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H. R. 1214

To impose sanctions with respect to foreign persons that knowingly spread malign disinformation as part of or on behalf of a foreign government or political party for purposes of political warfare and to require a determination regarding the United Front Work Department of the Chinese Communist Party.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2021

Mr. BANKS (for himself, Mr. WILSON of South Carolina, Mr. JOHNSON of Louisiana, Mr. MANN, Mr. TURNER, and Mr. WALTZ) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, 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 impose sanctions with respect to foreign persons that knowingly spread malign disinformation as part of or on behalf of a foreign government or political party for purposes of political warfare and to require a determination regarding the United Front Work Department of the Chinese Communist Party.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Countering Chinese
3 Propaganda Act”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) The U.S.-China Economic and Security Re-
7 view Commission has noted that “China uses what
8 it calls United Front Work Department of the Chi-
9 nese Communist Party to co-opt and neutralize
10 sources of potential opposition to the policies and
11 authority of its ruling Chinese Communist Party
12 (CCP)”.

13 (2) In 1939, Chinese leader Mao Zedong hailed
14 the United Front Work Department as a “magic
15 weapon” in the victory of the communist revolution
16 along with “armed struggle”.

17 (3) Chinese President Xi Jinping has also re-
18 ferred to the United Front Work Department with
19 those words and given it a key role in what he calls
20 achieving the People’s Republic of China’s national
21 rejuvenation.

22 (4) According to a report by Alex Joske for-
23 merly of the Australian Strategic Policy Institute,
24 the United Front Work Department has doubled in
25 size since 2015.

1 (5) The United Front Work Department is in-
2 volved in espionage campaigns, political warfare ef-
3 forts, malign disinformation, utilizing the Chinese
4 diaspora abroad, and infiltration of educational insti-
5 tutions all with the goal of softening opposition to
6 the Chinese Communist Party and its policies
7 throughout the world.

8 (6) The United Front Work Department played
9 a seminal role in coordinating multifaceted disinfor-
10 mation campaigns to blame the United States for
11 the spread of the Coronavirus Disease 2019 (com-
12 monly referred to as “COVID-19”) pandemic and
13 coverup China’s negligent response to the pandemic.

14 (7) An investigation by ProPublica released on
15 March 26, 2020, found that the United Front Work
16 Department was connected to a network of fake and
17 hijacked Twitter accounts that were covertly spread-
18 ing Chinese government propaganda about COVID-
19 19 to global audiences.

20 (8) The United Front Work Department uti-
21 lized Chinese diaspora community associations under
22 its control to purchase personal protective equipment
23 as the COVID-19 outbreak troubled China from
24 mid-January 2020 on.

1 (9) In February 2020, The Global Times, a site
2 run by the Chinese Communist Party's People's
3 Daily newspaper, alleged that COVID-19 was
4 brought to China from a United States military base
5 during the World Games.

6 (10) As Sheridan Prasso of Bloomberg has re-
7 ported, the United Front Work Department has ac-
8 tively worked to undermine democracy in Hong
9 Kong under the umbrella of China's State Council's
10 Liaison Office by spreading disinformation and acti-
11 vating a network of media outlets, and diaspora or-
12 ganizations and pressuring businesses in the city to
13 support China's national security laws.

14 (11) The United Front Work Department has
15 played an integral role in China's war on religion by
16 leading efforts to publish a new edition of the Bible
17 with Chinese Communist characteristics, actively
18 running internment camps and carrying out anti-re-
19 ligion campaigns against Uyghur Muslims in
20 Xinjiang and severe religious repression of Bud-
21 dhists in Tibet.

22 (12) Recognizing the threat of the United
23 Front Work Department, on December 4, 2020,
24 former Secretary of State Mike Pompeo imposed
25 visa restrictions on individuals active in United

1 Front Work Department activities under section
2 212(a)(3)(C) of the Immigration and Nationality
3 Act (8 U.S.C. 1182(a)(3)(C)). Furthermore, on Jan-
4 uary 15, 2021, the Department of the Treasury im-
5 posed sanctions on You Quan, the head of the
6 United Front Work Department of the Central Com-
7 mittee of the Chinese Communist Party, placing him
8 on the list of specially designated nationals and
9 blocked persons maintained by the Office of Foreign
10 Assets Control of the Department of the Treasury
11 for his role in the crackdown on pro-democracy pro-
12 testers in Hong Kong.

