 the House of Representatives; and

11 (B) the Committee on Foreign Relations,
12 the Committee on Armed Services, and the
13 Committee on Commerce, Science, and Trans-
14 portation of the Senate.

15 **SEC. 299F. COUNTERING TRANSNATIONAL CRIME.**

16 (a) RATIFICATION OF INTERNATIONAL LEGAL IN-
17 STRUMENTS.—

18 (1) IN GENERAL.—The Secretary of State shall
19 prioritize efforts to assist the Pacific Islands in rati-
20 fying and implementing international legal conven-
21 tions related to transnational crime, such as—

22 (A) the Convention on International Trade
23 in Endangered Species of Wildlife Fauna and
24 Flora;

1 (B) the Agreement on Port State Meas-
2 ures; and

3 (C) relevant protocols supplementing the
4 United Nations Convention Against
5 Transnational Organized Crime, such as—

6 (i) the Protocol to Prevent, Suppress,
7 and Punish Trafficking in Person, Espe-
8 cially Women and Children; and

9 (ii) the Protocol Against the Smug-
10 gling of Migrants by Land, Sea, and Air.

11 (2) BIENNIAL REPORT.—Not later than 180
12 days after the date of the enactment of this Act and
13 every two years thereafter as appropriate, the Sec-
14 retary of State shall submit to the appropriate con-
15 gressional committees a report on—

16 (A) the status of the progress of each
17 country of the Pacific Islands toward ratifying
18 and implementing international legal conven-
19 tions related to transnational crime; and

20 (B) United States plans for assisting those
21 countries that have yet to fully ratify such con-
22 ventions with their respective ratification ef-
23 forts.

24 (b) UPDATES OF CERTAIN REPORTS.—The Secretary
25 of State, in coordination with other Federal agencies as

1 appropriate, shall identify and update existing reports to
2 include forms of transnational crime affecting the Pacific
3 Islands, such as—

4 (1) the International Narcotics Control Strat-
5 egy report;

6 (2) the Improving International Fisheries Man-
7 agement report; and

8 (3) the Trafficking in Persons report.

9 (c) ILLEGAL LOGGING AND ASSOCIATED TRADE.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act and an-
12 nually thereafter, the Secretary of State, in coordi-
13 nation with the heads of relevant Federal agencies,
14 shall submit to appropriate congressional committees
15 a report that identifies countries of the Pacific Is-
16 lands that are countries of concern with respect to
17 illegal logging and associated trade.

18 (2) ELEMENTS.—The report required by para-
19 graph (1) shall include the following:

20 (A) A description of the impact illegal log-
21 ging and associated trade have had on local
22 communities, good governance, and biodiversity,
23 including an identification of those foreign
24 countries that may be financing or in any other
25 manner supporting illegal logging activities.

1 (B) A description of efforts taken by coun-
2 tries identified under paragraph (1) to comply
3 and take appropriate corrective action to miti-
4 gate illegal logging, and an evaluation of the
5 progress of those efforts.

6 (C) A description of steps taken by the
7 heads of relevant Federal agencies to assist the
8 Pacific Islands in adopting and implementing
9 international measures comparable to those of
10 the United States, such as the Lacey Act, to re-
11 duce impacts of illicit logging.

12 (3) APPROPRIATE CONGRESSIONAL COMMIT-
13 TEES DEFINED.—In this subsection, the term “ap-
14 propriate congressional committees” means—

15 (A) the Committee on Foreign Affairs and
16 the Committee on Ways and Means of the
17 House of Representatives; and

18 (B) the Committee on Foreign Relations
19 and the Committee on Finance of the Senate.

20 (d) ILLEGAL, UNREPORTED, AND UNREGULATED
21 FISHING.—Section 3553 of the National Defense Author-
22 ization Act for Fiscal Year 2020 (16 U.S.C. 8033) is
23 amended—

24 (1) in paragraph (7), by striking “and” at the
25 end;

1 (2) by redesignating paragraph (8) as para-
2 graph (9); and

3 (3) by inserting after paragraph (7) (as amend-
4 ed) the following:

5 “(8) an assessment of gaps or limitations in the
6 ability of the United States to effectively assist pri-
7 ority regions and priority flag states relating to IUU
8 fishing due to resource constraints and the addi-
9 tional resources necessary to overcome those con-
10 straints; and”.

11 **SEC. 299G. EMERGENCY PREPAREDNESS INITIATIVE FOR**
12 **THE PACIFIC ISLANDS.**

13 (a) IN GENERAL.—The Administrator of the United
14 States Agency for International Development shall develop
15 and implement an initiative to assist the Pacific Islands
16 in enhancing their preparedness for and resilience to nat-
17 ural disasters and other emergencies.

18 (b) CONDUCT OF PROGRAM.—The program devel-
19 oped under this section shall include—

20 (1) education and training programs on natural
21 disaster prevention and preparedness for emergency
22 management professionals in the Pacific Islands, in-
23 cluding by leveraging the expertise of nonprofit orga-
24 nizations and institutions of higher education in the
25 United States;

1 (2) technical assistance, including through
2 grants and cooperative agreements for qualified
3 United States and local nongovernmental organiza-
4 tions, to enhance early warning systems, emergency
5 management and preparedness procedures, and post-
6 disaster relief and recovery; and

7 (3) coordination of existing disaster mitigation
8 and response plans in the region, including by
9 United States allies and partners in the region.

10 (c) REPORT.—

11 (1) IN GENERAL.—Not later than one year
12 after the date of the enactment of this Act, the Ad-
13 ministrator shall submit to the appropriate congress-
14 sional committees a report on the program developed
15 under this section.

16 (2) MATTERS TO BE INCLUDED.—The report
17 required by paragraph (1) shall include—

18 (A) an assessment of disaster risks in the
19 Pacific Islands and existing local and regional
20 capacity to respond to such risks;

21 (B) a review of existing efforts by United
22 States allies and partners to provide assistance
23 and training for natural disaster preparedness
24 and emergency management; and

1 (C) objectives, means of implementation,
2 and measures of success for the initiative.

3 (3) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES DEFINED.—In this subsection, the term “ap-
5 propriate congressional committees” means—

6 (A) the Committee on Foreign Affairs and
7 the Committee on Natural Resources of the
8 House of Representatives; and

9 (B) the Committee on Foreign Relations
10 and the Committee on Energy and Natural Re-
11 sources of the Senate.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated \$40,000,000 for each
14 of the fiscal years 2022 through 2026 to carry out this
15 section.

16 **SEC. 299H. PEACE CORPS IN THE PACIFIC ISLANDS.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) the presence of the Peace Corps in the Pa-
20 cific Islands should be expanded and the Peace
21 Corps should reopen its programs in as many of the
22 Pacific Islands as possible, including where it has
23 previously operated but has suspended operations;

24 (2) consulting like-minded regional allies and
25 partners, such as Australia, New Zealand, Japan,

1 and Taiwan is crucial for identifying and overcoming
2 challenges for increased Peace Corps presence in the
3 Pacific Islands;

4 (3) the Peace Corps, whose mission is to pro-
5 mote world peace and friendship in part by helping
6 the people of interested countries in meeting their
7 need for trained men and women, provides an in-
8 valuable opportunity to connect the American people
9 with the people of the Republic of the Marshall Is-
10 lands, the Federated States of Micronesia, and the
11 Republic of Palau; and

12 (4) the Peace Corps should promptly reopen its
13 programs in the Republic of the Marshall Islands,
14 the Federated States of Micronesia, and the Repub-
15 lic of Palau.

16 (b) REPORT.—Not later than 180 days after the date
17 of the enactment of this Act, the Director of the Peace
18 Corps shall submit to the appropriate congressional com-
19 mittees a report that includes—

20 (1) a comparative analysis of the Peace Corps
21 presence in the Pacific Islands region to other re-
22 gions of the world, including a cost-benefit analysis
23 of placement in the region versus elsewhere globally;

24 (2) analysis of current impediments to Peace
25 Corps expansion in the Pacific Islands region;

1 (A) Hong Kong would enjoy a high degree
2 of autonomy;

3 (B) for at least 50 years the “social and
4 economic systems in Hong Kong” would remain
5 unchanged; and

6 (C) the personal rights and freedoms of
7 the people of Hong Kong would be protected by
8 law.

9 (2) As part of its continued efforts to under-
10 mine the established rights of the Hong Kong peo-
11 ple, the PRC National People’s Congress Standing
12 Committee (“Standing Committee”) passed and im-
13 posed upon Hong Kong oppressive and intentionally
14 vague national security legislation on June 30, 2020,
15 that grants Beijing sweeping powers to punish acts
16 of “separating the country, subverting state power,
17 and organizing terroristic activities”.

18 (3) The legislative process by which the Stand-
19 ing Committee imposed the national security law on
20 Hong Kong bypassed Hong Kong’s local government
21 in a potential violation of the Basic Law of the
22 Hong Kong Special Administrative Region of the
23 People’s Republic of China (“Basic Law”), and in-
24 volved unusual secrecy, as demonstrated by the fact
25 that the legislation was only the second law since

1 2008 that the Standing Committee has passed with-
2 out releasing a draft for public comment.

3 (4) On July 30, 2020, election officials of the
4 Hong Kong Special Administrative Region
5 (HKSAR) disqualified twelve pro-democracy can-
6 didates from participating in the September 6 Legis-
7 lative Council elections, which were subsequently
8 postponed for a year until September 5, 2021, by
9 citing the public health risk of holding elections dur-
10 ing the COVID-19 pandemic.

11 (5) On July 31, 2020, in an attempt to assert
12 extraterritorial jurisdiction, the HKSAR Govern-
13 ment announced indictments of and arrest warrants
14 for six Hong Kong activists living overseas, includ-
15 ing United States citizen Samuel Chu, for alleged
16 violations of the national security law.

17 (6) On November 11, 2020, the HKSAR Gov-
18 ernment removed four lawmakers from office for al-
19 legedly violating the law after the Standing Com-
20 mittee passed additional legislation barring those
21 who promoted or supported Hong Kong independ-
22 ence and refused to acknowledge PRC sovereignty
23 over Hong Kong, or otherwise violates the national
24 security law, from running for or serving in the Leg-
25 islative Council.

1 (7) On December 2, 2020, pro-democracy activ-
2 ists Joshua Wong, Agnes Chow, and Ivan Lam were
3 sentenced to prison for participating in 2019 pro-
4 tests.

5 (8) Ten of the twelve Hong Kong residents
6 (also known as “the Hong Kong 12”) who sought to
7 flee by boat from Hong Kong to Taiwan on August
8 23, 2020, were taken to mainland China and sen-
9 tenced on December 30, 2020, to prison terms rang-
10 ing from seven months to three years for illegal bor-
11 der crossing.

12 (9) On December 31, 2020, Hong Kong’s high-
13 est court revoked bail for Jimmy Lai Chee-Ying, a
14 pro-democracy figure and publisher, who was
15 charged on December 12 with colluding with foreign
16 forces and endangering national security under the
17 national security legislation.

18 (10) On January 4, 2021, the Departments of
19 Justice in Henan and Sichuan province threatened
20 to revoke the licenses of two lawyers hired to help
21 the Hong Kong 12.

22 (11) On January 5, 2021, the Hong Kong Po-
23 lice Force arrested more than fifty opposition fig-
24 ures, including pro-democracy officials, activists, and
25 an American lawyer, for their involvement in an in-

1 formal July 2020 primary to select candidates for
2 the general election originally scheduled for Sep-
3 tember 2020, despite other political parties having
4 held similar primaries without retribution.

5 (12) On April 22, 2021, a Hong Kong court
6 convicted Choy Yuk-ling, a video producer with
7 Radio Television Hong Kong, in relation to her in-
8 vestigative reporting on the Hong Kong police.

9 (13) On June 24, 2021, Apple Daily, Hong
10 Kong's only surviving pro-democracy newspaper,
11 published its final edition following months of intimi-
12 dation and repression by the HKSAR Government,
13 including through the arrest of its senior editors, po-
14 lice raids on its offices, and the freezing of its finan-
15 cial assets.

16 (b) STATEMENT OF CONGRESS.—Congress—

17 (1) condemns the actions taken by the Govern-
18 ment of the People's Republic of China ("PRC")
19 and the Government of the Hong Kong Special Ad-
20 ministrative Region ("HKSAR"), including the
21 adoption and implementation of national security
22 legislation for Hong Kong through irregular proce-
23 dures, that violate the rights and freedoms of the
24 people of Hong Kong that are guaranteed by the

1 Joint Declaration and its implementing document,
2 the Basic Law;

3 (2) reaffirms its support for the people of Hong
4 Kong, who face grave threats to their rights and
5 freedoms;

6 (3) calls on the Governments of the PRC and
7 HKSAR to—

8 (A) respect and uphold—

9 (i) commitments made to the inter-
10 national community and the people of
11 Hong Kong under the Joint Declaration;
12 and

13 (ii) the judicial independence of the
14 Hong Kong legal system; and

15 (B) release pro-democracy activists and
16 politicians arrested under the national security
17 law; and

18 (4) encourages the President, the Secretary of
19 State, and the Secretary of the Treasury to coordi-
20 nate with allies and partners and continue United
21 States efforts to respond to developments in Hong
22 Kong, including by—

23 (A) providing protection for Hong Kong
24 residents who fear persecution;

1 (B) supporting those who may seek to file
2 a case before the International Court of Justice
3 to hold the Government of the PRC accountable
4 for violating its binding legal commitments
5 under the Joint Declaration;

6 (C) encouraging allies and partner coun-
7 tries to instruct, as appropriate, their respective
8 representatives to the United Nations to use
9 their voice, vote, and influence to press for the
10 appointment of a United Nations special man-
11 date holder to monitor and report on human
12 rights developments in Hong Kong;

13 (D) ensuring the private sector, particu-
14 larly United States companies with economic in-
15 terests in Hong Kong, is aware of risks the na-
16 tional security legislation poses to the security
17 of United States citizens and to the medium
18 and long-term interest of United States busi-
19 nesses in Hong Kong;

20 (E) continuing to implement sanctions au-
21 thorities, especially authorities recently enacted
22 to address actions undermining the rights and
23 freedoms of the Hong Kong people, such as the
24 Hong Kong Autonomy Act (Public Law 116-
25 149) and the Hong Kong Human Rights and

1 Democracy Act of 2019 (Public Law 116–76),
2 with respect to officials of the Chinese Com-
3 munist Party, the Government of the PRC, or
4 the Government of the HKSAR who are respon-
5 sible for undermining such rights and freedoms;
6 and

7 (F) coordinating with allies and partners
8 to ensure that such implementation of sanctions
9 is multilateral.

10 **SEC. 302. AUTHORIZATION OF APPROPRIATIONS FOR PRO-**
11 **MOTION OF DEMOCRACY IN HONG KONG.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated \$10,000,000 for fiscal year
14 2022 for the Bureau of Democracy, Human Rights, and
15 Labor of the Department of State to promote democracy
16 in Hong Kong.

17 (b) ADMINISTRATION.—The Secretary of State shall
18 designate an office with the Department of State to ad-
19 minister and coordinate the provision of such funds de-
20 scribed in subsection (a) within the Department of State
21 and across the United States Government.

22 **SEC. 303. HONG KONG PEOPLE’S FREEDOM AND CHOICE.**

23 (a) DEFINITIONS.—For purposes of this section:

24 (1) JOINT DECLARATION.—The term “Joint
25 Declaration” means the Joint Declaration of the

1 Government of the United Kingdom of Great Britain
2 and Northern Ireland and the Government of the
3 People's Republic of China on the Question of Hong
4 Kong, signed on December 19, 1984, and entered
5 into force on May 27, 1985.

6 (2) PRIORITY HONG KONG RESIDENT.—The
7 term “Priority Hong Kong resident” means—

8 (A) a permanent resident of Hong Kong
9 who—

10 (i) holds no right to citizenship in any
11 country or jurisdiction other than the Peo-
12 ple's Republic of China (referred to in this
13 section as the “PRC”), Hong Kong, or
14 Macau as of the date of enactment of this
15 Act;

16 (ii) has resided in Hong Kong for not
17 less than the last ten years as of the date
18 of enactment of this Act; and

19 (iii) has been designated by the Sec-
20 retary of State or Secretary of Homeland
21 Security as having met the requirements of
22 this subparagraph, in accordance with the
23 procedures described in subsection (f) of
24 this section; or

1 (B) the spouse of a person described in
2 subparagraph (A), or the child of such person
3 as such term is defined in section 101(b)(1) of
4 the Immigration and Nationality Act (8 U.S.C.
5 1101(b)(1)), except that a child shall be an un-
6 married person under twenty-seven years of
7 age.

8 (3) HONG KONG NATIONAL SECURITY LAW.—
9 The term “Hong Kong National Security Law”
10 means the Law of the People’s Republic of China on
11 Safeguarding National Security in the Hong Kong
12 Special Administrative Region that was passed
13 unanimously by the National People’s Congress and
14 signed by President Xi Jinping on June 30, 2020,
15 and promulgated in the Hong Kong Special Admin-
16 istrative Region (referred to in this section as
17 “Hong Kong SAR”) on July 1, 2020.

18 (4) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term “appropriate congressional com-
20 mittees” means—

21 (A) the Committee on Foreign Affairs and
22 the Committee on the Judiciary of the House of
23 Representatives; and

1 (B) the Committee on Foreign Relations
2 and the Committee on the Judiciary of the Sen-
3 ate.

4 (b) FINDINGS.—Congress finds the following:

5 (1) The Hong Kong National Security Law pro-
6 mulgated on July 1, 2020—

7 (A) contravenes the Basic Law of the
8 Hong Kong Special Administrative Region (re-
9 ferred to in this Act as “the Basic Law”) that
10 provides in Article 23 that the Legislative
11 Council of Hong Kong shall enact legislation re-
12 lated to national security;

13 (B) violates the PRC’s commitments under
14 international law, as defined by the Joint Dec-
15 laration; and

16 (C) causes severe and irreparable damage
17 to the “one country, two systems” principle and
18 further erodes global confidence in the PRC’s
19 commitment to international law.

20 (2) On July 14, 2020, in response to the pro-
21 mulgation of the Hong Kong National Security Law,
22 President Trump signed an Executive order on
23 Hong Kong normalization that, among other policy
24 actions, suspended the special treatment of Hong

1 Kong persons under U.S. law with respect to the
2 issuance of immigrant and nonimmigrant visas.

3 (3) The United States has a long and proud
4 history as a destination for refugees and asylees flee-
5 ing persecution based on race, religion, nationality,
6 political opinion, or membership in a particular so-
7 cial group.

8 (4) The United States also shares deep social,
9 cultural, and economic ties with the people of Hong
10 Kong, including a shared commitment to democracy,
11 to the rule of law, and to the protection of human
12 rights.

13 (5) The United States has sheltered, protected,
14 and welcomed individuals who have fled authori-
15 tarian regimes, including citizens from the PRC fol-
16 lowing the violent June 4, 1989, crackdown in
17 Tiananmen Square, deepening ties between the peo-
18 ple of the United States and those individuals seek-
19 ing to contribute to a free, open society founded on
20 democracy, human rights, and the respect for the
21 rule of law.

22 (6) The United States has reaped enormous
23 economic, cultural, and strategic benefits from wel-
24 coming successive generations of scientists, doctors,
25 entrepreneurs, artists, intellectuals, and other free-

1 dom-loving people fleeing fascism, communism, vio-
2 lent Islamist extremism, and other repressive
3 ideologies, including in the cases of Nazi Germany,
4 the Soviet Union, and Soviet-controlled Central Eu-
5 rope, Cuba, Vietnam, and Iran.

6 (7) A major asymmetric advantage of the
7 United States in its long-term strategic competition
8 with the Communist Party of China is the ability of
9 people from every country in the world, irrespective
10 of their race, ethnicity, or religion, to immigrate to
11 the United States and become American citizens.

12 (c) STATEMENT OF POLICY.—It is the policy of the
13 United States—

14 (1) to reaffirm the principles and objectives set
15 forth in the United States-Hong Kong Policy Act of
16 1992 (Public Law 102–383), specifically that—

17 (A) the United States has “a strong inter-
18 est in the continued vitality, prosperity, and
19 stability of Hong Kong”;

20 (B) “support for democratization is a fun-
21 damental principle of United States foreign pol-
22 icy”, and therefore “naturally applies to United
23 States policy toward Hong Kong”;

24 (C) “the human rights of the people of
25 Hong Kong are of great importance to the

1 United States and are directly relevant to
2 United States interests in Hong Kong and
3 serve as a basis for Hong Kong’s continued eco-
4 nomic prosperity”; and

5 (D) Hong Kong must remain sufficiently
6 autonomous from the PRC to “justify treat-
7 ment under a particular law of the United
8 States, or any provision thereof, different from
9 that accorded the People’s Republic of China”;
10 (2) to continue to support the high degree of
11 autonomy and fundamental rights and freedoms of
12 the people of Hong Kong, as enumerated by—

13 (A) the Joint Declaration;

14 (B) the International Covenant on Civil
15 and Political Rights, done at New York, De-
16 cember 19, 1966; and

17 (C) the Universal Declaration of Human
18 Rights, done at Paris, December 10, 1948;

19 (3) to continue to support the democratic aspi-
20 rations of the people of Hong Kong, including the
21 “ultimate aim” of the selection of the Chief Execu-
22 tive and all members of the Legislative Council by
23 universal suffrage, as articulated in the Basic Law;

24 (4) to urge the Government of the PRC, despite
25 its recent actions, to uphold its commitments to

1 Hong Kong, including allowing the people of Hong
2 Kong to govern Hong Kong with a high degree of
3 autonomy and without undue interference, and en-
4 suring that Hong Kong voters freely enjoy the right
5 to elect the Chief Executive and all members of the
6 Hong Kong Legislative Council by universal suf-
7 frage;

8 (5) to support the establishment of a genuine
9 democratic option to freely and fairly nominate and
10 elect the Chief Executive of Hong Kong, and the es-
11 tablishment of open and direct democratic elections
12 for all members of the Hong Kong Legislative Coun-
13 cil;

14 (6) to support the robust exercise by residents
15 of Hong Kong of the rights to free speech, the press,
16 and other fundamental freedoms, as provided by the
17 Basic Law, the Joint Declaration, and the Inter-
18 national Covenant on Civil and Political Rights;

19 (7) to support freedom from arbitrary or unlaw-
20 ful arrest, detention, or imprisonment for all Hong
21 Kong residents, as provided by the Basic Law, the
22 Joint Declaration, and the International Covenant
23 on Civil and Political Rights;

24 (8) to draw international attention to any viola-
25 tions by the Government of the PRC of the funda-

1 mental rights of the people of Hong Kong, as pro-
2 vided by the International Covenant on Civil and Po-
3 litical Rights, and any encroachment upon the au-
4 tonomy guaranteed to Hong Kong by the Basic Law
5 and the Joint Declaration;

6 (9) to protect United States citizens and long-
7 term permanent residents living in Hong Kong, as
8 well as people visiting and transiting through Hong
9 Kong;

10 (10) to maintain the economic and cultural ties
11 that provide significant benefits to both the United
12 States and Hong Kong, including the reinstatement
13 of the Fulbright exchange program with regard to
14 Hong Kong at the earliest opportunity;

15 (11) to coordinate with allies, including the
16 United Kingdom, Australia, Canada, Japan, and the
17 Republic of Korea, to promote democracy and
18 human rights in Hong Kong; and

19 (12) to welcome and protect in the United
20 States residents of Hong Kong fleeing persecution or
21 otherwise seeking a safe haven from violations by
22 the Government of the PRC of the fundamental
23 rights of the people of Hong Kong.

24 (d) TEMPORARY PROTECTED STATUS FOR HONG
25 KONG RESIDENTS IN THE UNITED STATES.—

1 (1) DESIGNATION.—

2 (A) IN GENERAL.—For purposes of section
3 244 of the Immigration and Nationality Act (8
4 U.S.C. 1254a), Hong Kong shall be treated as
5 if it had been designated under subsection
6 (b)(1)(C) of such section, subject to the provi-
7 sions of this section.

8 (B) PERIOD OF DESIGNATION.—The initial
9 period of the designation referred to in sub-
10 paragraph (A) shall be for the 18-month period
11 beginning on the date of enactment of this Act.

12 (2) ALIENS ELIGIBLE.—As a result of the des-
13 ignation made under subsection (a), an alien is
14 deemed to satisfy the requirements under paragraph
15 (1) of section 244(c) of the Immigration and Nation-
16 ality Act (8 U.S.C. 1254a(c)), subject to paragraph
17 (3) of such section, if the alien—

18 (A) was a permanent resident of Hong
19 Kong at the time such individual arrived into
20 the United States and is a national of the PRC
21 (or in the case of an individual having no na-
22 tionality, is a person who last habitually resided
23 in Hong Kong);

1 (B) has been continuously physically
2 present in the United States since the date of
3 the enactment of this Act;

4 (C) is admissible as an immigrant, except
5 as otherwise provided in paragraph (2)(A) of
6 such section, and is not ineligible for temporary
7 protected status under paragraph (2)(B) of
8 such section; and

9 (D) registers for temporary protected sta-
10 tus in a manner established by the Secretary of
11 Homeland Security.

12 (3) CONSENT TO TRAVEL ABROAD.—

13 (A) IN GENERAL.—The Secretary of
14 Homeland Security shall give prior consent to
15 travel abroad, in accordance with section
16 244(f)(3) of the Immigration and Nationality
17 Act (8 U.S.C. 1254a(f)(3)), to an alien who is
18 granted temporary protected status pursuant to
19 the designation made under paragraph (1) if
20 the alien establishes to the satisfaction of the
21 Secretary of Homeland Security that emergency
22 and extenuating circumstances beyond the con-
23 trol of the alien require the alien to depart for
24 a brief, temporary trip abroad.

1 (B) TREATMENT UPON RETURN.—An alien
2 returning to the United States in accordance
3 with an authorization described in subpara-
4 graph (A) shall be treated as any other return-
5 ing alien provided temporary protected status
6 under section 244 of the Immigration and Na-
7 tionality Act (8 U.S.C. 1254a).

8 (4) FEE.—

9 (A) IN GENERAL.—In addition to any
10 other fee authorized by law, the Secretary of
11 Homeland Security is authorized to charge and
12 collect a fee of \$360 for each application for
13 temporary protected status under section 244
14 of the Immigration and Nationality Act by a
15 person who is only eligible for such status by
16 reason of paragraph (1).

17 (B) WAIVER.—The Secretary of Homeland
18 Security shall permit aliens to apply for a waiv-
19 er of any fees associated with filing an applica-
20 tion referred to in subparagraph (A).

21 (e) TREATMENT OF HONG KONG RESIDENTS FOR
22 IMMIGRATION PURPOSES.—Notwithstanding any other
23 provision of law, during the five fiscal year period begin-
24 ning on the first day of the first full fiscal year after the
25 date of enactment of this Act, Hong Kong shall continue

1 to be considered a foreign state separate and apart from
2 the PRC as mandated under section 103 of the Immigra-
3 tion and Nationality Act of 1990 (Public Law 101–649)
4 for purposes of the numerical limitations on immigrant
5 visas under sections 201, 202, and 203 of the Immigration
6 and Nationality Act (8 U.S.C. 1151, 1152, and 1153).

7 (f) VERIFICATION OF PRIORITY HONG KONG RESI-
8 DENTS.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of the enactment of this Act, the Sec-
11 retary of State, in consultation with the Secretary of
12 Homeland Security, shall publish in the Federal
13 Register, an interim final rule establishing proce-
14 dures for designation of Priority Hong Kong Resi-
15 dents. Notwithstanding section 553 of title 5, United
16 States Code, the rule shall be effective, on an in-
17 terim basis, immediately upon publication, but may
18 be subject to change and revision after public notice
19 and opportunity for comment. The Secretary of
20 State shall finalize such rule not later than one year
21 after the date of the enactment of this Act. Such
22 rule shall establish procedures—

23 (A) for individuals to register with any
24 United States embassy or consulate outside of
25 the United States, or with the Department of

1 Homeland Security in the United States, and
2 request designation as a Priority Hong Kong
3 Resident; and

4 (B) for the appropriate Secretary to verify
5 the residency of registered individuals and des-
6 ignate those who qualify as Priority Hong Kong
7 Residents.

8 (2) DOCUMENTATION.—The procedures de-
9 scribed in paragraph (1) shall include the collection
10 of—

11 (A) biometric data;

12 (B) copies of birth certificates, residency
13 cards, and other documentation establishing
14 residency; and

15 (C) other personal information, data, and
16 records deemed appropriate by the Secretary.

17 (3) GUIDANCE.—Not later than 90 days after
18 the date of the enactment of this Act, the Secretary
19 of State shall issue guidance outlining actions to en-
20 hance the ability of the Secretary to efficiently send
21 and receive information to and from the United
22 Kingdom and other like-minded allies and partners
23 for purposes of rapid verification of permanent resi-
24 dency in Hong Kong and designation of individuals
25 as Priority Hong Kong Residents.

1 (4) REPORT.—Not later than 90 days after the
2 date of the enactment of this Act, the Secretary of
3 State shall submit to the appropriate congressional
4 committees, the Committee on the Judiciary of the
5 House of Representatives, and the Committee on the
6 Judiciary of the Senate a report detailing plans to
7 implement the requirements described in this sub-
8 section.

9 (5) PROTECTION FOR REFUGEES.—Nothing in
10 this section may be construed to prevent a Priority
11 Hong Kong Resident from seeking refugee status
12 under section 207 of the Immigration and Nation-
13 ality Act (8 U.S.C. 1157) or requesting asylum
14 under section 208 of such Act (8 U.S.C. 1158).

15 (g) REPORTING REQUIREMENTS.—

16 (1) IN GENERAL.—On an annual basis, the Sec-
17 retary of State and the Secretary of Homeland Secu-
18 rity, in consultation with other Federal agencies, as
19 appropriate, shall submit to the appropriate congress-
20 sional committees, the Committee on the Judiciary
21 of the House of Representatives, and the Committee
22 on the Judiciary of the Senate a report detailing for
23 the previous fiscal year—

24 (A) the number of Hong Kong SAR resi-
25 dents who have applied for United States visas

1 or immigration benefits, disaggregated by visa
2 type or immigration benefit, including asylum,
3 refugee status, temporary protected status, and
4 lawful permanent residence;

5 (B) the number of approvals, denials, or
6 rejections of applicants for visas or immigration
7 benefits described in subparagraph (A),
8 disaggregated by visa type or immigration ben-
9 efit and basis for denial;

10 (C) the number of pending refugee and
11 asylum applications for Hong Kong SAR resi-
12 dents, and the length of time and reason for
13 which such applications have been pending; and

14 (D) other matters determined relevant by
15 the Secretaries relating to efforts to protect and
16 facilitate the resettlement of refugees and vic-
17 tims of persecution in Hong Kong.

18 (2) FORM.—Each report under paragraph (1)
19 shall be submitted in unclassified form and pub-
20 lished on a text-searchable, publicly available website
21 of the Department of State and the Department of
22 Homeland Security.

23 (h) STRATEGY FOR INTERNATIONAL COOPERATION
24 ON HONG KONG.—

1 (1) IN GENERAL.—It is the policy of the United
2 States—

3 (A) to support the people of Hong Kong by
4 providing safe haven to Hong Kong SAR resi-
5 dents who are nationals of the PRC following
6 the enactment of the Hong Kong National Se-
7 curity Law that places certain Hong Kong per-
8 sons at risk of persecution; and

9 (B) to encourage like-minded nations to
10 make similar accommodations for Hong Kong
11 people fleeing persecution by the Government of
12 the PRC.

13 (2) PLAN.—The Secretary of State, in consulta-
14 tion with the heads of other Federal agencies, as ap-
15 propriate, shall develop a plan to engage with other
16 countries, including the United Kingdom, on cooper-
17 ative efforts to—

18 (A) provide refugee and asylum protections
19 for victims of, and individuals with a fear of,
20 persecution in Hong Kong, either by Hong
21 Kong authorities or other authorities acting on
22 behalf of the PRC;

23 (B) enhance protocols to facilitate the re-
24 settlement of refugees and displaced persons
25 from Hong Kong;

1 (C) identify and prevent the exploitation of
2 immigration and visa policies and procedures by
3 corrupt officials; and

4 (D) expedite the sharing of information, as
5 appropriate, related to the refusal of individual
6 applications for visas or other travel documents
7 submitted by residents of the Hong Kong SAR
8 based on—

9 (i) national security or related
10 grounds under section 212(a)(3) of the Im-
11 migration and Nationality Act (8 U.S.C.
12 1182(a)(3)); or

13 (ii) fraud or misrepresentation under
14 section 212(a)(6)(C) of the Immigration
15 and Nationality Act (8 U.S.C.
16 1182(a)(6)(C)).

17 (3) REPORT.—Not later than 90 days after the
18 date of the enactment of this Act, the Secretary of
19 State, in consultation with the heads of other Fed-
20 eral agencies, as appropriate, shall submit to the ap-
21 propriate congressional committees, the Committee
22 on the Judiciary of the House of Representatives,
23 and the Committee on the Judiciary of the Senate
24 a report on the plan described in paragraph (2).

1 (i) REFUGEE STATUS FOR CERTAIN RESIDENTS OF
2 HONG KONG.—

3 (1) IN GENERAL.—Aliens described in para-
4 graph (2) may establish, for purposes of admission
5 as a refugee under sections 207 of the Immigration
6 and Nationality Act (8 U.S.C. 1157) or asylum
7 under section 208 of such Act (8 U.S.C. 1158), that
8 such alien has a well-founded fear of persecution on
9 account of race, religion, nationality, membership in
10 a particular social group, or political opinion by as-
11 serting such a fear and a credible basis for concern
12 about the possibility of such persecution.

13 (2) ALIENS DESCRIBED.—

14 (A) IN GENERAL.—An alien is described in
15 this subsection if such alien—

16 (i) is a Priority Hong Kong Resident
17 and—

18 (I) had a significant role in a
19 civil society organization supportive of
20 the protests in 2019 and 2020 related
21 to the Hong Kong National Security
22 Law and the encroachment on the au-
23 tonomy of Hong Kong by the PRC;

24 (II) was arrested, charged, de-
25 tained, or convicted of an offense aris-

1 ing from their participation in an ac-
2 tion as described in section 206(b)(2)
3 of the United States-Hong Kong Pol-
4 icy Act of 1992 (22 U.S.C.
5 5726(b)(2)) that was not violent in
6 nature; or

7 (III) has had their citizenship,
8 nationality, or residency revoked for
9 having submitted to any United
10 States Government agency a nonfrivo-
11 lous application for refugee status,
12 asylum, or any other immigration ben-
13 efit under the immigration laws (as
14 defined in section 101(a) of the Immi-
15 gration and Nationality Act (8 U.S.C.
16 1101(a)));

17 (ii) is a Priority Hong Kong Resident
18 spouse or child of an alien described in
19 clause (i); or

20 (iii) is the parent of an alien described
21 in clause (i), if such parent is a citizen of
22 the PRC and no other foreign state.

23 (B) OTHER CATEGORIES.—The Secretary
24 of Homeland Security, in consultation with the
25 Secretary of State, may designate other cat-

1 egories of aliens for purposes of establishing a
2 well-founded fear of persecution under para-
3 graph (1) if such aliens share common charac-
4 teristics that identify them as targets of perse-
5 cution in the PRC on account of race, religion,
6 nationality, membership in a particular social
7 group, or political opinion.

