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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To prohibit the importation of certain energy storage systems made by entities within the People’s Republic of China, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. STEUBE introduced the following bill; which was referred to the Committee on _____

A BILL

To prohibit the importation of certain energy storage systems made by entities within the People’s Republic of China, 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 “Countering Harmful
5 Adversarial Rechargeable and Generative Energy Act” or
6 the “CHARGE Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) The People’s Republic of China (PRC) pre-
2 sents an incredible risk in infiltrating the energy
3 grid of the United States.

4 (2) Energy storage systems manufactured in
5 the PRC, and imported to the United States, are ca-
6 pable of containing remote monitoring capabilities.

7 (3) Such remote monitoring capabilities give the
8 PRC unfiltered access to the electric grid of the
9 United States, and such backdoor affords the PRC
10 the capability to interfere with the reliability of our
11 critical infrastructure systems.

12 (4) The Secretary of Commerce, through the
13 Bureau of Industry and Security of the Department
14 of Commerce, is responsible for ensuring that import
15 and export control mechanisms are in accordance
16 with strengthening the national security of the
17 United States.

18 (5) Restricting the import of energy storage
19 systems containing remote monitoring capabilities is
20 necessary to protect the energy grid of the United
21 States and safeguard the American people.

22 **SEC. 3. PROHIBITION.**

23 (a) IN GENERAL.—No person may import, or cause
24 to be imported to the United States, any energy storage

1 system containing remote monitoring capabilities manu-
2 factured with technology licensed or owned by—

3 (1) any entity organized under the laws of the
4 People's Republic of China (PRC) or any jurisdic-
5 tion within the PRC; or

6 (2) any entity under the jurisdiction, control,
7 authority, or oversight of the Chinese Communist
8 Party (CCP).

9 (b) REGULATIONS.—

10 (1) CBP ENFORCEMENT.—Not later than 60
11 days after the date of enactment of this Act, the
12 Commissioner of U.S. Customs and Border Protec-
13 tion shall issue regulations to carry out this section,
14 including by establishing mechanisms to allow U.S.
15 Customs and Border Protection to identify products
16 covered under such prohibition and enforce the pro-
17 hibition.

18 (2) PERIODIC REVIEW.—Not later than 180
19 days after enactment of this Act, and annually
20 thereafter, the Commissioner of U.S. Customs and
21 Border Protection shall review and determine wheth-
22 er to impose additional restrictions concerning en-
23 ergy storage systems containing remote monitoring
24 capabilities.

1 (c) PENALTIES.—Whoever knowingly violates, or
2 causes a violation of, the prohibition under subsection (a)
3 shall be imprisoned for not more than 5 years, fined not
4 more than \$250,000, or both, for each shipment of im-
5 ports that contains one or more such articles.

6 (d) ANNUAL REPORT ON IMPLEMENTATION.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of the enactment of this Act, the Sec-
9 retary of Commerce, in consultation with the Sec-
10 retary of Energy and the Secretary of Homeland Se-
11 curity, shall submit to the appropriate congressional
12 committees a report on PRC-developed energy stor-
13 age systems containing remote monitoring capabili-
14 ties in the United States.

15 (2) FORM.—The report required under para-
16 graph (1) may include a classified annex.

17 (3) TERMINATION.—The requirement to submit
18 reports under paragraph (1) shall terminate on the
19 date that is 6 years after the date of the enactment
20 of this Act.

21 (e) DEFINITIONS.—In this section—

22 (1) the term “appropriate congressional com-
23 mittees” means—

24 (A) the Committee on Energy and Com-
25 merce, the Committee on Foreign Affairs, and

1 the Permanent Select Committee on Intelligence
2 of the House of Representatives; and

3 (B) the Committee on Commerce, Science,
4 & Transportation, the Committee on Foreign
5 Relations, and the Select Committee on Intel-
6 ligence of the Senate;

7 (2) the term “energy storage system” means
8 any device, module, or product that is capable of
9 storing an electric current to discharge such current
10 for use at a later time; and

11 (3) the term “remote monitoring capability”
12 means any device that is capable of observing, col-
13 lecting, analyzing, and disrupting the data of any in-
14 formation technology, communication, or critical in-
15 frastructure system.