

[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.

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IN THE HOUSE OF REPRESENTATIVES

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

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**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.