13 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
14 **EIGN PERSONS THAT KNOWINGLY SPREAD**
15 **MALIGN DISINFORMATION AS PART OF OR**
16 **ON BEHALF OF A FOREIGN GOVERNMENT OR**
17 **POLITICAL PARTY FOR PURPOSES OF POLIT-**
18 **ICAL WARFARE.**

19 (a) IMPOSITION OF SANCTIONS.—The President shall
20 impose the sanctions described in subsection (b) with re-
21 spect to any foreign person that the President determines
22 knowingly commits a significant act of malign disinforma-
23 tion on behalf of the government of a foreign country or
24 foreign political party that has the direct purpose or effect

1 of influencing political, diplomatic, or educational activi-
2 ties in the United States for the purpose of harming—

3 (1) the national security or defense of the
4 United States; or

5 (2) the safety and security of any United States
6 citizen or alien lawfully admitted for permanent resi-
7 dence.

8 (b) SANCTIONS DESCRIBED.—

9 (1) IN GENERAL.—The sanctions described in
10 this subsection with respect to a foreign person de-
11 termined by the President to be subject to sub-
12 section (a) are the following:

13 (A) ASSET BLOCKING.—The President
14 shall exercise of all powers granted to the Presi-
15 dent by the International Emergency Economic
16 Powers Act (50 U.S.C. 1701 et seq.) to the ex-
17 tent necessary to block and prohibit all trans-
18 actions in property and interests in property of
19 the foreign person if such property and inter-
20 ests in property are in the United States, come
21 within the United States, or are or come within
22 the possession or control of a United States
23 person.

24 (B) INADMISSIBILITY OF CERTAIN INDIV-
25 IDUALS.—

1 (i) INELIGIBILITY FOR VISAS, ADMIS-
2 SION, OR PAROLE.—In the case of a for-
3 eign person who is an individual, the for-
4 eign person is—

5 (I) inadmissible to the United
6 States;

7 (II) ineligible to receive a visa or
8 other documentation to enter the
9 United States; and

10 (III) otherwise ineligible to be
11 admitted or paroled into the United
12 States or to receive any other benefit
13 under the Immigration and Nation-
14 ality Act (8 U.S.C. 1101 et seq.).

15 (ii) CURRENT VISAS REVOKED.—

16 (I) IN GENERAL.—In the case of
17 a foreign person who is an individual,
18 the visa or other documentation
19 issued to the person shall be revoked,
20 regardless of when such visa or other
21 documentation is or was issued.

22 (II) EFFECT OF REVOCATION.—
23 A revocation under subclause (I)
24 shall—

1 (aa) take effect immediately;
2 and
3 (bb) automatically cancel
4 any other valid visa or entry doc-
5 umentation that is in the per-
6 son's possession.

7 (2) PENALTIES.—A person that violates, at-
8 tempts to violate, conspires to violate, or causes a
9 violation of any regulation, license, or order issued
10 to carry out paragraph (1)(A) shall be subject to the
11 penalties set forth in subsections (b) and (c) of sec-
12 tion 206 of the International Emergency Economic
13 Powers Act (50 U.S.C. 1705) to the same extent as
14 a person that commits an unlawful act described in
15 subsection (a) of that section.

16 (3) EXCEPTION TO COMPLY WITH UNITED NA-
17 TIONS HEADQUARTERS AGREEMENT.—Sanctions
18 under paragraph (1)(B) shall not apply to a foreign
19 person who is an individual if admitting the person
20 into the United States is necessary to permit the
21 United States to comply with the Agreement regard-
22 ing the Headquarters of the United Nations, signed
23 at Lake Success June 26, 1947, and entered into
24 force November 21, 1947, between the United Na-

1 tions and the United States, or other applicable
2 international obligations.

3 (c) WAIVER.—The President may, on a case-by-case
4 basis and for periods not to exceed 180 days, waive the
5 application of sanctions imposed with respect to a foreign
6 person under this section if the President certifies to the
7 appropriate congressional committees not later than 15
8 days before such waiver is to take effect that the waiver
9 is vital to the national security interests of the United
10 States.

11 (d) IMPLEMENTATION AUTHORITY.—The President
12 may exercise all authorities provided to the President
13 under sections 203 and 205 of the International Emer-
14 gency Economic Powers Act (50 U.S.C. 1702 and 1704)
15 for purposes of carrying out this section.

16 (e) REGULATORY AUTHORITY.—

17 (1) IN GENERAL.—Not later than 90 days after
18 the date of the enactment of this Act, the President
19 shall promulgate such regulations as are necessary
20 for the implementation of this section.