8 (C) SIGNIFICANT ROLE.—For purposes of
9 subclause (I) of paragraph (2)(A)(i), a signifi-
10 cant role shall include, with respect to the pro-
11 tests described in such clause—

12 (i) an organizing role;

13 (ii) a first aid responder;

14 (iii) a journalist or member of the
15 media covering or offering public com-
16 mentary;

17 (iv) a provider of legal services to one
18 or more individuals arrested for partici-
19 pating in such protests; or

20 (v) a participant who during the pe-
21 riod beginning on June 9, 2019, and end-
22 ing on June 30, 2020, was arrested,
23 charged, detained, or convicted as a result
24 of such participation.

1 (3) AGE OUT PROTECTIONS.—For purposes of
2 this subsection, a determination of whether an alien
3 is a child shall be made using the age of the alien
4 on the date an application for refugee or asylum sta-
5 tus in which the alien is a named beneficiary is filed
6 with the Secretary of Homeland Security.

7 (4) EXCLUSION FROM NUMERICAL LIMITA-
8 TIONS.—Aliens provided refugee status under this
9 subsection shall not be counted against the numer-
10 ical limitation on refugees established in accordance
11 with the procedures described in section 207 of the
12 Immigration and Nationality Act (8 U.S.C. 1157).

13 (5) REPORTING REQUIREMENTS.—

14 (A) IN GENERAL.—Not later than 90 days
15 after the date of the enactment of this Act and
16 every 90 days thereafter, the Secretary of State
17 and the Secretary of Homeland Security shall
18 submit to the appropriate congressional com-
19 mittees, the Committee on the Judiciary of the
20 House of Representatives, and the Committee
21 on the Judiciary of the Senate a report on the
22 matters described in subparagraph (B).

23 (B) MATTERS TO BE INCLUDED.—Each
24 report required by subparagraph (A) shall in-

1 clude, with respect to applications submitted
2 under this section—

3 (i) the total number of refugee and
4 asylum applications that are pending at
5 the end of the reporting period;

6 (ii) the average wait-times for all ap-
7 plicants for refugee status or asylum pend-
8 ing—

9 (I) a prescreening interview with
10 a resettlement support center;

11 (II) an interview with United
12 States Citizenship and Immigration
13 Services; and

14 (III) the completion of security
15 checks;

16 (iii) the number of approvals, referrals
17 including the source of the referral, denials
18 of applications for refugee status or asy-
19 lum, disaggregated by the reason for each
20 such denial; and

21 (iv) the number of refugee circuit
22 rides to interview populations that would
23 include Hong Kong SAR completed in the
24 last 90 days, and the number planned for
25 the subsequent 90-day period.

1 (C) FORM.—Each report required by sub-
2 paragraph (A) shall be submitted in unclassi-
3 fied form, but may include a classified annex.

4 (D) PUBLIC REPORTS.—The Secretary of
5 State shall make each report submitted under
6 this paragraph available to the public on the
7 internet website of the Department of State.

8 (j) ADMISSION FOR CERTAIN HIGHLY SKILLED
9 HONG KONG RESIDENTS.—

10 (1) IN GENERAL.—Subject to subsection (c),
11 the Secretary of Homeland Security, or, notwith-
12 standing any other provision of law, the Secretary of
13 State in consultation with the Secretary of Home-
14 land Security, may provide an alien described in sub-
15 section (b) with the status of a special immigrant
16 under section 101(a)(27) of the Immigration and
17 Nationality Act (8 U.S.C. 1101(a)(27)), if the
18 alien—

19 (A) or an agent acting on behalf of the
20 alien, submits a petition for classification under
21 section 203(b)(4) of such Act (8 U.S.C.
22 1153(b)(4));

23 (B) is otherwise eligible to receive an im-
24 migrant visa;

1 (C) is otherwise admissible to the United
2 States for permanent residence (excluding the
3 grounds for inadmissibility specified in section
4 212(a)(4) of such Act (8 U.S.C. (a)(4)); and

5 (D) clears a background check and appro-
6 priate screening, as determined by the Sec-
7 retary of Homeland Security.

8 (2) ALIENS DESCRIBED.—

9 (A) PRINCIPAL ALIENS.—An alien is de-
10 scribed in this subsection if—

11 (i) the alien—

12 (I) is a Priority Hong Kong Resi-
13 dent; and

14 (II) has earned a bachelor's or
15 higher degree from an institution of
16 higher education; and

17 (ii) the Secretary of Homeland Secu-
18 rity determines that such alien's relocation
19 to the United States would provide a sig-
20 nificant benefit to the United States.

21 (B) SPOUSES AND CHILDREN.—An alien is
22 described in this subsection if the alien is the
23 spouse or child of a principal alien described in
24 paragraph (1).

25 (3) NUMERICAL LIMITATIONS.—

1 (A) IN GENERAL.—The total number of
2 principal aliens who may be provided special
3 immigrant status under this section may not
4 exceed 5,000 per year for each of the five fiscal
5 years beginning after the date of the enactment
6 of this Act. The Secretary of Homeland Secu-
7 rity may, in consultation with the Secretary of
8 State, prioritize the issuance of visas to individ-
9 uals with a bachelor’s or higher degree in
10 science, technology, engineering, mathematics,
11 medicine, or health care.

12 (B) EXCLUSION FROM NUMERICAL LIMITA-
13 TIONS.—Aliens provided immigrant status
14 under this section shall not be counted against
15 any numerical limitation under section 201,
16 202, 203, or 207 of the Immigration and Na-
17 tionality Act (8 U.S.C. 1151, 1152, 1153, and
18 1157).

19 (4) ELIGIBILITY FOR ADMISSION UNDER OTHER
20 CLASSIFICATION.—No alien shall be denied the op-
21 portunity to apply for admission under this section
22 solely because such alien qualifies as an immediate
23 relative or is eligible for any other immigrant classi-
24 fication.

1 (5) TIMELINE FOR PROCESSING APPLICA-
2 TIONS.—

3 (A) IN GENERAL.—The Secretary of State
4 and the Secretary of Homeland Security shall
5 ensure that all steps under the control of the
6 United States Government incidental to the ap-
7 proval of such applications, including required
8 screenings and background checks, are com-
9 pleted not later than one year after the date on
10 which an eligible applicant submits an applica-
11 tion under subsection (a).

12 (B) EXCEPTION.—Notwithstanding para-
13 graph (1), the relevant Federal agencies may
14 take additional time to process applications de-
15 scribed in paragraph (1) if satisfaction of na-
16 tional security concerns requires such additional
17 time, provided that the Secretary of Homeland
18 Security, or the designee of the Secretary, has
19 determined that the applicant meets the re-
20 quirements for status as a special immigrant
21 under this section and has so notified the appli-
22 cant.

23 (k) TERMINATION.—Except as provided in section 6
24 of this Act, this section shall cease to have effect on the

1 date that is five years after the date of the enactment of
2 this Act.

3 **SEC. 304. EXPORT PROHIBITION OF MUNITIONS ITEMS TO**
4 **THE HONG KONG POLICE FORCE.**

5 Section 3 of the Act entitled “An Act to prohibit the
6 commercial export of covered munitions items to the Hong
7 Kong Police Force”, approved November 27, 2019 (Public
8 Law 116–77; 133 Stat. 1173), is amended by striking “on
9 December 31, 2021.” and inserting the following: “on the
10 date on which the President certifies to the appropriate
11 congressional committees that—

12 “(1) the Secretary of State has, on or after the
13 date of the enactment of this paragraph, certified
14 under section 205 of the United States-Hong Kong
15 Policy Act of 1992 that Hong Kong warrants treat-
16 ment under United States law in the same manner
17 as United States laws were applied to Hong Kong
18 before July 1, 1997;

19 “(2) the Hong Kong Police have not engaged in
20 gross violations of human rights during the 1-year
21 period ending on the date of such certification; and

22 “(3) there has been an independent examina-
23 tion of human rights concerns related to the crowd
24 control tactics of the Hong Kong Police and the
25 Government of the Hong Kong Special Administra-

1 tive Region has adequately addressed those con-
2 cerns.”.

3 **SEC. 305. SENSE OF CONGRESS ON TREATMENT OF**
4 **UYGHURS AND OTHER ETHNIC MINORITIES**
5 **IN THE XINJIANG UYGHUR AUTONOMOUS RE-**
6 **GION.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) The Uyghurs are one of several predomi-
10 nantly Muslim Turkic groups living in the Xinjiang
11 Uyghur Autonomous Region (XUAR) in the north-
12 west of the People’s Republic of China (PRC).

13 (2) Following Uyghur demonstrations and un-
14 rest in 2009 and clashes with government security
15 personnel and other violent incidents in subsequent
16 years, PRC leaders sought to “stabilize” the XUAR
17 through large-scale arrests and extreme security
18 measures, under the pretext of combatting alleged
19 terrorism, religious extremism, and ethnic sepa-
20 ratism.

21 (3) In May 2014, the PRC launched its “Strike
22 Hard Against Violent Extremism” campaign, which
23 placed further restrictions on and facilitated addi-
24 tional human rights violations against minorities in
25 the XUAR under the pretext of fighting terrorism.

1 (4) In August 2016, Chinese Communist Party
2 (CCP) Politburo member Chen Quanguo, former
3 Tibet Autonomous Region (TAR) Party Secretary,
4 known for overseeing intensifying security operations
5 and human rights abuses in the TAR, was appointed
6 as Party Secretary of the XUAR.

7 (5) Beginning in 2017, XUAR authorities have
8 sought to forcibly “assimilate” Uyghurs and other
9 Turkic minorities into Chinese society through a pol-
10 icy of cultural erasure known as “Sinicization”.

11 (6) Since 2018, credible reporting including
12 from the BBC, France24, and the New York Times
13 has shown that the Government of the PRC has
14 built mass internment camps in the XUAR, which it
15 calls “vocational training” centers, and detained
16 Uyghurs and other groups in them and other facili-
17 ties.

18 (7) Since 2015, XUAR authorities have arbi-
19 trarily detained an estimated 1,500,000 Uyghurs—
20 12.5 percent of the XUAR’s official Uyghur popu-
21 lation of 12,000,000—and a smaller number of
22 other ethnic minorities in the “vocational training”
23 centers and other detention and pre-detention facili-
24 ties.

1 (8) In 2017, the XUAR accounted for less than
2 two percent of the PRC's total population but 21
3 percent of all arrests in China.

4 (9) The Atlantic, Radio Free Asia, and other
5 sources have revealed that detainees are forced to re-
6 nounce many of their Islamic beliefs and customs
7 and repudiate Uyghur culture, language, and iden-
8 tity.

9 (10) Investigations by Human Rights Watch
10 and other human rights organizations have docu-
11 mented how detainees are subject to political indoc-
12 trination, forced labor, crowded and unsanitary con-
13 ditions, involuntary biometric data collection, both
14 medical neglect and intrusive medical interventions,
15 food and water deprivation, beatings, sexual violence,
16 and torture.

17 (11) Research by the Australian Strategic Pol-
18 icy Institute suggests that, since late 2019, many
19 detainees have been placed in higher security facili-
20 ties and convicted of formal crimes.

21 (12) Human Rights Watch has reported that
22 the PRC uses data collection programs, including fa-
23 cial recognition technology, to surveil Uyghurs in the
24 XUAR and to identify individuals whom authorities
25 may detain.

1 (13) PRC authorities have placed countless
2 children whose parents are detained or in exile in
3 state-run institutions and boarding schools without
4 the consent of their parents.

5 (14) New York Times reporting revealed that
6 numerous local PRC officials who did not agree with
7 the policies carried out in XUAR have been fired
8 and imprisoned.

9 (15) Associated Press reporting documented
10 widespread and systemic efforts by PRC authorities
11 to force Uyghur women to take contraceptives or to
12 subject them to sterilization or abortion, threatening
13 to detain those who do not comply.

14 (16) PRC authorities prohibit family members
15 and advocates inside and outside China from having
16 regular communications with relatives and friends
17 imprisoned in the XUAR, such as journalist and en-
18 trepreneur Ekpar Asat.

19 (17) PRC authorities have imposed pervasive
20 restrictions on the peaceful practice of Islam in the
21 XUAR, to the extent that Human Rights Watch as-
22 serts the PRC “has effectively outlawed the practice
23 of Islam”.

24 (18) Individuals who are not detained in camps
25 have been forced to attend political indoctrination

1 sessions, subjected to movement restrictions, mass
2 surveillance systems, involuntary biometric data col-
3 lection, and other human rights abuses.

4 (19) International media, nongovernmental or-
5 ganizations, scholars, families, and survivors have
6 reported on the systemic nature of many of these
7 abuses.

8 (20) On June 26, 2020, a group of 50 inde-
9 pendent United Nations experts jointly expressed
10 alarm over China’s deteriorating human rights
11 record, including its repression in Xinjiang, and
12 called on the international community “to act collec-
13 tively and decisively to ensure China respects human
14 rights and abides by its international obligations”.

15 (21) On October 6, 2020, 39 United Nations
16 member countries issued a public statement con-
17 demning human rights violations by PRC authorities
18 and calling on the PRC to allow the United Nations
19 High Commissioner for Human Rights unfettered
20 access to Xinjiang.

21 (22) The United States Congress passed the
22 Uyghur Human Rights Policy Act of 2020 (Public
23 Law 116–145).

24 (23) The United States Congress passed the
25 Global Magnitsky Human Rights Accountability Act

1 (subtitle F of title XII of Public Law 114–328; 22
2 U.S.C. 2656 note), which has been used to sanction
3 PRC officials and entities for their activities in the
4 XUAR.

5 (24) The United States Government has imple-
6 mented additional targeted restrictions on trade with
7 Xinjiang and imposed visa and economic sanctions
8 on PRC officials and entities for their activities in
9 the XUAR.

10 (25) The United States Government has docu-
11 mented human rights abuses and violations of indi-
12 vidual freedoms in the XUAR, including in the 2019
13 Department of State Report on International Reli-
14 gious Freedom.

15 (26) On January 19, 2021, during his con-
16 firmation hearing, Secretary of State Antony
17 Blinken testified that “forcing men, women, and
18 children into concentration camps, trying to in effect
19 reeducate them to be adherents to the Chinese Com-
20 munist Party—all of that speaks to an effort to
21 commit genocide”.

22 (27) On January 19, 2021, Secretary of the
23 Treasury Janet L. Yellen, during her confirmation
24 hearing, publicly stated that China is guilty of “hor-
25 rendous human rights abuses”.

1 (28) On January 27, 2021, in response to a
2 question from the press regarding the Uyghurs, Sec-
3 retary Blinken stated that his “judgement remains
4 that genocide was committed against the Uyghurs”.

5 (29) On March 10, 2021, in response to a ques-
6 tion on Xinjiang during his testimony before the
7 Committee on Foreign Affairs of the House of Rep-
8 resentatives, Secretary Blinken reiterated, “We’ve
9 been clear, and I’ve been clear, that I see it as geno-
10 cide, other egregious abuses of human rights, and
11 we’ll continue to make that clear.”.

12 (30) The 2020 Department of State Country
13 Reports on Human Rights Practices: China states
14 that “[g]enocide and crimes against humanity oc-
15 curred during the year against the predominantly
16 Muslim Uyghurs and other ethnic and religious mi-
17 nority groups in Xinjiang”.

18 (b) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that—

20 (1) the atrocities committed by the PRC
21 against Uyghurs and other predominantly Muslim
22 Turkic groups in Xinjiang, including forced labor,
23 sexual violence, the internment of over 1,000,000 in-
24 dividuals, and other horrific abuses must be con-
25 demned;

1 (2) the President, the Secretary of State, and
2 the United States Ambassador to the United Na-
3 tions should speak publicly about the ongoing
4 human rights abuses in the XUAR, including in for-
5 mal speeches at the United Nations and other inter-
6 national fora;

7 (3) the President, the Secretary of State, and
8 the United States Ambassador to the United Na-
9 tions should appeal to the United Nations Secretary-
10 General to take a more proactive and public stance
11 on the situation in the XUAR, including by sup-
12 porting calls for an investigation and accountability
13 for individuals and entities involved in abuses
14 against the people of the XUAR;

15 (4) the United States should continue to use
16 targeted sanctions and all diplomatic tools available
17 to hold those responsible for the atrocities in
18 Xinjiang to account;

19 (5) United States agencies engaged with China
20 on trade, climate, defense, or other bilateral issues
21 should include human rights abuses in the XUAR as
22 a consideration in developing United States policy;

23 (6) the United States supports Radio Free Asia
24 Uyghur, the only Uyghur-language news service in

1 the world independent of Chinese government influ-
2 ence; and

3 (7) the United States recognizes the repeated
4 requests from the United Nations High Commis-
5 sioner for Human Rights for unfettered access to
6 the XUAR and the PRC's refusal to comply, and
7 therefore—

8 (A) PRC authorities must allow unfettered
9 access by the United Nations Office of the High
10 Commissioner for Human Rights to the XUAR;

11 (B) the United States should urge collabo-
12 rative action between the United States Govern-
13 ment and international partners to pressure
14 PRC authorities to allow unfettered access to
15 the XUAR;

16 (C) the President, the Secretary of State,
17 and the United States Ambassador to the
18 United Nations should simultaneously outline a
19 strategy to investigate the human rights abuses
20 and crimes that have taken place in the XUAR,
21 collect evidence, and transfer the evidence to a
22 competent court; and

23 (D) United States partners and allies
24 should undertake similar strategies in an effort
25 to build an international investigation outside of

1 the PRC if PRC authorities do not comply with
2 a United Nations investigation in the XUAR.

3 **SEC. 306. PREVENTION OF UYGHUR FORCED LABOR.**

4 (a) STATEMENT OF POLICY.—It is the policy of the
5 United States—

6 (1) to prohibit the import of all goods, wares,
7 articles, or merchandise mined, produced, or manu-
8 factured, wholly or in part, by forced labor from the
9 People’s Republic of China and particularly any such
10 goods, wares, articles, or merchandise produced in
11 the Xinjiang Uyghur Autonomous Region (commonly
12 referred to as “Xinjiang” or “XUAR”) of China;

13 (2) to encourage the international community
14 to reduce the import of any goods made with forced
15 labor from the People’s Republic of China, particu-
16 larly goods mined, manufactured, or produced in the
17 XUAR;

18 (3) to coordinate with Mexico and Canada to ef-
19 fectively implement Article 23.6 of the United
20 States-Mexico-Canada Agreement to prohibit the im-
21 portation of goods produced in whole or in part by
22 forced or compulsory labor, which includes goods
23 produced in whole or in part by forced or compul-
24 sory labor in the People’s Republic of China;

1 (4) to actively work to prevent, publicly de-
2 nounce, and end human trafficking as a horrific as-
3 sault on human dignity and to restore the lives of
4 those affected by human trafficking, a modern form
5 of slavery;

6 (5) to regard the prevention of atrocities as in
7 its national interest, including efforts to prevent tor-
8 ture, enforced disappearances, severe deprivation of
9 liberty, including mass internment, arbitrary deten-
10 tion, and widespread and systematic use of forced
11 labor, and persecution targeting any identifiable eth-
12 nic or religious group; and

13 (6) to address gross violations of human rights
14 in the XUAR through bilateral diplomatic channels
15 and multilateral institutions where both the United
16 States and the People's Republic of China are mem-
17 bers and with all the authorities available to the
18 United States Government, including visa and finan-
19 cial sanctions, export restrictions, and import con-
20 trols.

21 (b) PROHIBITION ON IMPORTATION OF GOODS MADE
22 IN THE XUAR.—

23 (1) IN GENERAL.—Except as provided in para-
24 graph (2), all goods, wares, articles, and merchan-
25 dise mined, produced, or manufactured wholly or in

1 part in the XUAR of China, or by persons working
2 with the XUAR government for purposes of the
3 “poverty alleviation” program or the “pairing-assist-
4 ance” program which subsidizes the establishment of
5 manufacturing facilities in the XUAR, shall be
6 deemed to be goods, wares, articles, and merchan-
7 dise described in section 307 of the Tariff Act of
8 1930 (19 U.S.C. 1307) and shall not be entitled to
9 entry at any of the ports of the United States.

10 (2) EXCEPTION.—The prohibition described in
11 paragraph (1) shall not apply if the Commissioner of
12 U.S. Customs and Border Protection—

13 (A) determines, by clear and convincing
14 evidence, that any specific goods, wares, arti-
15 cles, or merchandise described in paragraph (1)
16 were not produced wholly or in part by convict
17 labor, forced labor, or indentured labor under
18 penal sanctions; and

19 (B) submits to the appropriate congres-
20 sional committees and makes available to the
21 public a report that contains such determina-
22 tion.

23 (3) EFFECTIVE DATE.—This section shall take
24 effect on the date that is 120 days after the date of
25 the enactment of this Act.

1 (c) ENFORCEMENT STRATEGY TO ADDRESS FORCED
2 LABOR IN THE XUAR.—

3 (1) IN GENERAL.—Not later than 120 days
4 after the date of the enactment of this Act, the
5 Forced Labor Enforcement Task Force, established
6 under section 741 of the United States-Mexico-Can-
7 ada Agreement Implementation Act (19 U.S.C.
8 4681), shall submit to the appropriate congressional
9 committees a report that contains an enforcement
10 strategy to effectively address forced labor in the
11 XUAR of China or products made by Uyghurs,
12 Kazakhs, Kyrgyz, Tibetans, or members of other
13 persecuted groups through forced labor in any other
14 part of the People’s Republic of China. The enforce-
15 ment strategy shall describe the specific enforcement
16 plans of the United States Government regarding—

17 (A) goods, wares, articles, and merchandise
18 described in subsection (b)(1) that are imported
19 into the United States directly from the XUAR
20 or made by Uyghurs, Kazakhs, Kyrgyz, Tibet-
21 ans, or members of other persecuted groups in
22 any other part of the People’s Republic of
23 China;

24 (B) goods, wares, articles, and merchan-
25 dise described in subsection (b)(1) that are im-

1 ported into the United States from the People’s
2 Republic of China and are mined, produced, or
3 manufactured in part in the XUAR or by per-
4 sons working with the XUAR government or
5 the Xinjiang Production and Construction
6 Corps for purposes of the “poverty alleviation”
7 program or the “pairing-assistance” program;
8 and

9 (C) goods, wares, articles, and merchandise
10 described in subsection (b)(1) that are imported
11 into the United States from third countries and
12 are mined, produced, or manufactured in part
13 in the XUAR or by persons working with the
14 XUAR government or the Xinjiang Production
15 and Construction Corps for purposes of the
16 “poverty alleviation” program or the “pairing-
17 assistance” program.

18 (2) MATTERS TO BE INCLUDED.—The strategy
19 required by paragraph (1) shall include the fol-
20 lowing:

21 (A) A description of the actions taken by
22 the United States Government to address
23 forced labor in the XUAR under section 307 of
24 the Tariff Act of 1930 (19 U.S.C. 1307), in-

1 including a description of all Withhold Release
2 Orders issued, goods detained, and fines issued.

3 (B) A list of products made wholly or in
4 part by forced or involuntary labor in the
5 XUAR or made by Uyghurs, Kazakhs, Kyrgyz,
6 Tibetans, or members of other persecuted
7 groups in any other part of the People's Repub-
8 lic of China, and a list of businesses that sold
9 products in the United States made wholly or
10 in part by forced or involuntary labor in the
11 XUAR or made by Uyghurs, Kazakhs, Kyrgyz,
12 Tibetans, or members of other persecuted
13 groups in any other part of the People's Repub-
14 lic of China.

15 (C) A list of facilities and entities, includ-
16 ing the Xinjiang Production and Construction
17 Corps, that source material from the XUAR or
18 by persons working with the XUAR government
19 or the Xinjiang Production and Construction
20 Corps for purposes of the "poverty alleviation"
21 program or the "pairing-assistance" program, a
22 plan for identifying additional such facilities
23 and entities, and facility- and entity-specific en-
24 forcement plans, including issuing specific
25 Withhold Release Orders to support enforce-

1 ment of subsection (b), with regard to each list-
2 ed facility or entity.

3 (D) A list of high-priority sectors for en-
4 forcement, including cotton, tomatoes,
5 polysilicon, and a sector-specific enforcement
6 plan for each high-priority sector.

7 (E) A description of the additional re-
8 sources necessary for U.S. Customs and Border
9 Protection to effectively implement the enforce-
10 ment strategy.

11 (F) A plan to coordinate and collaborate
12 with appropriate nongovernmental organizations
13 and private sector entities to discuss the en-
14 forcement strategy for products made in the
15 XUAR.

16 (3) FORM.—The report required by paragraph
17 (1) shall be submitted in unclassified form, but may
18 include a classified annex, if necessary.

19 (4) UPDATES.—The Forced Labor Enforcement
20 Task Force shall provide briefings to the appropriate
21 congressional committees on a quarterly basis and,
22 as applicable, on any updates to the strategy re-
23 quired by paragraph (1) or any additional actions
24 taken to address forced labor in the XUAR, includ-
25 ing actions described in this section.

1 (5) SUNSET.—This section shall cease to have
2 effect on the earlier of—

3 (A) the date that is eight years after the
4 date of the enactment of this Act; or

5 (B) the date on which the President sub-
6 mits to the appropriate congressional commit-
7 tees a determination that the Government of
8 the People’s Republic of China has ended mass
9 internment, forced labor, and any other gross
10 violations of human rights experienced by
11 Uyghurs, Kazakhs, Kyrgyz, and members of
12 other Muslim minority groups in the XUAR.

13 (d) DETERMINATION RELATING TO CRIMES AGAINST
14 HUMANITY OR GENOCIDE IN THE XUAR.—

15 (1) IN GENERAL.—Not later than 90 days after
16 the date of the enactment of this Act, the Secretary
17 of State shall—

18 (A) determine if the practice of forced
19 labor or other crimes against Uyghurs,
20 Kazakhs, Kyrgyz, and members of other Mus-
21 lim minority groups in the XUAR of China can
22 be considered systematic and widespread and
23 therefore constitutes crimes against humanity
24 or constitutes genocide as defined in subsection

1 (a) of section 1091 of title 18, United States
2 Code; and

3 (B) submit to the appropriate congress-
4 sional committees and make available to the
5 public a report that contains such determina-
6 tion.

7 (2) FORM.—The report required by paragraph
8 (1)—

9 (A) shall be submitted in unclassified form
10 but may include a classified annex, if necessary;
11 and

12 (B) may be included in the report required
13 by subsection (e).

14 (e) DIPLOMATIC STRATEGY TO ADDRESS FORCED
15 LABOR IN THE XUAR.—

16 (1) IN GENERAL.—Not later than 90 days after
17 the date of the enactment of this Act, the Secretary
18 of State, in coordination with the heads of other ap-
19 propriate Federal departments and agencies, shall
20 submit to the appropriate congressional committees
21 a report that contains a United States strategy to
22 promote initiatives to enhance international aware-
23 ness of and to address forced labor in the XUAR of
24 China.

1 (2) MATTERS TO BE INCLUDED.—The strategy
2 required by paragraph (1) shall include—

3 (A) a plan to enhance bilateral and multi-
4 lateral coordination, including sustained en-
5 gagement with the governments of United
6 States partners and allies, to end forced labor
7 of Uyghurs, Kazakhs, Kyrgyz, and members of
8 other Muslim minority groups in the XUAR;

9 (B) public affairs, public diplomacy, and
10 counter-messaging efforts to promote awareness
11 of the human rights situation, including forced
12 labor in the XUAR; and

13 (C) opportunities to coordinate and col-
14 laborate with appropriate nongovernmental or-
15 ganizations and private sector entities to raise
16 awareness about forced labor made products
17 from the XUAR and to provide assistance to
18 Uyghurs, Kazakhs, Kyrgyz, and members of
19 other Muslim minority groups in the XUAR, in-
20 cluding those formerly detained in mass intern-
21 ment camps in the region.

22 (3) ADDITIONAL MATTERS TO BE INCLUDED.—
23 The report required by paragraph (1) shall also in-
24 clude—

25 (A) to the extent practicable, a list of—

1 (i) entities in the People’s Republic of
2 China or affiliates of such entities that di-
3 rectly or indirectly use forced or involun-
4 tary labor in the XUAR; and

5 (ii) foreign persons that acted as
6 agents of the entities or affiliates of enti-
7 ties described in clause (i) to import goods
8 into the United States; and

9 (B) a description of actions taken by the
10 United States Government to address forced
11 labor in the XUAR under existing authorities,
12 including—

13 (i) the Trafficking Victims Protection
14 Act of 2000 (Public Law 106–386; 22
15 U.S.C. 7101 et seq.);

16 (ii) the Elie Wiesel Genocide and
17 Atrocities Prevention Act of 2018 (Public
18 Law 115–441; 22 U.S.C. 2656 note); and

19 (iii) the Global Magnitsky Human
20 Rights Accountability Act (22 U.S.C. 2656
21 note).

22 (4) FORM.—The report required by paragraph
23 (1) shall be submitted in unclassified form, but may
24 include a classified annex, if necessary.

1 (5) UPDATES.—The Secretary of State shall in-
2 clude any updates to the strategy required by para-
3 graph (1) in the annual Trafficking in Persons re-
4 port required by section 110(b) of the Trafficking
5 Victims Protection Act of 2000 (22 U.S.C. 7107(b)).

6 (6) SUNSET.—This section shall cease to have
7 effect the earlier of—

8 (A) the date that is eight years after the
9 date of the enactment of this Act; or

10 (B) the date on which the President sub-
11 mits to the appropriate congressional commit-
12 tees a determination that the Government of
13 the People’s Republic of China has ended mass
14 internment, forced labor, and any other gross
15 violations of human rights experienced by
16 Uyghurs, Kazakhs, Kyrgyz, and members of
17 other Muslim minority groups in the XUAR.

18 (f) IMPOSITION OF SANCTIONS RELATING TO
19 FORCED LABOR IN THE XINJIANG UYGHUR AUTONOMOUS
20 REGION.—

21 (1) REPORT REQUIRED.—

22 (A) IN GENERAL.—Not later than 180
23 days after the date of the enactment of this Act
24 and not less frequently than annually there-
25 after, the President shall submit to the appro-

1 p r i a t e c o n g r e s s i o n a l c o m m i t t e e s a r e p o r t t h a t
2 i d e n t i f i e s e a c h f o r e i g n p e r s o n , i n c l u d i n g a n y o f -
3 f i c i a l o f t h e G o v e r n m e n t o f t h e P e o p l e ' s R e p u b -
4 l i c o f C h i n a , t h a t t h e P r e s i d e n t d e t e r m i n e s —

5 (i) k n o w i n g l y e n g a g e s i n , i s r e s p o n -
6 s i b l e f o r , o r f a c i l i t a t e s t h e f o r c e d l a b o r o f
7 U y g h u r s , K a z a k h s , K y r g y z , a n d m e m b e r s
8 o f o t h e r M u s l i m m i n o r i t y g r o u p s i n t h e
9 X U A R ; a n d

10 (i i) k n o w i n g l y e n g a g e s i n , c o n t r i b u t e s
11 t o , a s s i s t s , o r p r o v i d e s f i n a n c i a l , m a t e r i a l
12 o r t e c h n o l o g i c a l s u p p o r t f o r e f f o r t s t o c o n -
13 t r a v e n e U n i t e d S t a t e s l a w r e g a r d i n g t h e
14 i m p o r t a t i o n o f f o r c e d l a b o r g o o d s f r o m t h e
15 X U A R .

16 (B) F O R M . — T h e r e p o r t r e q u i r e d u n d e r
17 s u b p a r a g r a p h (A) s h a l l b e s u b m i t t e d i n u n c l a s -
18 s i f i e d f o r m , b u t m a y c o n t a i n a c l a s s i f i e d a n n e x .

19 (2) I M P O S I T I O N O F S A N C T I O N S . — T h e P r e s i d e n t
20 s h a l l i m p o s e t h e s a n c t i o n s d e s c r i b e d i n p a r a g r a p h
21 (3) w i t h r e s p e c t t o e a c h f o r e i g n p e r s o n i d e n t i f i e d i n
22 t h e r e p o r t r e q u i r e d u n d e r p a r a g r a p h (1) (A) .

23 (3) S A N C T I O N S D E S C R I B E D . — T h e s a n c t i o n s d e -
24 s c r i b e d i n t h i s s u b s e c t i o n a r e t h e f o l l o w i n g :

1 (A) ASSET BLOCKING.—The President
2 shall exercise all of the powers granted to the
3 President under the International Emergency
4 Economic Powers Act (50 U.S.C. 1701 et seq.)
5 to the extent necessary to block and prohibit all
6 transactions in property and interests in prop-
7 erty of a foreign person identified in the report
8 required under paragraph (1)(A) if such prop-
9 erty and interests in property—

- 10 (i) are in the United States;
11 (ii) come within the United States; or
12 (iii) come within the possession or
13 control of a United States person.

14 (B) INELIGIBILITY FOR VISAS, ADMISSION,
15 OR PAROLE.—

16 (i) VISAS, ADMISSION, OR PAROLE.—

17 An alien described in paragraph (1)(A)
18 is—

19 (I) inadmissible to the United
20 States;

21 (II) ineligible to receive a visa or
22 other documentation to enter the
23 United States; and

24 (III) otherwise ineligible to be
25 admitted or paroled into the United

1 States or to receive any other benefit
2 under the Immigration and Nation-
3 ality Act (8 U.S.C. 1101 et seq.).

4 (ii) CURRENT VISAS REVOKED.—

5 (I) IN GENERAL.—An alien de-
6 scribed in paragraph (1)(A) is subject
7 to revocation of any visa or other
8 entry documentation regardless of
9 when the visa or other entry docu-
10 mentation is or was issued.

11 (II) IMMEDIATE EFFECT.—A rev-
12 ocation under subclause (I) shall—

13 (aa) take effect immediately;

14 and

15 (bb) automatically cancel
16 any other valid visa or entry doc-
17 umentation that is in the alien's
18 possession.

19 (4) IMPLEMENTATION; PENALTIES.—

20 (A) IMPLEMENTATION.—The President
21 may exercise all authorities provided under sec-
22 tions 203 and 205 of the International Emer-
23 gency Economic Powers Act (50 U.S.C. 1702
24 and 1704) to carry out this section.

1 (B) PENALTIES.—The penalties provided
2 for in subsections (b) and (c) of section 206 of
3 the International Emergency Economic Powers
4 Act (50 U.S.C. 1705) shall apply to a foreign
5 person that engages in an activity described in
6 paragraph (1)(A) to the same extent that such
7 penalties apply to a person that commits an un-
8 lawful act described in subsection (a) of such
9 section 206.

10 (5) WAIVER.—The President may waive the ap-
11 plication of sanctions under this section with respect
12 to a foreign person identified in the report required
13 under paragraph (1)(A) if the President determines
14 and certifies to the appropriate congressional com-
15 mittees that such a waiver is in the national interest
16 of the United States.

17 (6) EXCEPTIONS.—

18 (A) EXCEPTION FOR INTELLIGENCE AC-
19 TIVITIES.—Sanctions under this section shall
20 not apply to any activity subject to the report-
21 ing requirements under title V of the National
22 Security Act of 1947 (50 U.S.C. 3091 et seq.)
23 or any authorized intelligence activities of the
24 United States.

