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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 SENATE OF THE UNITED STATES

FEBRUARY 24, 2021

Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Countering Chinese
5 Propaganda 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, malign disinformation, utilizing the Chinese
26 diaspora abroad, and infiltration of educational insti-

1 tutions all with the goal of softening opposition to
2 the Chinese Communist Party and its policies
3 throughout the world.

4 (6) The United Front Work Department played
5 a seminal role in coordinating multifaceted
6 disinformation campaigns to blame the United
7 States for the spread of the Coronavirus Disease
8 2019 (commonly referred to as “COVID–19”) pan-
9 demic and coverup the People’s Republic of China’s
10 negligent response to the pandemic.

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

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

22 (9) In February 2020, The Global Times, a site
23 run by the Chinese Communist Party’s People’s
24 Daily newspaper, alleged that COVID–19 was
25 brought to the People’s Republic of China from a

1 United States military base during the World
2 Games.

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

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

20 (12) Recognizing the threat of the United
21 Front Work Department, on December 4, 2020,
22 former Secretary of State Mike Pompeo imposed
23 visa restrictions on individuals activated in United
24 Front Work Department activities under section
25 212(a)(3)(C) of the Immigration and Nationality

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

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

16 (a) IMPOSITION OF SANCTIONS.—The President shall
17 impose the sanctions described in subsection (b) with re-
18 spect to any foreign person that the President determines
19 knowingly commits a significant act of malign
20 disinformation on behalf of the government of a foreign
21 country or foreign political party that has the direct pur-
22 pose or effect of influencing political, diplomatic, or edu-
23 cational activities in the United States for the purpose of
24 harming—

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

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

6 (b) SANCTIONS DESCRIBED.—

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

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

22 (B) INADMISSIBILITY OF CERTAIN INDI-
23 VIDUALS.—

24 (i) INELIGIBILITY FOR VISAS, ADMIS-
25 SION, OR PAROLE.—In the case of a for-

1 eign person who is an individual, the for-
2 eign person is—

3 (I) inadmissible to the United
4 States;

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

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

13 (ii) CURRENT VISAS REVOKED.—

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

20 (II) EFFECT OF REVOCATION.—
21 A revocation under subclause (I)
22 shall—

23 (aa) take effect immediately;

24 and

1 (bb) automatically cancel
2 any other valid visa or entry doc-
3 umentation that is in the per-
4 son's possession.

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

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

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

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

14 (e) REGULATORY AUTHORITY.—

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

19 (2) NOTIFICATION TO CONGRESS.—Not less
20 than 10 days before the promulgation of regulations
21 under paragraph (1), the President shall notify and
22 provide to the appropriate congressional committees
23 the proposed regulations and an identification of the
24 provisions of this section that the regulations are im-
25 plementing.

1 (f) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

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

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

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

18 (C) any person in the United States.

19 (g) SUNSET.—

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

22 (2) INAPPLICABILITY.—Paragraph (1) shall not
23 apply with respect to sanctions imposed with respect
24 to a foreign person under this section before Janu-
25 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.

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