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H. R. 1811

To require an unclassified interagency report on the political influence operations of the Government of China and the Communist Party of China with respect to the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2019

Mr. SMITH of New Jersey (for himself, Mr. CUELLAR, Mrs. HARTZLER, Mr. GALLAGHER, Mr. RATCLIFFE, Mr. MEADOWS, and Mr. PERRY) 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 require an unclassified interagency report on the political influence operations of the Government of China and the Communist Party of China with respect to the United States, 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 the Chinese
5 Government and Communist Party’s Political Influence
6 Operations Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES.—The term “appropriate congressional com-
5 mittees” means—

6 (A) the Committee on Appropriations of
7 the Senate;

8 (B) the Committee on Armed Services of
9 the Senate;

10 (C) the Committee on Foreign Relations of
11 the Senate;

12 (D) the Committee on Health, Education,
13 Labor, and Pensions of the Senate;

14 (E) the Committee on the Judiciary of the
15 Senate;

16 (F) the Select Committee on Intelligence of
17 the Senate;

18 (G) the Committee on Banking, Housing,
19 and Urban Affairs of the Senate;

20 (H) the Committee on Appropriations of
21 the House of Representatives;

22 (I) the Committee on Armed Services of
23 the House of Representatives;

24 (J) the Committee on Education and
25 Labor of the House of Representatives;

1 (K) the Committee on Foreign Affairs of
 2 the House of Representatives;

3 (L) the Committee on the Judiciary of the
 4 House of Representatives;

5 (M) the Permanent Select Committee on
 6 Intelligence of the House of Representatives;
 7 and

8 (N) the Committee on Financial Services
 9 of the House of Representatives.

10 (2) POLITICAL INFLUENCE OPERATIONS.—The
 11 term “political influence operations” means the co-
 12 ordinated and often concealed application of disin-
 13 formation, press manipulation, economic coercion,
 14 targeted investments, corruption, or academic cen-
 15 sorship. Such efforts are often intended—

16 (A) to coerce and corrupt United States in-
 17 terests, values, institutions, or individuals; and

18 (B) to foster attitudes, behavior, decisions,
 19 or outcomes in the United States that support
 20 the interests of the Government of the People’s
 21 Republic of China or the Communist Party of
 22 China.

23 **SEC. 3. STATEMENT OF POLICY.**

24 (a) FINDINGS.—Congress finds the following:

1 (1) The Government of China and the Com-
2 munist Party of China employ a wide range of polit-
3 ical, informational, and economic measures to influ-
4 ence, coerce, intimidate, or undermine the United
5 States interests or the interests of United States
6 partners and allies.

7 (2) The December 2017 National Security
8 Strategy of the United States of America states,
9 “Although the United States seeks to continue to co-
10 operate with China, China is using economic induce-
11 ments and penalties, influence operations, and im-
12 plied military threats to persuade other states to
13 heed its political and security agenda.”.

14 (3) The political influence operations efforts of
15 the Government of China and the Communist Party
16 of China have received less scrutiny than similar ef-
17 forts of the Government of the Russian Federation,
18 but given China’s economic strength and the grow-
19 ing apparatus being used to spread its influence
20 globally, efforts to promote its authoritarian ideal
21 pose significant and consequential long-term chal-
22 lenges to United States interests and values.

23 (4) The Government of China and the Com-
24 munist Party of China use overt and covert means
25 to target the political and economic elite, the media

1 and public opinion, civil society and academia, and
2 members of the Chinese diaspora.

3 (5) The Government of China and the Com-
4 munist Party of China employ an array of govern-
5 ment entities, friendship and exchange organiza-
6 tions, private entities and businesspeople, and gov-
7 ernment-funded foundations, think tanks, edu-
8 cational and other projects to carry out political in-
9 fluence operations, which is often referred to as
10 united front work.

11 (6) These political influence operations violate
12 national sovereignty, and as such, are fundamentally
13 different from traditional efforts by states to shape
14 international policy debates and improve their public
15 image through public diplomacy and strategic com-
16 munications campaigns.

17 (7) The aims of the political influence oper-
18 ations of the Government of China and the Com-
19 munist Party of China are—

20 (A) to protect the political security of the
21 Chinese Communist Party, both within China
22 and globally;

23 (B) to domestically and globally promote
24 the idea that the Chinese Communist Party's

1 political and economic model is superior to the
2 governments of Western democracies; and

3 (C) to promote the interests of the regime
4 globally.

