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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To impose sanctions with respect to foreign persons that knowingly engage in political warfare on behalf of a foreign government or political party and to require a determination regarding the United Front Work Department of the Chinese Communist Party.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To impose sanctions with respect to foreign persons that knowingly engage in political warfare on behalf of a foreign government or political party 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Countering China’s
5 Political Warfare Act”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

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

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

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

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

23 (5) The United Front Work Department is in-
24 volved in espionage campaigns, political warfare ef-
25 forts, utilizing the Chinese diaspora abroad, and in-
26 filtration of educational institutions all with the goal

1 of softening opposition to the Chinese Communist
2 Party and its policies throughout the world.

3 (6) The United Front Work Department played
4 a seminal role in coordinating multifaceted political
5 warfare campaigns to blame the United States for
6 the spread of the Coronavirus Disease 2019 (com-
7 monly referred to as “COVID–19”) pandemic and
8 coverup China’s negligent response to the pandemic.

9 (7) An investigation by ProPublica released on
10 March 26, 2020, found that the United Front Work
11 Department was connected to a network of fake and
12 hijacked Twitter accounts that were covertly spread-
13 ing Chinese Government propaganda about COVID–
14 19 to global audiences.

15 (8) The United Front Work Department uti-
16 lized Chinese diaspora community associations under
17 its control to purchase personal protective equipment
18 as the COVID–19 outbreak troubled China from
19 mid-January 2020 on.

20 (9) In February 2020, The Global Times, a site
21 run by the Chinese Communist Party’s People’s
22 Daily newspaper, alleged that COVID–19 was
23 brought to China from a United States military base
24 during the World Games.

1 (10) As Sheridan Prasso of Bloomberg has re-
2 ported, the United Front Work Department has ac-
3 tively worked to undermine democracy in Hong
4 Kong under the umbrella of China's State Council's
5 Liaison Office by engaging in political warfare and
6 activating a network of media outlets, and diaspora
7 organizations and pressuring businesses in the city
8 to support China's national security laws.

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

17 (12) Recognizing the threat of the United
18 Front Work Department, on December 4, 2020,
19 former Secretary of State Mike Pompeo imposed
20 visa restrictions on individuals active in United
21 Front Work Department activities under section
22 212(a)(3)(C) of the Immigration and Nationality
23 Act (8 U.S.C. 1182(a)(3)(C)). Furthermore, on Jan-
24 uary 15, 2021, the Department of the Treasury im-
25 posed sanctions on You Quan, the head of the

1 United Front Work Department of the Central Com-
2 mittee of the Chinese Communist Party, placing him
3 on the list of specially designated nationals and
4 blocked persons maintained by the Office of Foreign
5 Assets Control of the Department of the Treasury
6 for his role in the crackdown on pro-democracy pro-
7 testers in Hong Kong.

8 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
9 **EIGN PERSONS THAT KNOWINGLY ENGAGE IN**
10 **POLITICAL WARFARE ON BEHALF OF A FOR-**
11 **EIGN GOVERNMENT OR POLITICAL PARTY.**

12 (a) IMPOSITION OF SANCTIONS.—The President shall
13 impose the sanctions described in subsection (b) with re-
14 spect to any foreign person that the President determines
15 knowingly commits a significant act of political warfare,
16 as defined in this section.

17 (b) SANCTIONS DESCRIBED.—

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

22 (A) ASSET BLOCKING.—The President
23 shall exercise of all powers granted to the Presi-
24 dent by the International Emergency Economic
25 Powers Act (50 U.S.C. 1701 et seq.) to the ex-

1 tent necessary to block and prohibit all trans-
2 actions in property and interests in property of
3 the foreign person if such property and inter-
4 ests in property are in the United States, come
5 within the United States, or are or come within
6 the possession or control of a United States
7 person.

8 (B) INADMISSIBILITY OF CERTAIN INDIVIDUALS.—
9

10 (i) INELIGIBILITY FOR VISAS, ADMIS-
11 SION, OR PAROLE.—In the case of a for-
12 eign person who is an individual, the for-
13 eign person is—

14 (I) inadmissible to the United
15 States;

16 (II) ineligible to receive a visa or
17 other documentation to enter the
18 United States; and

19 (III) otherwise ineligible to be
20 admitted or paroled into the United
21 States or to receive any other benefit
22 under the Immigration and Nation-
23 ality Act (8 U.S.C. 1101 et seq.).

24 (ii) CURRENT VISAS REVOKED.—

1 (I) IN GENERAL.—In the case of
2 a foreign person who is an individual,
3 the visa or other documentation
4 issued to the person shall be revoked,
5 regardless of when such visa or other
6 documentation is or was issued.

7 (II) EFFECT OF REVOCATION.—
8 A revocation under subclause (I)
9 shall—

10 (aa) take effect immediately;

11 and

12 (bb) automatically cancel
13 any other valid visa or entry doc-
14 umentation that is in the per-
15 son's possession.