1 (B) EXCEPTION TO COMPLY WITH INTER-
2 NATIONAL OBLIGATIONS AND FOR LAW EN-
3 FORCEMENT ACTIVITIES.—Sanctions under
4 paragraph (3)(B) shall not apply with respect
5 to an alien if admitting or paroling the alien
6 into the United States is necessary—

7 (i) to permit the United States to
8 comply with the Agreement regarding the
9 Headquarters of the United Nations,
10 signed at Lake Success June 26, 1947,
11 and entered into force November 21, 1947,
12 between the United Nations and the
13 United States, or other applicable inter-
14 national obligations; or

15 (ii) to carry out or assist law enforce-
16 ment activity in the United States.

17 (7) TERMINATION OF SANCTIONS.—The Presi-
18 dent may terminate the application of sanctions
19 under this section with respect to a foreign person
20 if the President determines and reports to the ap-
21 propriate congressional committees not less than 15
22 days before the termination takes effect that—

23 (A) information exists that the person did
24 not engage in the activity for which sanctions
25 were imposed;

1 (B) the person has been prosecuted appro-
2 priately for the activity for which sanctions
3 were imposed;

4 (C) the person has credibly demonstrated a
5 significant change in behavior, has paid an ap-
6 propriate consequence for the activity for which
7 sanctions were imposed, and has credibly com-
8 mitted in the future to not engage in such ac-
9 tivity; or

10 (D) the termination of the sanctions is in
11 the national security interests of the United
12 States.

13 (8) SUNSET.—This section, and any sanctions
14 imposed under this section, shall terminate on the
15 date that is five years after the date of the enact-
16 ment of this Act.

17 (9) DEFINITIONS OF ADMISSION; ADMITTED;
18 ALIEN.—In this section, the terms “admission”,
19 “admitted”, and “alien” have the meanings given
20 those terms in section 101 of the Immigration and
21 Nationality Act (8 U.S.C. 1101).

22 (g) DISCLOSURES TO THE SECURITIES AND EX-
23 CHANGE COMMISSION OF CERTAIN ACTIVITIES RELATED
24 TO THE XINJIANG UYGHUR AUTONOMOUS REGION.—

1 (1) POLICY STATEMENT.—It is the policy of the
2 United States to protect American investors,
3 through stronger disclosure requirements, alerting
4 them to the presence of Chinese and other compa-
5 nies complicit in gross violations of human rights in
6 United States capital markets, including American
7 and foreign companies listed on United States ex-
8 changes that enable the mass internment and popu-
9 lation surveillance of Uyghurs, Kazakhs, Kyrgyz,
10 and other Muslim minorities and source products
11 made with forced labor in the XUAR. Such involve-
12 ments represent clear, material risks to the share
13 values and corporate reputations of certain of these
14 companies and hence to prospective American inves-
15 tors, particularly given that the United States Gov-
16 ernment has employed sanctions and export restric-
17 tions to target individuals and entities contributing
18 to human rights abuses in the People’s Republic of
19 China.

20 (2) DISCLOSURE OF CERTAIN ACTIVITIES RE-
21 LATING TO THE XINJIANG UYGHUR AUTONOMOUS
22 REGION.—Section 13 of the Securities Exchange Act
23 of 1934 (15 U.S.C. 78m) is amended by adding at
24 the end the following new subsection:

1 “(s) DISCLOSURE OF CERTAIN ACTIVITIES RELAT-
2 ING TO THE XINJIANG UYGHUR AUTONOMOUS REGION.—

3 “(1) IN GENERAL.—Each issuer required to file
4 an annual or quarterly report under subsection (a)
5 shall disclose in that report the information required
6 by paragraph (2) if, during the period covered by
7 the report, the issuer or any affiliate of the issuer—

8 “(A) knowingly engaged in an activity with
9 an entity or the affiliate of an entity engaged
10 in creating or providing technology or other as-
11 sistance to create mass population surveillance
12 systems in the Xinjiang Uyghur Autonomous
13 Region (commonly referred to as ‘Xinjiang’ or
14 ‘XUAR’) of China, including any entity in-
15 cluded on the Department of Commerce’s ‘Enti-
16 ty List’ in the XUAR;

17 “(B) knowingly engaged in an activity with
18 an entity or an affiliate of an entity building
19 and running detention facilities for Uyghurs,
20 Kazakhs, Kyrgyz, and other members of Mus-
21 lim minority groups in the XUAR;

22 “(C) knowingly engaged in an activity with
23 an entity or an affiliate of an entity described
24 in section 306(e)(3)(A)(i) of the Ensuring

1 American Global Leadership and Engagement
2 Act, including—

3 “(i) any entity engaged in the ‘pair-
4 ing-assistance’ program which subsidizes
5 the establishment of manufacturing facili-
6 ties in the XUAR; or

7 “(ii) any entity for which the Depart-
8 ment of Homeland Security has issued a
9 ‘Withhold Release Order’ under section
10 307 of the Tariff Act of 1930 (19 U.S.C.
11 1307); or

12 “(D) knowingly conducted any transaction
13 or had dealings with—

14 “(i) any person the property and in-
15 terests in property of which were sanc-
16 tioned by the Secretary of State for the de-
17 tention or abuse of Uyghurs, Kazakhs,
18 Kyrgyz, or other members of Muslim mi-
19 nority groups in the XUAR;

20 “(ii) any person the property and in-
21 terests in property of which are sanctioned
22 pursuant to the Global Magnitsky Human
23 Rights Accountability Act (22 U.S.C. 2656
24 note); or

1 “(iii) any person or entity responsible
2 for, or complicit in, committing atrocities
3 in the XUAR.

4 “(2) INFORMATION REQUIRED.—

5 “(A) IN GENERAL.—If an issuer described
6 under paragraph (1) or an affiliate of the issuer
7 has engaged in any activity described in para-
8 graph (1), the information required by this
9 paragraph is a detailed description of each such
10 activity, including—

11 “(i) the nature and extent of the ac-
12 tivity;

13 “(ii) the gross revenues and net prof-
14 its, if any, attributable to the activity; and

15 “(iii) whether the issuer or the affil-
16 iate of the issuer (as the case may be) in-
17 tends to continue the activity.

18 “(B) EXCEPTION.—The requirement to
19 disclose information under this paragraph shall
20 not include information on activities of the
21 issuer or any affiliate of the issuer activities re-
22 lating to—

23 “(i) the import of manufactured
24 goods, including electronics, food products,

1 textiles, shoes, and teas, that originated in
2 the XUAR; or

3 “(ii) manufactured goods containing
4 materials that originated or are sourced in
5 the XUAR.

6 “(3) NOTICE OF DISCLOSURES.—If an issuer
7 reports under paragraph (1) that the issuer or an
8 affiliate of the issuer has knowingly engaged in any
9 activity described in that paragraph, the issuer shall
10 separately file with the Commission, concurrently
11 with the annual or quarterly report under subsection
12 (a), a notice that the disclosure of that activity has
13 been included in that annual or quarterly report that
14 identifies the issuer and contains the information re-
15 quired by paragraph (2).

16 “(4) PUBLIC DISCLOSURE OF INFORMATION.—
17 Upon receiving a notice under paragraph (3) that an
18 annual or quarterly report includes a disclosure of
19 an activity described in paragraph (1), the Commis-
20 sion shall promptly—

21 “(A) transmit the report to—

22 “(i) the President;

23 “(ii) the Committee on Foreign Af-
24 fairs and the Committee on Financial

1 Services of the House of Representatives;
2 and

3 “(iii) the Committee on Foreign Rela-
4 tions and the Committee on Banking,
5 Housing, and Urban Affairs of the Senate;
6 and

7 “(B) make the information provided in the
8 disclosure and the notice available to the public
9 by posting the information on the Internet
10 website of the Commission.

11 “(5) INVESTIGATIONS.—Upon receiving a re-
12 port under paragraph (4) that includes a disclosure
13 of an activity described in paragraph (1), the Presi-
14 dent shall—

15 “(A) make a determination with respect to
16 whether any investigation is needed into the
17 possible imposition of sanctions under the Glob-
18 al Magnitsky Human Rights Accountability Act
19 (22 U.S.C. 2656 note) or section 306(f) of the
20 Ensuring American Global Leadership and En-
21 gagement Act or whether criminal investiga-
22 tions are warranted under statutes intended to
23 hold accountable individuals or entities involved
24 in the importation of goods produced by forced

1 labor, including under section 545, 1589, or
2 1761 of title 18, United States Code; and

3 “(B) not later than 180 days after initi-
4 ating any such investigation, make a determina-
5 tion with respect to whether a sanction should
6 be imposed or criminal investigations initiated
7 with respect to the issuer or the affiliate of the
8 issuer (as the case may be).

9 “(6) ATROCITIES DEFINED.—In this subsection,
10 the term ‘atrocities’ has the meaning given the term
11 in section 6(2) of the Elie Wiesel Genocide and
12 Atrocities Prevention Act of 2018 (Public Law 115–
13 441; 22 U.S.C. 2656 note).”.

14 (3) SUNSET.—Section 13(s) of the Securities
15 Exchange Act of 1934, as added by paragraph (2),
16 is repealed on the earlier of—

17 (A) the date that is eight years after the
18 date of the enactment of this Act; or

19 (B) the date on which the President sub-
20 mits to the appropriate congressional commit-
21 tees a determination that the Government of
22 the People’s Republic of China has ended mass
23 internment, forced labor, and any other gross
24 violations of human rights experienced by

1 Uyghurs, Kazakhs, Kyrgyz, and members of
2 other Muslim minority groups in the XUAR.

3 (4) EFFECTIVE DATE.—The amendment made
4 by paragraph (2) shall take effect with respect to re-
5 ports required to be filed with the Securities and Ex-
6 change Commission after the date that is 180 days
7 after the date of the enactment of this Act.

8 (h) DEFINITIONS.—In this section:

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

12 (A) the Committee on Foreign Affairs, the
13 Committee on Financial Services, and the Com-
14 mittee on Ways and Means of the House of
15 Representatives; and

16 (B) the Committee on Foreign Relations,
17 the Committee on Banking, Housing, and
18 Urban Affairs, and the Committee on Finance
19 of the Senate.

20 (2) ATROCITIES.—The term “atrocities” has
21 the meaning given the term in section 6(2) of the
22 Elie Wiesel Genocide and Atrocities Prevention Act
23 of 2018 (Public Law 115–441; 22 U.S.C. 2656
24 note).

1 (3) CRIMES AGAINST HUMANITY.—The term
2 “crimes against humanity” includes, when com-
3 mitted as part of a widespread or systematic attack
4 directed against any civilian population, with knowl-
5 edge of the attack—

6 (A) murder;

7 (B) deportation or forcible transfer of pop-
8 ulation;

9 (C) torture;

10 (D) extermination;

11 (E) enslavement;

12 (F) rape, sexual slavery, or any other form
13 of sexual violence of comparable severity;

14 (G) persecution against any identifiable
15 group or collectivity on political, racial, na-
16 tional, ethnic, cultural, religious, gender, or
17 other grounds that are universally recognized as
18 impermissible under international law; and

19 (H) enforced disappearance of persons.

20 (4) FORCED LABOR.—The term “forced labor”
21 has the meaning given the term in section 307 of the
22 Tariff Act of 1930 (19 U.S.C. 1307).

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

1 (6) PERSON.—The term “person” means an in-
2 dividual or entity.

3 (7) MASS POPULATION SURVEILLANCE SYS-
4 TEM.—The term “mass population surveillance sys-
5 tem” means installation and integration of facial
6 recognition cameras, biometric data collection, cell
7 phone surveillance, and artificial intelligence tech-
8 nology with the “Sharp Eyes” and “Integrated Joint
9 Operations Platform” or other technologies that are
10 used by Chinese security forces for surveillance and
11 big-data predictive policing.

12 (8) UNITED STATES PERSON.—The term
13 “United States person” means—

14 (A) a United States citizen or an alien law-
15 fully admitted for permanent residence to the
16 United States; or

17 (B) an entity organized under the laws of
18 the United States or any jurisdiction within the
19 United States, including a foreign branch of
20 such an entity.

21 **SEC. 307. UYGHUR HUMAN RIGHTS PROTECTION.**

22 (a) SHORT TITLE.—This section may be cited as the
23 “Uyghur Human Rights Protection Act”.

24 (b) FINDINGS.—Congress makes the following find-
25 ings:

1 (1) The Government of the People’s Republic of
2 China (PRC) has a long history of repressing Turkic
3 Muslims and other Muslim minority groups, particu-
4 larly Uyghurs, in the Xinjiang Uyghur Autonomous
5 Region (commonly referred to as “Xinjiang” or
6 “XUAR”), also known as East Turkestan. Central
7 and regional PRC government policies have system-
8 atically discriminated against these minority groups
9 by denying them a range of civil and political rights,
10 particularly freedom of religion. Senior Chinese
11 Communist Party (CCP) officials bear direct respon-
12 sibility for these gross human rights violations.

13 (2) PRC government abuses include the arbi-
14 trary detention of more than 1,000,000 Uyghurs,
15 ethnic Kazakhs, Kyrgyz, and members of other Mus-
16 lim minority groups, separation of working age
17 adults from their children and elderly parents, and
18 the integration of forced labor into supply chains.
19 Those held in detention facilities and internment
20 camps in the XUAR have described forced political
21 indoctrination, torture, beatings, food deprivation,
22 sexual assault, coordinated campaigns to reduce
23 birth rates among Uyghurs and other Turkic Mus-
24 lims through forced sterilization, and denial of reli-
25 gious, cultural, and linguistic freedoms. Recent

1 media reports indicate that since 2019, the PRC
2 government has newly constructed, expanded, or for-
3 tified at least 60 detention facilities with higher se-
4 curity or prison-like features in Xinjiang.

5 (3) The PRC government's actions against
6 Uyghurs, ethnic Kazakhs, Kyrgyz, and members of
7 other Muslim minority groups in the XUAR violate
8 international human rights laws and norms, includ-
9 ing—

10 (A) the International Convention on the
11 Elimination of All Forms of Racial Discrimina-
12 tion, to which the PRC has acceded;

13 (B) the Convention against Torture and
14 Other Cruel, Inhuman or Degrading Treatment
15 or Punishment, which the PRC has signed and
16 ratified;

17 (C) The Convention on the Prevention and
18 Punishment of the Crime of Genocide, which
19 the PRC has signed and ratified;

20 (D) the International Covenant on Civil
21 and Political Rights, which the PRC has signed;
22 and

23 (E) the Universal Declaration of Human
24 Rights and the International Labor Organiza-
25 tion's Force Labor Convention (no. 29) and the

1 Abolition of Forced Labor Convention (no.
2 105).

3 (c) REFUGEE PROTECTIONS FOR CERTAIN RESI-
4 DENTS OF THE XUAR.—

5 (1) POPULATIONS OF SPECIAL HUMANITARIAN
6 CONCERN.—The Secretary of State, in consultation
7 with the Secretary of Homeland Security, shall des-
8 ignate, as Priority 2 refugees of special humani-
9 tarian concern—

10 (A) aliens who were nationals of the PRC
11 and residents of the XUAR on January 1,
12 2021;

13 (B) aliens who fled the XUAR after June
14 30, 2009, and reside in other provinces of the
15 PRC or in a third country where such alien is
16 not firmly resettled; and

17 (C) the spouses, children, and parents (as
18 such terms are defined in subsections (a) and
19 (b) of section 101 of the Immigration and Na-
20 tionality Act (8 U.S.C. 1101)) of individuals de-
21 scribed in subparagraphs (A) and (B), except
22 that a child shall be an unmarried person under
23 27 years of age.

24 (2) PROCESSING OF XUAR REFUGEES.—The
25 processing of individuals described in paragraph (1)

1 for classification as refugees may occur in the PRC
2 or a third country.

3 (3) ELIGIBILITY FOR ADMISSION AS A REF-
4 UGEE.—

5 (A) IN GENERAL.—Aliens described in sub-
6 paragraph (B) may establish, for purposes of
7 admission as a refugee under section 207 of the
8 Immigration and Nationality Act (8 U.S.C.
9 1157) or asylum under section 208 of such Act
10 (8 U.S.C. 1158), that such alien has a well-
11 founded fear of persecution on account of race,
12 religion, nationality, membership in a particular
13 social group, or political opinion by asserting
14 such a fear and asserting a credible basis for
15 concern about the possibility of such persecu-
16 tion.

17 (B) ALIENS DESCRIBED.—An alien is de-
18 scribed in this subsection if such alien has been
19 identified as a person of special humanitarian
20 concern pursuant to paragraph (1) and—

21 (i) has experienced persecution in the
22 XUAR by the PRC government, includ-
23 ing—

1 (I) forced and arbitrary detention
2 including in an internment or re-educ-
3 ation camp;

4 (II) forced political indoctrina-
5 tion, torture, beatings, food depriva-
6 tion, and denial of religious, cultural,
7 and linguistic freedoms;

8 (III) forced labor;

9 (IV) forced separation from fam-
10 ily members;

11 (V) other forms of systemic
12 threats, harassment, and gross human
13 rights violations; or

14 (VI) has been formally charged,
15 detained, or convicted on account of
16 their peaceful actions as described in
17 the Uyghur Human Rights Policy Act
18 of 2020 (Public Law 116–145).

19 (ii) is currently a national of the PRC
20 whose residency in the XUAR, or any
21 other area within the jurisdiction of the
22 PRC, was revoked for having submitted to
23 any United States Government agency a
24 nonfrivolous application for refugee status,

1 asylum, or any other immigration benefit
2 under United States law.

3 (C) ELIGIBILITY FOR ADMISSION UNDER
4 OTHER CLASSIFICATION.—An alien may not be
5 denied the opportunity to apply for admission
6 as a refugee or asylum under this section solely
7 because such alien qualifies as an immediate
8 relative of a national of the United States or is
9 eligible for admission to the United States
10 under any other immigrant classification.

11 (4) PRIORITY.—The Secretary of State shall
12 prioritize bilateral diplomacy with third countries
13 hosting former residents of the XUAR and who face
14 significant diplomatic pressures from the PRC gov-
15 ernment.

16 (5) REPORTING REQUIREMENTS.—

17 (A) IN GENERAL.—Not later than 180
18 days after the date of the enactment of this Act
19 and every 90 days thereafter, the Secretary of
20 State and the Secretary of Homeland Security
21 shall submit to the appropriate congressional
22 committees, the Committee on the Judiciary of
23 the House of Representatives, and the Com-
24 mittee on the Judiciary of the Senate a report
25 on the matters described in subparagraph (B).

1 (B) MATTERS TO BE INCLUDED.—Each
2 report required by subparagraph (A) shall in-
3 clude, with respect to applications submitted
4 under this section—

5 (i) the total number of applications
6 that are pending at the end of the report-
7 ing period;

8 (ii) the average wait-times and num-
9 ber of applicants who are currently pend-
10 ing—

11 (I) a pre-screening interview with
12 a resettlement support center;

13 (II) an interview with United
14 States Citizenship and Immigration
15 Services;

16 (III) the completion of security
17 checks;

18 (IV) receipt of a final decision
19 after completion of an interview with
20 United States Citizenship and Immi-
21 gration Services; and

22 (iii) the number of denials of applica-
23 tions for refugee status, disaggregated by
24 the reason for each such denial.

1 (C) FORM.—Each report required by para-
2 graph (1) shall be submitted in unclassified
3 form, but may include a classified annex.

4 (D) PUBLIC REPORTS.—The Secretary of
5 State shall make each report submitted under
6 this subsection available to the public on the
7 internet website of the Department of State.

8 (d) STATEMENT OF POLICY ON ENCOURAGING AL-
9 LIES AND PARTNERS TO MAKE SIMILAR ACCOMMODA-
10 TIONS.—It is the policy of the United States to encourage
11 United States allies and partners to make accommoda-
12 tions similar to the accommodations made in this section
13 for residents of the XUAR who are fleeing oppression by
14 the PRC Government.

15 (e) TERMINATION.—This section shall terminate on
16 the date that is ten years after the date of the enactment
17 of this Act.

18 **SEC. 308. REMOVAL OF MEMBERS OF THE UNITED NATIONS**
19 **HUMAN RIGHTS COUNCIL THAT COMMIT**
20 **HUMAN RIGHTS ABUSES.**

21 The President shall direct the Permanent Represent-
22 ative of the United States to the United Nations to use
23 the voice, vote, and influence of the United States to—

24 (1) reform the process for removing Member
25 States of the United Nations Human Rights Council

1 that commit gross and systemic violations of human
2 rights, including—

3 (A) lowering the threshold vote at the
4 United Nations General Assembly for removal
5 to a simple majority;

6 (B) ensuring information detailing the
7 Member State's human rights record is publicly
8 available before the vote on removal; and

9 (C) making the vote of each country on the
10 removal from the United Nations Human
11 Rights Council publicly available;

12 (2) reform the rules on electing members to the
13 United Nations Human Rights Council to ensure
14 United Nations Member States that have committed
15 gross and systemic violations of human rights are
16 not elected to the Human Rights Council; and

17 (3) oppose the election to the United Nations
18 Human Rights Council of any United Nations Mem-
19 ber State—

20 (A) currently designated as a country en-
21 gaged in a consistent pattern of gross violations
22 of internationally recognized human rights pur-
23 suant to section 116 or section 502B of the
24 Foreign Assistance Act of 1961 (22 U.S.C.
25 2151n or 2304);

1 (B) the government of which the Secretary
2 of State currently determines has repeatedly
3 provided support for international terrorism
4 pursuant to—

5 (i) section 1754(e) of the National
6 Defense Authorization Act for Fiscal Year
7 2019;

8 (ii) section 620A of the Foreign As-
9 sistance Act of 1961 (22 U.S.C. 2371);

10 (iii) section 40 of the Arms Export
11 Control Act (22 U.S.C. 2779A); or

12 (iv) any other provision of law;

13 (C) currently designated as a Tier 3 coun-
14 try under the Trafficking Victims Protection
15 Act of 2000 (22 U.S.C. 7101 et seq.);

16 (D) the government of which is identified
17 on the list published by the Secretary of State
18 pursuant to section 404(b) of the Child Soldiers
19 Prevention Act of 2008 (22 U.S.C. 2370c–1(b))
20 as a government that recruits and uses child
21 soldiers; or

22 (E) the government of which the United
23 States determines to have committed genocide
24 or crimes against humanity.

1 **SEC. 309. POLICY WITH RESPECT TO TIBET.**

2 (a) RANK OF UNITED STATES SPECIAL COORDI-
3 NATOR FOR TIBETAN ISSUES.—Section 621 of the Ti-
4 betan Policy Act of 2002 (22 U.S.C. 6901 note) is amend-
5 ed—

6 (1) by redesignating subsections (b), (c), (d),
7 and (e), as subsections (c), (d), (e), and (f), respec-
8 tively; and

9 (2) by inserting after subsection (a) the fol-
10 lowing new subsection:

11 “(b) RANK.—The Special Coordinator shall either be
12 appointed by the President, with the advice and consent
13 of the Senate, or shall be an individual holding the rank
14 of Under Secretary of State or higher.”.

15 (b) TIBET UNIT AT UNITED STATES EMBASSY IN
16 BEIJING.—

17 (1) IN GENERAL.—The Secretary of State shall
18 establish a Tibet Unit in the Political Section of the
19 United States Embassy in Beijing, People’s Republic
20 of China (PRC).

21 (2) OPERATION.—The Tibet Unit established
22 under paragraph (1) shall operate until such time as
23 the Government of the PRC permits—

24 (A) the United States Consulate General
25 in Chengdu, PRC, to reopen; or

1 (B) a United States Consulate General in
2 Lhasa, Tibet, to open.

3 (3) STAFF.—

4 (A) IN GENERAL.—The Secretary shall—

5 (i) assign not fewer than two United
6 States direct-hire personnel to the Tibet
7 Unit established under paragraph (1); and

8 (ii) hire not fewer than one locally en-
9 gaged staff member for such unit.

10 (B) LANGUAGE TRAINING.—The Secretary
11 shall make Tibetan language training available
12 to the personnel assigned under subparagraph
13 (A), consistent with the Tibetan Policy Act of
14 2002 (22 U.S.C. 6901 note).

15 **SEC. 310. UNITED STATES POLICY AND INTERNATIONAL EN-**
16 **GAGEMENT ON THE SUCCESSION OR REIN-**
17 **CARNATION OF THE DALAI LAMA AND RELI-**
18 **GIOUS FREEDOM OF TIBETAN BUDDHISTS.**

19 (a) REAFFIRMATION OF POLICY.—It is the policy of
20 the United States, as provided under section 342(b) of di-
21 vision FF of the Consolidated Appropriations Act, 2021
22 (Public Law 116–260), that any “interference by the Gov-
23 ernment of the People’s Republic of China or any other
24 government in the process of recognizing a successor or
25 reincarnation of the 14th Dalai Lama and any future

1 Dalai Lamas would represent a clear abuse of the right
2 to religious freedom of Tibetan Buddhists and the Tibetan
3 people”.

4 (b) INTERNATIONAL EFFORTS TO PROTECT RELI-
5 GIOUS FREEDOM OF TIBETAN BUDDHISTS.—The Sec-
6 retary of State should engage with United States allies
7 and partners to—

8 (1) support Tibetan Buddhist religious leaders’
9 sole religious authority to identify and install the
10 15th Dalai Lama;

11 (2) oppose claims by the Government of the
12 People’s Republic of China (PRC) that the PRC has
13 the authority to decide for Tibetan Buddhists the
14 15th Dalai Lama; and

15 (3) reject interference by the Government of the
16 PRC in the religious freedom of Tibetan Buddhists.

17 **SEC. 311. DEVELOPMENT AND DEPLOYMENT OF INTERNET**
18 **FREEDOM AND GREAT FIREWALL CIR-**
19 **CUMVENTION TOOLS FOR THE PEOPLE OF**
20 **HONG KONG.**

21 (a) FINDINGS.—Congress makes the following find-
22 ings:

23 (1) The People’s Republic of China (PRC) has
24 repeatedly violated its obligations under the Joint

1 Declaration by suppressing the basic rights and free-
2 doms of the people of Hong Kong.

3 (2) On June 30, 2020, the National People’s
4 Congress passed a “National Security Law” that
5 further erodes Hong Kong’s autonomy and enables
6 authorities to suppress dissent.

7 (3) The Government of the PRC continues to
8 utilize the National Security Law to undermine the
9 fundamental rights of the Hong Kong people
10 through suppression of the freedom of speech, as-
11 sembly, religion, and the press.

12 (4) Article 9 of the National Security Law au-
13 thORIZES unprecedented regulation and supervision of
14 internet activity in Hong Kong, including expanded
15 police powers to force internet service providers to
16 censor content, hand over user information, and
17 block access to platforms.

18 (5) On January 13, 2021, the Hong Kong
19 Broadband Network blocked public access to HK
20 Chronicles, a website promoting pro-democracy view-
21 points, under the authorities of the National Secu-
22 rity Law.

23 (6) On February 12, 2021, internet service pro-
24 viders blocked access to the Taiwan Transitional
25 Justice Commission website in Hong Kong.

1 (7) Major tech companies, including Facebook,
2 Twitter, WhatsApp and Google, have stopped review-
3 ing requests for user data from Hong Kong authori-
4 ties.

5 (8) On February 28, 2021, 47 pro-democracy
6 activists in Hong Kong were arrested and charged
7 under the National Security Law on the charge of
8 “conspiracy to commit subversion”.

9 (b) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that the United States should—

11 (1) support the ability of the people of Hong
12 Kong to maintain their freedom to access informa-
13 tion online; and

14 (2) focus on investments in technologies that
15 facilitate the unhindered exchange of information in
16 Hong Kong in advance of any future efforts by the
17 Chinese Communist Party—

18 (A) to suppress internet access;

19 (B) to increase online censorship; or

20 (C) to inhibit online communication and
21 content-sharing by the people of Hong Kong.

22 (c) HONG KONG INTERNET FREEDOM PROGRAM.—

23 (1) WORKING GROUP.—

24 (A) IN GENERAL.—The Secretary of State
25 is authorized to establish a working group to

1 develop a strategy to bolster internet resiliency
2 and online access in Hong Kong.

3 (B) MEMBERSHIP.—The working group
4 under subparagraph (A) shall consist of—

5 (i) the Under Secretary of State for
6 Civilian Security, Democracy, and Human
7 Rights;

8 (ii) the Assistant Secretary of State
9 for East Asian and Pacific Affairs;

10 (iii) the Chief Executive Officer of the
11 United States Agency for Global Media
12 and the President of the Open Technology
13 Fund of the Agency; and

14 (iv) the Administrator of the United
15 States Agency for International Develop-
16 ment.

17 (2) HONG KONG INTERNET FREEDOM PRO-
18 GRAMS.—

19 (A) DEPARTMENT OF STATE.—The Sec-
20 retary of State shall establish a Hong Kong
21 Internet Freedom Program in the Bureau of
22 Democracy, Human Rights, and Labor in the
23 Department of State.

24 (B) OPEN TECHNOLOGY FUND.—The
25 President of the Open Technology Fund of the

1 United States Agency for Global Media is au-
2 thorized to establish a Hong Kong Internet
3 Freedom Program.

4 (C) OPERATION.—The Programs referred
5 to in subparagraphs (A) and (B) shall operate
6 independently, but in strategic coordination
7 with other entities in the working group under
8 paragraph (1). The Open Technology Fund
9 shall remain independent from Department of
10 State direction in its implementation of the
11 Program of such Fund, and any other internet
12 freedom programs.

13 (3) INDEPENDENCE.—During the period begin-
14 ning on the date of the enactment of this Act and
15 ending on September 30, 2023, the Hong Kong
16 Internet Freedom Programs described in paragraph
17 (2) shall be carried out independently from any
18 other internet freedom programs relating to the Peo-
19 ple’s Republic of China carried out by the Depart-
20 ment of State or the Open Technology Fund of the
21 United States Agency for Global Media, as the case
22 may be, in order that such Hong Kong Internet
23 Freedom Programs may focus on supporting lib-
24 erties presently enjoyed by the people of Hong Kong.

1 (4) CONSOLIDATION OF DEPARTMENT OF
2 STATE PROGRAM.—Beginning on October 1, 2023,
3 the Secretary of State may—

4 (A) consolidate the Hong Kong Internet
5 Freedom Program of the Department of State
6 with any other internet freedom programs relat-
7 ing to the People’s Republic of China carried
8 out by the Bureau of Democracy, Human
9 Rights, and Labor; or

10 (B) continue to carry out the Program in
11 accordance with paragraph (3).

12 (5) CONSOLIDATION OF OPEN TECHNOLOGY
13 FUND PROGRAM.—Beginning on October 1, 2023,
14 the President of the Open Technology Fund of the
15 United States Agency for Global Media may—

16 (A) consolidate the Hong Kong Internet
17 Freedom Program of the Fund with any other
18 internet freedom programs relating to the Peo-
19 ple’s Republic of China carried out by the
20 Fund; or

21 (B) continue to carry out the Program in
22 accordance with paragraph (3).

23 (d) SUPPORT FOR INTERNET FREEDOM TECH-
24 NOLOGY PROGRAMS.—

25 (1) GRANTS AUTHORIZED.—

1 (A) IN GENERAL.—The Secretary of State,
2 working through the Bureau of Democracy,
3 Human Rights, and Labor, and President of
4 the Open Technology Fund of the United
5 States Agency for Global Media, are each sepa-
6 rately and independently authorized to award
7 grants and contracts to private organizations to
8 support and develop programs in Hong Kong
9 that promote or expand—

10 (i) an open, interoperable, reliable and
11 secure internet; and

12 (ii) the online exercise of human
13 rights and fundamental freedoms of indi-
14 vidual citizens, activists, human rights de-
15 fenders, independent journalists, civil soci-
16 ety organizations, and marginalized popu-
17 lations in Hong Kong.

18 (B) GOALS.—The goals of the programs
19 developed pursuant to grants awarded pursuant
20 to subparagraph (A) should be—

21 (i) to make the internet available in
22 Hong Kong;

23 (ii) to increase the number of the
24 tools in the technology portfolio;

1 (iii) to promote the availability of such
2 technologies and tools in Hong Kong;

3 (iv) to encourage the adoption of such
4 technologies and tools by the people of
5 Hong Kong;

6 (v) to scale up the distribution of such
7 technologies and tools throughout Hong
8 Kong;

9 (vi) to prioritize the development of
10 tools, components, code, and technologies
11 that are fully open-source, to the extent
12 practicable;

13 (vii) to conduct research on repressive
14 tactics that undermine internet freedom in
15 Hong Kong;

16 (viii) to ensure digital safety guidance
17 and support is available to repressed indi-
18 vidual citizens, human rights defenders,
19 independent journalists, civil society orga-
20 nizations and marginalized populations in
21 Hong Kong; and

22 (ix) to engage United States private
23 industry, including e-commerce firms and
24 social networking companies, on the impor-

1 tance of preserving internet access in Hong
2 Kong.

3 (C) GRANT RECIPIENTS.—Grants awarded
4 pursuant to subparagraph (A) shall be distrib-
5 uted to multiple vendors and suppliers through
6 an open, fair, competitive, and evidence-based
7 decision process—

8 (i) to diversify the technical base; and
9 (ii) to reduce the risk of misuse by
10 bad actors.

11 (D) SECURITY AUDITS.—New technologies
12 developed using grants awarded pursuant to
13 subparagraph (A) shall undergo comprehensive
14 security audits to ensure such technologies are
15 secure and have not been compromised in a
16 manner detrimental to the interests of the
17 United States or to individuals or organizations
18 benefitting from programs supported by the
19 Open Technology Fund.

20 (2) FUNDING SOURCE.—The Secretary of State
21 is authorized to expend funds made available to the
22 Human Rights and Democracy Fund of the Bureau
23 of Democracy, Human Rights, and Labor of the De-
24 partment of State for each of fiscal years 2022 and
25 2023 for grants authorized under paragraph (1) by

1 any entity in the working group established under
2 subsection (c)(1).

3 (3) AUTHORIZATION OF APPROPRIATIONS.—

4 (A) OPEN TECHNOLOGY FUND.—In addi-
5 tion to the funds authorized to be expended
6 pursuant to paragraph (2), there are authorized
7 to be appropriated to the Open Technology
8 Fund of the United States Agency for Global
9 Media \$5,000,000 for each of fiscal years 2022
10 and 2023 for grants to carry out this sub-
11 section. Such amounts are in addition to any
12 amounts authorized to be appropriated for the
13 Open Technology Fund under section 1299P of
14 the National Defense Authorization Act for Fis-
15 cal Year 2021 (Public Law 116–283).

16 (B) BUREAU OF DEMOCRACY, HUMAN
17 RIGHTS, AND LABOR.—In addition to the funds
18 authorized to be expended pursuant to para-
19 graph (2), there are authorized to be appro-
20 priated to the Office of Internet Freedom Pro-
21 grams of the Bureau of Democracy, Human
22 Rights, and Labor of the Department of State
23 \$10,000,000 for each of fiscal years 2022 and
24 2023 to carry out this subsection.

1 (C) AVAILABILITY.—Amounts authorized
2 to be appropriated pursuant to subparagraphs
3 (A) and (B) shall remain available until ex-
4 pended.

