

119TH CONGRESS
2D SESSION

S. _____

To direct the Securities and Exchange Commission to indefinitely suspend the trading of securities of certain companies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SCOTT of Florida introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To direct the Securities and Exchange Commission to indefinitely suspend the trading of securities of certain companies, and for other purposes.

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 “Protecting U.S. Inves-
5 tors From Chinese Military Companies Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) APPROPRIATE COMMITTEES OF CON-
9 GRESS.—The term “appropriate committees of Con-
10 gress” means the Committee on Banking, Housing,

1 and Urban Affairs of the Senate and the Committee
2 on Financial Services of the House of Representa-
3 tives.

4 (2) COMMISSION.—The term “Commission”
5 means the Securities and Exchange Commission.

6 **SEC. 3. SUSPENSION.**

7 (a) IN GENERAL.—Except as provided in subsection
8 (b), not later than 10 days after the date on which the
9 Secretary of Defense revises the list pursuant to section
10 1260H of the William M. (Mac) Thornberry National De-
11 fense Authorization Act for Fiscal Year 2021 (10 U.S.C.
12 113 note; Public Law 116–283), the Commission shall in-
13 definitely suspend the trading of securities of any company
14 on the list if the company remains on the list for 2 annual
15 revisions.

16 (b) NON-SDN CHINESE MILITARY-INDUSTRIAL
17 COMPLEX COMPANIES LIST.—Not later than 10 days
18 after the date on which the Office of Foreign Assets Con-
19 trol of the Department of the Treasury adds a Chinese
20 military company described in subsection (a) to the Non-
21 SDN Chinese Military-Industrial Complex Companies
22 List, the Commission shall notify the appropriate commit-
23 tees of Congress that the Commission did not suspend the
24 trading of securities of the company.

25 (c) REGULATIONS.—

1 (1) IN GENERAL.—The Commission shall pro-
2 mulgate regulations, and issue such orders, as are
3 strictly necessary to carry out the requirements of
4 this section.

5 (2) CONTENTS.—Consistent with subsections
6 (a) and (b), the regulations and orders promulgated
7 and issued under paragraph (1) may address only—

8 (A) the identification of securities subject
9 to a trading prohibition;

10 (B) the timing, administration, and en-
11 forcement of such trading prohibition;

12 (C) the verification and application of the
13 exception; and

14 (D) the notices required to the appropriate
15 committees of Congress.

16 (3) LIMITATIONS.—Chapters 5 and 7 of title 5,
17 United States Code, shall not apply with respect to
18 any regulation promulgated under this subsection.

19 (4) RULE OF CONSTRUCTION.—Nothing in this
20 subsection may be construed to authorize the Com-
21 mission to—

22 (A) establish criteria for inclusion on, or
23 removal from, the lists described in subsections
24 (a) and (b);

1 (B) impose a requirement, restriction, pen-
2 alty, or obligation not expressly authorized by
3 this section;

4 (C) require a securities trading prohibition
5 outside of what is authorized under this section;
6 or

7 (D) regulate any person or transaction
8 other than as necessary to implement a trading
9 prohibition or exception expressly required
10 under this section.