5 (8) The political influence operations of the
6 Government of China and the Communist Party of
7 China take advantage of the open and democratic
8 nature of the United States, including—

9 (A) constitutional protections for free
10 speech and a free press; and

11 (B) the desire of some individuals or insti-
12 tutions to attract Chinese investment, gain ac-
13 cess to Chinese markets, or attain greater glob-
14 al influence.

15 (b) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that—

17 (1) the political influence operations of the Gov-
18 ernment of China and the Communist Party of
19 China are not “soft power” intended to persuade,
20 but “sharp power” intended—

21 (A) to penetrate or corrupt democratic
22 countries and undermine democratic institu-
23 tions and freedoms;

24 (B) to foster attitudes, behavior, laws, and
25 policies favorable to the Government of China’s

1 interest through disinformation, coercion, cor-
2 ruption, and other means;

3 (C) to widen the scope of Chinese authori-
4 tarian influence around the world, including—

5 (i) to suppress political opposition to
6 the Chinese Communist Party; and

7 (ii) to violate the internationally rec-
8 ognized human and civil rights of Chinese
9 citizens living in nations around the world;
10 and

11 (D) to undermine the strength of American
12 alliances around the world; and

13 (2) the American people need reliable and cur-
14 rent information—

15 (A) to identify the key institutions, individ-
16 uals, entities, and ministries that carry out such
17 operations; and

18 (B) to distinguish between malign political
19 influence operations intended to undermine core
20 American freedoms, democratic institutions,
21 and cultural, educational, business, and people-
22 to-people exchanges that may benefit the
23 United States and China.

24 (c) STATEMENT OF POLICY.—It is the policy of the
25 United States—

1 (1) to clearly differentiate between the Chinese
2 people and culture and the Government of China
3 and the Communist Party of China in official state-
4 ments, media, and messaging, and to ensure that ef-
5 forts to curtail Beijing’s political influence oper-
6 ations do not lead to the targeting of Chinese-Ameri-
7 cans or the Chinese diaspora;

8 (2) to clearly differentiate between legal, inter-
9 nationally accepted public diplomacy and strategic
10 communications campaigns and illicit activities to
11 undermine democratic institutions or freedoms;

12 (3) to protect United States citizens and legal
13 residents from malign or coercive political influence
14 operations;

15 (4) to enhance cooperation and coordination
16 with Australia, Canada, New Zealand, Taiwan (offi-
17 cially known as the “Republic of China”), and Mon-
18 golia, whose governments and institutions have faced
19 acute pressure from the political influence operations
20 of the Government of China and the Communist
21 Party of China, and with other allies throughout the
22 world;

23 (5) to create strategies to ensure that countries
24 in Africa, the Western Hemisphere, Southeast Asia,
25 and elsewhere are aware of China’s “sharp power”

1 and provide needed capacity to counter them effec-
2 tively;

3 (6) to implement more advanced transparency
4 requirements concerning collaboration with Chinese
5 actors for media agencies, universities, think tanks,
6 and government officials;

7 (7) to use various forums to raise awareness
8 about—

9 (A) the goals and methods of the political
10 influence operations of the Government of
11 China and the Communist Party of China; and

12 (B) common patterns and approaches used
13 by Chinese intelligence agencies or related ac-
14 tors;

15 (8) to require greater transparency for Confu-
16 cius Institutes, think tanks, academic programs, and
17 nongovernmental organizations funded primarily by
18 the Government of China, the Communist Party of
19 China, or by individuals or public or private organi-
20 zations with a demonstrable affiliation with the Gov-
21 ernment of China or the Communist Party of China
22 that are operating in the United States to register
23 through the Foreign Agents Registration Act of
24 1938 (22 U.S.C. 611 et seq.) or a comparable mech-
25 anism;

1 (9) to seek ways to increase Chinese language
2 proficiency among mid-career professionals that do
3 not rely on funding linked to the Government of
4 China;

5 (10) to ensure that existing tools are suffi-
6 ciently screening for the risk of Chinese influence
7 operations; and

8 (11) to create more flexible tools, as needed,
9 with the goals of—

10 (A) screening investments from the Gov-
11 ernment of China or sources backed by the
12 Government of China to protect against the
13 takeover of United States companies by Chinese
14 state-owned or state-driven entities; and

15 (B) protecting institutions or business sec-
16 tors critically important to United States na-
17 tional security and the viability of democratic
18 institutions.

