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To require an unclassified interagency report on the political influence operations of the Government of China and the Communist Party of China with respect to the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2019

Mr. RUBIO (for himself, Ms. CORTEZ MASTO, Mr. GARDNER, Mr. MARKEY, Mr. CORNYN, and Mr. COTTON) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require an unclassified interagency report on the political influence operations of the Government of China and the Communist Party of China with respect to the United States, and for other purposes.

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 the Chinese
5 Government and Communist Party’s Political Influence
6 Operations Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

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

4 (A) the Committee on Appropriations of
5 the Senate;

6 (B) the Committee on Armed Services of
7 the Senate;

8 (C) the Committee on Foreign Relations of
9 the Senate;

10 (D) the Committee on Health, Education,
11 Labor, and Pensions of the Senate;

12 (E) the Committee on the Judiciary of the
13 Senate;

14 (F) the Select Committee on Intelligence of
15 the Senate;

16 (G) the Committee on Banking, Housing,
17 and Urban Affairs of the Senate;

18 (H) the Committee on Appropriations of
19 the House of Representatives;

20 (I) the Committee on Armed Services of
21 the House of Representatives;

22 (J) the Committee on Education and
23 Labor of the House of Representatives;

24 (K) the Committee on Foreign Affairs of
25 the House of Representatives;

1 (L) the Committee on the Judiciary of the
2 House of Representatives;

3 (M) the Permanent Select Committee on
4 Intelligence of the House of Representatives;
5 and

6 (N) the Committee on Financial Services
7 of the House of Representatives.

8 (2) POLITICAL INFLUENCE OPERATIONS.—The
9 term “political influence operations” means the co-
10 ordinated and often concealed application of disin-
11 formation, press manipulation, economic coercion,
12 targeted investments, corruption, or academic cen-
13 sorship. Such efforts are often intended—

14 (A) to coerce and corrupt United States in-
15 terests, values, institutions, or individuals; and

16 (B) to foster attitudes, behavior, decisions,
17 or outcomes in the United States that support
18 the interests of the Government of the People’s
19 Republic of China or the Communist Party of
20 China.

21 **SEC. 3. STATEMENT OF POLICY.**

22 (a) FINDINGS.—Congress finds the following:

23 (1) The Government of China and the Com-
24 munist Party of China employ a wide range of polit-
25 ical, informational, and economic measures to influ-

1 ence, coerce, intimidate, or undermine the United
2 States interests or the interests of United States
3 partners and allies.

4 (2) The December 2017 National Security
5 Strategy of the United States of America states,
6 “Although the United States seeks to continue to co-
7 operate with China, China is using economic induce-
8 ments and penalties, influence operations, and im-
9 plied military threats to persuade other states to
10 heed its political and security agenda.”.

11 (3) The political influence operations efforts of
12 the Government of China and the Communist Party
13 of China have received less scrutiny than similar ef-
14 forts of the Government of the Russian Federation,
15 but given China’s economic strength and the grow-
16 ing apparatus being used to spread its influence
17 globally, efforts to promote its authoritarian ideal
18 pose significant and consequential long-term chal-
19 lenges to United States interests and values.

20 (4) The Government of China and the Com-
21 munist Party of China use overt and covert means
22 to target the political and economic elite, the media
23 and public opinion, civil society and academia, and
24 members of the Chinese diaspora.

1 (5) The Government of China and the Com-
2 munist Party of China employ an array of govern-
3 ment entities, friendship and exchange organiza-
4 tions, private entities and businesspeople, and gov-
5 ernment-funded foundations, think tanks, edu-
6 cational and other projects to carry out political in-
7 fluence operations, which is often referred to as
8 united front work.

9 (6) These political influence operations violate
10 national sovereignty, and as such, are fundamentally
11 different from traditional efforts by states to shape
12 international policy debates and improve their public
13 image through public diplomacy and strategic com-
14 munications campaigns.

15 (7) The aims of the political influence oper-
16 ations of the Government of China and the Com-
17 munist Party of China are—

18 (A) to protect the political security of the
19 Chinese Communist Party, both within China
20 and globally;

21 (B) to domestically and globally promote
22 the idea that the Chinese Communist Party's
23 political and economic model is superior to the
24 governments of Western democracies;

1 (C) to promote the interests of the regime
 2 globally; and

3 (D) to weaken Western alliances and part-
 4 nerships.

