

119TH CONGRESS
1ST SESSION

S. 3555

To protect the national security of the United States by imposing sanctions with respect to certain persons of the People’s Republic of China and prohibiting and requiring notifications with respect to certain investments by United States persons in countries of concern.

IN THE SENATE OF THE UNITED STATES

DECEMBER 17, 2025

Mr. CORNYN (for himself, Ms. CORTEZ MASTO, Mr. SCOTT of South Carolina, Ms. WARREN, and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To protect the national security of the United States by imposing sanctions with respect to certain persons of the People’s Republic of China and prohibiting and requiring notifications with respect to certain investments by United States persons in countries of concern.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Comprehensive Outbound Investment National Security
6 Act of 2025”.

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

Sec. 1. Short title; Table of contents.

TITLE I—GENERAL MATTERS

Sec. 101. Secretary defined.
 Sec. 102. Severability.
 Sec. 103. Authorization of appropriations.
 Sec. 104. Sense of Congress.
 Sec. 105. Termination.

TITLE II—IMPOSITION OF SANCTIONS

Sec. 201. Imposition of sanctions.
 Sec. 202. Definitions.
 Sec. 203. Exception relating to importation of goods.

TITLE III—PROHIBITION AND NOTIFICATION ON INVESTMENTS RELATING TO COVERED NATIONAL SECURITY TRANSACTIONS

Sec. 301. Prohibition and notification on investments relating to covered national security transactions.

TITLE IV—SECURITIES AND RELATED MATTERS

Sec. 401. Requirements relating to the Non-SDN Chinese Military-Industrial Complex Companies List.

3 **TITLE I—GENERAL MATTERS**

4 **SEC. 101. SECRETARY DEFINED.**

5 Except as otherwise provided, in this Act, the term
 6 “Secretary” means the Secretary of the Treasury.

7 **SEC. 102. SEVERABILITY.**

8 If any provision of this Act or any amendment made
 9 by this Act, or the application thereof, is held invalid, the
 10 validity of the remainder of this Act or any amendment
 11 made by this Act and the application of such provision
 12 to other persons and circumstances shall not be affected
 13 thereby.

1 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There is authorized to be appro-
3 priated \$150,000,000 to the Department of the Treasury,
4 out of which amounts may be transferred to the Depart-
5 ment of Commerce to jointly conduct outreach to industry
6 and persons affected by this Act or any amendment made
7 by this Act, and to administer the provisions of this Act
8 or any amendment made by this Act, for each of the first
9 two fiscal years beginning on or after the date of the en-
10 actment of this Act, to carry out this Act or any amend-
11 ment made by this Act.

12 (b) HIRING AUTHORITY.—

13 (1) BY THE PRESIDENT.—The President may
14 appoint, without regard to the provisions of sections
15 3309 through 3318 of title 5, United States Code,
16 not more than 15 individuals directly to positions in
17 the competitive service (as defined in section 2102 of
18 that title) to carry out this Act or any amendment
19 made by this Act.

20 (2) BY AGENCIES.—The Secretary and the Sec-
21 retary of Commerce may appoint, without regard to
22 the provisions of sections 3309 through 3318 of title
23 5, United States Code, individuals directly to posi-
24 tions in the competitive service (as defined in section
25 2102 of that title) of the Department of the Treas-
26 ury and the Department of Commerce, respectively,

1 to carry out this Act or any amendment made by
2 this Act.

3 **SEC. 104. SENSE OF CONGRESS.**

4 It is the sense of Congress that—

5 (1) due to the fact that there are countless
6 known and unknown entities in countries of concern,
7 to include the People’s Republic of China (PRC), de-
8 veloping dual-use strategic technologies that benefit
9 a foreign adversary’s military modernization efforts,
10 surveillance states, and human rights abuses, re-
11 stricting certain United States outbound investments
12 into these technologies in countries of concern is
13 necessary to prevent harm to United States national
14 security and foreign policy interests; and

15 (2) the President should therefore exercise the
16 authorities granted in this Act or any amendment
17 made by this Act to prevent countries of concern
18 from exploiting United States capital to undermine
19 United States national security and foreign policy
20 interests.

21 **SEC. 105. TERMINATION.**

22 This Act and any amendment made by this Act shall
23 cease to have any force or effect on the date that is seven
24 years after the date of the enactment of this Act.

TITLE II—IMPOSITION OF SANCTIONS

SEC. 201. IMPOSITION OF SANCTIONS.

(a) IN GENERAL.—The President may impose the sanctions described in subsection (b) with respect to any foreign person determined to be a covered foreign person.

(b) SANCTIONS DESCRIBED.—The President may exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of a foreign person that is determined to be a covered foreign person pursuant to subsection (a).

(c) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to any person who violates, attempts to violate, conspires to violate, or causes a violation of any prohibition of this section, or an order or regulation prescribed under this section, to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of such Act (50 U.S.C. 1705(a)).

1 (d) EXCEPTION FOR INTELLIGENCE AND LAW EN-
2 FORCEMENT ACTIVITIES.—Sanctions under this section
3 shall not apply with respect to—

4 (1) any activity subject to the reporting require-
5 ments under title V of the National Security Act of
6 1947 (50 U.S.C. 3091 et seq.); or

7 (2) any authorized intelligence activities of the
8 United States.

9 (e) EXCEPTION FOR UNITED STATES GOVERNMENT
10 ACTIVITIES.—Nothing in this section shall prohibit trans-
11 actions for the conduct of the official business of the Fed-
12 eral Government by employees, grantees, or contractors
13 thereof.

14 (f) REPORT TO CONGRESS.—

15 (1) IN GENERAL.—Not later than one year
16 after the date of the enactment of this Act, and an-
17 nually thereafter for seven years, the President shall
18 submit to the appropriate congressional committees
19 a report that states whether any foreign person on
20 the Non-SDN Chinese Military-Industrial Complex
21 Companies List is a covered foreign person.

22 (2) FORM.—The report required by paragraph
23 (1) shall be submitted in unclassified form, but may
24 include a classified annex.

1 (g) ADMINISTRATIVE PROVISIONS.—The President
 2 may exercise all authorities provided under sections 203
 3 and 205 of the International Emergency Economic Powers
 4 Act (50 U.S.C. 1702 and 1704) to carry out this section.

