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July 10, 2022

The Honorable James P. McGovern  
Chairman  
House Committee on Rules  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Tom Cole  
Ranking Member  
House Committee on Rules  
U.S. House of Representatives  
Washington, DC 20515

**Re: Preventing Investing in Harmful Chinese Companies that Undermine Basic Human Rights, American Values, and Interests**

Dear Chairman McGovern and Ranking Member Cole:

We ask that in the Rules Committee consideration process of the FY2023 National Defense Authorization Act (NDAA) you make in order the following amendments that would prevent individuals, entities, and the U.S. government from investing in harmful entities that undermine U.S. values, basic human rights, and the stated security objectives and interests of the U.S. The following amendments would make necessary updates to U.S. law to account for the growing evidence of the numerous abuses and violations of the Chinese Communist Party (CCP) and update U.S. policy for the modern era of surveillance technology, economic and corporate espionage, 21<sup>st</sup> century mechanisms of genocide, “wolf warrior” diplomacy, weapons modernization to 5<sup>th</sup> generation weapons systems and platforms, military-civil fusion operations, global supply chain challenges (brought on in part by the Russian invasion of Ukraine and the COVID-19 pandemic), and more.

The amendments we call for consideration and to be made in order are:

- Sherman 914: Requires China-based issuers of securities which fulfill certain exemptions from registration with the Securities and Exchange Commission (SEC) to submit basic information to the SEC regarding the issuer.
- Perry 108: Applies sanctions enumerated in Executive Order 14032 against Communist Chinese Military Companies (listed in the Pentagon's Section 1237 List on June 2, 2021) and Chinese Military Companies (listed in the Pentagon's Section 1260H List).
- Malinowski, Gallagher 847: Requires placement on Commerce Department's Entity List and Treasury's Non-SDN Chinese Military-Industrial Complex Companies List of those foreign companies listed on US exchanges that undermine US foreign policy related to Russia/Ukraine and counter-surveillance, and that maintain links to the Chinese Communist Party (CCP).
- Manning 741: Includes goods containing materials made with forced labor from the Xinjiang Uyghur Autonomous Region (XUAR) in the prohibition on the sale of Chinese goods in commissary stores and military exchanges
- Waltz 1160: Requires the Departments of Defense, Treasury, and Commerce to notify the other Departments when an entity is added to certain sanctions lists and for the other Departments to review the entity for potential addition to their respective sanctions lists. Requires the Departments to notify Congress of the results of each review.
- Barr 433: Imposes sanctions on certain Chinese Military companies, foreign persons listed in the Annex to Executive Order (EO) 13959, and those determined to engage in certain activities described in EO 13959 if certain conditions are met
- Pfluger 799: Prohibits companies controlled by members of the Chinese Communist Party (CCP) from being eligible for grant and critical mineral programmatic opportunities in DOE, DOI, Commerce, and DOD
- Tenney 840: Establishes a China Watcher Program to monitor and combat the People's Republic of China's malign influence across military, economic, and political sectors in foreign countries. Monitors the People's Republic of China's military trends abroad and counter its activities and advancements in foreign nations that pose a threat to United States interests and the rules-based order
- Pfluger, et al. 51: Increases transparency requirements for universities that receive funding from individuals, universities, think tanks, cultural/educational/language programs, any Chinese state-owned entities, or a company/think tank/nonprofits that have CCP members sitting on their board of directors. Requires universities that receive donations of more than \$5,000 from any entities affiliated with the CCP to publicly report these donations to the Secretary of Education and on a webpage that can be easily found on the university's website
- Tenney, et al. 860: Restricts the ability of covered entities (owned, directed, controlled, financed, or influenced directly or indirectly by the Government of the People's Republic of China, the CCP, or the Chinese military) from using federal funds from engaging, entering into, and awarding public works contracts
- Perry 108: Applies sanctions enumerated in Executive Order 14032 against Communist Chinese Military Companies (listed in the Pentagon's Section 1237 List on June 2, 2021) and Chinese Military Companies (listed in the Pentagon's Section 1260H List)
- Roy 503: Prohibits members of the CCP from purchasing land in the United States

While we can provide data and examples of the harms committed by these bad actor companies, or justifications as to why these policies are necessary, the unified message we present to you today is that the U.S. Congress must do more to address these policy areas. We understand some actions are underway to mitigate forced labor goods or blacklist certain companies, but these actions by various executive branch departments and agencies lack teeth, clarity, or cohesion in many circumstances. Therefore we have diligently worked to find policy improvements to strengthen and streamline U.S. efforts to punish bad actors and protect the freedoms and basic human rights we all deserve. We respectfully ask that you make the specified amendments in order for consideration on the House floor for the FY23 NDAA.

Sincerely,

Athenai Institute  
Coalition for a Prosperous America  
Fight for Freedom. Stand with Hong Kong.  
Jewish World Watch  
The Committee for Freedom in Hong Kong

Cc: The House Rules Committee

The Honorable Gregory Meeks, Chair, House Foreign Affairs Committee

The Honorable Michael McCaul, Ranking Member, House Foreign Affairs Committee

The Honorable Maxine Waters, Chair, House Financial Services Committee

The Honorable Patrick McHenry, Ranking Member, House Financial Services Committee