19 **SEC. 4. STRATEGY TO COUNTER “SHARP POWER” POLIT-**
20 **ICAL INFLUENCE OPERATIONS AND TO PRO-**
21 **TECT UNITED STATES CITIZENS.**

22 (a) IN GENERAL.—The Secretary of State, in coordi-
23 nation with all relevant Federal agencies shall develop a
24 long-term strategy—

1 (1) to carry out the policy statements set forth
2 in section 3(c);

3 (2) to effectively counter the “sharp power” po-
4 litical influence operations of the Chinese Com-
5 munist Party globally and in the United States;

6 (3) to ensure that United States citizens, par-
7 ticularly Chinese Americans and members of the
8 Chinese, Uyghur, and Tibetan diaspora who are who
9 are often the victims and primary targets of malign
10 political influence operations, are protected;

11 (4) to ensure that—

12 (A) the United States Government strategy
13 to protect the communities described in para-
14 graph (3) is clearly communicated by relevant
15 Federal officials; and

16 (B) secure outlets are created for reporting
17 on intimidation and surveillance;

18 (5) to ensure that Chinese nationals who are le-
19 gally studying, living, or working temporarily in the
20 United States know that intimidation or surveillance
21 by the Government of China and the Communist
22 Party of China is an unacceptable invasion of their
23 rights while they reside in the United States; and

24 (6) to provide secure outlets for reporting on in-
25 timidation and surveillance.

1 (b) REPORT.—Not later than 180 days after the date
 2 of the enactment of this Act, the Secretary of State, or
 3 an appropriate high-ranking official, shall—

4 (1) submit an unclassified report containing the
 5 strategy required under subsection (a) to the appro-
 6 priate congressional committees; or

7 (2) describe the strategy required under sub-
 8 section (a) through unclassified testimony before the
 9 Committee on Foreign Relations of the Senate or
 10 the Committee on Foreign Affairs of the House of
 11 Representatives.

12 **SEC. 5. REPORT ON THE POLITICAL INFLUENCE OPER-**
 13 **ATIONS OF THE GOVERNMENT OF CHINA AND**
 14 **THE COMMUNIST PARTY OF CHINA.**

15 (a) IN GENERAL.—Because it is important for Amer-
 16 ican policymakers and the American people to be informed
 17 about the influence operations described in section 3, not
 18 later than 270 days after the date of the enactment of
 19 this Act, the Secretary of State, in coordination with the
 20 Director of National Intelligence, and in consultation with
 21 the heads of relevant Federal departments and agencies,
 22 shall submit an unclassified report to the appropriate con-
 23 gressional committees that describes the political influence
 24 operations of the Government of China and the Com-
 25 munist Party of China affecting the United States and

1 not more than 5 allies and partners most impacted by the
2 Government of China's influence operations in their coun-
3 tries (as determined by the Director of National Intel-
4 ligence), including efforts—

5 (1) to exert influence over United States gov-
6 ernmental or nongovernmental institutions or indi-
7 viduals, or government officials among United States
8 allies and partners;

9 (2) to coerce or threaten United States citizens
10 or legal permanent residents or their families and
11 associates living in China or elsewhere;

12 (3) to undermine democratic institutions and
13 the freedoms of speech, expression, the press, asso-
14 ciation, assembly, religion, or academic thought;

15 (4) to otherwise suppress information in public
16 fora, in the United States and abroad; or

17 (5) to develop or obtain property, facilities, in-
18 frastructure, business entities, or other assets for
19 use in facilitating the activities described in para-
20 graphs (1) through (4).

21 (b) CONTENTS.—The report required under sub-
22 section (a) shall also include recommendations for the
23 President and Congress relating to—

24 (1) the need for additional resources or authori-
25 ties to counter political influence operations in the

1 United States directed by the Government of China
2 or the Communist Party of China, including oper-
3 ations carried out in concert with allies;

4 (2) whether a permanent office to monitor and
5 respond to political influence operations of the Gov-
6 ernment of China and the Communist Party of
7 China should be established within the Department
8 of State or the Office of the Director of National In-
9 telligence; and

10 (3) whether regular public reports on the polit-
11 ical influence operations of the Government of China
12 and the Communist Party of China are needed to in-
13 form Congress and the American people of the scale
14 and scope of such operations.

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