5 (e) STRATEGIC PLANNING REPORT.—Not later than
6 120 days after the date of the enactment of this Act, the
7 Secretary of State and the working group under sub-
8 section (c)(1) shall submit to the appropriate congres-
9 sional committees a classified report that—

10 (1) describes the Federal Government’s plan to
11 bolster and increase the availability of Great Fire-
12 wall circumvention and internet freedom technology
13 in Hong Kong during fiscal year 2022;

14 (2) outlines a plan for—

15 (A) supporting the preservation of an
16 open, interoperable, reliable, and secure internet
17 in Hong Kong;

18 (B) increasing the supply of the technology
19 referred to in paragraph (1);

20 (C) accelerating the dissemination of such
21 technology;

22 (D) promoting the availability of internet
23 freedom in Hong Kong;

1 (E) utilizing presently-available tools in the
2 existing relevant portfolios for further use in
3 the unique context of Hong Kong;

4 (F) expanding the portfolio of tools in
5 order to diversify and strengthen the effective-
6 ness and resiliency of the circumvention efforts;

7 (G) providing training for high-risk groups
8 and individuals in Hong Kong; and

9 (H) detecting analyzing, and responding to
10 new and evolving censorship threats;

11 (3) includes a detailed description of the tech-
12 nical and fiscal steps necessary to safely implement
13 the plans referred to in paragraphs (1) and (2), in-
14 cluding an analysis of the market conditions in
15 Hong Kong;

16 (4) describes the Federal Government's plans
17 for awarding grants to private organizations for the
18 purposes described in subsection (d)(1)(A);

19 (5) outlines the working group's consultations
20 regarding the implementation of this section to en-
21 sure that all Federal efforts are aligned and well co-
22 ordinated; and

23 (6) outlines the Department of State's strategy
24 to influence global internet legal standards at inter-
25 national organizations and multilateral fora.

1 (f) DEFINITIONS.—In this section:

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

5 (A) the Committee on Foreign Relations,
6 the Committee on Appropriations, and the Se-
7 lect Committee on Intelligence of the Senate;
8 and

9 (B) the Committee on Foreign Affairs, the
10 Committee on Appropriations, and the Perma-
11 nent Select Committee on Intelligence of the
12 House of Representatives.

13 (2) JOINT DECLARATION.—The term “Joint
14 Declaration” means the Joint Declaration of the
15 Government of the United Kingdom of Great Britain
16 and Northern Ireland and the Government of the
17 People’s Republic of China on the Question of Hong
18 Kong, done at Beijing on December 19, 1984.

19 **SEC. 312. AUTHORIZATION OF APPROPRIATIONS FOR PRO-**
20 **TECTING HUMAN RIGHTS IN THE PEOPLE’S**
21 **REPUBLIC OF CHINA.**

22 (a) IN GENERAL.—Amounts authorized to be appro-
23 priated or otherwise made available to carry out section
24 409 of the Asia Reassurance Initiative Act of 2019 (Public
25 Law 115–409) should include programs that prioritize the

1 protection and advancement of the freedoms of associa-
2 tion, assembly, religion, and expression for women, human
3 rights activists, and ethnic and religious minorities in the
4 People's Republic of China (PRC).

5 (b) USE OF FUNDS.—Amounts appropriated pursu-
6 ant to section 409 of the Asia Reassurance Initiative Act
7 of 2019 (Public Law 115–409) may be used to fund non-
8 governmental agencies within the Indo-Pacific region that
9 are focused on the issues described in subsection (a).

10 (c) CONSULTATION REQUIREMENT.—In carrying out
11 this section, the Assistant Secretary of Democracy,
12 Human Rights and Labor shall consult with the appro-
13 priate congressional committees and representatives of
14 civil society regarding—

15 (1) strengthening the capacity of the organiza-
16 tions referred to in subsection (b);

17 (2) protecting members of the groups referred
18 to in subsection (a) who have been targeted for ar-
19 rest, harassment, forced sterilizations, coercive abor-
20 tions, forced labor, or intimidation, including mem-
21 bers residing outside of the PRC; and

22 (3) messaging efforts to reach the broadest pos-
23 sible audiences within the PRC about United States
24 Government efforts to protect freedom of associa-

1 tion, expression, assembly, and the rights of ethnic
2 minorities.

3 **SEC. 313. MODIFICATIONS TO AND REAUTHORIZATION OF**
4 **SANCTIONS WITH RESPECT TO HUMAN**
5 **RIGHTS VIOLATIONS.**

6 (a) **DEFINITIONS.**—Section 1262 of the Global
7 Magnitsky Human Rights Accountability Act (Subtitle F
8 of title XII of Public Law 114–328; 22 U.S.C. 2656 note)
9 is amended by striking paragraph (2).

10 (b) **SENSE OF CONGRESS.**—The Global Magnitsky
11 Human Rights Accountability Act (Subtitle F of title XII
12 of Public Law 114–328; 22 U.S.C. 2656 note) is amended
13 by inserting after section 1262 the following new section:
14 **“SEC. 1262A. SENSE OF CONGRESS.**

15 “It is the sense of Congress that the President should
16 establish and regularize information sharing and sanc-
17 tions-related decision making with like-minded govern-
18 ments possessing human rights and anti-corruption sanc-
19 tions programs similar in nature to those authorized under
20 this subtitle.”.

21 (c) **IMPOSITION OF SANCTIONS.**—

22 (1) **IN GENERAL.**—Subsection (a) of section
23 1263 of the Global Magnitsky Human Rights Ac-
24 countability Act (Subtitle F of title XII of Public

1 Law 114–328; 22 U.S.C. 2656 note) is amended to
2 read as follows:

3 “(a) IN GENERAL.—The President may impose the
4 sanctions described in subsection (b) with respect to—

5 “(1) any foreign person that the President de-
6 termines, based on credible information—

7 “(A) is responsible for or complicit in, or
8 has directly or indirectly engaged in, serious
9 human rights abuse or any violation of inter-
10 nationally recognized human rights;

11 “(B) is a current or former government of-
12 ficial, or a person acting for or on behalf of
13 such an official, who is responsible for or
14 complicit in, or has directly or indirectly en-
15 gaged in—

16 “(i) corruption; or

17 “(ii) the transfer or facilitation of the
18 transfer of the proceeds of corruption;

19 “(C) is or has been a leader or official of—

20 “(i) an entity, including a government
21 entity, that has engaged in, or whose mem-
22 bers have engaged in, any of the activities
23 described in subparagraph (A) or (B) re-
24 lated to the tenure of the leader or official;
25 or

1 “(ii) an entity whose property and in-
2 terests in property are blocked pursuant to
3 this section as a result of activities related
4 to the tenure of the leader or official;

5 “(D) has materially assisted, sponsored, or
6 provided financial, material, or technological
7 support for, or goods or services to or in sup-
8 port of—

9 “(i) an activity described in subpara-
10 graph (A) or (B) that is conducted by a
11 foreign person;

12 “(ii) a person whose property and in-
13 terests in property are blocked pursuant to
14 this section; or

15 “(iii) an entity, including a govern-
16 ment entity, that has engaged in, or whose
17 members have engaged in, an activity de-
18 scribed in subparagraph (A) or (B) con-
19 ducted by a foreign person; or

20 “(E) is owned or controlled by, or acts or
21 is purported to act for or on behalf of, directly
22 or indirectly, a person whose property and in-
23 terests in property are blocked pursuant to this
24 section.”.

1 (2) CONSIDERATION OF CERTAIN INFORMA-
2 TION.—Subsection (c)(2) of such section is amended
3 by inserting “corruption and” after “monitor”.

4 (3) REQUESTS BY CONGRESS.—Subsection (d)
5 of such section is amended—

6 (A) in paragraph (1), in the matter pre-
7 ceding subparagraph (A), by striking “sub-
8 section (a)” and inserting “subsection (a)(1)”;

9 (B) in paragraph (2)—

10 (i) in subparagraph (A)—

11 (I) in the subparagraph heading,
12 by striking “HUMAN RIGHTS VIOLA-
13 TIONS” and inserting “SERIOUS
14 HUMAN RIGHTS ABUSE OR VIOLA-
15 TIONS OF INTERNATIONALLY RECOG-
16 NIZED HUMAN RIGHTS”; and

17 (II) by striking “described in
18 paragraph (1) or (2) of subsection
19 (a)” and inserting “described in sub-
20 section (a)(1) relating to serious
21 human rights abuse or any violation
22 of internationally recognized human
23 rights”; and

24 (ii) in subparagraph (B)—

1 (I) in the matter preceding clause
2 (i), by striking “described in para-
3 graph (3) or (4) of subsection (a)”
4 and inserting “described in subsection
5 (a)(1) relating to corruption or the
6 transfer or facilitation of the transfer
7 of the proceeds of corruption”; and

8 (II) by striking “ranking member
9 of” and all that follows through the
10 period at the end and inserting “rank-
11 ing member of one of the appropriate
12 congressional committees”.

13 (d) REPORTS TO CONGRESS.—Section 1264(a) of the
14 Global Magnitsky Human Rights Accountability Act (Sub-
15 title F of title XII of Public Law 114–328; 22 U.S.C.
16 2656 note) is amended—

17 (1) in paragraph (5), by striking “; and” and
18 inserting a semicolon;

19 (2) in paragraph (6), by striking the period at
20 the end and inserting “; and”; and

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

22 “(7) a description of additional steps taken by
23 the President through diplomacy, international en-
24 gagement, and assistance to foreign or security sec-
25 tors to address persistent underlying causes of seri-

1 ous human rights abuse, violations of internationally
2 recognized human rights, and corruption in each
3 country in which foreign persons with respect to
4 which sanctions have been imposed under section
5 1263 are located; and

6 “(8) a description of additional steps taken by
7 the President to ensure the pursuit of judicial ac-
8 countability in appropriate jurisdictions with respect
9 to those foreign persons subject to sanctions under
10 section 1263 for serious human rights abuse, viola-
11 tions of internationally recognized human rights,
12 and corruption.”.

13 (e) REPEAL OF SUNSET.—Section 1265 of the Global
14 Magnitsky Human Rights Accountability Act (Subtitle F
15 of title XII of Public Law 114–328; 22 U.S.C. 2656 note)
16 is repealed.

17 **SEC. 314. SENSE OF CONGRESS CONDEMNING ANTI-ASIAN**
18 **RACISM AND DISCRIMINATION.**

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

21 (1) Since the onset of the COVID–19 pan-
22 demic, crimes and discrimination against Asians and
23 those of Asian descent have risen dramatically
24 worldwide. In May 2020, United Nations Secretary-
25 General Antonio Guterres said “the pandemic con-

1 continues to unleash a tsunami of hate and xenophobia,
2 scapegoating and scare-mongering” and urged gov-
3 ernments to “act now to strengthen the immunity of
4 our societies against the virus of hate”.

5 (2) Asian American and Pacific Island (AAPI)
6 workers make up a large portion of the essential
7 workers on the frontlines of the COVID–19 pan-
8 demic, making up 8.5 percent of all essential
9 healthcare workers in the United States. AAPI
10 workers also make up a large share—between 6 per-
11 cent and 12 percent based on sector—of the bio-
12 medical field.

13 (3) The United States Census notes that Amer-
14 icans of Asian descent alone made up nearly 5.9 per-
15 cent of the United States population in 2019, and
16 that Asian Americans are the fastest-growing racial
17 group in the United States, projected to represent
18 14 percent of the United States population by 2065.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—

21 (1) the reprehensible attacks on people of Asian
22 descent and concerning increase in anti-Asian senti-
23 ment and racism in the United States and around
24 the world have no place in a peaceful, civilized, and
25 tolerant world;

1 (2) the United States is a diverse country with
2 a proud tradition of immigration, and the strength
3 and vibrancy of the United States is enhanced by
4 the diverse ethnic backgrounds and tolerance of its
5 citizens, including Asian Americans and Pacific Is-
6 landers;

7 (3) the United States Government should en-
8 courage foreign governments to use the official and
9 scientific names for the COVID–19 pandemic, as
10 recommended by the World Health Organization and
11 the Centers for Disease Control and Prevention; and

12 (4) the United States Government and other
13 governments around the world must actively oppose
14 racism and intolerance, and use all available and ap-
15 propriate tools to combat the spread of anti-Asian
16 racism and discrimination.

17 **SEC. 315. ANNUAL REPORTING ON CENSORSHIP OF FREE**
18 **SPEECH WITH RESPECT TO INTERNATIONAL**
19 **ABUSES OF HUMAN RIGHTS.**

20 Section 116(d) of the Foreign Assistance Act (227
21 U.S.C. 2151n(d)) is amended—

22 (1) in paragraph (11)(C), by striking “and” at
23 the end;

24 (2) in paragraph (12)(C)(ii), by striking the pe-
25 riod at the end and inserting a semicolon; and

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

2 “(13) wherever applicable, instances in which
3 the government of each country has attempted to
4 extraterritorially intimidate or pressure a company
5 or entity to censor or self-censor the speech of its
6 employees, contractors, customers, or associated
7 staff with regards to the abuse of human rights in
8 such country, or sought retaliation against such em-
9 ployees or contractors for the same, including any
10 instance in which the Government of the People’s
11 Republic of China has sought to extraterritorially
12 censor or punish speech that is otherwise legal in the
13 United States on the topics of—

14 “(A) repression and violation of funda-
15 mental freedoms in Hong Kong;

16 “(B) repression and persecution of reli-
17 gious and ethnic minorities in China, including
18 in the Xinjiang Uyghur Autonomous Region
19 and the Tibet Autonomous Region;

20 “(C) efforts to proliferate and use surveil-
21 lance technologies to surveil activists, journal-
22 ists, opposition politicians, or to profile persons
23 of different ethnicities; and

24 “(D) other gross violations of human
25 rights; and

1 “(14) wherever applicable, instances in which a
2 company or entity located in or based in a third
3 country has censored or self-censored the speech of
4 its employees, contractors, customers, or associated
5 staff on the topic of abuse of human rights in each
6 country or sought to retaliate against such employ-
7 ees for the same, due to intimidation or pressure
8 from or the fear of intimidation by the foreign gov-
9 ernment.”.

10 **SEC. 316. POLICY TOWARD THE XXIV OLYMPIC WINTER**
11 **GAMES AND THE XIII PARALYMPIC WINTER**
12 **GAMES.**

13 (a) FINDINGS.—Congress finds the following:

14 (1) In October 2020, 39 countries at the
15 United Nations Third Committee of the General As-
16 sembly appealed for action on the mass arbitrary de-
17 tentions and other crimes against the Uyghur Mus-
18 lim population of the Xinjiang Uyghur Autonomous
19 Region.

20 (2) The 2018 concluding observations of the
21 United Nations Committee on the Elimination of
22 Racial Discrimination decried reports of mass arbi-
23 trary detention of Uyghurs.

24 (3) Over 400 international nongovernmental or-
25 ganizations have joined together to decry the mass

1 arbitrary detentions of Uyghurs in the Xinjiang
2 Uyghur Autonomous Region.

3 (4) The Olympic Charter states that the prac-
4 tice of sport “is a human right” that “shall be se-
5 cured without discrimination of any kind, such as
6 race, colour, sex, sexual orientation, language, reli-
7 gion, political or other opinion, national or social ori-
8 gin, property, birth or other status”, a right that by
9 definition cannot be secured in a country in which
10 over 1,000,000 people are imprisoned in camps be-
11 cause of their race, language, and religion.

12 (5) The 2008 Olympics in Beijing were accom-
13 panied by widespread tracking, arrest, and intimidat-
14 ion of foreign journalists and bloggers, as well as
15 restrictions on movement of journalists, contrary to
16 explicit commitments made by the Government of
17 the People’s Republic of China (PRC) to the Inter-
18 national Olympic Committee.

19 (6) The Government of the PRC denied visas
20 for some journalists granted press accreditation for
21 the 2008 Olympic Games, and the Beijing
22 Organising Committee of the Olympic Games repeat-
23 edly refused to address incidents involving freedom
24 of expression.

1 (7) The International Olympic Committee faced
2 broad criticism for failing to adequately anticipate
3 infringements by the Government of the PRC's on
4 freedom of expression and press for international
5 media and 2008 Olympics participants, and failing
6 to hold the Government of the PRC to their own
7 commitments to safeguard human rights during the
8 2008 games.

9 (b) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that the International Olympic Committee should—

11 (1) consider that the Olympic Charter's prin-
12 ciples of solidarity and nondiscrimination are hard to
13 reconcile with holding the 2022 Winter Games in a
14 country the government of which stands credibly ac-
15 cused of perpetrating crimes against humanity and
16 genocide against ethnic and religious minorities;

17 (2) take into account the recent precedent of
18 the 2008 games, at which Olympic athletes, spec-
19 tators, and international media had their funda-
20 mental freedoms severely challenged, and the likely
21 limitations the Government of the PRC will seek to
22 enforce on participants speaking out about ongoing
23 persecution of the Uyghurs and other human rights
24 abuses in the PRC, despite repeated commitments
25 by the Government of the PRC;

1 (3) emphasize that the International Olympic
2 Committee is not opposed to moving an Olympic
3 competition in all circumstances, and will keep this
4 option available as demanded by the human rights
5 situation, and initiate an emergency search process
6 for suitable replacement facilities for the 2022 Win-
7 ter Olympics if the Government of the PRC fails to
8 release all arbitrarily held Uyghurs from mass de-
9 tention centers and prisons;

10 (4) affirm the International Olympic Commit-
11 tee's—

12 (A) desire to stay above politics does not
13 permit turning a blind eye to mass atrocity
14 crimes, which cannot and should not be dis-
15 missed as mere political concerns; and

16 (B) commitment to the fundamental rights
17 instruments of the international system, which
18 are beyond partisan or domestic policy, and
19 upon which the success of the entire Olympic
20 project depends;

21 (5) propose a set of clear, executable actions to
22 be taken by the International Olympic Committee
23 upon infringement of freedom of expression by a
24 host country's government during any Olympics

1 event, including the 2022 Winter Olympics, against
2 athletes, participants, and international media; and

3 (6) rescind Rule 50 of the Olympic Charter,
4 which restricts the freedom of expression by athletes
5 when competing during Olympics events, and affirm
6 the rights of athletes to political and other speech
7 during athletic competitions, including speech that is
8 critical of their host countries.

9 (c) STATEMENT OF POLICY.—It shall be the policy
10 of the United States—

11 (1) to implement a presidential and cabinet
12 level diplomatic boycott of the XXIV Olympic Winter
13 Games and the XIII Paralympic Winter Games in
14 the PRC;

15 (2) to encourage other nations, especially demo-
16 cratic partners and allies, to do the same; and

17 (3) to call for an end to the Chinese Communist
18 Party's ongoing human rights abuses, including the
19 Uyghur genocide.

20 **TITLE IV—INVESTING IN OUR**
21 **ECONOMIC STATECRAFT**

22 **SEC. 401. SENSE OF CONGRESS REGARDING THE PEOPLE'S**
23 **REPUBLIC OF CHINA'S INDUSTRIAL POLICY.**

24 It is the sense of Congress that—

1 (1) the challenges presented by a nonmarket
2 economy like the economy of the People’s Republic
3 of China (PRC), which has captured such a large
4 share of global economic exchange, are in many
5 ways unprecedented and require sufficiently elevated
6 and sustained long-term focus and engagement;

7 (2) in order to truly address the most detri-
8 mental aspects of Chinese Communist Party (CCP)-
9 directed mercantilist economic strategy, the United
10 States must adopt policies that—

11 (A) expose the full scope and scale of intel-
12 lectual property theft and mass subsidization of
13 Chinese firms, and the resulting harm to the
14 United States, foreign markets, and the global
15 economy;

16 (B) ensure that PRC companies face costs
17 and consequences for anticompetitive behavior;

18 (C) provide options for affected United
19 States persons to address and respond to un-
20 reasonable and discriminatory CCP-directed in-
21 dustrial policies; and

22 (D) strengthen the protection of critical
23 technology and sensitive data, while still fos-
24 tering an environment that provides incentives

1 for secure but open investment, innovation, and
2 competition;

3 (3) the United States must work with its allies
4 and partners and multilateral venues and fora—

5 (A) to reinforce long-standing generally ac-
6 cepted principles of fair competition and market
7 behavior and address the PRC's anticompetitive
8 economic and industrial policies that undermine
9 decades of global growth and innovation;

10 (B) to ensure that the PRC is not granted
11 the same treatment as that of a free-market
12 economy until it ceases the implementation of
13 laws, regulations, policies, and practices that
14 provide unfair advantage to PRC firms in fur-
15 therance of national objectives and impose un-
16 reasonable, discriminatory, and illegal burdens
17 on market-based international commerce; and

18 (C) to align policies with respect to curbing
19 state-directed subsidization of the private sec-
20 tor, such as advocating for global rules related
21 to transparency and adherence to notification
22 requirements, including through the efforts cur-
23 rently being advanced by the United States,
24 Japan, and the European Union;

1 (4) the United States and its allies and part-
2 ners must collaborate to provide incentives to their
3 respective companies to cooperate in areas such as—

4 (5) the United States should develop policies
5 that—

6 (A) insulate United States entities from
7 PRC pressure against complying with United
8 States laws;

9 (B) together with the work of allies and
10 partners and multilateral institutions, counter
11 the potential impact of the blocking regime of
12 the PRC established by the Ministry of Com-
13 merce of the PRC on January 9, 2021, when
14 it issued Order No. 1 of 2021, entitled “Rules
15 on Counteracting Unjustified Extraterritorial
16 Application of Foreign Legislation and other
17 Measures”; and

18 (C) plan for future actions that the Gov-
19 ernment of the PRC may take to undermine the
20 lawful application of United States legal au-
21 thorities, including with respect to the use of
22 sanctions.

23 **SEC. 402. ECONOMIC DEFENSE RESPONSE TEAMS.**

24 (a) PILOT PROGRAM.—Not later than 180 days after
25 the date of the enactment of this Act, the President shall

1 develop and implement a pilot program for the creation
2 of deployable economic defense response teams to help
3 provide emergency technical assistance and support to a
4 country subjected to the threat or use of coercive economic
5 measures (in this section referred to as a “partner coun-
6 try”) and to play a liaison role between the legitimate gov-
7 ernment of that country and the United States Govern-
8 ment. Such assistance and support may include the fol-
9 lowing activities:

10 (1) Reducing the partner country’s vulnerability
11 to coercive economic measures.

12 (2) Minimizing the damage that such measures
13 by an adversary could cause to the partner country.

14 (3) Implementing any bilateral or multilateral
15 contingency plans that may exist for responding to
16 the threat or use of such measures.

17 (4) In coordination with the partner country,
18 developing or improving plans and strategies by the
19 country for reducing vulnerabilities and improving
20 responses to such measures in the future.

21 (5) Assisting the partner country in dealing
22 with foreign sovereign investment in infrastructure
23 or related projects that may undermine the partner
24 country’s sovereignty.

1 (6) Assisting the partner country in responding
2 to specific efforts from an adversary attempting to
3 employ economic coercion that undermines the part-
4 ner country's sovereignty, including efforts in the
5 cyber domain, such as efforts that undermine cyber-
6 security or digital security of the partner country or
7 initiatives that introduce digital technologies in a
8 manner that undermines freedom, security, and sov-
9 ereignty of the partner country.

10 (7) Otherwise providing direct and relevant
11 short-to-medium term economic or other assistance
12 from the United States and marshalling other re-
13 sources in support of effective responses to such
14 measures.

15 (b) REPORTS REQUIRED.—

16 (1) REPORT ON ESTABLISHMENT.—Upon estab-
17 lishment of the pilot program required by subsection
18 (a), the Secretary of State shall provide the appro-
19 priate congressional committees with a detailed re-
20 port and briefing describing the pilot program, the
21 major elements of the program, the personnel and
22 institutions involved, and the degree to which the
23 program incorporates the elements described in sub-
24 section (a).

1 (2) FOLLOW-UP REPORT.—Not later than one
2 year after the date on which the report required by
3 paragraph (1) is submitted, the Secretary of State
4 shall provide the appropriate congressional commit-
5 tees with a detailed report and briefing describing
6 the operations over the previous year of the pilot
7 program established pursuant to subsection (a), as
8 well as the Secretary’s assessment of its perform-
9 ance and suitability for becoming a permanent pro-
10 gram.

11 (3) FORM.—Each report required under this
12 subsection shall be submitted in unclassified form,
13 but may include a classified annex.

14 (c) DECLARATION OF AN ECONOMIC CRISIS RE-
15 QUIRED.—

16 (1) NOTIFICATION.—The President may acti-
17 vate an economic defense response team for a period
18 of 180 days under the authorities of this section to
19 assist a partner country in responding to an unusual
20 and extraordinary economic coercive threat by an
21 adversary of the United States upon the declaration
22 of a coercive economic emergency, together with no-
23 tification to the Committee on Foreign Relations of
24 the Senate and the Committee on Foreign Affairs of
25 the House of Representatives.

1 (2) EXTENSION AUTHORITY.—The President
2 may activate the response team for an additional
3 180 days upon the submission of a detailed analysis
4 to the committees described in paragraph (1) justifying why the continued deployment of the economic
5 defense response team in response to the economic
6 emergency is in the national security interest of the
7 United States.

9 (d) SUNSET.—The authorities provided under this
10 section shall expire on December 31, 2026.

11 (e) RULE OF CONSTRUCTION.—Neither the authority
12 to declare an economic crisis provided for in subsection
13 (d), nor the declaration of an economic crisis pursuant to
14 subsection (d), shall confer or be construed to confer any
15 authority, power, duty, or responsibility to the President
16 other than the authority to activate an economic defense
17 response team as described in this section.

18 (f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate congressional committees” means—

21 (1) the Committee on Foreign Relations, the
22 Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and
23 Transportation, the Committee on Energy and Natural Resources, the Committee on Agriculture, Nu-

1 trition, and Forestry, and the Committee on Finance
2 of the Senate; and

3 (2) the Committee on Foreign Affairs, the
4 Committee on Financial Services, the Committee on
5 Energy and Commerce, the Committee on Agri-
6 culture, and the Committee on Ways and Means of
7 the House of Representatives.

8 **SEC. 403. COUNTERING OVERSEAS KLEPTOCRACY.**

9 (a) FINDINGS.—Congress finds the following:

10 (1) Authoritarian leaders in foreign countries
11 abuse their power to steal assets from state institu-
12 tions, enrich themselves at the expense of their coun-
13 tries' economic development, and use corruption as
14 a strategic tool both to solidify their grip on power
15 and to undermine democratic institutions abroad.

16 (2) Global corruption harms the competitiveness
17 of United States businesses, weakens democratic
18 governance, feeds terrorist recruitment and
19 transnational organized crime, enables drug smug-
20 gling and human trafficking, and stymies economic
21 growth.

22 (3) Illicit financial flows often penetrate coun-
23 tries through what appear to be legitimate financial
24 transactions, as kleptocrats launder money, use shell

1 companies, amass offshore wealth, and participate in
2 a global shadow economy.

3 (4) The Government of the Russian Federation
4 is a leading model of this type of kleptocratic sys-
5 tem, using state-sanctioned corruption to both erode
6 democratic governance from within and discredit de-
7 mocracy abroad, thereby strengthening the authori-
8 tarian rule of Vladimir Putin.

9 (5) Corrupt individuals and entities in the Rus-
10 sian Federation, often with the backing and encour-
11 agement of political leadership, use stolen money—

12 (A) to purchase key assets in other coun-
13 tries, often with a goal of attaining monopolistic
14 control of a sector;

15 (B) to gain access to and influence the
16 policies of other countries; and

17 (C) to advance Russian interests in other
18 countries, particularly those that undermine
19 confidence and trust in democratic systems.

20 (6) Systemic corruption in the People's Repub-
21 lic of China (PRC), often tied to, directed by, or
22 backed by the leadership of the Chinese Communist
23 Party (CCP) and the Government of the PRC is
24 used—

1 (A) to provide unfair advantage to certain
2 PRC economic entities;

3 (B) to increase other countries' economic
4 dependence on the PRC to secure greater def-
5 erence to the PRC's diplomatic and strategic
6 goals; and

7 (C) to exploit corruption in foreign govern-
8 ments and among other political elites to enable
9 PRC state-backed firms to pursue predatory
10 and exploitative economic practices.

11 (7) Thwarting these tactics by Russian, Chi-
12 nese, and other kleptocratic actors requires the
13 international community to strengthen democratic
14 governance and the rule of law. International co-
15 operation in combating corruption and illicit finance
16 is vital to such efforts, especially by empowering re-
17 formers in foreign countries during historic political
18 openings for the establishment of the rule of law in
19 those countries.

20 (8) Technical assistance programs that combat
21 corruption and strengthen the rule of law, including
22 through assistance provided by the Department of
23 State's Bureau of International Narcotics and Law
24 Enforcement Affairs and the United States Agency
25 for International Development, and through pro-

1 grams like the Department of Justice’s Office of
2 Overseas Prosecutorial Development, Assistance and
3 Training and the International Criminal Investigative
4 Training Assistance Program, can have lasting
5 and significant impacts for both foreign and United
6 States interests.

7 (9) There currently exist numerous international
8 instruments to combat corruption,
9 kleptocracy, and illicit finance, including—

10 (A) the Inter-American Convention against
11 Corruption of the Organization of American
12 States, done at Caracas March 29, 1996;

13 (B) the Convention on Combating Bribery
14 of Foreign Public Officials in International
15 Business Transactions of the Organisation of
16 Economic Co-operation and Development, done
17 at Paris December 21, 1997 (commonly referred
18 to as the “Anti-Bribery Convention”);

19 (C) the United Nations Convention against
20 Transnational Organized Crime, done at New
21 York November 15, 2000;

22 (D) the United Nations Convention against
23 Corruption, done at New York October 31,
24 2003;

1 (E) Recommendation of the Council for
2 Further Combating Bribery of Foreign Public
3 Officials in International Business Trans-
4 actions, adopted November 26, 2009; and

5 (F) recommendations of the Financial Ac-
6 tion Task Force comprising the International
7 Standards on Combating Money Laundering
8 and the Financing of Terrorism and Prolifera-
9 tion.

10 (b) DEFINITIONS.—In this section:

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

14 (A) the Committee on Foreign Relations,
15 the Committee on Banking, Housing, and
16 Urban Affairs, the Committee on Finance, and
17 the Committee on the Judiciary of the Senate;

18 (B) the Committee on Foreign Affairs, the
19 Committee on Financial Services, the Com-
20 mittee on Ways and Means, and the Committee
21 on the Judiciary of the House of Representa-
22 tives.

23 (2) FOREIGN ASSISTANCE.—The term “foreign
24 assistance” means foreign assistance authorized

1 under the Foreign Assistance Act of 1961 (22
2 U.S.C. 2251 et seq.).

3 (3) FOREIGN STATE.—The term “foreign state”
4 has the meaning given such term in section 1603(a)
5 of title 28, United States Code.

6 (4) INTELLIGENCE COMMUNITY.—The term
7 “intelligence community” has the meaning given
8 such term in section 3(4) of the National Security
9 Act of 1947 (50 U.S.C. 3003(4)).

10 (5) PUBLIC CORRUPTION.—The term “public
11 corruption” includes the unlawful exercise of en-
12 trusted public power for private gain, such as
13 through bribery, nepotism, fraud, extortion, or em-
14 bezzlement.

15 (6) RULE OF LAW.—The term “rule of law”
16 means the principle of governance in which all per-
17 sons, institutions, and entities, whether public or
18 private, including the state, are accountable to laws
19 that are—

20 (A) publicly promulgated;

21 (B) equally enforced;

22 (C) independently adjudicated; and

23 (D) consistent with international human
24 rights norms and standards.

1 (c) STATEMENT OF POLICY.—It is the policy of the
2 United States—

3 (1) to leverage United States diplomatic en-
4 gagement and foreign assistance to promote the rule
5 of law;

6 (2)(A) to promote international instruments to
7 combat corruption, kleptocracy, and illicit finance,
8 including instruments referred to in subsection
9 (a)(9), and other relevant international standards
10 and best practices, as such standards and practices
11 develop; and

12 (B) to promote the adoption and implementa-
13 tion of such laws, standards, and practices by for-
14 eign states;

15 (3) to support foreign states in promoting good
16 governance and combating public corruption;

17 (4) to encourage and assist foreign partner
18 countries to identify and close loopholes in their
19 legal and financial architecture, including the misuse
20 of anonymous shell companies, free trade zones, and
21 other legal structures, that are enabling illicit fi-
22 nance to penetrate their financial systems;

23 (5) to help foreign partner countries to inves-
24 tigate, prosecute, adjudicate, and more generally
25 combat the use of corruption by malign actors, in-

1 including authoritarian governments, particularly the
2 Government of the Russian Federation and the Gov-
3 ernment of the People's Republic of China, as a tool
4 of malign influence worldwide;

5 (6) to assist in the recovery of kleptocracy-re-
6 lated stolen assets for victims, including through the
7 use of appropriate bilateral arrangements and inter-
8 national agreements, such as the United Nations
9 Convention against Corruption, done at New York
10 October 31, 2003, and the United Nations Conven-
11 tion against Transnational Organized Crime, done at
12 New York November 15, 2000;

13 (7) to use sanctions authorities, such as the
14 Global Magnitsky Human Rights Accountability Act
15 (subtitle F of title XII of the National Defense Au-
16 thorization Act for Fiscal Year 2017 (Public Law
17 114–328; 22 U.S.C. 2656 note)) and section
18 7031(c) of the Department of State, Foreign Oper-
19 ations, and Related Programs Appropriations Act,
20 2020 (division G of Public Law 116–94), to identify
21 and take action against corrupt foreign actors;

22 (8) to ensure coordination between relevant
23 Federal departments and agencies with jurisdiction
24 over the advancement of good governance in foreign
25 states; and

1 (9) to lead the creation of a formal grouping of
2 like-minded states—

3 (A) to coordinate efforts to counter corrup-
4 tion, kleptocracy, and illicit finance; and

5 (B) to strengthen collective financial de-
6 fense.

7 (d) ANTI-CORRUPTION ACTION FUND.—

8 (1) ESTABLISHMENT.—There is established in
9 the United States Treasury a fund, to be known as
10 the “Anti-Corruption Action Fund”, only for the
11 purposes of—

12 (A) strengthening the capacity of foreign
13 states to prevent and fight public corruption;

14 (B) assisting foreign states to develop rule
15 of law-based governance structures, including
16 accountable civilian police, prosecutorial, and
17 judicial institutions;

18 (C) supporting foreign states to strengthen
19 domestic legal and regulatory frameworks to
20 combat public corruption, including the adop-
21 tion of best practices under international law;
22 and

23 (D) supplementing existing foreign assist-
24 ance and diplomacy with respect to efforts de-
25 scribed in subparagraphs (A), (B), and (C).

1 (2) FUNDING.—

2 (A) TRANSFERS.—Beginning on or after
3 the date of the enactment of this Act, if total
4 criminal fines and penalties in excess of
5 \$50,000,000 are imposed against a person
6 under the Foreign Corrupt Practices Act of
7 1977 (Public Law 95–213) or section 13, 30A,
8 or 32 of the Securities Exchange Act of 1934
9 (15 U.S.C. 78m, 78dd–1, and 78ff), whether
10 pursuant to a criminal prosecution, enforcement
11 proceeding, deferred prosecution agreement,
12 nonprosecution agreement, a declination to
13 prosecute or enforce, or any other resolution,
14 the court (in the case of a conviction) or the At-
15 torney General shall impose an additional pre-
16 vention payment equal to \$5,000,000 against
17 such person, which shall be deposited in the
18 Anti-Corruption Action Fund established under
19 paragraph (1).

20 (B) AVAILABILITY OF FUNDS.—Amounts
21 deposited into the Anti-Corruption Action Fund
22 pursuant to subparagraph (A) shall be available
23 to the Secretary of State only for the purposes
24 described in paragraph (1), without fiscal year
25 limitation or need for subsequent appropriation.

