

118TH CONGRESS
1ST SESSION

H. R. 2449

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2023

Mr. SMITH of New Jersey (for himself and Mr. SCHNEIDER) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Taiwan Protection and
5 National Resilience Act of 2023”.

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

8 (a) IDENTIFICATION OF VULNERABILITIES AND LE-
9 VERAGE.—Not later than 180 days after the date of the

1 enactment of this Act, the Secretary of Defense, in con-
2 sultation with the Secretary of State, the Secretary of
3 Commerce, the Secretary of the Treasury, the Director of
4 the Office of Federal Procurement Policy, and the Direc-
5 tor of the Office of Science and Technology Policy, shall
6 submit to the appropriate committees of Congress a report
7 that identifies—

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

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

20 (b) STRATEGY TO RESPOND TO COERCIVE AC-
21 TION.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the submission of the report required by sub-
24 section (a), the Secretary of the Treasury, in con-
25 sultation with the Secretary of the Defense, the Sec-

1 retary of Commerce, the Secretary of State, the Di-
2 rector of the Office of Federal Procurement Policy,
3 and the Director of the Office of Science and Tech-
4 nology Policy, shall submit to the appropriate com-
5 mittees of Congress a report, utilizing the findings
6 of the report required by subsection (a), that de-
7 scribes a comprehensive sanctions strategy to advise
8 policymakers on policies the United States and allies
9 and partners of the United States could adopt with
10 respect to the People’s Republic of China in re-
11 sponse to any coercive action, including an invasion,
12 by the People’s Republic of China that infringes
13 upon the territorial sovereignty of Taiwan by pre-
14 venting access to international waterways, airspace,
15 or telecommunications networks.

16 (2) ELEMENTS.—The strategy required by
17 paragraph (1) shall include policies that—

18 (A) restrict the access of the People’s Lib-
19 eration Army to oil, natural gas, munitions, and
20 other supplies needed to conduct military oper-
21 ations against Taiwan, United States facilities
22 in the Pacific and Indian Oceans, and allies and
23 partners of the United States in the region;

24 (B) diminish the capacity of the industrial
25 base of the People’s Republic of China to man-

1 ufacture and deliver defense articles to replace
2 those lost in operations of the People’s Libera-
3 tion Army against Taiwan, the United States,
4 and allies and partners of the United States;

5 (C) inhibit the ability of the People’s Re-
6 public of China to evade United States and
7 multilateral sanctions through third parties, in-
8 cluding through secondary sanctions; and

9 (D) identify specific sanctions-related tools
10 that may be effective in responding to coercive
11 action described in paragraph (1) and assess
12 the feasibility of the use and impact of the use
13 of those tools.

14 (e) RECOMMENDATIONS FOR REDUCTION OF
15 VULNERABILITIES AND LEVERAGE.—Not later than 180
16 days after the submission of the report required by sub-
17 section (a), the Secretary of Commerce, in consultation
18 the Secretary of Defense, the Secretary of State, the Di-
19 rector of National Intelligence, the United States Trade
20 Representative, the Director of the Office of Federal Pro-
21 curement Policy, and the Director of the Office of Science
22 and Technology Policy, shall submit to the appropriate
23 committees of Congress a report that—

24 (1) identifies critical sectors within the United
25 States economy that rely on trade with the People’s

1 Republic of China and other inputs from the Peo-
2 ple’s Republic of China (including active pharma-
3 ceutical ingredients, rare earth minerals, and met-
4 allurgical inputs), such that those sectors present a
5 strategic vulnerability and source of leverage that
6 the Chinese Communist Party could exploit; and

7 (2) makes recommendations to Congress on
8 steps that can be taken to reduce the sources of le-
9 verage described in paragraph (1) and subsection
10 (a)(1), including through—

11 (A) provision of economic incentives and
12 making other trade and contracting reforms to
13 support United States industry and job growth
14 in critical sectors and to indigenize production
15 of critical resources; and

16 (B) policies to facilitate “near- or friend-
17 shoring”, or otherwise developing strategies to
18 facilitate that process with allies and partners
19 of the United States, in other sectors for which
20 domestic reshoring would prove infeasible for
21 any reason.

22 (d) FORM.—The reports required by subsections (a),
23 (b), and (c) shall be submitted in unclassified form but
24 may include a classified annex.

1 (e) 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, the
5 Committee on Armed Services, the Select Committee
6 on Intelligence, the Committee on Finance, the Com-
7 mittee on Banking, Housing, and Urban Affairs,
8 and the Committee on Commerce, Science, and
9 Transportation of the Senate; and

10 (2) the Committee on Foreign Affairs, the
11 Committee on Armed Services, the Committee on Fi-
12 nancial Services, the Committee on Energy and
13 Commerce, and the Permanent Select Committee on
14 Intelligence of the House of Representatives.

○