5 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
 6 tion may be construed to limit the authority of the Presi-
 7 dent to designate foreign persons for the imposition of
 8 sanctions pursuant to any other provision of Federal law,
 9 including the International Emergency Economic Powers
 10 Act (50 U.S.C. 1701 et seq.).

11 **SEC. 202. DEFINITIONS.**

12 In this title:

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

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

19 (B) the Committee on Banking, Housing,
 20 and Urban Affairs and the Committee on For-
 21 eign Relations of the Senate.

22 (2) COUNTRY OF CONCERN.—The term “coun-
 23 try of concern” means the People’s Republic of
 24 China, including the Hong Kong and Macau Special
 25 Administrative Regions.

1 (3) COVERED FOREIGN PERSON.—The term
2 “covered foreign person” means a foreign person—

3 (A) that is incorporated in, has a principal
4 place of business in, or is organized under the
5 laws of a country of concern;

6 (B) that is a member of the Central Com-
7 mittee of the Chinese Communist Party or
8 member of the political leadership of a country
9 of concern;

10 (C) that is the state or the government of
11 a country of concern, as well as any political
12 subdivision, agency, or instrumentality thereof;

13 (D) that is subject to the direction or con-
14 trol of any entity described in subparagraphs
15 (A) through (C); or

16 (E) that is owned in the aggregate, directly
17 or indirectly, 50 percent or more by an entity
18 or a group of entities described in subpara-
19 graphs (A) through (C); and

20 (F) that knowingly engaged in significant
21 operations in the defense and related materiel
22 sector or the surveillance technology sector of
23 the economy of a country of concern.

1 (4) FOREIGN PERSON.—The term “foreign per-
2 son” means a person that is not a United States
3 person.

4 (5) KNOWINGLY.—The term “knowingly”, with
5 respect to conduct, a circumstance, or a result,
6 means that a person has actual knowledge, or should
7 have known, of the conduct, the circumstance, or the
8 result.

9 (6) NON-SDN CHINESE MILITARY-INDUSTRIAL
10 COMPLEX COMPANIES LIST.—The term “Non-SDN
11 Chinese Military-Industrial Complex Companies
12 List” means the list maintained by the Office of
13 Foreign Assets Control of the Department of the
14 Treasury under Executive Order 13959, as amended
15 by Executive Order 14032 (50 U.S.C. 1701 note; re-
16 lating to addressing the threat from securities in-
17 vestments that finance certain companies of the Peo-
18 ple’s Republic of China), or any successor order.

19 (7) PERSON.—The term “person” means an in-
20 dividual or entity.

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

23 (A) any United States citizen or an alien
24 lawfully admitted for permanent residence to
25 the United States;

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

5 (C) any person in the United States.

6 **SEC. 203. EXCEPTION RELATING TO IMPORTATION OF**
7 **GOODS.**

8 (a) IN GENERAL.—The authorities and requirements
9 to impose sanctions authorized under this Act shall not
10 include the authority or requirement to impose sanctions
11 on the importation of goods.

12 (b) GOOD DEFINED.—In this section, the term
13 “good” means any article, natural or manmade substance,
14 material, supply or manufactured product, including in-
15 spection and test equipment, and excluding technical data.

1 **TITLE III—PROHIBITION AND**
 2 **NOTIFICATION ON INVEST-**
 3 **MENTS RELATING TO COV-**
 4 **ERED NATIONAL SECURITY**
 5 **TRANSACTIONS**

6 **SEC. 301. PROHIBITION AND NOTIFICATION ON INVEST-**
 7 **MENTS RELATING TO COVERED NATIONAL**
 8 **SECURITY TRANSACTIONS.**

9 The Defense Production Act of 1950 (50 U.S.C.
 10 4501 et seq.) is amended by adding at the end the fol-
 11 lowing:

12 **“TITLE VIII—PROHIBITION AND**
 13 **NOTIFICATION ON INVEST-**
 14 **MENTS RELATING TO COV-**
 15 **ERED NATIONAL SECURITY**
 16 **TRANSACTIONS**

17 **“SEC. 801. PROHIBITION ON INVESTMENTS.**

18 “(a) IN GENERAL.—The Secretary may prohibit, in
 19 accordance with regulations issued under subsection (e),
 20 a United States person, including its controlled foreign en-
 21 tities, from knowingly engaging in a covered national secu-
 22 rity transaction in any prohibited technology.

23 “(b) EVASION.—Any action that evades or avoids,
 24 has the purpose of evading or avoiding, causes a violation

1 of, or attempts to violate the prohibition set forth in sub-
2 section (a) is prohibited.

3 “(c) EXEMPTIONS.—

4 “(1) NATIONAL INTEREST EXEMPTION.—Sub-
5 ject to subsection (d), the Secretary is authorized to
6 exempt from the prohibition set forth in subsection
7 (a) any activity determined by the President, in con-
8 sultation with the Secretary, or delegated to the Sec-
9 retary, in coordination with the Secretary of Com-
10 merce, the Secretary of State, and, as appropriate,
11 the heads of other relevant Federal departments and
12 agencies, to be in the national interest of the United
13 States.

14 “(2) INTELLIGENCE EXEMPTION.—Regulations
15 issued under subsection (e) shall not apply to any
16 authorized intelligence activities of the United
17 States.

18 “(d) CONGRESSIONAL NOTIFICATION.—The Sec-
19 retary shall—

20 “(1) notify the appropriate congressional com-
21 mittees not later than five business days after
22 issuing an exemption under subsection (c); and

23 “(2) include in such notification an identifica-
24 tion of the national interest justifying the use of the

1 exemption, subject to appropriate confidentiality and
2 classification requirements.

3 “(e) REGULATIONS.—

4 “(1) IN GENERAL.—The Secretary, in consulta-
5 tion with the Secretary of Commerce, the Secretary
6 of State and, as appropriate, the heads of other rel-
7 evant Federal departments and agencies, may issue
8 or update existing regulations to carry out this sec-
9 tion subject to public notice and comment in accord-
10 ance with subchapter II of chapter 5 and chapter 7
11 of title 5, United States Code, and not subject to the
12 requirements of section 709. The regulations issued
13 pursuant to this paragraph shall, as necessary,
14 amend, terminate, supersede, revoke, or streamline
15 existing requirements in part 850 of title 31, Code
16 of Federal Regulations (the Outbound Investment
17 Rule) and shall provide a reasonable timeframe for
18 compliance.