1 (C) LIMITATION.—None of the amounts
2 made available to the Secretary of State from
3 the Anti-Corruption Action Fund may be used
4 inside the United States, except for administra-
5 tive costs related to overseas program imple-
6 mentation pursuant to paragraph (1).

7 (3) SUPPORT.—The Anti-Corruption Action
8 Fund—

9 (A) may support governmental and non-
10 governmental parties in advancing the purposes
11 described in paragraph (1); and

12 (B) shall be allocated in a manner com-
13 plementary to existing United States foreign as-
14 sistance, diplomacy, and anti-corruption activi-
15 ties.

16 (4) ALLOCATION AND PRIORITIZATION.—In
17 programming foreign assistance made available
18 through the Anti-Corruption Action Fund, the Sec-
19 retary of State, in coordination with the Attorney
20 General, shall prioritize projects that—

21 (A) assist countries that are undergoing
22 historic opportunities for democratic transition,
23 combating corruption, and the establishment of
24 the rule of law; and

1 (B) are important to United States na-
2 tional interests.

3 (5) TECHNICAL ASSISTANCE PROVIDERS.—For
4 any technical assistance to a foreign governmental
5 party under this section, the Secretary of State, in
6 coordination with the Attorney General, shall
7 prioritize United States Government technical assist-
8 ance providers as implementers, in particular the Of-
9 fice of Overseas Prosecutorial Development, Assist-
10 ance and Training and the International Criminal
11 Investigative Training Assistance Program at the
12 Department of Justice.

13 (6) PUBLIC DIPLOMACY.—The Secretary of
14 State shall announce that funds deposited in the
15 Anti-Corruption Action Fund are derived from ac-
16 tions brought under the Foreign Corrupt Practices
17 Act to demonstrate that the use of such funds are—

18 (A) contributing to international anti-cor-
19 ruption work; and

20 (B) reducing the pressure that United
21 States businesses face to pay bribes overseas,
22 thereby contributing to greater competitiveness
23 of United States companies.

24 (7) REPORTING.—Not later than 1 year after
25 the date of the enactment of this Act and not less

1 frequently than annually thereafter, the Secretary of
2 State shall submit a report to the appropriate con-
3 gressional committees that contains—

4 (A) the balance of the funding remaining
5 in the Anti-Corruption Action Fund;

6 (B) the amount of funds that have been
7 deposited into the Anti-Corruption Action
8 Fund; and

9 (C) a summary of the obligation and ex-
10 penditure of such funds.

11 (8) NOTIFICATION REQUIREMENTS.—None of
12 the amounts made available to the Secretary of
13 State from the Anti-Corruption Action Fund pursu-
14 ant to this section shall be available for obligation,
15 or for transfer to other departments, agencies, or en-
16 tities, unless the Secretary of State notifies the
17 Committee on Foreign Relations of the Senate, the
18 Committee on Appropriations of the Senate, the
19 Committee on Foreign Affairs of the House of Rep-
20 resentatives, and the Committee on Appropriations
21 of the House of Representatives, not later than 15
22 days in advance of such obligation or transfer.

23 (e) INTERAGENCY ANTI-CORRUPTION TASK
24 FORCE.—

1 (1) IN GENERAL.—The Secretary of State, in
2 cooperation with the Interagency Anti-Corruption
3 Task Force established pursuant to paragraph (2),
4 shall manage a whole-of-government effort to im-
5 prove coordination among Federal departments and
6 agencies and donor organizations with a role in—

7 (A) promoting good governance in foreign
8 states; and

9 (B) enhancing the ability of foreign states
10 to combat public corruption.

11 (2) INTERAGENCY ANTI-CORRUPTION TASK
12 FORCE.—Not later than 180 days after the date of
13 the enactment of this Act, the Secretary of State
14 shall establish and convene the Interagency Anti-
15 Corruption Task Force (referred to in this section as
16 the “Task Force”), which shall be composed of rep-
17 resentatives appointed by the President from appro-
18 priate departments and agencies, including the De-
19 partment of State, the United States Agency for
20 International Development, the Department of Jus-
21 tice, the Department of the Treasury, the Depart-
22 ment of Homeland Security, the Department of De-
23 fense, the Department of Commerce, the Millennium
24 Challenge Corporation, and the intelligence commu-
25 nity.

1 (3) ADDITIONAL MEETINGS.—The Task Force
2 shall meet not less frequently than twice per year.

3 (4) DUTIES.—The Task Force shall—

4 (A) evaluate, on a general basis, the effec-
5 tiveness of existing foreign assistance programs,
6 including programs funded by the Anti-Corrup-
7 tion Action Fund, that have an impact on—

8 (i) promoting good governance in for-
9 eign states; and

10 (ii) enhancing the ability of foreign
11 states to combat public corruption;

12 (B) assist the Secretary of State in man-
13 aging the whole-of-government effort described
14 in paragraph (1);

15 (C) identify general areas in which such
16 whole-of-government effort could be enhanced;
17 and

18 (D) recommend specific programs for for-
19 eign states that may be used to enhance such
20 whole-of-government effort.

21 (5) BRIEFING REQUIREMENT.—Not later than
22 1 year after the date of the enactment of this Act
23 and not less frequently than annually thereafter
24 through the end of fiscal year 2026, the Secretary
25 of State shall provide a briefing to the appropriate

1 congressional committees regarding the ongoing
2 work of the Task Force. Each briefing shall include
3 the participation of a representative of each of the
4 departments and agencies described in paragraph
5 (2), to the extent feasible.

6 (f) DESIGNATION OF EMBASSY ANTI-CORRUPTION
7 POINTS OF CONTACT.—

8 (1) EMBASSY ANTI-CORRUPTION POINT OF CON-
9 TACT.—The chief of mission of each United States
10 embassy shall designate an anti-corruption point of
11 contact for each such embassy.

12 (2) DUTIES.—The designated anti-corruption
13 points of contact designated pursuant to paragraph
14 (1) shall—

15 (A) coordinate, in accordance with guid-
16 ance from the Interagency Anti-Corruption
17 Task Force established pursuant to subsection
18 (e)(2), an interagency approach within United
19 States embassies to combat public corruption in
20 the foreign states in which such embassies are
21 located that is tailored to the needs of such for-
22 eign states, including all relevant Federal de-
23 partments and agencies with a presence in such
24 foreign states, such as the Department of State,
25 the United States Agency for International De-

1 velopment, the Department of Justice, the De-
2 partment of the Treasury, the Department of
3 Homeland Security, the Department of De-
4 fense, the Millennium Challenge Corporation,
5 and the intelligence community;

6 (B) make recommendations regarding the
7 use of the Anti-Corruption Action Fund and
8 other foreign assistance funding related to anti-
9 corruption efforts in their respective countries
10 of responsibility that aligns with United States
11 diplomatic engagement; and

12 (C) ensure that anti-corruption activities
13 carried out within their respective countries of
14 responsibility are included in regular reporting
15 to the Secretary of State and the Interagency
16 Anti-Corruption Task Force, including United
17 States embassy strategic planning documents
18 and foreign assistance-related reporting, as ap-
19 propriate.

20 (3) TRAINING.—The Secretary of State shall
21 develop and implement appropriate training for the
22 designated anti-corruption points of contact.

23 (g) REPORTING REQUIREMENTS.—

24 (1) REPORT OR BRIEFING ON PROGRESS TO-
25 WARD IMPLEMENTATION.—Not later than 180 days

1 after the date of the enactment of this Act, and an-
2 nually thereafter for the following 3 years, the Sec-
3 retary of State, in consultation with the Adminis-
4 trator of the United States Agency for International
5 Development, the Attorney General, and the Sec-
6 retary of the Treasury, shall submit a report or pro-
7 vide a briefing to the appropriate congressional com-
8 mittees that summarizes progress made in com-
9 bating public corruption and in implementing this
10 Act, including—

11 (A) identifying opportunities and priorities
12 for outreach with respect to promoting the
13 adoption and implementation of relevant inter-
14 national law and standards in combating public
15 corruption, kleptocracy, and illicit finance;

16 (B) describing—

17 (i) the bureaucratic structure of the
18 offices within the Department of State and
19 the United States Agency for International
20 Development that are engaged in activities
21 to combat public corruption, kleptocracy,
22 and illicit finance; and

23 (ii) how such offices coordinate their
24 efforts with each other and with other rel-
25 evant Federal departments and agencies;

1 (C) providing a description of how the pro-
2 visions under paragraphs (4) and (5) of sub-
3 section (d) have been applied to each project
4 funded by the Anti-Corruption Action Fund;

5 (D) providing an explanation as to why a
6 United States Government technical assistance
7 provider was not used if technical assistance to
8 a foreign governmental entity is not imple-
9 mented by a United States Government tech-
10 nical assistance provider;

11 (E) describing the activities of the Inter-
12 agency Anti-Corruption Task Force established
13 pursuant to subsection (e)(2);

14 (F) identifying—

15 (i) the designated anti-corruption
16 points of contact for foreign states; and

17 (ii) any training provided to such
18 points of contact; and

19 (G) recommending additional measures
20 that would enhance the ability of the United
21 States Government to combat public corruption,
22 kleptocracy, and illicit finance overseas.

23 (2) ONLINE PLATFORM.—The Secretary of
24 State, in conjunction with the Administrator of the
25 United States Agency for International Develop-

1 ment, should consolidate existing reports with anti-
2 corruption components into a single online, public
3 platform that includes—

4 (A) the Annual Country Reports on
5 Human Rights Practices required under section
6 116 of the Foreign Assistance Act of 1961 (22
7 U.S.C. 2151n);

8 (B) the Fiscal Transparency Report re-
9 quired under section 7031(b) of the Depart-
10 ment of State, Foreign Operations and Related
11 Programs Appropriations Act, 2019 (division F
12 of Public Law 116–6);

13 (C) the Investment Climate Statement re-
14 ports;

15 (D) the International Narcotics Control
16 Strategy Report;

17 (E) any other relevant public reports; and

18 (F) links to third-party indicators and
19 compliance mechanisms used by the United
20 States Government to inform policy and pro-
21 gramming, as appropriate, such as—

22 (i) the International Finance Corpora-
23 tion’s Doing Business surveys;

24 (ii) the International Budget Partner-
25 ship’s Open Budget Index; and

1 (iii) multilateral peer review anti-cor-
2 ruption compliance mechanisms, such as—

3 (I) the Organisation for Eco-
4 nomic Co-operation and Develop-
5 ment's Working Group on Bribery in
6 International Business Transactions;

7 (II) the Follow-Up Mechanism
8 for the Inter-American Convention
9 Against Corruption; and

10 (III) the United Nations Conven-
11 tion Against Corruption, done at New
12 York October 31, 2003.

13 **SEC. 404. ANNUAL REPORT ON CHINESE SURVEILLANCE**
14 **COMPANIES.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of the enactment of this Act, and annually thereafter
17 until 2040, the Secretary of State, in coordination with
18 the Director of National Intelligence, shall submit to the
19 Committee on Foreign Affairs and Permanent Select
20 Committee on Intelligence of the House of Representa-
21 tives, and the Committee on Foreign Relations and the
22 Select Committee on Intelligence of the Senate, a report
23 with respect to persons in China that the Secretary deter-
24 mines—

1 (1) have operated, sold, leased, or otherwise
2 provided, directly or indirectly, items or services re-
3 lated to targeted digital surveillance to—

4 (A) a foreign government or entity located
5 primarily inside a foreign country where a rea-
6 sonable person would assess that such transfer
7 could result in a use of the items or services in
8 a manner contrary to human rights; or

9 (B) a country or any governmental unit
10 thereof, entity, or other person determined by
11 the Secretary of State, in a notice published in
12 the Federal Register, to have used items or
13 services for targeted digital surveillance in a
14 manner contrary to human rights; or

15 (2) have materially assisted, sponsored, or pro-
16 vided financial, material, or technological support
17 for, or items or services to or in support of, the ac-
18 tivities described in paragraph (1).

19 (b) MATTERS TO BE INCLUDED.—The report re-
20 quired by subsection (a) shall include the following:

21 (1) The name of each foreign person that the
22 Secretary determines—

23 (A) meets the requirements of subsection
24 (a)(1); and

1 (B) meets the requirements of subsection
2 (a)(2).

3 (2) The name of each intended and actual re-
4 cipient of items or services described in subsection
5 (a).

6 (3) A detailed description of such items or serv-
7 ices.

8 (4) An analysis of the appropriateness of in-
9 cluding the persons listed in (b)(1) on the entity list
10 maintained by the Bureau of Industry and Security.

11 (c) CONSULTATION.—In compiling data and making
12 assessments for the purposes of preparing the report re-
13 quired by subsection (a), the Secretary of State shall con-
14 sult with a wide range of organizations, including with re-
15 spect to—

16 (1) classified and unclassified information pro-
17 vided by the Director of National Intelligence;

18 (2) information provided by the Bureau of De-
19 mocracy, Human Rights, and Labor’s Internet Free-
20 dom, Business and Human Rights section;

21 (3) information provided by the Department of
22 Commerce, including the Bureau of Industry and
23 Security;

24 (4) information provided by the advisory com-
25 mittees established by the Secretary to advise the

1 Under Secretary of Commerce for Industry and Se-
2 curity on controls under the Export Administration
3 Regulations, including the Emerging Technology and
4 Research Advisory Committee; and

5 (5) information on human rights and tech-
6 nology matters, as solicited from civil society and
7 human rights organizations through regular consult-
8 ative processes; and

9 (6) information contained in the Country Re-
10 ports on Human Rights Practices published annually
11 by the Department of State.

12 (d) FORM AND PUBLIC AVAILABILITY OF REPORT.—
13 The report required by subsection (a) shall be submitted
14 in unclassified form. The report shall be posted by the
15 President not later than 14 days after being submitted
16 to Congress on a text-based, searchable, and publicly avail-
17 able internet website.

18 (e) DEFINITIONS.—In this section:

19 (1) TARGETED DIGITAL SURVEILLANCE.—The
20 term “targeted digital surveillance” means the use
21 of items or services that enable an individual or enti-
22 ty to detect, monitor, intercept, collect, exploit, pre-
23 serve, protect, transmit, retain, or otherwise gain ac-
24 cess to the communications, protected information,
25 work product, browsing data, research, identifying

1 information, location history, or online and offline
2 activities of other individuals, organizations, or enti-
3 ties, with or without the explicit authorization of
4 such individuals, organizations, or entities.

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

8 (3) IN A MANNER CONTRARY TO HUMAN
9 RIGHTS.—The term “in a manner contrary to
10 human rights”, with respect to targeted digital sur-
11 veillance, means engaging in targeted digital surveil-
12 lance—

13 (A) in violation of basic human rights, in-
14 cluding to silence dissent, sanction criticism,
15 punish independent reporting (and sources for
16 that reporting), manipulate or interfere with
17 democratic or electoral processes, persecute mi-
18 norities or vulnerable groups, or target advo-
19 cates or practitioners of human rights and
20 democratic rights (including activists, journal-
21 ists, artists, minority communities, or opposi-
22 tion politicians); or

23 (B) in a country in which there is lacking
24 a minimum legal framework governing its use,
25 including established—

1 (i) authorization under laws that are
2 accessible, precise, and available to the
3 public;

4 (ii) constraints limiting its use under
5 principles of necessity, proportionality, and
6 legitimacy;

7 (iii) oversight by bodies independent
8 of the government's executive agencies;

9 (iv) involvement of an independent
10 and impartial judiciary branch in author-
11 izing its use; or

12 (v) legal remedies in case of abuse.

13 **TITLE V—ENSURING STRATEGIC** 14 **SECURITY**

15 **SEC. 501. COOPERATION ON A STRATEGIC NUCLEAR DIA-** 16 **LOGUE.**

17 (a) STATEMENT OF POLICY.—It is the policy of the
18 United States—

19 (1) to pursue, in coordination with United
20 States allies and partners, arms control negotiations
21 and sustained and regular engagement with the Peo-
22 ple's Republic of China (PRC)—

23 (A) to enhance understanding of each oth-
24 er's respective nuclear policies, doctrine, and ca-
25 pabilities;

1 (B) to improve transparency; and

2 (C) to help manage the risks of miscalcula-
3 tion and misperception;

4 (2) to formulate a strategy to engage the Gov-
5 ernment of the PRC on relevant issues that lays the
6 groundwork for a constructive arms control frame-
7 work, including—

8 (A) fostering dialogue on arms control
9 leading to the convening of strategic security
10 talks;

11 (B) negotiating norms for outer space;

12 (C) developing pre-launch notification re-
13 gimes aimed at reducing nuclear miscalculation;
14 and

15 (D) expanding lines of communication be-
16 tween both governments for the purposes of re-
17 ducing the risks of conventional war and in-
18 creasing transparency;

19 (3) to pursue relevant negotiations in coordina-
20 tion with United States allies and partners to ensure
21 the security of United States and allied interests to
22 slow the PRC's military modernization and expan-
23 sion, including on—

24 (A) ground-launched cruise and ballistic
25 missiles;

- 1 (B) integrated air and missile defense;
2 (C) hypersonic missiles;
3 (D) intelligence, surveillance, and recon-
4 naissance;
5 (E) space-based capabilities;
6 (F) cyber capabilities; and
7 (G) command, control, and communica-
8 tions; and

9 (4) to ensure that the United States policy con-
10 tinues to reassure United States allies and partners.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that—

13 (1) it is in the interest of the United States and
14 China to cooperate in reducing risks of conventional
15 and nuclear escalation;

16 (2) a physical, cyber, electronic, or any other
17 People’s Liberation Army (PLA) attack on United
18 States early warning satellites, other portions of the
19 nuclear command and control enterprise, or critical
20 infrastructure poses a high risk to inadvertent but
21 rapid escalation;

22 (3) the United States and its allies and part-
23 ners should promote international norms on military
24 operations in space, the employment of cyber capa-
25 bilities, and the military use of artificial intelligence,

1 as an element of risk reduction regarding nuclear
2 command and control; and

3 (4) United States allies and partners should
4 share the burden of promoting and protecting norms
5 regarding the weaponization of space, highlighting
6 unsafe behavior that violates international norms,
7 such as in rendezvous and proximity operations, and
8 promoting responsible behavior in space and all
9 other domains.

10 **SEC. 502. REPORT ON UNITED STATES EFFORTS TO EN-**
11 **GAGE THE PEOPLE'S REPUBLIC OF CHINA ON**
12 **NUCLEAR ISSUES AND BALLISTIC MISSILE**
13 **ISSUES.**

14 (a) REPORT ON THE FUTURE OF UNITED STATES-
15 PRC ARMS CONTROL.—Not later than 180 days after the
16 date of the enactment of this Act, the Secretary of State,
17 in coordination with the Secretary of Defense and the Sec-
18 retary of Energy, shall submit to the appropriate congres-
19 sional committees a report, and if necessary a separate
20 classified annex, that outlines the approaches and strate-
21 gies such Secretaries will pursue to engage the Govern-
22 ment of the People's Republic of China (PRC) on arms
23 control and risk reduction, including—

24 (1) areas of potential dialogue between the Gov-
25 ernments of the United States and the PRC, includ-

1 ing on ballistic, hypersonic glide, and cruise missiles,
2 conventional forces, nuclear, space, and cyberspace
3 issues, as well as other new strategic domains, which
4 could reduce the likelihood of war, limit escalation if
5 a conflict were to occur, and constrain a desta-
6 bilizing arms race in the Indo-Pacific region;

7 (2) how the United States Government can en-
8 gage the Government of the PRC in a constructive
9 arms control dialogue;

10 (3) identifying strategic military capabilities of
11 the PRC that the United States Government is most
12 concerned about and how limiting these capabilities
13 may benefit United States and allied security inter-
14 ests;

15 (4) mechanisms to avoid, manage, or control
16 nuclear, conventional, and unconventional military
17 escalation between the United States and the PRC;

18 (5) the personnel and expertise required to ef-
19 fectively engage the PRC in strategic stability and
20 arms control dialogues; and

21 (6) opportunities and methods to encourage
22 transparency from the PRC.

23 (b) REPORT ON ARMS CONTROL TALKS WITH
24 PRC.—Not later than 180 days after the date of the en-
25 actment of this Act, the Secretary of State, in consultation

1 with the Secretary of Defense and the Secretary of En-
2 ergy, shall submit to the appropriate congressional com-
3 mittees a report that describes—

4 (1) a concrete plan for arms control talks with
5 the PRC;

6 (2) if a bilateral arms control dialogue does not
7 arise, what alternative plans the Department of
8 State envisages for ensuring the security of the
9 United States and its allies through international
10 arms control negotiations;

11 (3) effects on the credibility of United States
12 extended deterrence assurances to allies and part-
13 ners if arms control negotiations do not materialize
14 and the implications for regional security architec-
15 tures;

16 (4) efforts at engaging the PRC to join arms
17 control talks, whether on a bilateral or international
18 basis; and

19 (5) the interest level of the Government of PRC
20 in joining arms control talks, whether on a bilateral
21 or international basis, including through—

22 (A) a formal invitation to appropriate offi-
23 cials from the PRC, and to each of the perma-
24 nent members of the United Nations Security
25 Council, to observe a United States-Russian

1 Federation New START Treaty on-site inspec-
2 tion to demonstrate the security benefits of
3 transparency into strategic nuclear forces;

4 (B) discussions on how to advance inter-
5 national negotiations on the fissile material cut-
6 off;

7 (C) an agreement with the PRC that al-
8 lows for advance notifications of ballistic missile
9 launches, through the Hague Code of Conduct
10 or other data exchanges or doctrine discussions
11 related to strategic nuclear forces;

12 (D) an agreement not to target or interfere
13 in nuclear command, control, and communica-
14 tions (commonly referred to as “NC3”) infra-
15 structure; or

16 (E) any other cooperative measure that
17 benefits United States-PRC strategic stability.

18 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
19 FINED.—In this section, the term “appropriate congres-
20 sional committees” means—

21 (1) the Committee on Foreign Relations, the
22 Committee on Armed Services, and the Committee
23 on Energy and Natural Resources of the Senate;
24 and

1 (2) the Committee on Foreign Affairs, the
2 Committee on Armed Services, and the Committee
3 on Energy and Commerce of the House of Rep-
4 resentatives.

5 **SEC. 503. COUNTERING THE PEOPLE'S REPUBLIC OF CHI-**
6 **NA'S PROLIFERATION OF BALLISTIC MIS-**
7 **SILES AND NUCLEAR TECHNOLOGY TO THE**
8 **MIDDLE EAST.**

9 (a) MTCR TRANSFERS.—Not later than 30 days
10 after the date of the enactment of this Act, the President
11 shall submit to the appropriate congressional committees
12 a written determination, and any documentation to sup-
13 port that determination detailing—

14 (1) whether any foreign person in the People's
15 Republic of China (PRC) knowingly exported, trans-
16 ferred, or engaged in trade of any item designated
17 under Category I of the MTCR Annex to any foreign
18 person in the previous three fiscal years; and

19 (2) the sanctions the President has imposed or
20 intends to impose pursuant to section 11B(b) of the
21 Export Administration Act of 1979 (50 U.S.C.
22 4612(b)) against any foreign person who knowingly
23 engaged in the export, transfer, or trade of that item
24 or items.

1 (b) PRC'S NUCLEAR FUEL CYCLE COOPERATION.—
2 Not later than 30 days after the date of the enactment
3 of this Act, the President shall submit to the appropriate
4 committees of Congress a report detailing—

5 (1) whether any foreign person in the PRC en-
6 gaged in cooperation with any other foreign person
7 in the previous three fiscal years in the construction
8 of any nuclear-related fuel cycle facility or activity
9 that has not been notified to the International
10 Atomic Energy Agency and would be subject to com-
11plementary access if an Additional Protocol was in
12force; and

13 (2) the policy options required to prevent and
14respond to any future effort by the PRC to export
15to any foreign person an item classified as “plants
16for the separation of isotopes of uranium” or
17“plants for the reprocessing of irradiated nuclear re-
18actor fuel elements” under Part 110 of the Nuclear
19Regulatory Commission export licensing authority.

20 (c) FORM OF REPORT.—The determination required
21under subsection (b) and the report required under sub-
22section (c) shall be unclassified with a classified annex.

23 (d) DEFINITIONS.—In this section:

24 (1) The term “appropriate congressional com-
25mittees” means—

1 (A) the Select Committee on Intelligence
2 and the Committee on Foreign Relations of the
3 Senate; and

4 (B) the Permanent Select Committee on
5 Intelligence and the Committee on Foreign Af-
6 fairs of the House of Representatives.

7 (2) FOREIGN PERSON; PERSON.—The terms
8 “foreign person” and “person” mean—

9 (A) a natural person that is an alien;

10 (B) a corporation, business association,
11 partnership, society, trust, or any other non-
12 governmental entity, organization, or group,
13 that is organized under the laws of a foreign
14 country or has its principal place of business in
15 a foreign country;

16 (C) any foreign governmental entity oper-
17 ating as a business enterprise; and

18 (D) any successor, subunit, or subsidiary
19 of any entity described in subparagraph (B) or
20 (C).

1 **TITLE VI—INVESTING IN A**
2 **SUSTAINABLE FUTURE**

3 **SEC. 601. ENSURING NATIONAL SECURITY AND ECONOMIC**
4 **PRIORITIES WITH THE PEOPLE’S REPUBLIC**
5 **OF CHINA AND OTHER COUNTRIES ACCOUNT**
6 **FOR ENVIRONMENTAL ISSUES AND CLIMATE**
7 **CHANGE.**

8 (a) FINDINGS.—Congress finds the following:

9 (1) The Special Report: Global Warming of
10 1.5°C, published by the Intergovernmental Panel on
11 Climate Change on October 8, 2018, and the Fourth
12 National Climate Assessment, first published by the
13 United States Global Change Research Program in
14 2018, concluded that—

15 (A) the release of greenhouse gas emis-
16 sions, most notably the combustion of fossil
17 fuels and the degradation of natural resources
18 that absorb atmospheric carbon from human
19 activity, are the dominant causes of climate
20 change during the past century;

21 (B) changes in the Earth’s climate are—

22 (i) causing sea levels to rise;

23 (ii) increasing the global average tem-
24 perature of the Earth;

1 (iii) increasing the incidence and se-
2 verity of wildfires; and

3 (iv) intensifying the severity of ex-
4 treme weather, including hurricanes, cy-
5 clones, typhoons, flooding, droughts, and
6 other disasters that threaten human life,
7 healthy communities, and critical infra-
8 structure.

9 (2) An increase in the global average tempera-
10 ture of 2 degrees Celsius compared to pre-industri-
11 alized levels would cause—

12 (A) the displacement, and the forced inter-
13 nal migration, of an estimated 143,000,000
14 people in Latin America, South Asia, and Sub-
15 Saharan Africa by 2050 if insufficient action is
16 taken (according to the World Bank);

17 (B) the displacement of an average of
18 17,800,000 people worldwide by floods every
19 year (according to the Internal Displacement
20 Monitoring Centre) because of the exacerbating
21 effects of climate change;

22 (C) more than \$500,000,000,000 in lost
23 annual economic output in the United States (a
24 10 percent contraction from 2018 levels) by

1 2100 (according to the Fourth National Cli-
2 mate Assessment);

3 (D) an additional 100,000,000 people
4 worldwide to be driven into poverty by 2030
5 (according to the World Bank);

6 (E) greater food insecurity and decreased
7 agricultural production due to climate change's
8 effects on the increased frequency and intensity
9 of extreme weather events;

10 (F) the proliferation of agricultural pests
11 and crop diseases, loss of biodiversity, degrad-
12 ing ecosystems, and water scarcity; and

13 (G) more than 350,000,000 additional peo-
14 ple worldwide to be exposed to deadly heat
15 stress by 2050.

16 (3) According to the International Energy
17 Agency, the United States, China, India, and the
18 European Union (including the United Kingdom) ac-
19 count for more than 58 percent of global greenhouse
20 gas emissions. China, which is the world's top green-
21 house gases emitter and has an outsized impact on
22 the United States' core interest in climate sta-
23 bility—

24 (A) is likely to achieve its carbon emissions
25 mitigation pledge to the Paris Agreement, con-

1 tained in its 2015 nationally determined con-
2 tribution, to “peak” emissions around 2030
3 ahead of schedule;

4 (B) announced, on September 22, 2020,
5 and restated on April 22, 2021, a pledge to
6 achieve carbon neutrality by 2060;

7 (C) announced on April 22, 2021, its in-
8 tent to strictly control coal fired power genera-
9 tion projects, as well as strictly limit the in-
10 crease in coal consumption over the 14th five
11 year plan period and phase it down in the 15th
12 five year plan period; and

13 (D) however, remains uncommitted to
14 internationally recognized metrics for achieving
15 these goals.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that—

18 (1) to address the climate crisis, the United
19 States must leverage the full weight of its diplomatic
20 engagement and foreign assistance to promote our
21 national security and economic interests related to
22 climate change;

23 (2) in the absence of United States leadership
24 on global issues driving international climate-related
25 policymaking, it would lead to a substantial and

1 harmful decline in the Nation's global competitive-
2 ness;

3 (3) promoting international instruments on cli-
4 mate action and other relevant international stand-
5 ards and best practices, as such standards and prac-
6 tices develop, serve the interests of the American
7 people and protect United States environmental re-
8 sources and the planet;

9 (4) promoting the adoption and implementation
10 of international climate-related agreements, stand-
11 ards, and practices by foreign states ensures a level
12 playing field for United States businesses and other
13 stakeholders;

14 (5) working with international allies and part-
15 ners to promote environmental justice and climate
16 justice serves the American people's interests;

17 (6) finding common ground with the People's
18 Republic of China (PRC) on climate action where
19 possible is important, but the United States must
20 also continue to hold the PRC accountable where its
21 actions undermine the interests of the United States
22 and its allies and partners;

23 (7) and in furtherance of the previous clauses,
24 the United States should—

1 (A) explore opportunities for constructive
2 cooperation on climate action initiatives with
3 the PRC and other countries while ensuring the
4 United States maintains its competitive advantage
5 in climate-related fields of expertise and
6 industry, including—

7 (i) support for international cooperative
8 policies, measures, and technologies to
9 decarbonize industry and power, including
10 through circular economy, energy storage
11 and grid reliability, carbon capture, and
12 green hydrogen; and

13 (ii) increased deployment of clean energy,
14 including renewable and advanced
15 nuclear power; green and climate resilient
16 agriculture; energy efficient buildings;
17 green, and low-carbon transportation;

18 (B) cooperate on addressing emissions of
19 methane and other non-CO₂ greenhouse gases;

20 (C) cooperate on addressing emissions
21 from international civil aviation and maritime
22 activities;

23 (D) reduce emissions from coal, oil, and
24 gas;

1 (E) implement the Paris Agreement that
2 significantly advances global climate ambition
3 on mitigation, adaptation, and support;

4 (F) coordinate among relevant federal,
5 state, and local departments and agencies on
6 climate action related initiatives;

7 (G) provide resources, authorities and sup-
8 port for enhancing United States ambition and
9 commitment to solving the climate crisis includ-
10 ing climate action specific assistance and multi-
11 lateral fund contributions; and

12 (H) integrate considerations for climate
13 change into broader United States foreign pol-
14 icy decision-making and the United States na-
15 tional security apparatus.

16 (c) PURPOSE.—The purpose of this section is to pro-
17 vide authorities, resources, policies, and recommended ad-
18 ministrative actions—

19 (1) to restore United States global leadership
20 on addressing the climate crisis and make United
21 States climate action and climate diplomacy a more
22 central tenet of United States foreign policy;

23 (2) to improve the United States commitment
24 to taking more ambitious action to help mitigate
25 global greenhouse gas emission and improve devel-

1 oping countries' resilience and adaptation capacities
2 to the effects of climate change;

3 (3) to ensure the United States maintains com-
4 petitive advantage over global strategic competitors
5 in diplomacy and new technological development;

6 (4) to encourage the pursuit of new bilateral co-
7 operation agreements with other world powers on
8 initiatives to advance global clean energy innovation
9 and other measures to mitigate global greenhouse
10 gas emissions and improve climate change adapta-
11 tion capacities;

12 (5) to ensure that the United States national
13 security apparatus integrates critically important
14 data on the compounding effects that climate change
15 is having on global security risks by enhancing our
16 understanding of how, where, and when such effects
17 are destabilizing countries and regions in ways that
18 may motivate conflict, displacement, and other driv-
19 ers of insecurity; and

20 (6) to authorize funding and programs to sup-
21 port a reaffirmation of the United States' commit-
22 ments to international cooperation and support for
23 developing and vulnerable countries to take climate
24 action.

25 (d) DEFINITIONS.—In this title:

1 (1) CLEAN ENERGY.—The term “clean energy”
2 means—

3 (A) renewable energy and related systems;

4 (B) energy production processes that emit
5 zero greenhouse gas emissions, including nu-
6 clear power;

7 (C) systems and processes that capture
8 and permanently store greenhouse gas emis-
9 sions from fossil fuel production and electricity
10 generation units; and

11 (D) products, processes, facilities, or sys-
12 tems designed to retrofit and improve the en-
13 ergy efficiency and electricity generated from
14 electrical generation units, while using less fuel,
15 less or fewer power production resources, or less
16 feedstocks.

17 (2) CLIMATE ACTION.—The term “climate ac-
18 tion” means enhanced efforts to reduce greenhouse
19 gas emissions and strengthen resilience and adaptive
20 capacity to climate-induced impacts, including—

21 (A) climate-related hazards in all coun-
22 tries;

23 (B) integrating climate change measures
24 into national policies, strategies and planning;
25 and

1 (C) improving education, awareness-raising,
2 ing, and human and institutional capacity with
3 respect to climate change mitigation, adapta-
4 tion, impact reduction, and early warning.

5 (3) CLIMATE CRISIS.—The term “climate crisis”
6 means the social, economic, health, safety, and
7 security impacts on people, and the threats to bio-
8 diversity and natural ecosystem health, which are at-
9 tributable to the wide-variety of effects on global en-
10 vironmental and atmospheric conditions as a result
11 of disruptions to the Earth’s climate from anthropo-
12 genic activities that generate greenhouse gas emis-
13 sions or reduce natural resource capacities to absorb
14 and regulate atmospheric carbon.

15 (4) CLIMATE DIPLOMACY.—The term “climate
16 diplomacy” means methods of influencing the deci-
17 sions and behavior of foreign governments and peo-
18 ples through dialogue, negotiation, cooperation, and
19 other peaceful measures on or about issues related
20 to addressing global climate change, including—

21 (A) the mitigation of global greenhouse gas
22 emissions;

23 (B) discussion, analysis, and sharing of
24 scientific data and information on the cause
25 and effects of climate change;

1 (C) the security, social, economic, and po-
2 litical instability risks associated with the ef-
3 fects of climate change;

4 (D) economic cooperation efforts and trade
5 matters that are related to or associated with
6 climate change and greenhouse gas mitigation
7 from the global economy;

8 (E) building resilience capacities and
9 adapting to the effects of change;

10 (F) sustainable land use and natural re-
11 source conservation;

12 (G) accounting for loss and damage attrib-
13 uted to the effects of climate change;

14 (H) just transition of carbon intense
15 economies to low or zero carbon economies and
16 accounting for laborers within affected econo-
17 mies;

18 (I) technological innovations that reduce or
19 eliminate carbon emissions; and

20 (J) clean energy and energy systems.

