

116TH CONGRESS
2D SESSION

S. 3802

To require the imposition of sanctions with respect to censorship and related activities against citizens of the People's Republic of China.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2020

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

A BILL

To require the imposition of sanctions with respect to censorship and related activities against citizens of the People's Republic of China.

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 “Ending Medical Cen-
5 sorship and Cover Ups in China Act of 2020”.

1 **SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO CEN-**
2 **SORSHIP AND RELATED ACTIVITIES AGAINST**
3 **CITIZENS OF THE PEOPLE’S REPUBLIC OF**
4 **CHINA.**

5 (a) IN GENERAL.—The President shall impose the
6 sanctions described in subsection (c) with respect to each
7 person on the list required by subsection (b).

8 (b) LIST REQUIRED.—

9 (1) IN GENERAL.—Not later than 90 days after
10 the date of the enactment of this Act, the President
11 shall submit to the appropriate congressional com-
12 mittees a list of persons that the President deter-
13 mines have, on or after such date of enactment, en-
14 gaged in censorship or other activities with respect
15 to the People’s Republic of China that—

16 (A) prohibit, limit, or penalize the exercise
17 of freedom of expression or assembly by citizens
18 of the People’s Republic of China, including
19 prohibitions, limitations, or penalties related to
20 the use of social media;

21 (B) penalize citizens of the People’s Re-
22 public of China for the public dissemination of
23 accurate epidemiological information, including
24 information related to emerging diseases or
25 pathogens; or

1 (C) limit access to print, broadcast, digital,
2 or social media.

3 (2) UPDATES OF LIST.—The President shall
4 submit to the appropriate congressional committees
5 an updated list under paragraph (1) not less fre-
6 quently than annually and as new information be-
7 comes available.

8 (3) FORM OF REPORT; PUBLIC AVAILABILITY.—

9 (A) FORM.—Each list required by this
10 subsection shall be submitted in unclassified
11 form but may include a classified annex.

12 (B) PUBLIC AVAILABILITY.—The unclassi-
13 fied portion of a list required by this subsection
14 shall be posted on publicly available websites of
15 the Department of the Treasury and the De-
16 partment of State.

17 (c) SANCTIONS DESCRIBED.—

18 (1) IN GENERAL.—The sanctions described in
19 this subsection are the following:

20 (A) PROPERTY BLOCKING.—The President
21 shall, pursuant to the International Emergency
22 Economic Powers Act (50 U.S.C. 1701 et seq.),
23 block and prohibit all transactions in property
24 and interests in property of a person on the list
25 required by subsection (b) if such property and

1 interests in property are in the United States,
2 come within the United States, or are or come
3 within the possession or control of a United
4 States person.

5 (B) ALIENS INELIGIBLE FOR VISAS, AD-
6 MISSION, OR PAROLE.—

7 (i) EXCLUSION FROM THE UNITED
8 STATES.—The Secretary of State shall
9 deny a visa to, and the Secretary of Home-
10 land Security shall exclude from the
11 United States, any alien on the list re-
12 quired by subsection (b).

13 (ii) CURRENT VISAS REVOKED.—

14 (I) IN GENERAL.—The issuing
15 consular officer, the Secretary of
16 State, or the Secretary of Homeland
17 Security (or a designee of any such
18 officer or Secretary) shall revoke any
19 visa or other entry documentation
20 issued to an alien on the list required
21 by subsection (b), regardless of when
22 the visa or other documentation was
23 issued.

24 (II) EFFECT OF REVOCATION.—

25 A revocation under subclause (I) shall

1 take effect immediately and shall
2 automatically cancel any other valid
3 visa or entry documentation that is in
4 the alien's possession.

5 (2) INAPPLICABILITY OF NATIONAL EMER-
6 GENCY REQUIREMENT.—The requirements under
7 section 202 of the International Emergency Eco-
8 nomic Powers Act (50 U.S.C. 1701) shall not apply
9 for purposes of paragraph (1)(A).

10 (d) EXCEPTIONS.—

11 (1) INTELLIGENCE ACTIVITIES.—This section
12 shall not apply with respect to activities subject to
13 the reporting requirements under title V of the Na-
14 tional Security Act of 1947 (50 U.S.C. 3091 et seq.)
15 or any authorized intelligence activities of the United
16 States.

17 (2) COMPLIANCE WITH UNITED NATIONS HEAD-
18 QUARTERS AGREEMENT.—Subsection (c)(1)(B) shall
19 not apply with respect to the admission of an alien
20 to the United States if such admission is necessary
21 to comply with United States obligations under the
22 Agreement between the United Nations and the
23 United States of America regarding the Head-
24 quarters of the United Nations, signed at Lake Suc-
25 cess June 26, 1947, and entered into force Novem-

ber 21, 1947, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international obligations.

(e) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (c)(1)(A) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(f) DEFINITIONS.—In this section:

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

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

4 (A) the Committee on Foreign Relations,
5 the Committee on Banking, Housing, and
6 Urban Affairs, the Committee on Finance, and
7 the Committee on Commerce, Science, and
8 Transportation of the Senate; and

9 (B) the Committee on Foreign Affairs, the
10 Committee on Financial Services, the Com-
11 mittee on Ways and Means, and the Committee
12 on Science, Space, and Technology of the
13 House of Representatives.

14 (3) UNITED STATES PERSON.—The term
15 “United States person” means—

16 (A) a United States citizen or an alien law-
17 fully admitted to the United States for perma-
18 nent residence; or

19 (B) an entity organized under the laws of
20 the United States or any jurisdiction within the
21 United States.

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