19 “(2) NON-BINDING FEEDBACK.—

20 “(A) IN GENERAL.—The regulations issued
21 under paragraph (1) shall include a process
22 under which a person can request to receive
23 non-binding feedback on a confidential basis, or
24 as anonymized guidance to the public, as to
25 whether a transaction would constitute a cov-

1 ered national security transaction in a prohib-
2 ited technology.

3 “(B) AUTHORITY TO LIMIT FRIVOLOUS
4 FEEDBACK REQUESTS.—In establishing the
5 process required by subparagraph (A), the Sec-
6 retary may prescribe limitations on requests for
7 feedback identified as frivolous for purposes of
8 this subsection.

9 “(3) NOTICE; OPPORTUNITY TO CURE.—

10 “(A) IN GENERAL.—The regulations issued
11 under paragraph (1) shall account for whether
12 a United States person has self-identified and
13 self-disclosed a violation of the prohibition set
14 forth in subsection (a) in determining the legal
15 consequences of that violation.

16 “(B) SELF-DISCLOSURE LETTERS.—The
17 regulations issued under paragraph (1) shall
18 dictate the form and content of a letter of self-
19 disclosure, which shall include relevant facts
20 about the violation, why the United States per-
21 son believes its activity to have violated the pro-
22 hibition set forth in subsection (a), and a pro-
23 posal for mitigation of the harm of such action.

24 “(4) LOW-BURDEN REGULATIONS.—In issuing
25 regulations under paragraph (1), the Secretary

1 should balance the priority of protecting the national
2 security interest of the United States while, to the
3 extent practicable—

4 “(A) minimizing the cost and complexity of
5 compliance for affected parties, including the
6 duplication of reporting requirements under
7 current regulations;

8 “(B) adopting the least burdensome alter-
9 native that achieves regulatory objectives; and

10 “(C) prioritizing transparency and stake-
11 holder involvement in the process of issuing the
12 rules.

13 “(5) BURDEN OF PROOF.—In accordance with
14 section 556(d) of title 5, United States Code, in an
15 enforcement action for a violation of the prohibition
16 set forth in subsection (a), the burden of proof shall
17 be upon the Secretary.

18 **“SEC. 802. NOTIFICATION ON INVESTMENTS.**

19 “(a) MANDATORY NOTIFICATION.—Not later than
20 450 days after the date of the enactment of this title, the
21 Secretary shall issue regulations prescribed in accordance
22 with subsection (b), to require a United States person that
23 itself or whose controlled foreign entity knowingly engages
24 in a covered national security transaction in a prohibited
25 technology (unless the Secretary has exercised the author-

1 ity provided by section 801(a) to prohibit knowingly en-
2 gaging in such covered national security transaction) or
3 a notifiable technology to submit to the Secretary a writ-
4 ten notification of the transaction not later than 30 days
5 after the completion date of the transaction.

6 “(b) REGULATIONS.—

7 “(1) IN GENERAL.—Not later than 450 days
8 after the date of the enactment of this title, the Sec-
9 retary, in consultation with the Secretary of Com-
10 merce, the Secretary of State, and, as appropriate,
11 the heads of other relevant Federal departments and
12 agencies, shall issue regulations to carry out this
13 section subject to public notice and comment in ac-
14 cordance with subchapter II of chapter 5 and chap-
15 ter 7 of title 5, United States Code, and not subject
16 to the requirements of section 709. The regulations
17 issued pursuant to this paragraph shall as necessary,
18 amend, terminate, supersede, revoke, or streamline
19 existing requirements in part 850 of title 31, Code
20 of Federal Regulations (the Outbound Investment
21 Rule) and shall provide a reasonable timeframe for
22 compliance.

23 “(2) LOW-BURDEN REGULATIONS.—In issuing
24 regulations under paragraph (1), the Secretary
25 should balance the priority of protecting the national

1 security interest of the United States while, to the
2 extent practicable—

3 “(A) minimizing the cost and complexity of
4 compliance for affected parties, including the
5 duplication of reporting requirements under
6 current regulation;

7 “(B) adopting the least burdensome alter-
8 native that achieves regulatory objectives; and

9 “(C) prioritizing transparency and stake-
10 holder involvement in the process of issuing the
11 rules.

12 “(3) BURDEN OF PROOF.—In accordance with
13 section 556(d) of title 5, United States Code, in an
14 enforcement action for a violation of the prohibition
15 set forth in subsection (a), the burden of proof shall
16 be upon the Secretary.

17 “(4) COMPLETENESS OF NOTIFICATION.—

18 “(A) IN GENERAL.—The Secretary shall,
19 upon receipt of a notification under subsection
20 (a), promptly inspect the notification for com-
21 pleteness.

22 “(B) INCOMPLETE NOTIFICATIONS.—If a
23 notification submitted under subsection (a) is
24 incomplete, the Secretary shall promptly inform
25 the United States person that submits the noti-

1 fication that the notification is not complete
 2 and provide an explanation of relevant material
 3 respects in which the notification is not com-
 4 plete.

5 “(5) IDENTIFICATION OF NON-NOTIFIED ACTIV-
 6 ITY.—The Secretary shall establish a process to
 7 identify covered national security transactions in a
 8 prohibited technology or a notifiable technology for
 9 which—

10 “(A) a notification is not submitted to the
 11 Secretary under subsection (a); and

12 “(B) information is reasonably available.

13 “(c) INAPPLICABILITY.—If the Secretary prohibits a
 14 covered national security transaction in a prohibited tech-
 15 nology under section 801, the requirements of this section
 16 shall not apply with respect to the covered national secu-
 17 rity transaction.