5 (8) The political influence operations of the
 6 Government of China and the Communist Party of
 7 China take advantage of the open and democratic
 8 nature of the United States, including—

9 (A) constitutional protections for free
 10 speech and a free press; and

11 (B) the desire of some individuals or insti-
 12 tutions to attract Chinese investment, gain ac-
 13 cess to Chinese markets, or attain greater glob-
 14 al influence.

15 (b) SENSE OF CONGRESS.—It is the sense of Con-
 16 gress that—

17 (1) the political influence operations of the Gov-
 18 ernment of China and the Communist Party of
 19 China are not “soft power” intended to persuade,
 20 but “sharp power” intended—

21 (A) to penetrate or corrupt democratic
 22 countries and undermine democratic institu-
 23 tions and freedoms;

24 (B) to foster attitudes, behavior, laws, and
 25 policies favorable to the Government of China’s

1 interest through disinformation, coercion, cor-
2 ruption, and other means;

3 (C) to widen the scope of Chinese authori-
4 tarian influence around the world, including—

5 (i) to suppress political opposition to
6 the Chinese Communist Party; and

7 (ii) to violate the internationally rec-
8 ognized human and civil rights of Chinese
9 citizens living in nations around the world;
10 and

11 (D) to undermine the strength of American
12 alliances around the world; and

13 (2) the American people need reliable and cur-
14 rent information—

15 (A) to identify the key institutions, individ-
16 uals, entities, and ministries that carry out such
17 operations; and

18 (B) to distinguish between malign political
19 influence operations intended to undermine core
20 American freedoms, democratic institutions,
21 and cultural, educational, business, and people-
22 to-people exchanges that may benefit the
23 United States and China.

24 (c) STATEMENT OF POLICY.—It is the policy of the
25 United States—

1 (1) to clearly differentiate between the Chinese
2 people and culture and the Government of China
3 and the Communist Party of China in official state-
4 ments, media, and messaging;

5 (2) to clearly differentiate between legal, inter-
6 nationally accepted public diplomacy and strategic
7 communications campaigns and illicit activities to
8 undermine democratic institutions or freedoms;

9 (3) to protect United States citizens and legal
10 residents from malign or coercive political influence
11 operations;

12 (4) to enhance cooperation and coordination
13 with Australia, Canada, New Zealand, and Taiwan
14 (officially known as the “Republic of China”), whose
15 governments and institutions have faced acute pres-
16 sure from the political influence operations of the
17 Government of China and the Communist Party of
18 China, and with other allies throughout the world;

19 (5) to create strategies to ensure that countries
20 in Africa, the Western Hemisphere, Southeast Asia,
21 and elsewhere are aware of China’s “sharp power”
22 and provide needed capacity to counter them effec-
23 tively;

24 (6) to implement more advanced transparency
25 requirements concerning collaboration with Chinese

1 actors for media agencies, universities, think tanks,
2 and government officials;

3 (7) to use various forums to raise awareness
4 about—

5 (A) the goals and methods of the political
6 influence operations of the Government of
7 China and the Communist Party of China; and

8 (B) common patterns and approaches used
9 by Chinese intelligence agencies or related ac-
10 tors;

11 (8) to require greater transparency for Confu-
12 cius Institutes, think tanks, academic programs, and
13 nongovernmental organizations funded primarily by
14 the Government of China, the Communist Party of
15 China, or by individuals or public or private organi-
16 zations with a demonstrable affiliation with the Gov-
17 ernment of China or the Communist Party of China
18 that are operating in the United States to register
19 through the Foreign Agents Registration Act of
20 1938 (22 U.S.C. 611 et seq.) or a comparable mech-
21 anism;

22 (9) to seek ways to increase Chinese language
23 proficiency among mid-career professionals that do
24 not rely on funding linked to the Government of
25 China;

1 (10) to ensure that existing tools are suffi-
 2 ciently screening for the risk of Chinese influence
 3 operations; and

4 (11) to create more flexible tools, as needed,
 5 with the goals of—

6 (A) screening investments from the Gov-
 7 ernment of China or sources backed by the
 8 Government of China to protect against the
 9 takeover of United States companies by Chinese
 10 state-owned or state-driven entities; and

11 (B) protecting institutions or business sec-
 12 tors critically important to United States na-
 13 tional security and the viability of democratic
 14 institutions.