21 (5) CLIMATE FINANCING.—The term “climate
22 financing” means the transfer of new and additional
23 public funds from developed countries to developing
24 countries for projects and programs that—

1 (A) reduce or eliminate greenhouse gas
2 emissions;

3 (B) enhance and restore natural carbon se-
4 questration; and

5 (C) promote adaptation to climate change.

6 (6) CLIMATE SECURITY.—The term “climate
7 security” means the effects of climate change on—

8 (A) United States national security con-
9 cerns and subnational, national, and regional
10 political stability; and

11 (B) overseas security and conflict situa-
12 tions that are potentially exacerbated by dy-
13 namic environmental factors and events, includ-
14 ing—

15 (i) the intensification and frequency of
16 droughts, floods, wildfires, tropical storms,
17 and other extreme weather events;

18 (ii) changes in historical severe weath-
19 er, drought, and wildfire patterns;

20 (iii) the expansion of geographical
21 ranges of droughts, floods, and wildfires
22 into regions that had not regularly experi-
23 enced such phenomena;

1 (iv) global sea level rise patterns and
2 the expansion of geographical ranges af-
3 fected by drought; and

4 (v) changes in marine environments
5 that effect critical geostrategic waterways,
6 such as the Arctic Ocean, the South China
7 Sea, the South Pacific Ocean, the Barents
8 Sea, and the Beaufort Sea.

9 (7) GREEN CLIMATE FUND.—The term “Green
10 Climate Fund” means the independent, multilateral
11 fund—

12 (A) established by parties to the United
13 Nations Framework Convention on Climate
14 Change; and

15 (B) adopted by decision as part of the fi-
16 nancial mechanism of the United Nations
17 Framework Convention on Climate Change.

18 (8) PARIS AGREEMENT.—The term “Paris
19 Agreement” means the annex to Decision 1/CP.21
20 adopted by the 21st Conference of Parties of the
21 United Nations Framework Convention on Climate
22 Change in Paris, France, on December 12, 2015.

23 (7) RESILIENCE.—The term “resilience” means
24 the ability of human made and natural systems (in-
25 cluding their component parts) to anticipate, absorb,

1 cope, accommodate, or recover from the effects of a
2 hazardous event in a timely and efficient manner, in-
3 cluding through ensuring the preservation, restora-
4 tion, or improvement of its essential basic structures
5 and functions. It is not preparedness or response.

6 **SEC. 602. ENHANCING SECURITY CONSIDERATIONS FOR**
7 **GLOBAL CLIMATE DISRUPTIONS.**

8 (a) IN GENERAL.—The Secretary of State, in con-
9 sultation with the heads of other relevant Federal agen-
10 cies, shall conduct biennial comprehensive evaluations of
11 present and ongoing disruptions to the global climate sys-
12 tem, including—

13 (1) the intensity, frequency, and range of nat-
14 ural disasters;

15 (2) the scarcity of global natural resources, in-
16 cluding fresh water;

17 (3) global food, health, and energy insecurities;

18 (4) conditions that contribute to—

19 (A) intrastate and interstate conflicts;

20 (B) foreign political and economic insta-
21 bility;

22 (C) international migration of vulnerable
23 and underserved populations;

24 (D) the failure of national governments;

25 and

1 (E) gender-based violence; and

2 (5) United States and allied military readiness,
3 operations, and strategy.

4 (b) PURPOSES.—The purposes of the evaluations con-
5 ducted under subsection (a) are—

6 (1) to support the practical application of sci-
7 entific data and research on climate change’s dy-
8 namic effects around the world to improve resilience,
9 adaptability, security, and stability despite growing
10 global environmental risks and changes;

11 (2) to ensure that the strategic planning and
12 mission execution of United States international de-
13 velopment and diplomatic missions adequately ac-
14 count for heightened and dynamic risks and chal-
15 lenges associated with the effects of climate change;

16 (3) to improve coordination between United
17 States science agencies conducting research and
18 forecasts on the causes and effects of climate change
19 and United States national security agencies;

20 (4) to better understand the disproportionate
21 effects of global climate disruptions on women, girls,
22 indigenous communities, and other historically
23 marginalized populations; and

24 (5) to inform the development of the climate se-
25 curity strategy described in subsection (d).

1 (c) SCOPE.—The evaluations conducted under sub-
2 section (a) shall—

3 (1) examine developing countries' vulnerabilities
4 and risks associated with global, regional, and local-
5 ized effects of climate change; and

6 (2) assess and make recommendations on nec-
7 essary measures to mitigate risks and reduce
8 vulnerabilities associated with effects, including—

9 (A) sea level rise;

10 (B) freshwater resource scarcity;

11 (C) wildfires; and

12 (D) increased intensity and frequency of
13 extreme weather conditions and events, such as
14 flooding, drought, and extreme storm events, in-
15 cluding tropical cyclones.

16 (d) CLIMATE SECURITY STRATEGY.—The Secretary
17 shall use the evaluations required under subsection (a)—

18 (1) to inform the development and implementa-
19 tion of a climate security strategy for the Bureau of
20 Conflict and Stabilization Operations, the Bureau of
21 Political-Military Affairs, embassies, consulates, re-
22 gional bureaus, and other offices and programs oper-
23 ating chief of mission authority, including those with
24 roles in conflict avoidance, prevention and security

1 assistance, or humanitarian disaster response, pre-
2 vention, and assistance; and

3 (2) in furtherance of such strategy, to assess,
4 develop, budget for, and (upon approval) implement
5 plans, policies, and actions—

6 (A) to account for the impacts of climate
7 change to global human health, safety, govern-
8 ance, oceans, food production, fresh water and
9 other critical natural resources, settlements, in-
10 frastructure, marginalized groups, and eco-
11 nomic activity;

12 (B) to evaluate the climate change vulner-
13 ability, security, susceptibility, and resiliency of
14 United States interests and non-defense assets
15 abroad;

16 (C) to coordinate the integration of climate
17 change risk and vulnerability assessments into
18 all foreign policy and security decision-making
19 processes, including awarding foreign assist-
20 ance;

21 (D) to evaluate specific risks to certain re-
22 gions and countries that are—

23 (i) vulnerable to the effects of climate
24 change; and

1 (ii) strategically significant to the
2 United States;

3 (E) to enhance the resilience capacities of
4 foreign countries to the effects of climate
5 change as a means of reducing the risks of con-
6 flict and instability;

7 (F) to advance principles of good govern-
8 ance by encouraging foreign governments, par-
9 ticularly nations that are least capable of cop-
10 ing with the effects of climate change—

11 (i) to conduct climate security evalua-
12 tions; and

13 (ii) to facilitate the development of cli-
14 mate security action plans to ensure sta-
15 bility and public safety in disaster situa-
16 tions in a humane and responsible fashion;

17 (G) to evaluate the vulnerability, security,
18 susceptibility, and resiliency of United States
19 interests and nondefense assets abroad;

20 (H) to build international institutional ca-
21 pacity to address climate security implications
22 and to advance United States interests, regional
23 stability, and global security; and

24 (I) other activities that advance—

1 (i) the utilization and integration of
2 climate science in national security plan-
3 ning; and

4 (ii) the clear understanding of how
5 the effects of climate change can exacer-
6 bate security risks and threats.

7 (e) REPORT.—Not later than 180 days after the date
8 of the enactment of this Act and every two years there-
9 after for the following 20 years, the Secretary of State,
10 in consultation with the heads of other relevant Federal
11 departments and agencies shall submit to the Committee
12 on Foreign Relations and the Committee on Appropria-
13 tions of the Senate and the Committee on Foreign Affairs
14 and the Committee on Appropriations of the House of
15 Representatives an unclassified report, with a classified
16 annex if necessary, that includes—

17 (1) a review of the efforts, initiatives, and pro-
18 grams in support of the strategy in subsection (c),
19 as well as—

20 (A) an assessment of the funding expended
21 by relevant Federal departments and agencies
22 on emerging events exacerbated by climate
23 change and the legal, procedural, and resource
24 constraints faced by the Department of State
25 and the United States Agency for International

1 Development throughout respective budgeting,
2 strategic planning, and management cycles to
3 support the prevention of and response to
4 emerging events exacerbated by climate change;

5 (B) current annual global assessments of
6 emerging events exacerbated by climate change;

7 (C) recommendations to further strengthen
8 United States capabilities described in this sec-
9 tion; and

10 (D) consideration of analysis, reporting,
11 and policy recommendations by civil society,
12 academic, and nongovernmental organizations
13 and institutions, and partner countries to pre-
14 vent and respond to emerging events exacer-
15 bated by climate change;

16 (2) recommendations to ensure shared responsi-
17 bility by—

18 (A) enhancing multilateral mechanisms for
19 preventing, mitigating, and responding to
20 emerging events exacerbated by climate change;
21 and

22 (B) strengthening regional organizations;
23 and

1 (3) the implementation status of the rec-
2 ommendations included in the review under para-
3 graph (1).

4 (f) REPORT BY THE DIRECTOR OF NATIONAL INTEL-
5 LIGENCE.—The Director of National Intelligence is en-
6 couraged to include, in the Director’s annual (or more
7 often as appropriate) unclassified testimony, accompanied
8 by a classified annex, if necessary, to Congress on threats
9 to United States national security—

10 (1) a review of countries and regions at risk of
11 emerging events exacerbated by climate change; and

12 (2) whenever possible, specific identification of
13 countries and regions at immediate risk of emerging
14 events exacerbated by climate change.

15 **SEC. 603. BALANCING ACCOUNTABILITY AND COOPERA-**
16 **TION WITH CHINA.**

17 It is the sense of Congress that—

18 (1) successful mitigation of global greenhouse
19 gas emissions and changes to the environment re-
20 quire global cooperation and coordination of efforts,
21 as well as holding other countries such as the Peo-
22 ple’s Republic of China (PRC) accountable for their
23 actions and commitments to ensure a level playing
24 field with the United States and its allies and part-
25 ners;

1 (2) other countries look toward the United
2 States and the PRC, as the world's largest emitters
3 and largest economies, for leadership by example to
4 effectively mitigate greenhouse gas emissions, de-
5 velop and deploy energy generation technologies, and
6 integrate sustainable adaptation solutions to the in-
7 evitable effects of climate change;

8 (3) given the volume of the PRC's greenhouse
9 gas emissions and the scientific imperative to swiftly
10 reduce global greenhouse gas emissions to net-zero
11 emissions around 2050, China should—

12 (A) revise its long-term pledge;

13 (B) seek to immediately peak its emissions;

14 (C) begin reducing its greenhouse gas
15 emissions significantly to meet a more ambi-
16 tious long-term 2050 reductions target; and

17 (D) update its nationally determined con-
18 tribution along a trajectory that aligns with
19 achieving a more ambitious net-zero by 2050
20 emissions target;

21 (4) it is in the United States national interest
22 to emphasize the environment and climate change in
23 its bilateral engagement with the PRC, as global cli-
24 mate risks cannot be mitigated without a significant
25 reduction in PRC domestic and overseas emissions;

1 (5) the United States and the PRC, to the ex-
2 tent practicable, should coordinate on making and
3 delivering ambitious pledges to reduce greenhouse
4 gas emissions, with aspirations towards achieving
5 net zero greenhouse gas emissions by 2050;

6 (6) the United States and its allies and part-
7 ners should work together, using diplomatic and eco-
8 nomic tools, to hold the PRC accountable for any
9 failure by the PRC—

10 (A) to increase ambition in its 2030 na-
11 tionally determined contribution, in line with
12 net zero greenhouse gas emissions by 2050 be-
13 fore the 26th Conference of the Parties to the
14 UNFCCC scheduled for November 2021 and
15 meeting a more ambitious nationally determined
16 contribution;

17 (B) to work faithfully to uphold the prin-
18 ciples, goals, and rules of the Paris Agreement;

19 (C) to avoid and prohibit efforts to under-
20 mine or devolve the Paris Agreement's rule or
21 underlying framework, particularly within areas
22 of accountability transparency, and shared re-
23 sponsibility among all parties;

24 (D) to eliminate greenhouse gas intensive
25 projects from the PRC's Belt and Road Initia-

1 tive and other overseas investments, includ-
2 ing—

3 (i) working with United States allies
4 and partners to eliminate support for coal
5 power production projects in the Belt and
6 Road Initiative;

7 (ii) providing financing and project
8 support for cleaner and less risky alter-
9 natives; and

10 (iii) undertaking “parallel initiatives”
11 to enhance capacity building programs and
12 overseas sustainable investment criteria,
13 including in areas such as integrated en-
14 ergy planning, power sector reform, just
15 transition, distributed generation, procure-
16 ment, transparency, and standards to sup-
17 port low-emissions growth in developing
18 countries; and

19 (E) to phase out existing coal power plants
20 and reduce net coal power production;

21 (7) the United States should pursue confidence-
22 building opportunities for the United States and the
23 PRC to undertake “parallel initiatives” on clean en-
24 ergy research, development, finance, and deploy-
25 ment, including through economic and stimulus

1 measures with clear, mutually agreed upon rules and
2 policies to protect intellectual property, ensure equi-
3 table, nonpunitive provision of support, and verify
4 implementation, which would provide catalytic
5 progress towards delivering a global clean energy
6 transformation that benefits all people;

7 (8) the United States should pursue cooperative
8 initiatives to reduce global deforestation, including
9 efforts to shift toward the import and consummation
10 of forest and agricultural commodities that are pro-
11 duced in a manner that does not contribute to defor-
12 estation; and

13 (9) the United States should pursue appro-
14 priate scientific cooperative exchanges and research
15 that align with United States interests and those of
16 its international partners and allies, provide reci-
17 procity of access, protect intellectual property rights,
18 and preserve the values and human rights interests
19 of the American people.

20 **SEC. 604. PROMOTING RESPONSIBLE DEVELOPMENT AL-**
21 **TERNATIVES TO THE PEOPLE'S REPUBLIC OF**
22 **CHINA'S BELT AND ROAD INITIATIVE.**

23 (a) IN GENERAL.—The President should seek oppor-
24 tunities to partner with multilateral development finance
25 institutions to develop financing tools based on shared de-

1 velopment finance criteria and mechanisms to support in-
2 vestments in developing countries that—

3 (1) support low carbon economic development;

4 and

5 (2) promote resiliency and adaptation to envi-
6 ronmental changes and natural disasters.

7 (b) PARTNERSHIP AGREEMENT.—The Chief Execu-
8 tive Officer of the United States International Develop-
9 ment Finance Corporation should seek to partner with
10 other multilateral development finance institutions and de-
11 velopment finance institutions to leverage the respective
12 available funds to support low carbon economic develop-
13 ment, which may include clean energy including renewable
14 and nuclear energy projects, environmental adaptation,
15 and resilience activities in countries.

16 (c) CO-FINANCING OF INFRASTRUCTURE
17 PROJECTS.—

18 (1) AUTHORIZATION.—Subject to paragraph
19 (2), the Secretary of State, the Administrator of the
20 United States Agency for International Develop-
21 ment, and the heads of other relevant Federal agen-
22 cies are authorized to co-finance infrastructure, re-
23 siliency, and environmental adaptation projects that
24 advance the development objectives of the United
25 States overseas and provide viable alternatives to

1 projects that would otherwise be included within the
2 People's Republic of China's Belt and Road Initia-
3 tive.

4 (2) CONDITIONS.—Co-financing arrangements
5 authorized pursuant to paragraph (1) may not be
6 approved unless—

7 (A) the projects to be financed—

8 (i) promote the public good;

9 (ii) promote United States national
10 security or economic interests;

11 (iii) promote low carbon emissions, in-
12 cluding clean energy renewable and nuclear
13 energy projects; and

14 (iv) will have substantially lower envi-
15 ronmental impact than the proposed Belt
16 and Road Initiative alternative; and

17 (B) the Committee on Foreign Relations of
18 the Senate and the Committee on Foreign Af-
19 fairs of the House of Representatives are noti-
20 fied not later than 15 days in advance of enter-
21 ing into such co-financing arrangements.

1 **SEC. 605. USING CLIMATE DIPLOMACY TO BETTER SERVE**
2 **NATIONAL SECURITY AND ECONOMIC INTER-**
3 **ESTS.**

4 (a) IN GENERAL.—The President and the Secretary
5 of State shall prioritize climate action and climate diplo-
6 macy in United States foreign policy by—

7 (1) ensuring diplomacy, support, and inter-
8 agency coordination for bilateral and multilateral ac-
9 tions to address the climate crisis; and

10 (2) improving coordination and integration of
11 climate action across all bureaus and United States
12 missions abroad.

13 (b) CLIMATE ACTION INTEGRATION.—The Secretary
14 of State shall—

15 (1) prioritize climate action and clean energy
16 within the bureaus and offices under the leadership
17 of the Under Secretary for Economic Growth, En-
18 ergy, and the Environment;

19 (2) ensure that such bureaus and offices are co-
20 ordinating with other bureaus of the Department of
21 State regarding the integration of climate action and
22 climate diplomacy as a cross-cutting imperative
23 across the Department of State;

24 (3) encourage all Under Secretaries of State—

1 (A) to assess how issues related to climate
2 change and United States climate action are in-
3 tegrated into their operations and programs;

4 (B) to coordinate crosscutting actions and
5 diplomatic efforts that relate to climate action;
6 and

7 (C) to make available the technical assist-
8 ance and resources of the bureaus and offices
9 with relevant expertise to provide technical as-
10 sistance and expert support to other bureaus
11 within the Department of State regarding cli-
12 mate action, clean energy development, and cli-
13 mate diplomacy;

14 (4) manage the integration of scientific data on
15 the current and anticipated effects of climate change
16 into applied strategies and diplomatic engagements
17 across programmatic and regional bureaus of the
18 Department of State and into the Department of
19 State's decision making processes;

20 (5) ensure that the relevant bureaus and offices
21 provide appropriate technical support and re-
22 sources—

23 (A) to the President, the Secretary of
24 State, and their respective designees charged

1 with addressing climate change and associated
2 issues;

3 (B) to United States diplomats advancing
4 United States foreign policy related to climate
5 action; and

6 (C) for the appropriate engagement and
7 integration of relevant domestic agencies in
8 international climate change affairs, including
9 United States participation in multilateral fora;
10 and

11 (6) carry out other activities, as directed by the
12 Secretary of State, that advance United States cli-
13 mate-related foreign policy objectives, including glob-
14 al greenhouse gas mitigation, climate change adapta-
15 tion activities, and global climate security.

16 (c) RESPONSIBILITIES OF THE UNDER SECRETARY
17 OF STATE FOR POLITICAL AFFAIRS.—The Under Sec-
18 retary of State for Political Affairs shall ensure that all
19 foreign missions are—

20 (1) advancing United States bilateral climate
21 diplomacy;

22 (2) engaging strategically on opportunities for
23 bilateral climate action cooperation with foreign gov-
24 ernments; and

1 (3) utilizing the technical resources and coordi-
2 nating adequately with the bureaus reporting to the
3 Under Secretary of State for Economic Growth, En-
4 ergy and the Environment.

5 (d) REPORT.—Not later than 200 days after the date
6 of the enactment of this Act, the Under Secretary of State
7 for Economic Growth, Energy, and the Environment, in
8 cooperation with the Under Secretary of State for Political
9 Affairs, shall submit to the appropriate congressional com-
10 mittees a report that—

11 (1) assesses how climate action and United
12 States climate diplomacy is integrated across the
13 Bureaus of the Department of State; and

14 (2) includes recommendations on strategies to
15 improve cross bureau coordination and under-
16 standing of United States climate action and climate
17 diplomacy.

18 (e) EFFECT OF ELIMINATION OF POSITIONS.—If the
19 positions of Under Secretary of State for Economic
20 Growth, Energy, and the Environment and the Undersec-
21 retary of State for Political Affairs are eliminated or un-
22 dergo name changes, the responsibilities of such Under
23 Secretaries under this section shall be reassigned to other
24 Under Secretaries of State, as appropriate.

25 (f) CLIMATE CHANGE OFFICERS.—

1 (1) IN GENERAL.—The Secretary of State shall
2 establish and staff Climate Change Officer positions.
3 Such Officers shall serve under the supervision of
4 the appropriate chief of mission or the Under Sec-
5 retary for Economic Growth, Energy, and the Envi-
6 ronment of the Department of State, as the case
7 may be. The Secretary shall ensure each embassy,
8 consulate, and diplomatic mission to which such Of-
9 ficers are assigned pursuant to paragraph (2) has
10 sufficient additional and appropriate staff to support
11 such Officers.

12 (2) ASSIGNMENT.—Climate Change Officers
13 shall be assigned to the following posts:

14 (A) United States embassies, or, if appro-
15 priate, consulates.

16 (B) United States diplomatic missions to,
17 or liaisons with, regional and multilateral orga-
18 nizations, including the United States diplo-
19 matic missions to the European Union, African
20 Union, Organization of American States, Arctic
21 Council, and any other appropriate regional or-
22 ganization, and the United Nations and its rel-
23 evant specialized agencies.

24 (C) Other posts as designated by the Sec-
25 retary.

1 (3) RESPONSIBILITIES.—Each Climate Change
2 Officer shall—

3 (A) provide expertise on effective ap-
4 proaches to—

5 (i) mitigate the emission of gases
6 which contribute to global climate change
7 and formulate national and global plans
8 for reducing such gross and net emissions;
9 and

10 (ii) reduce the detrimental impacts at-
11 tributable to global climate change, and
12 adapt to such impacts;

13 (B) engage and convene, in a manner that
14 is equitable, inclusive, and just, with individuals
15 and organizations which represent a govern-
16 ment office, a nongovernmental organization, a
17 social or political movement, a private sector
18 entity, an educational or scientific institution,
19 or any other entity concerned with—

20 (i) global climate change; the emission
21 of gases which contribute to global climate
22 change; or

23 (ii) reducing the detrimental impacts
24 attributable to global climate change;

1 (C) facilitate engagement by United States
2 entities in bilateral and multilateral cooperation
3 on climate change; and

4 (D) carry out such other responsibilities as
5 the Secretary may assign.

6 (4) RESPONSIBILITIES OF UNDER SEC-
7 RETARY.—The Under Secretary for Economic
8 Growth, Energy, and the Environment of the De-
9 partment of State shall, including by acting through
10 the Bureau of Oceans and International Environ-
11 mental and Scientific Affairs of the Department of
12 State—

13 (A) provide policy guidance to Climate
14 Change Officers established under this sub-
15 section;

16 (B) develop relations with, consult with,
17 and provide assistance to relevant individuals
18 and organizations concerned with studying,
19 mitigating, and adapting to global climate
20 change, or reducing the emission of gases which
21 contribute to global climate change; and

22 (C) assist officers and employees of re-
23 gional bureaus of the Department of State to
24 develop strategies and programs to promote
25 studying, mitigating, and adapting to global cli-

1 mate change, or reducing the emission of gases
2 which contribute to global climate change.

3 (g) ACTIONS BY CHIEFS OF MISSION.—Each chief of
4 mission in a foreign country shall—

5 (1) develop, as part of annual joint strategic
6 plans or equivalent program and policy planning, a
7 strategy to promote actions to improve and increase
8 studying, mitigating, and adapting to global climate
9 change, or reducing the emission of gases which con-
10 tribute to global climate change by—

11 (A) consulting and coordinating with and
12 providing support to relevant individuals and
13 organizations, including experts and other pro-
14 fessionals and stakeholders on issues related to
15 climate change; and

16 (B) holding periodic meetings with such
17 relevant individuals and organizations relating
18 to such strategy; and

19 (2) hold ongoing discussions with the officials
20 and leaders of such country regarding progress to
21 improve and increase studying, mitigating, and
22 adapting to global climate change, or reducing the
23 emission of gases which contribute to global climate
24 change in a manner that is equitable, inclusive, and
25 just in such country; and

1 (3) certify annually to the Secretary of State
2 that to the maximum extent practicable, consider-
3 ations related to climate change adaptation and
4 mitigation, sustainability, and the environment were
5 incorporated in activities, management, and oper-
6 ations of the United States embassy or other diplo-
7 matic post under the director of the chief of mission.

8 (h) TRAINING.—Not later than 180 days after the
9 date of the enactment of this Act, the Secretary of State
10 shall establish curriculum at the Department of State’s
11 Foreign Service Institute that supplements political and
12 economic reporting tradecraft courses in order to provide
13 employees of the Department with specialized training
14 with respect to studying, mitigating, and adapting to glob-
15 al climate change, or reducing the emission of gases which
16 contribute to global climate change. Such training shall
17 include the following:

18 (1) Awareness of the full range of national and
19 subnational agencies, offices, personnel, statutory
20 authorities, funds, and programs involved in the
21 international commitments of the United States re-
22 garding global climate change and the emission of
23 gases which contribute to global climate change, the
24 science of global climate change, and methods for
25 mitigating and adapting to global climate change.

1 (2) Awareness of methods for mitigating and
2 adapting to global climate change and reducing the
3 emission of gases which contribute to global climate
4 change that are equitable, inclusive, and just.

5 (3) Familiarity with United States agencies,
6 multilateral agencies, international financial institu-
7 tions, and the network of donors providing assist-
8 ance to mitigate and adapt to global climate change.

9 (4) Awareness of the most frequently an-
10 nounced goals and methods of the entities specified
11 in subsection (f)(3)(B).

12 (i) CONTRACTING.—Contracting and agreements offi-
13 cers of the Department of State, and other United States
14 embassy personnel responsible for contracts, grants, or ac-
15 quisitions, shall receive training on evaluating proposals,
16 solicitations, and bids, for considerations related to sus-
17 tainability and adapting to or mitigating impacts from cli-
18 mate change.

19 (j) REPORTING.—Not later than 180 days after the
20 date of the enactment of this Act and biennially thereafter,
21 the Secretary of State shall submit to the appropriate con-
22 gressional committees a report that includes a detailed
23 breakdown of posts at which staff are assigned the role
24 of Climate Change Officer, the responsibilities to which

1 they have been assigned, and the strategies developed by
2 the chief of mission, as applicable.

3 (k) CLIMATE CHANGE SUPPORT AND FINANCING.—

4 The Secretary of State shall facilitate the coordination
5 among the Department of State and other relevant Fed-
6 eral departments and agencies toward contributing tech-
7 nical cooperation, engagement, development finance, or
8 foreign assistance relevant to United States international
9 climate action and in support of United States climate di-
10 plomacy.

11 (l) SENSE OF CONGRESS.—It is the sense of Congress
12 that climate diplomacy tools as described in this section
13 are critical for demonstrating the commitment to include
14 climate changes issues as core tenets of foreign policy pri-
15 orities, as well as preserving the United States' role as
16 a global leader on climate change action.

17 **SEC. 606. DRIVING A GLOBAL CLIMATE CHANGE RESIL-**
18 **IENCE STRATEGY.**

19 (a) AMENDMENT.—Section 117 of the Foreign As-
20 sistance Act of 1961 (22 U.S.C. 2151p) is amended—

21 (1) in subsection (b)—

22 (A) by inserting “(1)” after “(b)”; and

23 (B) by adding at the end the following:

24 “(2)(A) The President is authorized to furnish
25 assistance to programs and initiatives that—

1 “(i) promote resilience among communities
2 facing harmful impacts from climate change;
3 and

4 “(ii) reduce the vulnerability of persons af-
5 fected by climate change.

6 “(B) There shall be, in the Department of
7 State, a Coordinator of Climate Change Resilience.”;
8 and

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

10 “(d)(1) The Secretary of State, in coordination with
11 the Administrator of the United States Agency for Inter-
12 national Development, shall establish a comprehensive, in-
13 tegrated, 10-year strategy, which shall be referred to as
14 the ‘Global Climate Change Resilience Strategy’, to miti-
15 gate the impacts of climate change on displacement and
16 humanitarian emergencies.

17 “(2) The Global Climate Change Resilience Strategy
18 shall—

19 “(A) focus on addressing slow-onset and rapid-
20 onset effects of events caused by climate change,
21 consider the effects of events caused by climate
22 change, and describe the key features of successful
23 strategies to prevent such conditions;

1 “(B) include specific objectives and multisecc-
2 toral approaches to the effects of events caused by
3 climate change;

4 “(C) promote United States national security
5 and economic interests while leading international
6 climate-related policymaking efforts, on which the
7 absence of United States leadership would lead to a
8 substantial and harmful decline in the nation’s glob-
9 al competitiveness;

10 “(D) promote international instruments on cli-
11 mate action and other relevant international stand-
12 ards and best practices, as such standards and prac-
13 tices develop, that serve the interests of the Amer-
14 ican people and protect United States environmental
15 resources and the planet;

16 “(E) promote the adoption and implementation
17 of such international climate-related agreements,
18 standards, and practices by foreign states;

19 “(F) work with United States allies and part-
20 ners to ensure a level playing field exists when it
21 comes to climate action and to encourage and assist
22 foreign countries to make similar or even greater
23 commitments than the United States;

24 “(G) describe approaches that ensure national
25 leadership, as appropriate, and substantively engage

1 with civil society, local partners, and the affected
2 communities, including marginalized populations and
3 underserved populations, in the design, implementa-
4 tion, and monitoring of climate change programs to
5 best safeguard the future of those subject to dis-
6 placement;

7 “(H) assign roles for relevant Federal agencies
8 to avoid duplication of efforts, while ensuring that—

9 “(i) the Department of State is responsible
10 for—

11 “(I) leading the Global Climate
12 Change Resilience Strategy;

13 “(II) establishing United States for-
14 eign policy;

15 “(III) advancing diplomatic and polit-
16 ical efforts; and

17 “(IV) guiding security assistance and
18 related civilian security efforts to mitigate
19 climate change threats;

20 “(ii) the United States Agency for Inter-
21 national Development is—

22 “(I) responsible for overseeing pro-
23 grams to prevent the effects of events
24 caused by climate change;

1 “(II) the lead implementing agency
2 for development and related nonsecurity
3 program policy related to building resil-
4 ience and achieving recovery; and

5 “(III) responsible for providing over-
6 seas humanitarian assistance to respond to
7 international and internal displacement
8 caused by climate change and to coordi-
9 nate the pursuit of durable solutions for
10 climate-displaced persons; and

11 “(iii) other Federal agencies support the
12 activities of the Department of State and the
13 United States Agency for International Devel-
14 opment, as appropriate, with the concurrence of
15 the Secretary of State and the Administrator of
16 the United States Agency for International De-
17 velopment;

18 “(I) describe programs that agencies will under-
19 take to achieve the stated objectives, including de-
20 scriptions of existing programs and funding by fiscal
21 year and account;

22 “(J) identify mechanisms to improve coordina-
23 tion between the United States, foreign govern-
24 ments, and international organizations, including the

1 World Bank, the United Nations, regional organiza-
2 tions, and private sector organizations;

3 “(K) address efforts to expand public-private
4 partnerships and leverage private sector resources;

5 “(L) describe the criteria, metrics, and mecha-
6 nisms for monitoring and evaluation of programs
7 and objectives in the Global Climate Change Resil-
8 ience Strategy;

9 “(M) describe how the Global Climate Change
10 Resilience Strategy will ensure that programs are
11 country-led and context-specific;

12 “(N) establish a program to monitor climate
13 and social conditions to anticipate and prevent cli-
14 mate and environmental stressors from evolving into
15 national security risks;

16 “(O) include an assessment of climate risks in
17 the Department of State’s Quadrennial Diplomacy
18 and Development Review; and

19 “(P) prioritize foreign aid, to the extent prac-
20 ticable, for international climate resilience in support
21 of this Global Climate Change Resilience Strategy.

22 “(3) Not later than 270 days after the date of the
23 enactment of this subsection, and annually thereafter, the
24 President shall submit a report to the Committee on For-
25 eign Relations of the Senate and the Committee on For-

1 eign Affairs of the House of Representatives, based in part
2 on the information collected pursuant to this section, that
3 details the Global Climate Change Resilience Strategy.
4 The report shall be submitted in unclassified form, but
5 may include a classified annex, if necessary.

6 “(4) Not later than 180 days after the date of the
7 enactment of this subsection, the Secretary of State and
8 the Coordinator of Global Climate Change Resilience shall
9 brief the Committee on Foreign Relations of the Senate
10 and the Committee on Foreign Affairs of the House of
11 Representatives regarding the progress made by the Fed-
12 eral Government in implementing the Global Climate
13 Change Resilience Strategy.

14 “(5)(A) Not later than 270 days after the date of
15 the enactment of this subsection, and annually thereafter,
16 the Comptroller General of the United States, in coopera-
17 tion and consultation with the Secretary of State, shall
18 produce a report evaluating the progress that the Federal
19 Government has made toward incorporating climate
20 change into department and agency policies, including the
21 resources that have been allocated for such purpose.

22 “(B) The report required under subparagraph (A)
23 shall assess—

1 “(i) the degree to which the Department of
2 State and the United States Agency for Inter-
3 national Development (USAID) are—

4 “(I) developing climate change risk assess-
5 ments; and

6 “(II) providing guidance to missions on
7 how to include climate change risks in their in-
8 tegrated country strategies;

9 “(ii) whether the Department of State and
10 USAID have sufficient resources to fulfill the re-
11 quirements described in paragraph (2); and

12 “(iii) any areas in which the Department of
13 State and USAID may lack sufficient resources to
14 fulfill such requirements.”.

15 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There
16 are authorized to be appropriated such sums as may be
17 necessary to carry out this Global Climate Change Resil-
18 ience Strategy.

19 **SEC. 607. ADDRESSING INTERNATIONAL CLIMATE CHANGE**
20 **MITIGATION, ADAPTATION, AND SECURITY.**

21 (a) **DEFINITIONS.**—In this section:

22 (1) **CONVENTION.**—The term “Convention”
23 means the United Nations Framework Convention
24 on Climate Change, done at New York May 9, 1992,
25 and entered into force March 21, 1994.

1 (2) MOST VULNERABLE COMMUNITIES AND
2 POPULATIONS.—The term “most vulnerable commu-
3 nities and populations” means communities and pop-
4 ulations that are at risk of substantial adverse ef-
5 fects of climate change and have limited capacity to
6 respond to such effects, including women, impover-
7 ished communities, children, indigenous peoples, and
8 informal workers.

9 (3) MOST VULNERABLE DEVELOPING COUN-
10 TRIES.—The term “most vulnerable developing
11 countries” means, as determined by the Adminis-
12 trator of the United States Agency for International
13 Development, developing countries that are at risk
14 of substantial adverse effects of climate change and
15 have limited capacity to respond to such effects, con-
16 sidering the approaches included in any international
17 treaties and agreements.

18 (4) PROGRAM.—The term “Program” means
19 the International Climate Change Adaptation, Miti-
20 gation, and Security Program established pursuant
21 to subsection (c).

22 (b) PURPOSE.—The purpose of this section is to pro-
23 vide authorities for additional, new, current, and ongoing
24 bilateral and regional international development assist-
25 ance, and, as appropriate, to leverage private resources,

1 in support of host country driven projects, planning, poli-
2 cies, and initiatives designed to improve the ability of host
3 countries—

4 (1) to primarily produce reliable renewable en-
5 ergy and reduce or mitigate carbon emissions from
6 the power sector while facilitating the transition in
7 key global markets from electricity generated from
8 fossil fuel power to low-cost clean energy sources, in
9 a manner that is equitable for workers and commu-
10 nities;

11 (2) to adapt and become more resilient to cur-
12 rent and forecasted effects of climate change; and

13 (3) to employ—

14 (A) sustainable land use practices that
15 mitigate desertification and reduce greenhouse
16 gas emissions from deforestation and forest
17 degradation; and

18 (B) agricultural production practices that
19 reduce poverty while improving soil health, pro-
20 tecting water quality, and increasing food secu-
21 rity and nutrition.