18 **“SEC. 803. REPORT.**

19 “(a) IN GENERAL.—Not later than 18 months after
 20 the date of enactment of this title, and not less frequently
 21 than annually thereafter, the Secretary, in consultation
 22 with the Secretary of Commerce and, as appropriate, the
 23 heads of other relevant Federal departments and agencies,
 24 shall submit to the appropriate congressional committees

1 a report, subject to appropriate confidentiality and classi-
2 fication requirements, that—

3 “(1) lists all enforcement actions taken subject
4 to the existing regulations and regulations issued
5 under section 801(e) and 802(b) during the year
6 preceding submission of the report, which includes,
7 with respect to each such action, a description of—

8 “(A) the prohibited technology or notifiable
9 technology;

10 “(B) the covered national security trans-
11 action;

12 “(C) the covered foreign person; and

13 “(D) the relevant United States person;

14 “(2) provides an assessment of the definition of
15 the term ‘prohibited technology’ under existing regu-
16 lations or regulations issued under section 801(e) or
17 802(b) by—

18 “(A) identifying additional technologies
19 that the Secretary, in consultation with the Sec-
20 retary of Commerce and, as applicable, the Sec-
21 retary of Defense, the Secretary of State, the
22 Secretary of Energy, the Director of National
23 Intelligence, and the heads of any other rel-
24 evant Federal agencies, determined under exist-
25 ing regulations or regulations issued pursuant

1 to 801(e) may pose an acute threat to the na-
2 tional security of the United States if developed
3 or acquired by a country of concern;

4 “(B) explaining why each technology iden-
5 tified in subparagraph (A) may pose an acute
6 threat to the national security of the United
7 States if developed or acquired by a country of
8 concern; and

9 “(C) describing any removal of tech-
10 nologies from the category of prohibited tech-
11 nology under existing regulations or regulations
12 issued under section 801(e) during the report-
13 ing period to the extent that the technologies no
14 longer pose an acute threat to the national se-
15 curity of the United States if developed or ac-
16 quired by a country of concern;

17 “(3) lists all notifications submitted under ex-
18 isting regulations or regulations issued section 802
19 during the year preceding submission of the report
20 and includes, with respect to each such notifica-
21 tion—

22 “(A) basic information on each party to
23 the covered national security transaction with
24 respect to which the notification was submitted;
25 and

1 “(B) the nature of the covered national se-
2 curity transaction that was the subject of the
3 notification, including the elements of the cov-
4 ered national security transaction that neces-
5 sitated a notification;

6 “(4) includes a summary of those notifications,
7 disaggregated by prohibited technology, by notifiable
8 technology, by covered national security transaction,
9 and by country of concern;

10 “(5) provides additional context and informa-
11 tion regarding trends in the prohibited technology,
12 notifiable technology, the types of covered national
13 security transaction, and the countries involved in
14 those notifications; and

15 “(6) assesses the overall impact of those notifi-
16 cations, including recommendations for—

17 “(A) expanding existing Federal programs
18 to support the production or supply of prohib-
19 ited technologies or notifiable technologies in
20 the United States, including the potential of ex-
21 isting authorities to address any related na-
22 tional security concerns;

23 “(B) investments needed to enhance pro-
24 hibited technologies or notifiable technologies
25 and reduce United States dependence on coun-

1 tries of concern regarding those technologies;
2 and

3 “(C) the continuation, expansion, or modi-
4 fication of the implementation and administra-
5 tion of this title.

6 “(b) CONSIDERATION OF CERTAIN INFORMATION.—
7 In preparing the report pursuant to subsection (a), the
8 Secretary—

9 “(1) shall consider information provided jointly
10 by the chairperson and ranking member of any of
11 the appropriate congressional committees;

12 “(2) may consider credible information obtained
13 by other countries and nongovernmental organiza-
14 tions that monitor the military, surveillance, intel-
15 ligence, or technology capabilities of a country of
16 concern; and

17 “(3) may consider any other information that
18 the Secretary deems relevant.

19 “(c) FORM OF REPORT.—Each report required by
20 this section shall be submitted in unclassified form, but
21 may include a classified annex.

22 “(d) TESTIMONY REQUIRED.—Not later than one
23 year after the date of the enactment of this title, and an-
24 nually thereafter for five years, the Secretary and the Sec-
25 retary of Commerce, or their designee, shall each provide

1 to the Committee on Banking, Housing, and Urban Af-
 2 fairs of the Senate and the Committees on Foreign Affairs
 3 and Financial Services of the House of Representatives
 4 testimony with respect to the national security threats re-
 5 lating to investments by United States persons in coun-
 6 tries of concern and broader international capital flows.

7 “(e) REQUESTS BY APPROPRIATE CONGRESSIONAL
 8 COMMITTEES.—

9 “(1) IN GENERAL.—After receiving a request
 10 that meets the requirements of paragraph (2) with
 11 respect to whether a technology should be included
 12 in the amendments as described in subsection (a)(2),
 13 the Secretary shall, in preparing the report pursuant
 14 to subsection (a)—

15 “(A) determine if that technology may
 16 pose an acute threat to the national security of
 17 the United States if developed or acquired by a
 18 country of concern; and

19 “(B) include in the report pursuant to sub-
 20 section (a) an explanation with respect to that
 21 determination that includes—

22 “(i) a statement of whether or not the
 23 technology, as determined by the Sec-
 24 retary, may pose an acute threat to the na-
 25 tional security of the United States if de-

1 veloped or acquired by a country of con-
2 cern; and

3 “(ii) if the Secretary determines
4 that—

5 “(I) the technology may pose an
6 acute threat to the national security
7 of the United States if developed or
8 acquired by a country of concern, an
9 explanation for such determination
10 and a recommendation whether that
11 technology should be named a prohib-
12 ited technology or a notifiable tech-
13 nology; and

14 “(II) the technology would not
15 pose an acute threat to the national
16 security of the United States if devel-
17 oped or acquired by a country of con-
18 cern, an explanation for such deter-
19 mination.

20 “(2) REQUIREMENTS.—A request under para-
21 graph (1) with respect to whether a technology may
22 pose an acute threat to the national security of the
23 United States if developed or acquired by a country
24 of concern shall be submitted to the Secretary in
25 writing jointly by the chairperson and ranking mem-

1 ber of 1 or more of the appropriate congressional
2 committees.