15 **SEC. 4. STRATEGY TO COUNTER “SHARP POWER” POLIT-**
 16 **ICAL INFLUENCE OPERATIONS AND TO PRO-**
 17 **TECT UNITED STATES CITIZENS.**

18 (a) IN GENERAL.—The Secretary of State and the
 19 Secretary of Homeland Security, in coordination with all
 20 relevant Federal agencies shall develop a long-term strat-
 21 egy—

22 (1) to carry out the policy statements set forth
 23 in section 3(c);

1 (2) to effectively counter the “sharp power” po-
2 litical influence operations of the Chinese Com-
3 munist Party globally and in the United States;

4 (3) to ensure that United States citizens, par-
5 ticularly Chinese Americans and members of the
6 Chinese, Uyghur, and Tibetan diaspora who are
7 often the victims and primary targets of malign po-
8 litical influence operations, are protected;

9 (4) to ensure that—

10 (A) the United States Government strategy
11 to protect the communities described in para-
12 graph (3) is clearly communicated by relevant
13 Federal officials; and

14 (B) secure outlets are created for reporting
15 on intimidation and surveillance;

16 (5) to ensure that Chinese nationals who are le-
17 gally studying, living, or working temporarily in the
18 United States know that intimidation or surveillance
19 by the Government of China and the Communist
20 Party of China is an unacceptable invasion of their
21 rights while they reside in the United States; and

22 (6) to provide secure outlets for reporting on in-
23 timidation and surveillance.

1 (b) REPORT.—Not later than 180 days after the date
 2 of the enactment of this Act, the Secretary of State, or
 3 an appropriate high-ranking official, shall—

4 (1) submit an unclassified report containing the
 5 strategy required under subsection (a) to the appro-
 6 priate congressional committees; or

7 (2) describe the strategy required under sub-
 8 section (a) through unclassified testimony before the
 9 Committee on Foreign Relations of the Senate or
 10 the Committee on Foreign Affairs of the House of
 11 Representatives.

12 **SEC. 5. REPORT ON THE POLITICAL INFLUENCE OPER-**
 13 **ATIONS OF THE GOVERNMENT OF CHINA AND**
 14 **THE COMMUNIST PARTY OF CHINA.**

15 (a) IN GENERAL.—Because it is important for Amer-
 16 ican policymakers and the American people to be informed
 17 about the influence operations described in section 3, not
 18 later than 270 days after the date of the enactment of
 19 this Act, the Secretary of State, in coordination with the
 20 Director of National Intelligence, and in consultation with
 21 the heads of relevant Federal departments and agencies,
 22 shall submit an unclassified report to the appropriate con-
 23 gressional committees that describes the political influence
 24 operations of the Government of China and the Com-
 25 munist Party of China affecting the United States and

1 not more than 5 allies and partners most impacted by the
2 Government of China's influence operations in their coun-
3 tries (as determined by the Director of National Intel-
4 ligence), including efforts—

5 (1) to exert influence over United States gov-
6 ernmental or nongovernmental institutions or indi-
7 viduals, or government officials among United States
8 allies and partners;

9 (2) to coerce or threaten United States citizens
10 or legal permanent residents or their families and
11 associates living in China or elsewhere;

12 (3) to undermine democratic institutions and
13 the freedoms of speech, expression, the press, asso-
14 ciation, assembly, religion, or academic thought;

15 (4) to otherwise suppress information in public
16 fora, in the United States and abroad; or

17 (5) to develop or obtain property, facilities, in-
18 frastructure, business entities, or other assets for
19 use in facilitating the activities described in para-
20 graphs (1) through (4).

21 (b) CONTENTS.—The report required under sub-
22 section (a) shall also include recommendations for the
23 President and Congress relating to—

24 (1) the need for additional resources or authori-
25 ties to counter political influence operations in the

1 United States directed by the Government of China
2 or the Communist Party of China, including oper-
3 ations carried out in concert with allies;

4 (2) whether a permanent office to monitor and
5 respond to political influence operations of the Gov-
6 ernment of China and the Communist Party of
7 China should be established within the Department
8 of State or the Office of the Director of National In-
9 telligence; and

10 (3) whether regular public reports on the polit-
11 ical influence operations of the Government of China
12 and the Communist Party of China are needed to in-
13 form Congress and the American people of the scale
14 and scope of such operations.

15 **SEC. 6. ASIA REASSURANCE INITIATIVE ACT OF 2018 IMPLE-**
16 **MENTATION.**

17 The Secretary of State, in consultation with relevant
18 United States Government agencies and the appropriate
19 congressional committees, is encouraged to fully imple-
20 ment section 201(c) of the Asia Reassurance Initiative Act
21 of 2018 (Public Law 115–409) with regard to United
22 States Government efforts to counter the strategic influ-
23 ence of the People’s Republic of China.

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