22 (c) ESTABLISHMENT OF PROGRAM.—The Secretary
23 of State, in coordination with the Secretary of the Treas-
24 ury and the Administrator of the United States Agency
25 for International Development (USAID), shall establish a

1 program, to be known as the “International Climate
2 Change Adaptation, Mitigation, and Security Program”,
3 to provide bilateral and regional assistance to developing
4 countries for programs, projects, and activities described
5 in subsection (e).

6 (d) SUPPLEMENT NOT SUPPLANT.—Assistance pro-
7 vided under this section shall be used to supplement, and
8 not to supplant, any other Federal, State, or local re-
9 sources available to carry out activities that fit the charac-
10 teristics of the Program.

11 (e) POLICY.—It shall be the policy of the United
12 States to ensure that the Program provides resources to
13 developing countries, particularly the most vulnerable
14 communities and populations in such countries, to support
15 the development and implementation of programs,
16 projects, and activities that—

17 (1) reduce greenhouse gas emissions through
18 the integration and deployment of clean energy, in-
19 cluding transmission, distribution, and interconnec-
20 tions to renewable energy, while facilitating the tran-
21 sition from electricity generated from fossil fuel
22 power to low-cost renewable energy sources, in a
23 manner that is equitable for workers and commu-
24 nities;

1 (2) address financial or other barriers to the
2 widespread deployment of clean energy technologies
3 that reduce, sequester, or avoid greenhouse gas
4 emissions;

5 (3) improve the availability, viability, and acces-
6 sibility of zero emission vehicles, including support
7 for design and development of transportation net-
8 works and land use practices that mitigate carbon
9 emissions in the transportation sector;

10 (4) support building capacities that may in-
11 clude—

12 (A) developing and implementing meth-
13 odologies and programs for measuring green-
14 house gas emissions and verifying emissions
15 mitigation, including building capacities to con-
16 duct emissions inventories and meet reporting
17 requirements under the Paris Agreement;

18 (B) assessing, developing, and imple-
19 menting technology and policy options for
20 greenhouse gas emissions mitigation and avoid-
21 ance of future emissions, including sector-based
22 and cross-sector mitigation strategies;

23 (C) enhancing the technical capacity of
24 regulatory authorities, planning agencies, and
25 related institutions in developing countries to

1 improve the deployment of clean energy tech-
2 nologies and practices, including through in-
3 creased transparency;

4 (D) training and instruction regarding the
5 installation and maintenance of renewable en-
6 ergy technologies; and

7 (E) activities that support the development
8 and implementation of frameworks for intellec-
9 tual property rights in developing countries;

10 (5) improve resilience, sustainable economic
11 growth, and adaptation capacities in response to the
12 effects of climate change;

13 (6) promote appropriate job training and access
14 to new job opportunities in new economic sectors
15 and industries that emerge due to the transition
16 from fossil fuel energy to clean energy;

17 (7) reduce the vulnerability and increase the re-
18 siliance capacities of communities to the effects of
19 climate change, including effects on—

20 (A) water availability;

21 (B) agricultural productivity and food se-
22 curity;

23 (C) flood risk;

24 (D) coastal resources;

25 (E) biodiversity;

1 (F) economic livelihoods;

2 (G) health and diseases;

3 (H) housing and shelter; and

4 (I) human migration;

5 (8) help countries and communities adapt to
6 changes in the environment through enhanced com-
7 munity planning, preparedness, and growth strate-
8 gies that take into account current and forecasted
9 regional and localized effects of climate change;

10 (9) conserve and restore natural resources, eco-
11 systems, and biodiversity threatened by the effects of
12 climate change to ensure such resources, ecosystems,
13 and biodiversity are healthy and continue to provide
14 natural protections from the effects of climate
15 change such as extreme weather;

16 (10) provide resources, information, scientific
17 data and modeling, innovative best practices, and
18 technical assistance to support vulnerable developing
19 countries to adapt to the effects of climate change;

20 (11) promote sustainable and climate-resilient
21 societies, including through improvements to make
22 critical infrastructure less vulnerable to the effects
23 of climate change;

24 (12) encourage the adoption of policies and
25 measures, including sector-based and cross-sector

1 policies and measures, that substantially reduce, se-
2 quester, or avoid greenhouse gas emissions from the
3 domestic energy and transportation sectors of devel-
4 oping countries;

5 (13) reduce deforestation and land degradation
6 to reduce greenhouse gas emissions and implement
7 sustainable forestry practices;

8 (14) promote sustainable land use activities, in-
9 cluding supporting development planning, design,
10 and construction with respect to transportation sys-
11 tems and land use;

12 (15) promote sustainable agricultural practices
13 that mitigate carbon emissions, conserve soil, and
14 improve food and water security of communities;

15 (16) foster partnerships with private sector en-
16 tities and nongovernmental international develop-
17 ment organizations to assist with developing solu-
18 tions and economic opportunities that support
19 projects, planning, policies, and initiatives described
20 in subsection (b);

21 (17) provide technical assistance and strengthen
22 capacities of developing countries to meet the goals
23 of the conditional nationally determined contribu-
24 tions of those countries;

1 (18) establish investment channels designed to
2 leverage private sector financing in—

3 (A) clean energy;

4 (B) sustainable agriculture and natural re-
5 source management; and

6 (C) the transportation sector as described
7 in paragraph (3); and

8 (19) provide technical assistance and support
9 for non-extractive activities that provide alternative
10 economic growth opportunities while preserving crit-
11 ical habitats and natural carbon sinks.

12 (f) PROVISION OF ASSISTANCE.—

13 (1) IN GENERAL.—The Administrator of
14 USAID, in consultation with other Federal depart-
15 ments and agencies, shall provide assistance under
16 the Program—

17 (A) in the form of bilateral assistance pur-
18 suant to the requirements under subsection (g);

19 (B) to multilateral funds or international
20 institutions with programs for climate mitiga-
21 tion or adaptation in developing countries con-
22 sistent with the policy described in subsection
23 (e); or

24 (C) through a combination of the mecha-
25 nisms specified in subparagraphs (A) and (B).

1 (2) LIMITATION.—

2 (A) CONDITIONAL DISTRIBUTION TO MUL-
3 TILATERAL FUNDS OR INTERNATIONAL INSTI-
4 TUTIONS.—In any fiscal year, the Adminis-
5 trator of USAID may provide up to 40 percent
6 of the assistance available to carry out the Pro-
7 gram to 1 or more multilateral funds or inter-
8 national institutions that meet the requirements
9 of subparagraph (B).

10 (B) MULTILATERAL FUND OR INTER-
11 NATIONAL INSTITUTION ELIGIBILITY.—A multi-
12 lateral fund or international institution is eligi-
13 ble to receive assistance under subparagraph
14 (A)—

15 (i) if—

16 (I) such fund or institution is es-
17 tablished pursuant to—

18 (aa) the Convention; or

19 (bb) an agreement nego-
20 tiated under the Convention; or

21 (II) the assistance is directed to
22 1 or more multilateral funds or inter-
23 national development institutions,
24 pursuant to an agreement negotiated
25 under the Convention; and

1 (ii) if such fund or institution—

2 (I) specifies the terms and condi-
3 tions under which the United States is
4 to provide assistance to the fund or
5 institution, and under which the fund
6 or institution is to provide assistance
7 to recipient countries;

8 (II) ensures that assistance from
9 the United States to the fund or insti-
10 tution and the principal and income of
11 the fund or institution are disbursed
12 only—

13 (aa) to support projects,
14 planning, policies, and initiatives
15 described in subsection (b);

16 (bb) consistent with the pol-
17 icy described in subsection (e);
18 and

19 (cc) in regular consultation
20 with relevant governing bodies of
21 the fund or institution that—

22 (AA) include represen-
23 tation from countries among
24 the most vulnerable devel-
25 oping countries; and

1 (BB) provide public ac-
2 cess.

3 (C) CONGRESSIONAL NOTIFICATION.—The
4 Secretary of State, the Administrator of
5 USAID, or the Secretary of the Treasury shall
6 notify the appropriate congressional committees
7 not later than 15 days before providing assist-
8 ance to a multilateral fund or international in-
9 stitution under this subsection.

10 (3) LOCAL CONSULTATIONS.—Programs,
11 projects, and activities supported by assistance pro-
12 vided under this subsection shall require consulta-
13 tions with local communities, particularly the most
14 vulnerable communities and populations in such
15 communities, and indigenous peoples in areas in
16 which any programs, projects, or activities are
17 planned to engage such communities and peoples
18 through adequate disclosure of information, public
19 participation, and consultation, including full consid-
20 eration of the interdependence of vulnerable commu-
21 nities and ecosystems to promote the resilience of
22 local communities.

23 (g) BILATERAL ASSISTANCE.—

24 (1) IN GENERAL.—Except to the extent incon-
25 sistent with this subsection, the administrative au-

1 thorities under the Foreign Assistance Act of 1961
2 (22 U.S.C. 2151 et seq.) shall apply to the imple-
3 mentation of this subsection to the same extent and
4 in the same manner as such authorities apply to the
5 implementation of such Act in order to provide the
6 Administrator of USAID with the authority to pro-
7 vide assistance to countries, including the most vul-
8 nerable developing countries, for programs, projects,
9 and activities consistent with the purposes described
10 in subsection (b) and the policy described in sub-
11 section (e).

12 (2) CONSIDERATIONS.—In carrying out this
13 subsection, the Administrator shall ensure that—

14 (A) the environmental impact of proposed
15 programs, projects, and activities is considered
16 through adequate consultation, public participa-
17 tion, and public disclosure of relevant informa-
18 tion; and

19 (B) programs, projects, and activities
20 under this subsection—

21 (i) avoid environmental degradation,
22 to the maximum extent practicable; and

23 (ii) are aligned, to the maximum ex-
24 tent practicable, with broader development,
25 poverty alleviation, or natural resource

1 management objectives and initiatives in
2 the recipient country.

3 (3) COMMUNITY ENGAGEMENT.—The Adminis-
4 trator shall seek to ensure that—

5 (A) local communities, particularly the
6 most vulnerable communities and populations in
7 areas in which any programs, projects, or ac-
8 tivities are carried out under this subsection,
9 are engaged in the design, implementation,
10 monitoring, and evaluation of such programs,
11 projects, and activities through disclosure of in-
12 formation, public participation, and consulta-
13 tion; and

14 (B) the needs and interests of the most
15 vulnerable communities and populations are ad-
16 dressed in national or regional climate change
17 adaptation plans developed with USAID sup-
18 port.

19 (4) CONSULTATION AND DISCLOSURE.—For
20 each country receiving assistance under this sub-
21 section, the Administrator shall establish a process
22 for consultation with, and disclosure of information
23 to, local, national, and international stakeholders re-
24 garding any programs, projects, or activities carried
25 out under this subsection.

1 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$2,000,000,000 for fiscal year 2022 and each fiscal year
4 thereafter.

5 **SEC. 608. REDUCING THE NEGATIVE IMPACTS FROM BLACK**
6 **CARBON, METHANE, AND HIGH-GWP**
7 **HYDROFLUOROCARBONS.**

8 (a) DEFINITION.—In this section, the term “high-
9 GWP HFC” means newly manufactured
10 hydrofluorocarbons with a global warming potential cal-
11 culated over a 100-year period of greater than 150, as de-
12 scribed in the Fifth Assessment Report of the Intergovern-
13 mental Panel on Climate Change.

14 (b) IN GENERAL.—The President shall direct the
15 United States representatives to appropriate international
16 bodies and conferences to use the voice, vote, and influence
17 of the United States, consistent with the broad foreign pol-
18 icy goals of the United States, to advocate that each such
19 body or conference—

20 (1) commit to significantly increasing efforts to
21 reduce black carbon, methane, and high-GWP HFC;

22 (2) invest in and develop alternative energy
23 sources, industrial and agricultural processes, appli-
24 ances, and products to replace sources of black car-
25 bon, methane, and high-GWP HFC;

1 (3) enhance coordination with the private sec-
2 tor—

3 (A) to increase production and distribution
4 of clean energy alternatives, industrial proc-
5 esses, and products that will replace sources of
6 black carbon, methane, and high-GWP HFC;

7 (B) to develop action plans to mitigate
8 black carbon, methane, and high-GWP HFC
9 from various private sector operations;

10 (C) to encourage best technology, methods,
11 and management practices for reducing black
12 carbon, methane, and high-GWP HFC;

13 (D) to craft specific financing mechanisms
14 for the incremental costs associated with miti-
15 gating black carbon, methane, and high-GWP
16 HFC pollutants; and

17 (E) to grow economic opportunities and
18 develop markets, as appropriate, for reducing
19 black carbon, methane, tropospheric ozone, and
20 hydrofluorocarbons;

21 (4) provide technical assistance to foreign regu-
22 latory authorities and governments to remove unnec-
23 essary barriers to investment in short-lived climate
24 mitigation solutions, including—

1 (A) the use of safe and affordable clean
2 energy;

3 (B) the implementation of policies requir-
4 ing industrial and agricultural best practices for
5 capturing or mitigating the release of methane
6 from extractive, agricultural, and industrial
7 processes; and

8 (C) climate assessment, scientific research,
9 monitoring, and technological development ac-
10 tivities;

11 (5) develop and implement clear, accountable,
12 and metric-based targets to measure the effective-
13 ness of projects described in paragraph (4); and

14 (6) engage international partners in an existing
15 multilateral forum (or, if necessary, establish
16 through an international agreement a new multilat-
17 eral forum) to improve global cooperation for—

18 (A) creating tangible metrics for evaluating
19 efforts to reduce black carbon, methane, and
20 high-GWP HFC;

21 (B) developing and implementing best
22 practices for phasing out sources of black car-
23 bon, methane, and high-GWP HFC, including
24 expanding capacity for innovative instruments
25 to mitigate black carbon, methane, and high-

1 GWP HFC at the national and subnational lev-
2 els of foreign countries, particularly countries
3 with little capacity to reduce greenhouse gas
4 emissions and deploy clean energy facilities, and
5 countries that lack sufficient policies to advance
6 such development;

7 (C) encouraging the development of stand-
8 ards and practices, and increasing transparency
9 and accountability efforts for the reduction of
10 black carbon, methane, and high-GWP HFC;

11 (D) integrating tracking and monitoring
12 systems into industrial processes;

13 (E) fostering research to improve scientific
14 understanding of—

15 (i) how high concentrations of black
16 carbon, methane, and high-GWP HFC af-
17 fect human health, safety, and our environ-
18 ment;

19 (ii) changes in the amount and re-
20 gional concentrations of black carbon and
21 methane emissions, based on scientific
22 modeling and forecasting;

23 (iii) effective means to sequester black
24 carbon, methane, and high-GWP HFC;
25 and

1 (iv) other related areas of research the
2 United States representatives deem nec-
3 essary;

4 (F) encouraging the World Bank, the
5 International Monetary Fund, and other inter-
6 national finance organizations—

7 (i) to prioritize efforts to combat
8 black carbon, methane, and high-GWP
9 HFC; and

10 (ii) to enhance transparency by pro-
11 viding sufficient and adequate information
12 to facilitate independent verification of
13 their climate finance reporting;

14 (G) encouraging observers of the Arctic
15 Council (including India and China) to adopt
16 mitigation plans consistent with the findings
17 and recommendations of the Arctic Council's
18 Framework for Action on Black Carbon and
19 Methane;

20 (H) collaborating on technological ad-
21 vances in black carbon, methane, and high-
22 GWP HFC pollutant mitigation, sequestration
23 and reduction technologies; and

24 (I) advising foreign countries, at both the
25 national and subnational levels, regarding the

1 development and execution of regulatory poli-
2 cies, services, and laws pertaining to reducing
3 the creation and the collection and safe man-
4 agement of black carbon, methane, and high-
5 GWP HFC.

6 (c) ENHANCING INTERNATIONAL OUTREACH AND
7 PARTNERSHIP OF UNITED STATES AGENCIES INVOLVED
8 IN GREENHOUSE GAS REDUCTIONS.—

9 (1) FINDING.—Congress recognizes the success
10 of the United States Climate Alliance and the green-
11 house gas reduction programs and strategies estab-
12 lished by the Environmental Protection Agency’s
13 Center for Corporate Climate Leadership.

14 (2) AUTHORIZATION OF EFFORTS TO BUILD
15 FOREIGN PARTNERSHIPS.—The Secretary of State
16 shall work with the Administrator of the Environ-
17 mental Protection Agency to build partnerships, as
18 appropriate, with the governments of foreign coun-
19 tries and to support international efforts to reduce
20 black carbon, methane, and high-GWP HFC.

21 (d) NEGOTIATION OF NEW INTERNATIONAL AGREE-
22 MENTS AND REASSERTION OF TARGETS IN EXISTING
23 AGREEMENTS.—Not later than 1 year after the date of
24 the enactment of this Act, the Secretary of State shall sub-
25 mit a report to Congress that—

1 (1) assesses the potential for negotiating new
2 international agreements, new targets within existing
3 international agreements or cooperative bodies, and
4 the creation of a new international forum to mitigate
5 globally black carbon, methane, and high-GWP HFC
6 to support the efforts described in subsection (b);

7 (2) describes the provisions that could be in-
8 cluded in such agreements;

9 (3) assesses potential parties to such agree-
10 ments;

11 (4) describes a process for reengaging with
12 Canada and Mexico regarding the methane targets
13 agreed to at the 2016 North American Leaders'
14 Summit; and

15 (5) describes a process for reengaging with the
16 countries of the Arctic Council regarding the meth-
17 ane and black carbon targets that were negotiated in
18 2015 through the Framework for Action.

19 (e) CONSIDERATION OF BLACK CARBON, METHANE,
20 AND HIGH-GWP HFC IN NEGOTIATING INTERNATIONAL
21 AGREEMENTS.—In negotiating any relevant international
22 agreement with any country or countries after the date
23 of the enactment of this Act, the President shall—

24 (1) consider the impact black carbon, methane,
25 and high-GWP HFC are having on the increase in

1 global average temperatures and the resulting global
2 climate change;

3 (2) consider the effects that climate change is
4 having on the environment; and

5 (3) ensure that the agreement strengthens ef-
6 forts to eliminate black carbon, methane, and high-
7 GWP HFC from such country or countries.

8 (f) PLAN TO REDUCE BLACK CARBON EMISSIONS
9 FROM SHIPS.—Consistent with strategies adopted by the
10 International Maritime Organization to reduce greenhouse
11 gas emissions from ships, the Secretary of State, in con-
12 sultation with the Secretary of Transportation, the Sec-
13 retary of Commerce, the Administrator, and the Com-
14 mandant of the Coast Guard, shall develop a comprehen-
15 sive plan to reduce black carbon emissions from ships
16 based on appropriate emissions data from oceangoing ves-
17 sels. The plan shall provide for such reduction through—

18 (1) a clean freight partnership;

19 (2) limits on black carbon emissions; and

20 (3) efforts that include protection of access to
21 critical fuel shipments and emergency needs of
22 coastal communities.

23 (g) ESTABLISHMENT OF INTERAGENCY WORKING
24 GROUP ON BLACK CARBON, METHANE, AND HIGH-GWP
25 HFC POLLUTANT MITIGATION.—

1 (1) ESTABLISHMENT.—Not later than 90 days
2 after the date of enactment of this Act, the Presi-
3 dent shall establish a task force, to be known as the
4 Interagency Working Group on Black Carbon, Meth-
5 ane, and High-GWP HFC Pollutant Mitigation.

6 (2) MEMBERSHIP.—The members of the Work-
7 ing Group shall include the head (or a designee
8 thereof) of each relevant Federal agency.

9 (3) DUTIES.—The Working Group shall—

10 (A) not later than 180 days after the date
11 of enactment of this Act, submit to the appro-
12 priate congressional committees a report that
13 includes specific plans of each relevant Federal
14 agency—

15 (B) look for opportunities with other coun-
16 tries to promote alternatives to high-GWP
17 HFC, and transition over time to equipment
18 that uses safer and more sustainable alter-
19 natives to high-GWP HFC;

20 (C) review the policy recommendations
21 made by—

22 (i) the Intergovernmental Panel on
23 Climate Change;

24 (ii) the United States Climate Alli-
25 ance;

1 (iii) the Interagency Strategy to Re-
2 duce Methane Emissions;

3 (iv) the Council on Climate Prepared-
4 ness and Resilience;

5 (v) the Clean Cooking Alliance;

6 (vi) the International Maritime Orga-
7 nization; and

8 (vii) other relevant organizations and
9 institutions; and

10 (D) develop an action plan to reduce black
11 carbon, methane, and high-GWP HFC pollut-
12 ants that incorporates any appropriate pro-
13 posals or recommendations made by the entities
14 referred to in subparagraph (C).

15 **SEC. 609. BUILDING UNITED STATES ECONOMIC GROWTH**
16 **AND TECHNOLOGICAL INNOVATION**
17 **THROUGH THE GREEN CLIMATE FUND.**

18 (a) GREEN CLIMATE FUND.—

19 (1) FINDINGS.—Congress finds that—

20 (A) climate change most severely impacts
21 vulnerable and disadvantaged communities in
22 the United States and around the world;

23 (B) it is the responsibility of the United
24 States Government to work with and press

1 other countries to address environmental justice
2 and climate justice;

3 (C) the report of the United Nations Envi-
4 ronment Programme entitled “Climate Change
5 and the Cost of Capital in Developing Coun-
6 tries”, dated May 2018, found that, in the 10
7 years prior to the publication of the report, cli-
8 mate vulnerability has cost the 20 nations most
9 affected by catastrophes rooted in climate
10 change an additional \$62,000,000,000 in inter-
11 est payments alone;

12 (D) individuals and families, particularly
13 communities of color, indigenous communities,
14 and low-income communities, that are on the
15 frontlines of climate change across the globe are
16 often in close proximity to environmental
17 stressors or sources of pollution;

18 (E) the communities described in subpara-
19 graph (D)—

20 (i) are often the first exposed to the
21 causes and impacts of climate change; and

22 (ii) have the fewest resources with
23 which to mitigate those impacts or to relo-
24 cate;

1 (F) all efforts to adapt to and mitigate cli-
2 mate change must include specific protections
3 for and acknowledgment of the harm of climate
4 change to communities of color, indigenous peo-
5 ples, women, and other frontline communities
6 and marginalized peoples around the world;

7 (G) in Paris, on December 12, 2015, the
8 parties to the United Nations Framework Con-
9 vention on Climate Change adopted the Paris
10 Agreement, a benchmark agreement—

11 (i) to combat climate change;

12 (ii) to accelerate and intensify the ac-
13 tions and investments needed for a sus-
14 tainable low carbon future; and

15 (iii) that acknowledges, “Parties
16 should, when taking action to address cli-
17 mate change, respect, promote and con-
18 sider their respective obligations on human
19 rights, the right to health, the rights of in-
20 digenous peoples, local communities, mi-
21 grants, children, persons with disabilities
22 and people in vulnerable situations and the
23 right to development, as well as gender
24 equality, empowerment of women and in-
25 tergenerational equity”;

1 (H) the Paris Agreement—

2 (i) notes the importance of “climate
3 justice” when mitigating and adapting to
4 climate change; and

5 (ii) recognizes “the need for an effec-
6 tive and progressive response to the urgent
7 threat of climate change”;

8 (I) it is imperative for all countries to un-
9 dertake mitigation activities to rapidly meet the
10 goal of limiting global warming to not more
11 than 1.5 degrees Celsius;

12 (J) developed countries have the greatest
13 capacity to mitigate their greenhouse gas emis-
14 sions, while—

15 (i) developing countries have the least
16 capacity to engage in mitigation activities;
17 and

18 (ii) the capacity of developing coun-
19 tries to engage in mitigation activities is
20 less than the national mitigation potential
21 of those developing countries;

22 (K) the determination for the fair share of
23 mitigation and adaptation activities for each
24 country must take into account—

1 (i) the historic greenhouse gas emis-
2 sions of each country; and

3 (ii) the current capacity of each coun-
4 try to both mitigate greenhouse gas emis-
5 sions and adapt to climate impacts;

6 (L) developed countries that have histori-
7 cally emitted a disproportionately high share of
8 greenhouse gas emissions, and reaped the eco-
9 nomic benefits of those polluting activities, have
10 a corresponding disproportionately greater re-
11 sponsibility to engage in global mitigation and
12 adaptation activities, as compared to less indus-
13 trialized countries that have historically polluted
14 far less;

15 (M) the only realistic way for less industri-
16 alized countries to meet their full mitigation po-
17 tential is through international climate financ-
18 ing by more developed countries;

19 (N) in the 2009 Copenhagen Accord, devel-
20 oped countries committed to jointly mobilize,
21 starting in 2020, \$100,000,000,000 per year in
22 public climate financing (as well as private in-
23 vestment and other alternative forms of fi-
24 nance), for developing countries, a commitment
25 reaffirmed in 2015 in Decision 1/CP.21 of the

1 United Nations Framework Convention on Cli-
2 mate Change, Adoption of the Paris Agreement;

3 (O) the \$100,000,000,000 commitment de-
4 scribed in subparagraph (N) was a political
5 compromise that falls short of the actual fi-
6 nancing needs for climate action in developing
7 countries;

8 (P) Bloomberg New Energy Finance has
9 estimated that the transition to renewable en-
10 ergy sources in developing countries will require
11 hundreds of billions of dollars annually;

12 (Q) the United Nations Environment Pro-
13 gramme has estimated that adaptation needs
14 relating to climate change in developing coun-
15 tries may be as much as \$300,000,000,000 an-
16 nually by 2030;

17 (R) the Green Climate Fund was created
18 in 2010 by 194 countries to serve as a crucial
19 financing mechanism to help developing coun-
20 tries limit or reduce greenhouse gas emissions
21 and adapt to climate change;

22 (S) in 2015, the United Nations Frame-
23 work Convention on Climate Change agreed
24 that the Green Climate Fund should serve the
25 goals of the Paris Agreement, which states that

1 “developed country Parties shall provide finan-
2 cial resources to assist developing country Par-
3 ties with respect to both mitigation and adapta-
4 tion in continuation of their existing obligations
5 under the Convention”;

6 (T) the Green Climate Fund is an essential
7 institution for climate financing, as the Green
8 Climate Fund ensures—

9 (i) balanced governance between de-
10 veloped and developing countries;

11 (ii) stakeholder engagement and dis-
12 course;

13 (iii) a balanced approach between
14 mitigation and adaptation;

15 (iv) fair and equal labor and working
16 conditions;

17 (v) conservation of biodiversity and
18 critical habitats; and

19 (vi) strong environmental, social, and
20 gender protections;

21 (U) the Green Climate Fund—

22 (i) promotes and protects human
23 rights and the rights of marginalized
24 groups, including indigenous peoples,

1 women, children, and people with disabil-
2 ities; and

3 (ii) continues to take steps to
4 strengthen protection for marginalized
5 groups;

6 (iii) the United States committed
7 \$3,000,000,000 of the first
8 \$10,000,000,000 raised for the initial re-
9 source mobilization period of the Green
10 Climate Fund, though only $\frac{1}{3}$ of this
11 pledge was fulfilled, leaving the United
12 States the only country to fall substantially
13 short of a commitment of a country to the
14 Green Climate Fund; and

15 (V) the Green Climate Fund is a fully
16 operational and proven institution supporting
17 well over 100 projects and programs in devel-
18 oping countries around the world.

19 (2) STATEMENT OF POLICY.—It is the policy of
20 the United States to provide climate financing—

21 (A) as an essential part of the global effort
22 to combat climate change; and

23 (B) that—

24 (i) upholds the principles of environ-
25 mental justice and climate justice;

1 (ii) supports programs and projects
2 developed by recipient countries and com-
3 munities;

4 (iii) is designed and implemented with
5 the free, prior, and informed consent of in-
6 digenous peoples and other impacted com-
7 munities;

8 (iv) promotes gender equality as es-
9 sential in all of the projects and programs
10 supported by climate financing;

11 (v) includes best practices for environ-
12 mental and social safeguards to ensure
13 that projects and programs supported by
14 climate financing respect fundamental
15 human rights; and

16 (vi) addresses both mitigation and ad-
17 aptation as essential aspects of responding
18 to climate change.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated for contributions to the
21 Green Climate Fund \$4,000,000,000 for each of the fiscal
22 years 2022 and 2023.

23 (c) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the climate financing needs to achieve the
25 greenhouse gas emissions reductions required to keep the

1 planet at or below 1.5 degrees Celsius of global warming
2 are significantly greater than the amount of funds author-
3 ized to be appropriated under subsection (a).

4 **SEC. 610. ENSURING A WHOLE-OF-GOVERNMENT RESPONSE**
5 **TO CLIMATE ACTION.**

6 (a) ESTABLISHMENT.—The Secretary of State shall
7 establish a Climate Impacts Task Force (referred to in
8 this section as the “Task Force”) with the mandate to—

9 (1) monitor climate and related impacted social
10 conditions to anticipate and prevent climate and en-
11 vironmental stressors from evolving into national se-
12 curity risks;

13 (2) monitor and assess climate action under-
14 taken by other countries in response to national
15 strategies and international commitments, and co-
16 ordinate closely with allies and partners to ensure a
17 coordinated response against any state or non-state
18 actors, including the People’s Republic of China
19 (PRC) and PRC companies, undermining global cli-
20 mate objectives, norms, and practices.

21 (2) strengthen the efforts of the Department of
22 State and the United States Government to act
23 proactively to mitigate the human harms and poten-
24 tial for national security risks resulting from emerg-
25 ing events exacerbated by climate change; and

1 (3) assist other Federal departments and agen-
2 cies, foreign partners, and multilateral organizations
3 in their efforts to do the same.

4 (b) LEADERSHIP.—The Secretary of State shall des-
5 ignate a senior career official, as appropriate, of the De-
6 partment of State to serve as the Chair of the Task Force.
7 Such official shall report to the Secretary of State.

8 (c) RESPONSIBILITIES.—Under the direction of the
9 Chair, the Task Force shall—

10 (1) meet regularly to ensure that events exacer-
11 bated by climate change and the risk of emerging
12 events exacerbated by climate change throughout the
13 world are adequately considered and addressed;

14 (2) facilitate the development and execution of
15 policies and tools to enhance the capacity of the
16 United States to prevent and respond to emerging
17 events exacerbated by climate change worldwide;

18 (3) monitor developments throughout the world
19 that heighten the risk of emerging events exacer-
20 bated by climate change;

21 (5) identify gaps in United States foreign policy
22 related to the prevention of and response to emerg-
23 ing events exacerbated by climate change with re-
24 spect to certain regions or particular countries;

1 (6) incorporate lessons learned from past
2 United States efforts to prevent and respond to
3 emerging events exacerbated by climate change and
4 other impacts that are comparable in scope or sever-
5 ity;

6 (7) provide the Secretary of State with rec-
7 ommendations and potential improvements to poli-
8 cies, programs, resources, and tools related to the
9 prevention of and response to emerging events exac-
10 erbated by climate change;

11 (8) coordinate the Department of State's en-
12 gagement in interagency processes led by the Na-
13 tional Security Council that share the Task Force's
14 objectives;

15 (9) conduct outreach not less frequently than
16 biannually, with representatives of nongovernmental
17 organizations dedicated to the prevention of and re-
18 sponse to emerging events exacerbated by climate
19 change and other appropriate parties, to—

20 (A) receive assistance relating to the Task
21 Force's efforts to address emerging events exac-
22 erbated by climate change and develop new or
23 improved policies, programs, resources, and
24 tools; and

1 (B) provide a public understanding of the
2 work of the Task Force;

3 (10) in carrying out paragraphs (1) through
4 (9), focus on particular ways for the United States
5 to develop, strengthen, and enhance its capabilities
6 to—

7 (A) monitor, receive early warning of, and
8 coordinate responses to potential emerging
9 events exacerbated by climate change;

10 (B) engage allies and partners, including
11 multilateral and regional institutions, to build
12 capacities and mobilize action for preventing
13 and responding to emerging events exacerbated
14 by climate change;

15 (C) encourage the deployment of civilian
16 advisors to prevent and respond to emerging
17 events exacerbated by climate change;

18 (D) increase the capacity of and develop
19 doctrine for the United States Foreign Service,
20 civil service, Armed Forces, development profes-
21 sionals, and other actors to engage in the full
22 spectrum of activities to prevent and respond to
23 emerging events exacerbated by climate change;

24 (E) develop and implement tailored foreign
25 assistance programs that address and mitigate

1 the risks of emerging events exacerbated by cli-
2 mate change;

3 (F) ensure intelligence collection, analysis,
4 and sharing of appropriate information; and

5 (G) address any other issues that the Task
6 Force determines appropriate;

7 (11) in carrying out paragraphs (1) through
8 (9), receive support from bureaus and offices of the
9 Department of State, as the Secretary of State de-
10 termines appropriate; and

11 (12) facilitate annual coordination between the
12 Department of State and other appropriate depart-
13 ments and agencies to ensure international and do-
14 mestic climate change objectives are aligned.

15 (d) COMPOSITION.—The Task Force shall—

16 (1) seek to ensure that its efforts complement
17 and support interagency processes led by the Na-
18 tional Security Council that share the Task Force's
19 objectives; and

20 (2) operate with regular consultation and par-
21 ticipation of designated representatives, at the As-
22 sistant Secretary level or higher, from all such exec-
23 utive departments, agencies, or offices as the Chair
24 may designate.

1 (e) REPORT.—Not later than 180 days after the date
2 of the enactment of this Act and every 2 years thereafter
3 for the following 10 years, the Secretary of State, in con-
4 sultation with the Task Force, shall submit to the Com-
5 mittee on Foreign Relations and the Committee on Appro-
6 priations of the Senate and the Committee on Foreign Af-
7 fairs and the Committee on Appropriations of the House
8 of Representatives an unclassified report, with a classified
9 annex if necessary, that includes—

10 (1) a review, in consultation with the des-
11 ignated representatives specified in subsection (d),
12 consisting of—

13 (A) an evaluation of the efficacy of current
14 efforts based on United States and locally iden-
15 tified indicators, including capacities and con-
16 straints for United States Government-wide de-
17 tection, early warning and response, informa-
18 tion-sharing, contingency planning, and coordi-
19 nation of efforts to prevent and respond to
20 emerging events exacerbated by climate change;

21 (B) an assessment of the funding expended
22 by relevant Federal departments and agencies
23 on emerging events exacerbated by climate
24 change and the legal, procedural, and resource
25 constraints faced by the Department of State

1 and the United States Agency for International
2 Development throughout respective budgeting,
3 strategic planning, and management cycles to
4 support the prevention of and response to
5 emerging events exacerbated by climate change;

6 (C) current annual global assessments of
7 emerging events exacerbated by climate change;

8 (D) recommendations to further strength-
9 en United States capabilities described in sub-
10 paragraph (A); and

11 (E) consideration of analysis, reporting,
12 and policy recommendations by civil society,
13 academic, and other nongovernmental organiza-
14 tions and institutions to prevent and respond to
15 emerging events exacerbated by climate change;

16 (2) recommendations to ensure shared responsi-
17 bility by—

18 (A) enhancing multilateral mechanisms for
19 preventing, mitigating, and responding to
20 emerging events exacerbated by climate change;
21 and

22 (B) strengthening regional organizations;
23 and

1 (3) the implementation status of the rec-
2 ommendations included in the review under para-
3 graph (1).