3 **“SEC. 804. MULTILATERAL ENGAGEMENT AND COORDINA-**
4 **TION.**

5 “(a) AUTHORITIES.—The Secretary, in coordination
6 with the Secretary of State, the Secretary of Commerce,
7 and the heads of other relevant Federal agencies, should—

8 “(1) conduct bilateral and multilateral engage-
9 ment with the governments of countries that are al-
10 lies and partners of the United States to promote
11 and increase coordination of protocols and proce-
12 dures to facilitate the effective implementation of
13 and appropriate compliance with the prohibitions
14 and notification requirement pursuant to this title;

15 “(2) upon adoption of protocols and procedures
16 described in paragraph (1), work with those govern-
17 ments to establish mechanisms for sharing informa-
18 tion, including trends, with respect to such activities;
19 and

20 “(3) work with and encourage the governments
21 of countries that are allies and partners of the
22 United States to develop similar mechanisms of their
23 own, for the exclusive purpose of preventing the de-
24 velopment of prohibited technologies by a country of
25 concern.

1 “(b) STRATEGY FOR MULTILATERAL ENGAGEMENT
2 AND COORDINATION.—Not later than 180 days after the
3 date of the regulations implementing enactment of this
4 title, the Secretary, in coordination with the Secretary of
5 State, the Secretary of Commerce, and the heads of other
6 relevant Federal agencies, should—

7 “(1) develop a strategy to work with the gov-
8 ernments of countries that are allies and partners of
9 the United States to develop mechanisms that are
10 comparable to the prohibitions and notification re-
11 quirements pursuant to this title, for the exclusive
12 purpose of preventing the development of prohibited
13 technologies by a country of concern; and

14 “(2) assess opportunities to provide technical
15 assistance to those countries with respect to the de-
16 velopment of those mechanisms.

17 “(c) REPORT.—Not later than one year after the date
18 of the regulations implementing enactment of this title,
19 and annually thereafter for four years, the Secretary shall
20 submit to the appropriate congressional committees a re-
21 port, subject to the appropriate confidentiality and classi-
22 fication requirements, that includes—

23 “(1) a discussion of any strategy developed pur-
24 suant to subsection (b)(1), including key tools and
25 objectives for the development of comparable mecha-

1 nisms by the governments of allies and partners of
2 the United States;

3 “(2) a list of partner and allied countries to
4 target for cooperation in developing their own prohi-
5 bitions;

6 “(3) the status of the strategy’s implementation
7 and outcomes; and

8 “(4) a description of impediments to the estab-
9 lishment of comparable mechanisms by governments
10 of allies and partners of the United States.

11 “(d) APPROPRIATE CONGRESSIONAL COMMITTEES
12 DEFINED.—In this section, the term ‘appropriate congres-
13 sional committees’ means—

14 “(1) the Committee on Foreign Relations and
15 the Committee on Banking, Housing, and Urban Af-
16 fairs of the Senate; and

17 “(2) the Committee on Foreign Affairs and the
18 Committee on Financial Services of the House of
19 Representatives.

20 **“SEC. 805. PUBLIC DATABASE OF COVERED FOREIGN PER-**
21 **SONS.**

22 “(a) IN GENERAL.—The Secretary, in consultation
23 with the Secretary of Commerce, may establish a publicly
24 accessible, non-exhaustive database that identifies covered

1 foreign persons that are either engaged in a prohibited
2 technology or a notifiable technology pursuant to this title.

3 “(b) MODIFICATION PROCESS.—The Secretary, in
4 consultation with the Secretary of Commerce, is author-
5 ized to establish a mechanism for a covered foreign person
6 to petition for their removal from or inclusion in the pub-
7 licly accessible, non-exhaustive database described in (a).

8 “(c) CONFIDENTIALITY OF EVIDENCE.—The Sec-
9 retary shall establish a mechanism for the public, includ-
10 ing Congress, stakeholders, investors, and nongovern-
11 mental organizations, to submit evidence on a confidential
12 basis regarding whether a foreign person is a covered for-
13 eign person in a prohibited technology or notifiable tech-
14 nology and should be included in the database described
15 in subsection (a), if any.

16 “(d) RULE OF CONSTRUCTION.—The database de-
17 scribed in subsection (a), if any, shall not be considered
18 to be an exhaustive or comprehensive list of covered for-
19 eign persons for the purposes of this title.

20 **“SEC. 806. RULE OF CONSTRUCTION.**

21 “Nothing in this title may be construed to negate the
22 authority of the President under any authority, process,
23 regulation, investigation, enforcement measure, or review
24 provided by or established under any other provision of
25 Federal law, including the International Emergency Eco-

1 nomic Powers Act (50 U.S.C. 1701 et seq.), or any other
2 authority of the President or the Congress under the Con-
3 stitution of the United States.

4 **“SEC. 807. PENALTIES.**

5 “(a) IN GENERAL.—The regulations issued under
6 section 801 or 802 shall provide for the imposition of civil
7 penalties described in subsection (b).

8 “(b) PENALTIES DESCRIBED.—

9 “(1) UNLAWFUL ACTS.—It shall be unlawful
10 for a person to violate, attempt to violate, conspire
11 to violate, or cause a violation of any order, regula-
12 tion, notification requirement, or prohibition issued
13 under this title.

14 “(2) CIVIL PENALTY.—The Secretary may im-
15 pose civil penalties on any person who commits an
16 unlawful act described in paragraph (1) in amounts
17 equivalent to amounts provided for under section
18 206(b) of the International Emergency Economic
19 Powers Act (50 U.S.C. 1705(b)) for violations under
20 that Act.

21 “(3) DIVESTMENT.—The Secretary may compel
22 the divestment of a covered national security trans-
23 action in a prohibited technology determined to be in
24 violation of section 801(a) or regulations issued
25 thereunder.

1 “(4) RELIEF.—The President may direct the
2 Attorney General of the United States to seek ap-
3 propriate relief, including divestment relief for viola-
4 tions of the prohibition set forth in subsection
5 801(a), in the district courts of the United States,
6 in order to implement and enforce this title.

7 **“SEC. 808. EXEMPTION FROM DISCLOSURE.**

8 “(a) IN GENERAL.—Except as provided in subsection
9 (b), any information or documentary material filed with
10 the Secretary or the Secretary’s designee pursuant to this
11 title shall be exempt from disclosure under section
12 552(b)(3) of title 5, United States Code, and no such in-
13 formation or documentary material may be made public.

14 “(b) EXCEPTIONS.—Subsection (a) shall not prohibit
15 the disclosure of the following, subject to appropriate con-
16 fidentiality and classification requirements:

17 “(1) Information relevant to any administrative
18 or judicial action or proceeding.