16 (2) PENALTIES.—A person that violates, at-
17 tempts to violate, conspires to violate, or causes a
18 violation of any regulation, license, or order issued
19 to carry out paragraph (1)(A) shall be subject to the
20 penalties set forth in subsections (b) and (c) of sec-
21 tion 206 of the International Emergency Economic
22 Powers Act (50 U.S.C. 1705) to the same extent as
23 a person that commits an unlawful act described in
24 subsection (a) of that section.

1 (3) EXCEPTION TO COMPLY WITH UNITED NA-
2 TIONS HEADQUARTERS AGREEMENT.—Sanctions
3 under paragraph (1)(B) shall not apply to a foreign
4 person who is an individual if admitting the person
5 into the United States is necessary to permit the
6 United States to comply with the Agreement regard-
7 ing the Headquarters of the United Nations, signed
8 at Lake Success June 26, 1947, and entered into
9 force November 21, 1947, between the United Na-
10 tions and the United States, or other applicable
11 international obligations.

12 (c) WAIVER.—The President may, on a case-by-case
13 basis and for periods not to exceed 180 days, waive the
14 application of sanctions imposed with respect to a foreign
15 person under this section if the President certifies to the
16 appropriate congressional committees not later than 15
17 days before such waiver is to take effect that the waiver
18 is vital to the national security interests of the United
19 States.

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

25 (e) REGULATORY AUTHORITY.—

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

5 (2) NOTIFICATION TO CONGRESS.—Not less
6 than 10 days before the promulgation of regulations
7 under paragraph (1), the President shall notify and
8 provide to the appropriate congressional committees
9 the proposed regulations and an identification of the
10 provisions of this section that the regulations are im-
11 plementing.

12 (f) DEFINITIONS.—In this section:

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

17 (2) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

20 (A) the Committee on Foreign Affairs, the
21 Committee on the Judiciary, the Committee on
22 Ways and Means, and the Committee on Finan-
23 cial Services of the House of Representatives;
24 and

1 (B) the Committee on Foreign Relations,
2 the Committee on the Judiciary, the Committee
3 on Finance, and the Committee on Banking,
4 Housing, and Urban Affairs of the Senate.

5 (3) FOREIGN PERSON.—The term “foreign per-
6 son” means a person that is not a United States
7 person.

8 (4) KNOWINGLY.—The term “knowingly”, with
9 respect to conduct, a circumstance, or a result,
10 means that a person has actual knowledge, or should
11 have known, of the conduct, the circumstance, or the
12 result.

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

15 (6) POLITICAL WARFARE.—The term “political
16 warfare” means any act which—

17 (A) is engaged in by a person that is inten-
18 tionally acting as an agent of a government of
19 a foreign country or foreign political party; and

20 (B) seeks to influence political, diplomatic,
21 economic, or educational activities in the United
22 States for the purpose of harming the national
23 security or defense of the United States or the
24 safety and security of any United States citizen

1 or alien lawfully admitted for permanent resi-
2 dence, to include but not limited to—

3 (i) spreading propaganda on behalf of
4 the government of a foreign country or a
5 foreign political party;

6 (ii) attempting to recruit persons to
7 participate in activities controlled by or co-
8 ordinated by the United Front Work De-
9 partment of the Chinese Communist Party;

10 (iii) disrupting activities in the United
11 States that a government of a foreign
12 country or foreign political party may op-
13 pose and in which participating persons
14 are exercising their rights protected under
15 the Constitution and laws of the United
16 States; and

17 (iv) attempting by means of intimidat-
18 ion, coercion, or threats to prevent per-
19 sons in the United States from engaging in
20 actions that a government of a foreign
21 country or foreign political party may op-
22 pose.

23 (7) PROPERTY; INTEREST IN PROPERTY.—The
24 terms “property” and “interest in property” have
25 the meanings given the terms “property” and “prop-

1 erty interest”, respectively, in section 576.312 of
2 title 31, Code of Federal Regulations, as in effect on
3 the day before the date of the enactment of this Act.

4 (8) UNITED STATES PERSON.—The term
5 “United States person” means—

6 (A) an individual who is a United States
7 citizen or an alien lawfully admitted for perma-
8 nent residence to the United States;

9 (B) an entity organized under the laws of
10 the United States or any jurisdiction within the
11 United States, including a foreign branch of
12 such an entity; or

13 (C) any person in the United States.

14 (g) SUNSET.—

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

17 (2) INAPPLICABILITY.—Paragraph (1) shall not
18 apply with respect to sanctions imposed with respect
19 to a foreign person under this section before Janu-
20 ary 1, 2025.

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

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

13 (1) section 3 of this Act;

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

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

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

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

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

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

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