4 (f) BRIEFINGS AND MATERIALS.—The Chair and
5 members of the Task Force shall, not less frequently than
6 annually, provide briefings and materials to the Com-
7 mittee on Foreign Relations of the Senate and the Com-
8 mittee on Foreign Affairs of the House of Representatives.

9 (g) REPORT BY THE DIRECTOR OF NATIONAL INTEL-
10 LIGENCE.—The Director of National Intelligence is en-
11 couraged to include, in his or her annual (or more often
12 as appropriate) unclassified testimony, accompanied by a
13 classified annex, if necessary, to Congress on threats to
14 United States national security—

15 (1) a review of countries and regions at risk of
16 emerging events exacerbated by climate change; and

17 (2) whenever possible, specific identification of
18 countries and regions at immediate risk of emerging
19 events exacerbated by climate change.

20 (h) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that rapid and robust climate change response mech-
22 anisms, including the establishment of the Task Force, are
23 critical for ensuring other countries remain accountable to
24 their climate action commitments as well as preserving the

1 national security and economic interests of the United
2 States.

3 **SEC. 611. WORKING WITH INTERNATIONAL PARTNERS TO**
4 **REDUCE DEFORESTATION.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) The People’s Republic of China (PRC) is
7 having a substantial impact on the most important
8 forest ecosystems in the world, and illegal logging
9 and agricultural expansion have caused the massive
10 forest loss. According to the World Resources Insti-
11 tute, the PRC has become the world’s leading im-
12 porter and consumer of timber products, soybeans,
13 and palm oil, as well as the largest manufacturing
14 and export country of forest products.

15 (2) In 2016, the PRC imported logs from more
16 than 100 countries in the world. According to a
17 Global Witness report, between January 2013 and
18 April 2020, Chinese financial institutions provided
19 more than \$22.5 billion to major companies that
20 produce and trade commodities at high risk of driv-
21 ing deforestation. These commodities include beef,
22 soy, palm oil, paper, pulp, rubber, and timber.

23 (3) Further, the growing international demand
24 for such agricultural commodities causes the major-
25 ity of deforestation emissions globally, and most of

1 the associated land-clearing violates applicable na-
2 tional or local laws. According to a 2021 Forest
3 Trends report, at least 69 percent of forest land con-
4 verted to pasture or cropland was cleared illegally.

5 (4) The growing demand for timber and agri-
6 cultural commodities has accelerated
7 unsustainable—and often illegal—logging and the
8 trade of timber products, which harms the countries
9 in which it takes place by siphoning away govern-
10 ment tax revenue, transforming the livelihoods of
11 communities dependent on forests, and hurting legal
12 businesses' competitiveness. Further, illegal logging
13 and illegal conversion of forest to agricultural land
14 threatens biodiversity and accelerates deforestation
15 and forest degradation in key timber supply coun-
16 tries, undermining United States and global climate
17 goals.

18 (5) The United States should work with inter-
19 national partners to ensure that Chinese and other
20 banks factor into lending practices the environ-
21 mental and social impact of the companies they fi-
22 nance. This should include pressuring the PRC and
23 other countries to revise regulations to require the
24 banking sector not to finance companies linked to
25 deforestation and include rigorous checks on the

1 companies operating in sectors or regions where
2 there is a high risk of deforestation to ensure they
3 are not associated with deforestation.

4 (b) DEFINITIONS.—In this section:

5 (1) ADMINISTRATOR.—Except as otherwise ex-
6 pressly provided, the term “Administrator” means
7 the Administrator of the United States Agency for
8 International Development.

9 (2) DEFORESTATION.—The term “deforest-
10 ation” means a change in land use from a forest (in-
11 cluding peatlands) to any other land use.

12 (3) DEVELOPING COUNTRY.—The term “devel-
13 oping country” means a country eligible to receive
14 official development assistance according to the in-
15 come guidelines of the Development Assistance Com-
16 mittee of the Organisation for Economic Co-oper-
17 ation and Development.

18 (4) EMISSIONS REDUCTIONS.—The term “emis-
19 sions reductions” means greenhouse gas emissions
20 reductions achieved from reduced or avoided defor-
21 estation under this section.

22 (5) FOREST.—

23 (A) IN GENERAL.—The term “forest”
24 means a terrestrial ecosystem, including wet-
25 land forests, comprised of native tree species

1 generated and maintained primarily through
2 natural ecological and evolutionary processes.

3 (B) EXCLUSION.—The term “forest” does
4 not include plantations, such as crops of trees
5 planted by humans primarily for the purposes
6 of harvesting.

7 (6) FOREST DEGRADATION.—The term “forest
8 degradation” is any reduction in the carbon stock of
9 a forest due to the effects of human land-use activi-
10 ties, including such land-use activities on peatlands.

11 (7) INTACT FOREST.—The term “intact forest”
12 means an unbroken expanse of natural ecosystems
13 within the global extent of forest cover that—

14 (A) covers an area of at least 500 square
15 kilometers and is at least 10 kilometers in each
16 direction; and

17 (B) contains forest and non-forest eco-
18 systems minimally influenced by human eco-
19 nomic activity and large enough that all native
20 biodiversity, including viable populations of
21 wide-ranging species, could be maintained.

22 (9) LEAKAGE.—The term “leakage” means the
23 unexpected loss of anticipated carbon benefits due to
24 the displacement of activities in a project area to

1 areas outside the project, resulting in carbon emis-
2 sions.

3 (10) LEAKAGE PREVENTION ACTIVITIES.—The
4 term “leakage prevention activities” means activities
5 in developing countries that are directed at pre-
6 serving existing forest carbon stocks, including for-
7 ested wetlands and peatlands that might, absent
8 such activities, be lost through leakage.

9 (11) NATIONAL DEFORESTATION REDUCTION
10 ACTIVITIES.—The term “national deforestation re-
11 duction activities” means activities in developing
12 countries that reduce a quantity of greenhouse gas
13 emissions from deforestation that is calculated by
14 measuring actual emissions against a national defor-
15 estation baseline established pursuant to subpara-
16 graphs (B) and (C) of subsection (d)(4).

17 (12) SUBNATIONAL DEFORESTATION AND FOR-
18 EST DEGRADATION REDUCTION ACTIVITIES.—The
19 term “subnational deforestation and forest degrada-
20 tion reduction activities” means activities in devel-
21 oping countries that reduce a quantity of greenhouse
22 gas emissions from deforestation and forest degrada-
23 tion that is calculated by measuring actual emissions
24 using an appropriate baseline, or an alternative de-

1 terminated under subsection (d)(4)(B)(ii), established
2 by the Administrator at the State or provincial level.

3 (c) PURPOSES.—The purposes of this section are to
4 provide United States assistance to developing countries
5 to develop, implement, and improve actions that reduce
6 deforestation and forest degradation or conserve or restore
7 forest ecosystems—

8 (1) to protect the value of forest ecosystems
9 with respect to permanent carbon capture and se-
10 questration in a manner in which such value is
11 measurable, reportable, and verifiable; and

12 (2) in a manner that—

13 (A) is consistent with and enhances the
14 implementation of complementary United
15 States policies that support the good govern-
16 ance of forests, biodiversity conservation, and
17 environmentally sustainable development;

18 (B) takes into consideration the views and
19 participation of local communities and most vul-
20 nerable communities and populations, particu-
21 larly forest-dependent communities; and

22 (C) incorporates the right to free prior and
23 informed consent of indigenous peoples.

24 (d) EMISSIONS REDUCTIONS THROUGH REDUCED
25 DEFORESTATION.—

1 (1) ESTABLISHMENT OF PROGRAM.—Not later
2 than 1 year after the date of the enactment of this
3 Act, the Administrator, in consultation with other
4 appropriate agencies, shall establish a program to
5 provide assistance to reduce deforestation in devel-
6 oping countries and its impacts, in accordance with
7 this section.

8 (2) OBJECTIVES.—The objectives of the pro-
9 gram established under paragraph (1) shall be—

10 (A) to achieve—

11 (i) emissions reductions of at least
12 7,000,000,000 tons of carbon dioxide
13 equivalent in 2025;

14 (ii) cumulative emissions reductions of
15 at least 11,000,000,000 tons of carbon di-
16 oxide equivalent by December 31, 2030;
17 and

18 (iii) additional emissions reductions in
19 subsequent years;

20 (B) to build capacity to reduce deforest-
21 ation at a national level in developing countries
22 experiencing deforestation, which may include—

23 (i) preparing developing countries to
24 participate in international markets for

1 international offset credits for reduced
2 emissions from deforestation;

3 (ii) supporting the development of
4 overseas domestic policy frameworks to en-
5 sure effective, efficient, and equitable ben-
6 efit-sharing of the proceeds of such credits
7 issued by national and subnational govern-
8 ments; and

9 (iii) promoting and expanding land ti-
10 tling initiatives and programs in other
11 countries;

12 (C) to preserve forest carbon stocks in
13 countries where such forest carbon may be vul-
14 nerable to leakage, particularly in developing
15 countries with largely intact native forests;

16 (D) to build the scientific knowledge and
17 institutional capacity to help developing coun-
18 tries—

19 (i) monitor the effects of climate
20 change on their forests;

21 (ii) develop and implement strategies
22 to conserve their forests; and

23 (iii) support forest-dependent commu-
24 nities adapt to climate change;

1 (E) to the extent practicable, to reduce de-
2 forestation in ways that reduce the vulnerability
3 and increase the resilience to climate effects for
4 forests and forest-dependent communities;

5 (F) to prevent degradation and fragmenta-
6 tion of forests and other intact ecosystems, par-
7 ticularly in tropical countries, including by pro-
8 viding assistance or supporting policies to—

9 (i) conserve, protect, and restore the
10 integrity of such ecosystems; and

11 (ii) support the rights of Indigenous
12 People and local communities and their
13 ability to continue their effective steward-
14 ship of their intact traditional lands and
15 territories;

16 (G) to build capacity to address illegal de-
17 forestation for agricultural commodities; and

18 (H) to remove subsidies that favor defor-
19 estation;

20 (e) REQUIREMENTS FOR INTERNATIONAL DEFOR-
21 ESTATION REDUCTION PROGRAM.—

22 (1) ELIGIBLE COUNTRIES.—

23 (A) IN GENERAL.—Except as provided in
24 subparagraph (B), the Administrator may pro-

1 vide assistance under this section only with re-
2 spect to a developing country that—

3 (i) the Administrator, in consultation
4 with other appropriate agencies, deter-
5 mines—

6 (I) is experiencing deforestation
7 or forest degradation; or

8 (II) has standing forest carbon
9 stocks that may be at risk of deforest-
10 ation or degradation;

11 (ii) has the legal regimes, standards,
12 and safeguards to ensure that the rights
13 and interests of indigenous peoples and
14 forest-dependent communities are pro-
15 tected in accordance with the standards es-
16 tablished under paragraph (4); and

17 (iii) has entered into a bilateral or
18 multilateral agreement or arrangement
19 with the United States, or is part of an
20 international program supported by the
21 United States to prevent deforestation,
22 that establishes the conditions of participa-
23 tion by the country in the program estab-
24 lished under this section, which shall in-
25 clude an agreement to meet the standards

1 established under paragraph (4) for the ac-
2 tivities to which such standards apply.

3 (B) EXCEPTION.—A developing country
4 that does not meet the requirement described in
5 paragraph (1)(A)(ii) may receive assistance
6 under this section for the purpose of building
7 capacity to meet such requirement.

8 (2) AUTHORIZED ACTIVITIES.—Subject to the
9 requirements of this section, in providing assistance
10 under this section, the Administrator may support
11 activities to achieve the objectives described in sub-
12 section (c)(2), such as—

13 (A) national deforestation reduction activi-
14 ties;

15 (B) subnational deforestation and forest
16 degradation reduction activities, including pilot
17 activities, policies, and measures that reduce
18 greenhouse gas emissions and are subject to
19 significant uncertainty;

20 (C) activities to measure, monitor, and
21 verify deforestation, avoided deforestation, and
22 rates of deforestation, including, if applicable,
23 spatially explicit land use plans that identify in-
24 tact and primary forest areas and managed for-
25 est areas;

1 (D) leakage prevention activities;

2 (E) the development and implementation
3 of measurement, monitoring, reporting, and
4 verification capacities and governance struc-
5 tures, including legal regimes, standards, proc-
6 esses, and safeguards, as established under
7 paragraph (4), to enable a country to quantify
8 emissions reductions for purposes of purchasing
9 or trading subnational emissions reduction cred-
10 its in carbon markets;

11 (F) the identification of, and actions to ad-
12 dress, the drivers of land use emissions;

13 (G) programs that would exclude from the
14 United States illegally harvested timber or
15 products made from illegally harvested timber,
16 in accordance with and consistent with the ob-
17 jectives of the Lacey Act Amendments of 1981
18 (16 U.S.C. 3371 et seq.);

19 (H) the development and strengthening of
20 governance capacities to reduce deforestation
21 and other land use emissions and to combat il-
22 legal logging and associated trade, including the
23 development of systems for independent moni-
24 toring of the efficacy of forest law enforcement
25 and increased enforcement cooperation, includ-

1 ing joint efforts with Federal agencies, to en-
2 force the Lacey Act Amendments of 1981 (16
3 U.S.C. 3371 et seq.);

4 (I) programs to help countries strengthen
5 the necessary governance and technological ca-
6 pacity to trace and make publicly available the
7 origin of agricultural commodities associated
8 with tropical deforestation, such as beef, soy,
9 palm oil, paper, pulp, cocoa, and rubber;

10 (J) the development and strengthening of
11 governance capacities and associated implemen-
12 tation activities to combat illegal deforestation
13 related to the production of agricultural com-
14 modities, such as those described in subpara-
15 graph (I);

16 (K) the provision of incentives for policy
17 reforms to achieve the objectives described in
18 subsection (c)(2);

19 (L) the development of pilot projects—

20 (i) to examine where mitigation and
21 adaptation activities in forest ecosystems
22 coincide; and

23 (ii) to explore means for enhancing
24 the resilience of forest ecosystems and for-
25 est-dependent communities;

1 (M) the promotion of mechanisms to de-
2 liver resources for local action and to address
3 the needs, rights, interests, and participation of
4 local and indigenous communities;

5 (N) the promotion of land tenure and ti-
6 tling programs, including legal recognition and
7 effective protection of the land tenure, access
8 and use rights of Indigenous People and local
9 communities; and

10 (O) the monitoring and evaluation of the
11 results of the activities conducted under this
12 section.

13 (3) MECHANISMS.—The Administrator shall
14 apply the administrative authorities under the For-
15 eign Assistance Act of 1961 (22 U.S.C. 2151 et
16 seq.), except to the extent inconsistent with the pro-
17 visions of this section, to the same extent and in the
18 same manner as such authorities apply to the imple-
19 mentation of such Act in order to support activities
20 to achieve the objectives described in subsection
21 (c)(2) by—

22 (A) developing and implementing programs
23 and project-level activities that achieve such ob-
24 jectives;

1 (B) to the extent practicable, giving pri-
2 ority in any review process to activities under
3 paragraph (2)(A); and

4 (C) as appropriate, considering multi-year
5 funding arrangements in carrying out the pur-
6 poses of this section.

7 (4) STANDARDS.—The Administrator, in con-
8 sultation with other appropriate agencies, shall es-
9 tablish program standards that—

10 (A) ensure that emissions reductions
11 achieved through supported activities—

12 (i) are additional, measurable,
13 verifiable, and monitored;

14 (ii) account for leakage, uncertainty,
15 and permanence; and

16 (iii) at a minimum, meet the stand-
17 ards established under the emissions unit
18 criteria of the Carbon Offsetting and Re-
19 duction Scheme for International Aviation
20 (CORSIA) developed by the International
21 Civil Aviation Organization (ICAO);

22 (B) require—

23 (i) the establishment of a national de-
24 forestation baseline for each country with
25 national deforestation reduction activities

1 that is used to account for reductions
2 achieved from such activities; or

3 (ii) if a developing country has estab-
4 lished policies and taken measures to re-
5 duce emissions from disturbed peatlands,
6 deforestation, or forest degradation, but
7 has not established a national baseline, the
8 provision of a credible, transparent, accu-
9 rate, and conservative alternative for quan-
10 tifying emissions;

11 (C) provide that each national deforest-
12 ation baseline established under subparagraph
13 (B)(i)—

14 (i) is national, or subnational on an
15 interim basis, in scope; and

16 (ii) is consistent with nationally ap-
17 propriate mitigation commitments or ac-
18 tions with respect to deforestation, taking
19 into consideration—

20 (I) the average annual historical
21 deforestation rates of the country dur-
22 ing a period of at least 5 years; and

23 (II) the applicable drivers of de-
24 forestation and other factors to ensure
25 additionality;

1 (iii) establishes a trajectory that
2 would result in zero net deforestation by
3 not later than 20 years after the date on
4 which the baseline is established;

5 (iv) is adjusted over time to account
6 for changing national circumstances; and

7 (v) is designed to account for all sig-
8 nificant sources of greenhouse gas emis-
9 sions from deforestation in the country;

10 (D) with respect to assistance provided for
11 activities described in subparagraph (A) or (B)
12 of paragraph (2), require emissions reductions
13 to be achieved and verified before the provision
14 of any assistance under this section;

15 (E) with respect to accounting for sub-
16 national deforestation and forest degradation
17 reduction activities that lack the standardized
18 or precise measurement and monitoring tech-
19 niques needed for a full accounting of changes
20 in emissions or baselines, or are subject to
21 other sources of uncertainty, apply a conserv-
22 ative discount factor to reflect the uncertainty
23 regarding the levels of reductions achieved;

24 (F) ensure that activities under this sec-
25 tion are designed, carried out, and managed—

- 1 (i) using forest management practices
2 that, in an open and transparent process—
3 (I) improve the livelihoods of for-
4 est communities in a manner that
5 promotes the maintenance of intact
6 forests, protects associated biodiver-
7 sity, and restores native forest species
8 and ecosystems while avoiding the in-
9 troduction of invasive nonnative spe-
10 cies;
11 (II) maintain natural biodiver-
12 sity, resilience, and carbon storage ca-
13 pacity of forests;
14 (III) to the extent practicable, do
15 not adversely affect the permanence of
16 forest carbon stocks or emissions re-
17 ductions;
18 (IV) include broad stakeholder
19 participation and the free prior and
20 informed consent of affected indige-
21 nous peoples; and
22 (V) take into account the needs
23 and interests of local communities,
24 forest-dependent communities, indige-

1 nous peoples, and vulnerable social
2 groups;

3 (ii) in consultation with, and with the
4 full and effective participation of, local
5 communities, indigenous peoples, and for-
6 est-dependent communities in affected
7 areas, as partners and primary stake-
8 holders, before and during the design,
9 planning, implementation, monitoring, and
10 evaluation of activities; and

11 (iii) with equitable sharing of profits
12 and benefits derived from the activities
13 with local communities, indigenous peoples,
14 and forest-dependent communities; and

15 (G) with respect to assistance for all activi-
16 ties under this section, seek to ensure the estab-
17 lishment and enforcement of legal regimes,
18 standards, processes, and safeguards by the
19 country in which the activities are conducted, as
20 a condition of such assistance or as a proposed
21 activity for which such assistance may be pro-
22 vided, which—

23 (i) protect the rights and interests of
24 local communities, indigenous peoples, for-
25 est-dependent communities, human rights

1 defenders, and vulnerable social groups;
2 and

3 (ii) promote consultations with local
4 communities, indigenous peoples, and for-
5 est-dependent communities in affected
6 areas, as partners and primary stake-
7 holders, before and during the design,
8 planning, implementation, monitoring, and
9 evaluation of activities under this section;
10 and

11 (iii) ensure equitable sharing of prof-
12 its and benefits from incentives for emis-
13 sions reductions or leakage prevention with
14 local communities, indigenous peoples, and
15 forest-dependent communities.

16 (5) SCOPE.—

17 (A) REDUCED EMISSIONS.—The Adminis-
18 trator shall include reduced emissions from for-
19 est degradation and disturbance of peatlands
20 within the scope of activities under this section.

21 (B) EXPANSION OF AUTHORIZED ACTIVI-
22 TIES.—If the Administrator determines, in con-
23 sultation with other appropriate agencies, that
24 sufficient methodologies and technical capacities
25 exist to measure, monitor, and account for the

1 emissions referred to in subparagraph (A), the
2 Administrator may expand the authorized ac-
3 tivities under this section, as appropriate, to in-
4 clude reduced soil carbon-derived emissions as-
5 sociated with deforestation and degradation of
6 forested wetlands and peatlands, consistent
7 with a comprehensive approach to maintaining
8 and enhancing forests, increasing climate resil-
9 iency, reducing emissions, and increasing re-
10 movals of greenhouse gases.

11 (6) ACCOUNTING.—The Administrator shall use
12 a publicly accessible registry to account for and reg-
13 ister the emissions reductions achieved through as-
14 sistance provided under this section each year, after
15 appropriately discounting for uncertainty and other
16 relevant factors as required by the standards estab-
17 lished under paragraph (4).

18 (7) INTERNATIONAL DEFORESTATION REDUC-
19 TION PROGRAM INSURANCE ACCOUNT FOR NON-
20 COMPLETION OR REVERSAL.—In furtherance of the
21 objectives described in subsection (c)(2), the Admin-
22 istrator shall develop and implement a program
23 that—

24 (A) addresses noncompletion or reversal
25 with respect to any greenhouse gas emissions

1 that were not, or are no longer, sequestered;
2 and

3 (B) may include a mechanism to hold in
4 reserve a portion of the amount allocated for
5 projects to support the program.

6 (8) EXTENSION OF ASSISTANCE.—

7 (A) IN GENERAL.—The Administrator may
8 extend, for an additional 5 years, the period
9 during which assistance is authorized for activi-
10 ties supported by assistance under this section,
11 if the Administrator determines that—

12 (i) the country in which the activities
13 are conducted is making substantial
14 progress toward adopting and imple-
15 menting a program to achieve reductions
16 in deforestation measured against a na-
17 tional baseline;

18 (ii) the greenhouse gas emissions re-
19 ductions achieved as a result of the activi-
20 ties are not resulting in significant leakage;

21 (iii) such greenhouse gas emissions re-
22 ductions are being appropriately dis-
23 counted to account for any leakage that is
24 occurring; and

1 (iv) such extension would further ad-
2 vance or ensure achievement of the objec-
3 tives of the activities.

4 (B) ASSISTANCE FOR SUBNATIONAL DE-
5 FORESTATION AND FOREST DEGRADATION RE-
6 DUCATION ACTIVITIES.—

7 (i) IN GENERAL.—If the Adminis-
8 trator extends the period during which as-
9 sistance is authorized for activities under
10 subparagraph (A), the Administrator shall
11 determine, based on the criteria specified
12 that subparagraph, whether such assist-
13 ance should include assistance for sub-
14 national deforestation and forest degrada-
15 tion reduction activities.

16 (ii) CONTINUED ASSISTANCE.—The
17 Administrator may extend the period dur-
18 ing which assistance is authorized for sub-
19 national deforestation and forest degrada-
20 tion reduction activities beyond the 5-year
21 period described in subparagraph (A) in
22 order to further the objectives described in
23 subparagraph (B) or (C) of subsection
24 (c)(2).

1 (9) COORDINATION WITH FOREIGN ASSIST-
2 ANCE.—Subject to the direction of the President, the
3 Administrator shall, to the extent practicable and
4 consistent with the objectives described in subsection
5 (c)(2), seek to align activities under this section with
6 broader development, poverty alleviation, or natural
7 resource management objectives and initiatives in
8 countries receiving assistance under this section.

9 (10) ASSISTANCE AS SUPPLEMENT.—The provi-
10 sion of assistance for activities under this section
11 shall be used to supplement, and not to supplant,
12 any other Federal, State, or local support available
13 to carry out activities under this section.

14 (11) FUNDING LIMITATION.—Of the funds
15 made available to carry out this section in any fiscal
16 year, not more than 7 percent may be used for the
17 administrative expenses of the United States Agency
18 for International Development in support of activi-
19 ties described in paragraph (2). Such amount shall
20 be in addition to other amounts otherwise available
21 for such purposes.

22 (f) LEGAL EFFECT.—

23 (1) IN GENERAL.—Nothing in this section may
24 be construed to supersede, limit, or otherwise affect
25 any restriction imposed by Federal law (including

1 regulations) on any interaction between an entity lo-
2 cated in the United States and an entity located in
3 a foreign country.

4 (2) **ROLE OF THE SECRETARY OF STATE.**—
5 Nothing in this section may be construed to affect
6 the role of the Secretary of State or the responsibil-
7 ities of the Secretary under section 622(c) of the
8 Foreign Assistance Act of 1961 (22 U.S.C.
9 2382(c)).

10 (g) **INTERNATIONAL FINANCIAL INSTITUTIONS.**—
11 The President shall direct the United States representa-
12 tives to the World Bank, the International Monetary
13 Fund, and other international financial institutions (as de-
14 fined in section 1701(c) of the International Financial In-
15 stitutions Act (22 U.S.C. 262r(c)) to prioritize efforts to
16 combat deforestation.

17 **SEC. 612. CONTROLLING THE EXPORT OF ELECTRONIC**
18 **WASTE TO PROTECT UNITED STATES SUPPLY**
19 **CHAINS.**

20 (a) **FINDINGS.**—Congress finds the following:

21 (1) It is in the national security interests of the
22 United States to ensure that the export of electronic
23 waste does not become the source of counterfeit
24 goods that may reenter electronics supply chains in
25 the United States, and for other purposes.

1 (2) A 2012 Senate Armed Services Committee
2 Report “discovered counterfeit electronic parts from
3 China in the Air Force’s largest cargo plane, in as-
4 semblies intended for Special Operations helicopters,
5 and in a Navy surveillance plane among 1,800 cases
6 of bogus parts”.

7 (3) Further, exporting such material has often
8 resulted in environmental damage because of illegal
9 dumping or inadequate environmental regulations in
10 other countries for ensuring their safe and secure
11 disposal.

12 (4) China, the single largest producer of elec-
13 tronic waste, is on track for its e-waste industry to
14 total \$23,800,000,000 by 2030, given its high sup-
15 ply of used products, demand for recycled materials,
16 and capacity to transport these materials.

17 (5) As the second largest producer of electronic
18 waste, the United States has a strong economic and
19 national security incentive to enhance domestic e-
20 waste recycling capacity rather than exporting to
21 China and other countries.

22 (6) Given China’s lack of regulations and work-
23 er protections, workers in the e-waste industry have
24 been exposed to over 1,000 harmful substances, in-

1 cluding lead and mercury, endangering the health
2 and wellbeing of workers.

3 (b) DEFINITIONS.—In this section:

4 (1) ELECTRONIC WASTE.—

5 (A) IN GENERAL.—The term “electronic
6 waste” means any of the following used items
7 containing electronic components, or fragments
8 thereof, including parts or subcomponents of
9 such items:

10 (i) Computers and related equipment.

11 (ii) Data center equipment (including
12 servers, network equipment, firewalls, bat-
13 tery backup systems, and power distribu-
14 tion units).

15 (iii) Mobile computers (including note-
16 books, netbooks, tablets, and e-book read-
17 ers).

18 (iv) Televisions (including portable
19 televisions and portable DVD players).

20 (v) Video display devices (including
21 monitors, digital picture frames, and port-
22 able video devices).

23 (vi) Digital imaging devices (including
24 printers, copiers, facsimile machines, image
25 scanners, and multifunction machines).

1 (vii) Consumer electronics—

2 (I) including digital cameras,
3 projectors, digital audio players, cel-
4 lular phones and wireless internet
5 communication devices, audio equip-
6 ment, video cassette recorders, DVD
7 players, video game systems (includ-
8 ing portable systems), video game
9 controllers, signal converter boxes,
10 and cable and satellite receivers; and

11 (II) not including appliances that
12 have electronic features.

13 (viii) Portable global positioning sys-
14 tem navigation devices.

15 (ix) Other used electronic items that
16 the Secretary determines to be necessary
17 to carry out this section.

18 (B) EXEMPT ITEMS.—The term “electronic
19 waste” does not include—

20 (i) exempted electronic waste items;

21 (ii) electronic parts of a motor vehicle;

22 or

23 (iii) electronic components, or items
24 containing electronic components, that are
25 exported or reexported to an entity under

1 the ownership or control of the person ex-
2 porting or reexporting the components or
3 items, with the intent that the components
4 or items be used for the purpose for which
5 the components or items were used in the
6 United States.

7 (2) EXEMPTED ELECTRONIC WASTE ITEMS.—

8 (A) IN GENERAL.—The term “exempted
9 electronic waste items” means the following:

10 (i) Tested, working used electronics.

11 (ii) Low-risk counterfeit electronics.

12 (iii) Recalled electronics.

13 (B) DEFINITIONS.—In this paragraph:

14 (i) TESTED, WORKING USED ELEC-
15 TRONICS.—The term “tested, working used
16 electronics” means any used electronic
17 items that—

18 (I) are determined, through test-
19 ing methodologies established by the
20 Secretary, to be—

21 (aa) fully functional for the
22 purpose for which the items were
23 designed; or

24 (bb) in the case of multi-
25 function devices, fully functional

1 for at least one of the primary
2 purposes for which the items
3 were designed;

4 (II) are exported with the intent
5 to reuse the products as functional
6 products; and

7 (III) are appropriately packaged
8 for shipment to prevent the items
9 from losing functionality as a result of
10 damage during shipment.

11 (ii) LOW-RISK COUNTERFEIT ELEC-
12 TRONICS.—The term “low-risk counterfeit
13 electronics” means any electronic compo-
14 nents or items that—

15 (I) have been subjected to de-
16 struction processes that render the
17 items unusable for their original pur-
18 pose; and

19 (II) are exported as a feedstock,
20 with no additional mechanical or hand
21 separation required, in a reclamation
22 process to render the electronic com-
23 ponents or items recycled consistent
24 with the laws of the foreign country
25 performing the reclamation process.

1 (iii) RECALLED ELECTRONICS.—The
2 term “recalled electronics” means any elec-
3 tronic items that—

4 (I) because of a defect in the de-
5 sign or manufacture of the items—

6 (aa) are subject to a recall
7 notice issued by the Consumer
8 Product Safety Commission or
9 other pertinent Federal authority
10 and have been received by the
11 manufacturer or its agent and re-
12 paired by the manufacturer or its
13 agent to cure the defect; or

14 (bb) have been recalled by
15 the manufacturer as a condition
16 of the validity of the warranty on
17 the items and have been repaired
18 by the manufacturer or its agent
19 to cure the defect; and

20 (II) are exported by the manufac-
21 turer of the items.

22 (iv) FEEDSTOCK.—The term “feed-
23 stock” means any raw material consti-
24 tuting the principal input for an industrial
25 process.

1 (3) COUNTERFEIT GOOD.—The term “counter-
2 feit good” means any good on which, or in connec-
3 tion with which, a counterfeit mark is used.

4 (4) COUNTERFEIT MILITARY GOOD.—The term
5 “counterfeit military good” means a counterfeit good
6 that—

7 (A) is falsely identified or labeled as meet-
8 ing military specifications; or

9 (B) is intended for use in a military or na-
10 tional security application.

11 (5) COUNTERFEIT MARK.—The term “counter-
12 feit mark” has the meaning given that term in sec-
13 tion 2320 of title 18, United States Code.

14 (6) EXPORT ADMINISTRATION REGULATIONS.—
15 The term “Export Administration Regulations”
16 means the regulations set forth in subchapter C of
17 chapter VII of title 15, Code of Federal Regulations,
18 or successor regulations.

19 (7) EXPORT; REEXPORT.—The terms “export”
20 and “reexport” have the meanings given such terms
21 in section 1742 of the Export Control Reform Act
22 of 2018 (50 U.S.C. 4801).

23 (8) SECRETARY.—The term “Secretary” means
24 the Secretary of Commerce.

1 (9) USED.—The term “used”, with respect to
2 an item, means the item has been operated or em-
3 ployed.

4 (c) PROHIBITION.—Except as provided in subsections
5 (c) and (d), no person or entity may export or reexport
6 electronic waste or exempted electronic waste items.

7 (d) EXPORT PROHIBITION EXEMPTIONS.—A person
8 or entity may export or reexport exempted electronic waste
9 items, but only if the following requirements are met:

10 (1) REGISTRATION.—The person or entity is
11 listed on a publicly available registry maintained by
12 the Secretary.

13 (2) FILING OF EXPORT INFORMATION.—For
14 each export transaction, the person or entity files in
15 the Automated Export System, in accordance with
16 part 758 of the Export Administration Regulations
17 (or any corresponding similar regulation or ruling),
18 electronic export information that contains at least
19 the following information:

20 (A) A description of the type and total
21 quantity of exempted electronic waste items ex-
22 ported.

23 (B) The name of each country that re-
24 ceived the exempted electronic waste items for
25 reuse or recycling.

1 (C)(i) The name of the ultimate consignee
2 to which the exempted electronic waste items
3 were received for reclamation, recall, or reuse;
4 and

5 (ii) documentation and a declaration that
6 such consignee has the necessary permits, re-
7 sources, and competence to manage the exempt-
8 ed electronic waste items as reusable products
9 or recyclable feedstock and prevent its release
10 as a counterfeit good or counterfeit military
11 good.

12 (3) COMPLIANCE WITH EXISTING LAWS.—The
13 export or reexport of exempted electronic waste
14 items otherwise comply with applicable international
15 agreements to which the United States is a party
16 and with other trade and export control laws of the
17 United States.

18 (4) EXPORT DECLARATIONS AND REQUIRE-
19 MENTS.—The exempted electronic waste items are
20 accompanied by—

21 (A) documentation of the registration of
22 the exporter required under paragraph (1);

23 (B) a declaration signed by an officer or
24 designated representative of the exporter assert-
25 ing that the exempted electronic waste items

1 meet the applicable requirements for exempted
2 electronic waste items under this section;

3 (C) a description of the contents and con-
4 dition of the exempted electronic waste items in
5 the shipment;

6 (D) for tested, working electronics, a de-
7 scription of the testing methodologies and test
8 results for each item;

9 (E) the name of the ultimate consignee
10 and declaration of the consignee's applicable
11 permits, resources, and competence to process
12 or use the items as intended; and

13 (F) with respect to low-risk counterfeit
14 electronics only and when required by the im-
15 porting country, the written consent of the com-
16 petent authority of the receiving country to
17 allow the products in such country.

18 (e) EXCEPTION FOR PERSONAL USE.—The Secretary
19 may provide for an exception to the requirements of this
20 section, subject to such recordkeeping requirements as the
21 Secretary may impose, for the export or reexport of 5 or
22 fewer items that are or contain electronic components in-
23 tended for personal use.

24 (f) EFFECTIVE DATE.—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 this section shall take effect upon the expiration of
3 the 1-year period beginning on the date of the enact-
4 ment of this Act.

5 (2) MODIFICATION OF EAR.—The Secretary
6 shall, not later than the effective date under para-
7 graph (1), ensure that the Export Administration
8 Regulations are modified to carry out this section.

9 (g) PENALTIES FOR VIOLATIONS.—Any person who
10 violates this section or the regulations issued under sub-
11 section (e)(2) shall be subject to the same penalties as
12 those that apply to any person violating any other provi-
13 sion of the Export Administration Regulations.