19 “(2) Information to Congress or any duly au-
20 thorized committee or subcommittee of Congress.

21 “(3) Information important to the national se-
22 curity analysis or actions of the Secretary to any do-
23 mestic governmental entity, or to any foreign gov-
24 ernmental entity of a United States ally or partner,
25 under the exclusive direction and authorization of

1 the Secretary, only to the extent necessary for na-
 2 tional security purposes, and subject to appropriate
 3 confidentiality and classification requirements.

4 “(4) Identity of a covered foreign person in the
 5 public database described in section 805.

6 “(5) Information that the parties have con-
 7 sented to be disclosed to third parties.

8 “(6) Information gathered by the Secretary or
 9 the Secretary’s designee where the disclosure is de-
 10 termined to be in the national security interest,
 11 which may include publication of anonymized data.

12 **“SEC. 809. DEFINITIONS.**

13 “In this title:

14 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
 15 TEES.—Except as provided in section 804(d), the
 16 term ‘appropriate congressional committees’
 17 means—

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

22 “(B) the Committee on Banking, Housing,
 23 and Urban Affairs and the Committee on Ap-
 24 propriations of the Senate.

1 “(2) COUNTRY OF CONCERN.—The term ‘country of concern’ means—

3 “(A) the People’s Republic of China, including the Hong Kong and Macau Special Administrative Regions;

6 “(B) the Republic of Cuba;

7 “(C) the Islamic Republic of Iran;

8 “(D) the Democratic People’s Republic of Korea;

10 “(E) the Russian Federation; and

11 “(F) the Bolivarian Republic of Venezuela under the regime of Nicolas Maduro Moros.

13 “(3) COVERED FOREIGN PERSON.—Subject to regulations prescribed in accordance with this title, the term ‘covered foreign person’ means a foreign person that—

17 “(A) is incorporated in, has a principal place of business in, or is organized under the laws of a country of concern;

20 “(B) is a member of the Central Committee of the Chinese Communist Party or is a member of the political leadership of a country of concern;

24 “(C) is subject to the direction or control of a country of concern, as defined by regula-

tion, an entity described in subparagraph (A) or (B), or the state or the government of a country of concern (including any political subdivision, agency, or instrumentality thereof); or

“(D) is owned in the aggregate, directly or indirectly, 50 percent or more by a country of concern, an entity described in subparagraph (A) or (B), or the state or the government of a country of concern (including any political subdivision, agency, or instrumentality thereof).

“(4) COVERED NATIONAL SECURITY TRANSACTION.—

“(A) IN GENERAL.—Subject to such regulations as may be issued in accordance with this title, the term ‘covered national security transaction’ means a United States person’s direct or indirect—

“(i) acquisition of an equity interest or contingent equity interest in a covered foreign person that the United States person knows at the time of the acquisition is a covered foreign person;

“(ii) provision of a loan or similar debt financing arrangement to a covered foreign person that the United States per-

1 son knows at the time of the provision is
2 a covered foreign person, where such debt
3 financing affords or will afford the United
4 States person an interest in profits of the
5 covered foreign person, the right to ap-
6 point members of the board of directors
7 (or equivalent) of the covered foreign per-
8 son, or other comparable financial or gov-
9 ernance rights characteristic of an equity
10 investment but not typical of a loan;

11 “(iii) entrance by such United States
12 person into a joint venture, wherever lo-
13 cated, that is formed with a person of a
14 country of concern, and that the subject
15 United States person knows at the time of
16 entrance into the joint venture that the
17 joint venture will engage, or plans to en-
18 gage, in a prohibited technology or
19 notifiable technology;

20 “(iv) conversion of a contingent equity
21 interest (or interest equivalent to a contin-
22 gent equity interest) or conversion of debt
23 to an equity interest in a covered foreign
24 person;

1 “(v) acquisition, leasing, or other de-
2 velopment of operations, land, property, or
3 other assets in a country of concern that
4 the United States person knows at the
5 time of such acquisition, leasing, or other
6 development will result in, or that the
7 United States person plans to result in—

8 “(I) the establishment of a cov-
9 ered foreign person; or

10 “(II) the engagement of a person
11 of a country of concern in a prohib-
12 ited technology or notifiable tech-
13 nology;

14 “(vi) knowingly directing prohibited
15 transactions or notifiable transactions by
16 foreign persons that the United States per-
17 son has knowledge at the time of the
18 transaction would constitute an activity de-
19 scribed in clause (i), (ii), (iii), (iv), or (v),
20 if engaged in by a United States person;

21 “(vii) acquisition of a limited partner
22 or equivalent interest in a venture capital
23 fund, private equity fund, fund of funds, or
24 other pooled investment fund (in each case
25 where the fund is not a United States per-

son) that the United States person has knowledge at the time of the acquisition likely will invest in a person of a country of concern that is in one of the notifiable technology or prohibited technology sectors, and such fund undertakes a transaction that would be a covered national security transaction if undertaken by a United States person; or

“(viii) any other transaction identified by the Secretary, in consultation with the appropriate congressional committees and subject to public notice and comment in accordance with subchapter II of chapter 5 and chapter 7 of title 5, United States Code, and not subject to the requirements of section 709, that is contributing to the military, intelligence, surveillance, or cyber-enabled capabilities of a country of concern.

“(B) EXCEPTIONS AND CLARIFICATIONS.—

Subject to regulations prescribed in accordance with this title, the term ‘covered national security transaction’ does not include—

1 “(i) any transaction the value of
2 which the Secretary determines is de mini-
3 mis;

4 “(ii) any category of transactions that
5 the Secretary determines is in the national
6 interest of the United States;

7 “(iii) an investment—

8 “(I) in a security (as defined in
9 section 3(a) of the Securities Ex-
10 change Act of 1934 (15 U.S.C.
11 78c(a))) that is traded on an ex-
12 change or the over-the-counter market
13 in any jurisdiction;

14 “(II) in a security issued by an
15 investment company (as defined in
16 section 3 of the Investment Company
17 Act of 1940 (15 U.S.C. 80a–3)) that
18 is registered with the Securities and
19 Exchange Commission, or, if the Sec-
20 retary chooses to include it as an ex-
21 ception from a covered national secu-
22 rity transaction, in a security issued
23 by a non-United States investment
24 company that is registered with a for-
25 eign regulator with comparable over-

