

[DISCUSSION DRAFT]

118TH CONGRESS
1ST SESSION

H. R. _____

To impose certain conditions on the issuance of diplomatic and student
visas to nationals of certain covered nations.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To impose certain conditions on the issuance of diplomatic
and student visas to nationals of certain covered nations.

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 “Breaking Beijing’s
5 Hold on Campus Act of 2024”.

6 **SEC. 2. CERTAIN CONDITIONS ON THE ISSUANCE OF DIPLO-**
7 **MATIC AND STUDENT VISAS.**

8 Section 214 of the Immigration and Nationality Act
9 (8 U.S.C.) is amended by adding at the end the following:

1 “(s) CERTAIN CONDITIONS ON THE ISSUANCE OF
2 DIPLOMATIC AND STUDENT VISAS.—

3 “(1) CERTAIN CONDITIONS ON THE ISSUANCE
4 OF DIPLOMATIC VISAS.—An alien who is a national
5 of a covered nation may not be accorded status as
6 a nonimmigrant under subparagraph (A) or (G) of
7 section 101(a)(15) until the alien submits a certifi-
8 cation that the alien—

9 “(A) will not engage in any efforts to col-
10 lect or transmit information concerning, open
11 any lines of communication with, or encourage
12 other persons to report on, any student that is
13 a national of a covered nation for the purposes
14 of—

15 “(i) monitoring whether such student
16 is exercising their rights protected under
17 the Constitution and laws of the United
18 States in a way that the government or
19 ruling party of a covered nation may op-
20 pose; or

21 “(ii) for suppressing said exercise of
22 rights;

23 “(B) will not engage in any efforts to col-
24 lect or transmit information concerning, open
25 any lines of communication with, or encourage

1 other persons to report on, any student with a
2 family member that resides in a covered nation
3 for the purposes of—

4 “(i) monitoring whether such student
5 is exercising their rights protected under
6 the Constitution and laws of the United
7 States in a way that the government or
8 ruling party of a covered nation opposes;
9 or

10 “(ii) for suppressing said exercise of
11 rights; and

12 “(C) will not engage in any other form of
13 transnational repression on behalf of any gov-
14 ernment or ruling party of a covered nation or
15 any agent of a covered nation.

16 “(2) CERTAIN CONDITIONS ON THE ISSUANCE
17 OF STUDENT VISA.—An alien who is a national of a
18 covered nation may not be accorded status as a non-
19 immigrant under subparagraph (F), (J), or (M) of
20 section 101(a)(15) until the alien submits a certifi-
21 cation that the alien—

22 “(A) will not report on students who are
23 nationals of a covered nation to the govern-
24 ment, the ruling party, or an agent of a covered
25 nation, or to any agent or government for the

1 purpose of sharing such information with a gov-
2 ernment, ruling party, or agent of a covered na-
3 tion, for that student's exercise of rights pro-
4 tected under the Constitution and laws of the
5 United States;

6 “(B) will not report on any student with a
7 family member that resides in a covered nation
8 to the government, the ruling party, or an
9 agent of that covered nation for that student's
10 exercise of rights protected under the Constitu-
11 tion and laws of the United States; and

12 “(C) will not engage in any other form of
13 transnational repression on behalf of a covered
14 nation or any agent of a covered nation.

15 “(3) DEFINITIONS.—In this subsection:

16 “(A) COVERED NATION.—The term ‘cov-
17 ered nation’ means the People's Republic of
18 China, the Russian Federation, the Islamic Re-
19 public of Iran, or the Democratic People's Re-
20 public of Korea.

21 “(B) INSTITUTION OF HIGHER EDU-
22 CATION.—The term ‘institution of higher edu-
23 cation’ has the meaning given to it in section
24 101 of the Higher Education Act of 1965 (20
25 U.S.C. 1001).

1 “(C) TRANSNATIONAL REPRESSION.—The
2 term ‘transnational repression’ means any ac-
3 tion by a foreign government, a ruling party of
4 a foreign country, or any person operating on
5 behalf of a government or ruling party of a for-
6 eign country that meets each of the following
7 criteria:

8 “(i) The action involves—

9 “(I) any effort intended to in-
10 timidate or coerce a person to take an
11 action in the interest of a government
12 or ruling party of a foreign country;

13 “(II) any effort intended to in-
14 timidate or coerce a person to take an
15 action to prevent that person from ex-
16 ercising a right protected under the
17 Constitution or laws of the United
18 States;

19 “(III) any effort to engage in an
20 extrajudicial killing or abduction to
21 prevent that person from exercising a
22 right protected under the Constitution
23 or laws of the United States; or

1 “(IV) providing support to an ef-
2 fort described in clauses (i), (ii), and
3 (iii).

4 “(ii) The activity is engaged in for the
5 purpose of suppressing dissent against or
6 otherwise advancing the interests of a gov-
7 ernment or ruling party of a foreign coun-
8 try.

9 “(iii) The activity occurs, in whole or
10 in part, in the United States and is com-
11 mitted against a United States person or a
12 person in the United States.

13 “(4) VIOLATIONS.—

14 “(A) If the Secretary of State determines,
15 in consultation with the Secretary of Homeland
16 Security, that an alien has committed If an
17 alien commits any act in violation of a certifi-
18 cation made under paragraph (1) or (2), any
19 status as a nonimmigrant accorded to that alien
20 shall be terminated immediately.

21 “(B) If the Secretary of State determines,
22 in consultation with the Secretary of Homeland
23 Security, that any other nonimmigrant who is a
24 national of a covered nation has acted as an
25 agent of that country and has engaged in any

1 conduct described in clauses (i) through (iii) of
2 paragraph (2)(A), any status as a non-
3 immigrant accorded to that alien shall be termi-
4 nated immediately.”.

5 **SEC. 3. PRIOR NOTIFICATION OF CERTAIN TRAVEL.**

6 (a) IN GENERAL.—The Secretary of State shall re-
7 quire any member of a foreign mission (as such term is
8 defined in section 202 of the State Department Basic Au-
9 thorities Act of 1956) of a covered nation (as such term
10 is defined in section 214(s)(3) of the Immigration and Na-
11 tionality Act) seeking to visit any institution of higher edu-
12 cation or any other research institution in the United
13 States to submit to the Secretar—

14 (1) a prior notification of their intent to visit
15 said institution; and

16 (2) a request for approval to visit said institu-
17 tion.

18 (b) LIMITATION ON APPROVAL.—The Secretary may
19 not grant such request for approval before the date that
20 is 30 days after an unclassified notification of the request
21 to visit is submitted to the Committee on Foreign Rela-
22 tions of the Senate, the Committee on Foreign Affairs of
23 the House of Representatives, the Select Committee on In-
24 telligence of the Senate, and the Permanent Select Com-
25 mittee on Intelligence of the House of Representatives and

1 a notification of the request is provided to the Secretary
2 of Education.

3 (c) VISIT DEFINED.—For the purposes of this sec-
4 tion, the term “visit” means an individual being present
5 on the premises of an institution of higher education, or
6 any other research institution in the United States, as well
7 as being present on the premises of any facility owned or
8 leased by said institutions.