21 (2) NOTIFICATION TO CONGRESS.—Not less
22 than 10 days before the promulgation of regulations
23 under paragraph (1), the President shall notify and
24 provide to the appropriate congressional committees
25 the proposed regulations and an identification of the

1 provisions of this section that the regulations are im-
2 plementing.

3 (f) DEFINITIONS.—In this section:

4 (1) ADMITTED; ALIEN.—The terms “admitted”
5 and “alien” have the meanings given those terms in
6 section 101(a) of the Immigration and Nationality
7 Act (8 U.S.C. 1101(a)).

8 (2) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

11 (A) the Committee on Foreign Affairs, the
12 Committee on the Judiciary, the Committee on
13 Ways and Means, and the Committee on Finan-
14 cial Services of the House of Representatives;
15 and

16 (B) the Committee on Foreign Relations,
17 the Committee on the Judiciary, the Committee
18 on Finance, and the Committee on Banking,
19 Housing, and Urban Affairs of the Senate.

20 (3) FOREIGN PERSON.—The term “foreign per-
21 son” means a person that is not a United States
22 person.

23 (4) KNOWINGLY.—The term “knowingly”, with
24 respect to conduct, a circumstance, or a result,
25 means that a person has actual knowledge, or should

1 have known, of the conduct, the circumstance, or the
2 result.

3 (5) PERSON.—The term “person” means an in-
4 dividual or entity.

5 (6) PROPERTY; INTEREST IN PROPERTY.—The
6 terms “property” and “interest in property” have
7 the meanings given the terms “property” and “prop-
8 erty interest”, respectively, in section 576.312 of
9 title 31, Code of Federal Regulations, as in effect on
10 the day before the date of the enactment of this Act.

11 (7) UNITED STATES PERSON.—The term
12 “United States person” means—

13 (A) an individual who is a United States
14 citizen or an alien lawfully admitted for perma-
15 nent residence to the United States;

16 (B) an entity organized under the laws of
17 the United States or any jurisdiction within the
18 United States, including a foreign branch of
19 such an entity; or

20 (C) any person in the United States.

21 (g) SUNSET.—

22 (1) IN GENERAL.—This section shall cease to
23 be effective beginning on January 1, 2025.

24 (2) INAPPLICABILITY.—Paragraph (1) shall not
25 apply with respect to sanctions imposed with respect

1 to a foreign person under this section before Janu-
2 ary 1, 2025.

3 **SEC. 4. DETERMINATION WITH RESPECT TO THE IMPOSI-**
4 **TION OF SANCTIONS ON THE UNITED FRONT**
5 **WORK DEPARTMENT OF THE CHINESE COM-**
6 **MUNIST PARTY.**

7 (a) IN GENERAL.—Not later than 90 days after the
8 date of the enactment of this Act, the Secretary of State
9 shall submit to the appropriate congressional committees
10 a determination, including a detailed justification, on
11 whether the United Front Work Department of the Chi-
12 nese Communist Party, or any component or official there-
13 of, meets the criteria for the application of sanctions pur-
14 suant to—

15 (1) section 3 of this Act;

16 (2) section 1263 of the Global Magnitsky
17 Human Rights Accountability Act (subtitle F of title
18 XII of Public Law 114–328; 22 U.S.C. 2656 note);

19 (3) section 6 of the Uyghur Human Rights Pol-
20 icy Act of 2020 (Public Law 116–145; 22 U.S.C.
21 6901 note); or

22 (4) Executive Order 13694 (50 U.S.C. 1701
23 note; relating to blocking property of certain persons
24 engaged in significant malicious cyber-enabled activi-
25 ties).

1 (b) FORM.—The determination required by sub-
2 section (a) shall be submitted in unclassified form but may
3 contain a classified annex.

4 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
5 FINED.—In this section, the term “appropriate congress-
6 sional committees” means—

7 (1) the Committee on Armed Services, the
8 Committee on Foreign Affairs, the Permanent Select
9 Committee on Intelligence, the Committee on Finan-
10 cial Services, and the Committee on the Judiciary of
11 the House of Representatives; and

12 (2) the Committee on Armed Services, the
13 Committee on Foreign Relations, the Select Com-
14 mittee on Intelligence, the Committee on Banking,
15 Housing, and Urban Affairs, and the Committee on
16 the Judiciary of the Senate.

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