1 sight standards and regulatory juris-
2 diction to the Securities and Ex-
3 change Commission as determined by
4 the Secretary of Treasury;

5 “(III) made as a limited partner
6 or equivalent in a venture capital
7 fund, private equity fund, fund of
8 funds, or other pooled investment
9 fund (other than as described in sub-
10 clause (II)) where—

11 “(aa) the limited partner or
12 equivalent’s committed capital is
13 not more than a de minimis
14 amount, as determined by the
15 Secretary, aggregated across any
16 investment and co-investment ve-
17 hicles of the fund; or

18 “(bb) the limited partner or
19 equivalent has secured a binding
20 contractual assurance that its
21 capital in the fund will not be
22 used to engage in a transaction
23 that would be a covered national
24 security transaction if engaged in
25 by a United States person; or

1 “(IV) in a derivative of a security
2 described under subclause (I), (II), or
3 (III);

4 “(iv) any ancillary transaction under-
5 taken by a financial institution (as defined
6 in section 5312 of title 31, United States
7 Code);

8 “(v) the acquisition by a United
9 States person of the equity or other inter-
10 est owned or held by a covered foreign per-
11 son in an entity or assets located outside
12 of a country of concern in which the
13 United States person is acquiring the to-
14 tality of the interest in the entity held by
15 the covered foreign person;

16 “(vi) an intracompany transfer of
17 funds, as defined in regulations prescribed
18 in accordance with this title, from a United
19 States parent company to a subsidiary lo-
20 cated in a country of concern or a trans-
21 action that, but for this clause, would be a
22 covered national security transaction be-
23 tween a United States person and its con-
24 trolled foreign person that supports oper-
25 ations that are not covered national secu-

1 rity transactions or that maintains covered
2 national security transactions that the con-
3 trolled foreign person was engaged in prior
4 to the effective date of the regulations im-
5 plementing this title;

6 “(vii) a transaction secondary to a
7 covered national security transaction, in-
8 cluding—

9 “(I) contractual arrangements
10 (not including contractual arrange-
11 ments for technology transfer or tech-
12 nical knowledge transfer) or the pro-
13 curement of material inputs for any
14 covered national security transaction
15 (such as raw materials);

16 “(II) bank lending;

17 “(III) the processing, clearing, or
18 sending of payments by a bank;

19 “(IV) underwriting services in-
20 cluding, but not limited to, the tem-
21 porary acquisition of an equity inter-
22 est for the sole purpose of facilitating
23 underwriting services;

24 “(V) debt rating services;

25 “(VI) prime brokerage;

1 “(VII) global custody;

2 “(VIII) equity research or anal-
3 ysis; or

4 “(IX) other similar services;

5 “(viii) any ordinary or administrative
6 business transaction as may be defined in
7 such regulations; or

8 “(ix) any transaction completed before
9 the date of the enactment of this title.

10 “(C) ANCILLARY TRANSACTION DE-
11 FINED.—In this paragraph, the term ‘ancillary
12 transaction’ means, subject to regulations pre-
13 scribed by the Secretary—

14 “(i) the processing, settling, clearing,
15 or sending of payments and cash trans-
16 actions;

17 “(ii) underwriting services, including
18 the temporary acquisition of an equity in-
19 terest for the sole purpose of facilitating
20 underwriting services;

21 “(iii) credit rating services; and

22 “(iv) other services ordinarily incident
23 to and part of the provision of financial
24 services, such as opening deposit accounts,
25 direct custody services, foreign exchange

1 services, remittances services, and safe de-
2 posit services.

3 “(5) FOREIGN PERSON.—The term ‘foreign per-
4 son’ has the meaning given that term in regulations
5 prescribed in accordance with this title.

6 “(6) KNOWLEDGE; KNOW.—The terms ‘knowl-
7 edge’ or ‘know’ mean—

8 “(A) actual knowledge that a fact or cir-
9 cumstance exists or is substantially certain to
10 occur;

11 “(B) an awareness of a high probability of
12 a fact or circumstance’s existence or future oc-
13 currence; or

14 “(C) reason to know of a fact or cir-
15 cumstance’s existence.

16 “(7) NOTIFIABLE TECHNOLOGY.—

17 “(A) IN GENERAL.—Subject to the regula-
18 tions prescribed in accordance with this title,
19 the term ‘notifiable technology’ means a tech-
20 nology within the following areas not already
21 captured by the technical thresholds specified
22 by any regulations issued in accordance with
23 section 801:

24 “(i) Semiconductor technology and
25 microelectronics.

1 “(ii) Artificial intelligence systems.

2 “(iii) Quantum information tech-
3 nologies.

4 “(iv) High-performance computing
5 and supercomputing.

6 “(v) Hypersonic systems.

7 “(B) UPDATES.—The Secretary, in con-
8 sultation with the appropriate congressional
9 committees and subject to notice and comment
10 in accordance with subchapter II of chapter 5
11 and chapter 7 of title 5, United States Code,
12 and not subject to the requirements of section
13 709, may prescribe regulations in accordance
14 with this title to—

15 “(i) define the technical parameters of
16 technologies described in subparagraph
17 (A), as reasonably needed for national se-
18 curity purposes; or

19 “(ii) to add and define categories to
20 the list in subparagraph (A) that enable
21 the military, intelligence, surveillance, or
22 cyber-enabled capabilities of a country of
23 concern.

24 “(8) PARTY.—The term ‘party’, with respect to
25 a covered national security transaction, has the

1 meaning given that term in regulations prescribed in
2 accordance with this title.

3 “(9) PERSON.—The term ‘person’ includes an
4 individual, corporation, partnership, association, or
5 any other organized group of persons, or legal suc-
6 cessor or representative thereof, or any State or
7 local government or agency thereof.

8 “(10) PROHIBITED TECHNOLOGY.—

9 “(A) IN GENERAL.—Subject to the regula-
10 tions prescribed in accordance with this title,
11 the term ‘prohibited technology’ means a tech-
12 nology within the following areas, as specified
13 by the regulations:

14 “(i) Advanced semiconductor tech-
15 nology and microelectronics.

16 “(ii) Artificial intelligence systems.

17 “(iii) Quantum information tech-
18 nologies.

19 “(iv) High-performance computing
20 and supercomputing.

21 “(v) Hypersonic systems.

22 “(B) UPDATES.—The Secretary, in con-
23 sultation with the appropriate congressional
24 committees and subject to notice and comment
25 in accordance with subchapter II of chapter 5

1 and chapter 7 of title 5, United States Code,
2 and not subject to the requirements of section
3 709, may prescribe regulations in accordance
4 with this title to—

5 “(i) define the technical parameters of
6 technologies described in subparagraph
7 (A), as reasonably needed for national se-
8 curity purposes; or

9 “(ii) to add and define categories to
10 the list in subparagraph (A) that enable
11 the military, intelligence, surveillance, or
12 cyber-enabled capabilities of a country of
13 concern.

14 “(11) SECRETARY.—Except as otherwise pro-
15 vided, the term ‘Secretary’ means the Secretary of
16 the Treasury.

17 “(12) UNITED STATES PERSON.—The term
18 ‘United States person’ means—

19 “(A) any United States citizen or an alien
20 lawfully admitted for permanent residence to
21 the United States;

22 “(B) an entity organized under the laws of
23 the United States or of any jurisdiction within
24 the United States (including any foreign branch
25 of such an entity); or

1 “(C) any person in the United States.”.

2 **TITLE IV—SECURITIES AND**
 3 **RELATED MATTERS**

4 **SEC. 401. REQUIREMENTS RELATING TO THE NON-SDN CHI-**
 5 **NESE MILITARY-INDUSTRIAL COMPLEX COM-**
 6 **PANIES LIST.**

7 (a) REPORT.—

8 (1) IN GENERAL.—Not later than two years
 9 after the date of the enactment of this Act, and bi-
 10 ennially thereafter for six years, the President shall
 11 submit to the appropriate congressional committees
 12 a report that states whether any of the following for-
 13 eign persons qualifies for inclusion on the Non-SDN
 14 Chinese Military-Industrial Complex Companies
 15 List:

16 (A) Any PRC person listed on the Military
 17 End-User List (Supplement No. 7 to part 744
 18 of the Export Administration Regulations).

19 (B) Any PRC person listed pursuant to
 20 section 1260H of the William M. (Mac) Thorn-
 21 berry National Defense Authorization Act for
 22 Fiscal Year 2021 (10 U.S.C. 113 note).

23 (C) Any PRC person listed on the Depart-
 24 ment of Commerce’s Entity List (Supplement

1 No. 4 to part 744 of the Export Administration
2 Regulations).

3 (D) Any PRC person listed on the Federal
4 Communications Commission's Covered List
5 pursuant to the Secure and Trusted Commu-
6 nications Networks Act of 2019 (47 U.S.C.
7 1601).

8 (E) Any PRC person listed on the Uyghur
9 Forced Labor Prevention Act Entity List pur-
10 suant to the Act entitled "An Act to ensure
11 that goods made with forced labor in the
12 Xinjiang Uyghur Autonomous Region of the
13 People's Republic of China do not enter the
14 United States market, and for other purposes",
15 approved December 23, 2021 (Public Law 117-
16 78; 22 U.S.C. 6901 note) (commonly referred
17 to as the "Uyghur Forced Labor Prevention
18 Act").

19 (2) PROCESS REQUIRED.—To prepare the re-
20 ports required by paragraph (1), the President shall
21 establish a process under which the Federal agencies
22 responsible for administering the lists described in
23 subparagraphs (A), (B), and (C) of paragraph (1)
24 shall share with each other all relevant information

1 that led to the identification of the entities described
2 in such lists.

3 (3) RISK-BASED PRIORITIZATION FRAME-
4 WORK.—In making the initial determinations under
5 paragraph (1), the Secretary may establish a risk-
6 based prioritization framework factoring in
7 prioritization of entity review submitted to the Sec-
8 retary by the Federal agencies administering the
9 lists described in subparagraphs (A), (B), and (C) of
10 paragraph (1).

11 (4) ANNUAL REPORTS TO THE APPROPRIATE
12 CONGRESSIONAL COMMITTEES.—The report under
13 paragraph (1) may summarize findings concerning
14 entities previously reviewed pursuant to this section
15 that do not necessitate additional review by the Sec-
16 retary.

17 (5) MATTERS TO BE INCLUDED.—The Sec-
18 retary shall include in the report required by para-
19 graph (1) an overview of the criteria required for
20 listing on the Non-SDN Chinese Military-Industrial
21 Complex Companies List. The heads of the Federal
22 agencies administering the lists described in sub-
23 paragraphs (A), (B), and (C) of paragraph (1) shall
24 provide to the Secretary for use in the report an

1 overview of the criteria for entity identification or
2 listing on each respective list.

3 (b) DEFINITIONS.—In this section:

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

7 (A) the Committee on Financial Services
8 and the Committee on Foreign Affairs of the
9 House of Representatives; and

10 (B) the Committee on Banking, Housing,
11 and Urban Affairs of the Senate.

12 (2) COUNTRY OF CONCERN.—The term “coun-
13 try of concern”—

14 (A) means the People’s Republic of China;
15 and

16 (B) includes the Hong Kong Special Ad-
17 ministrative Region and the Macau Special Ad-
18 ministrative Region.

19 (3) NON-SDN CHINESE MILITARY-INDUSTRIAL
20 COMPLEX COMPANIES LIST.—The term “Non-SDN
21 Chinese Military-Industrial Complex Companies
22 List” means the list maintained by the Office of
23 Foreign Assets Control of the Department of the
24 Treasury under Executive Order 13959, as amended
25 by Executive Order 14032 (50 U.S.C. 1701 note; re-

1 lating to addressing the threat from securities in-
2 vestments that finance certain companies of the Peo-
3 ple’s Republic of China), and any successor order.

4 (4) PRC PERSON.—The term “PRC person”
5 means a foreign person that—

6 (A) is incorporated in a principal place of
7 business in, or is organized under the laws of,
8 a country of concern;

9 (B) is a member of the Central Committee
10 of the Chinese Communist Party;

11 (C) is the state or the government of a
12 country of concern, as well as any political sub-
13 division, agency, or instrumentality thereof; or

14 (D) is owned in the aggregate, directly or
15 indirectly, 50 percent or more by an entity or
16 a group of entities described in subparagraph
17 (A), (B), or (C).

○