

SANCTIONING TYRANNICAL AND OPPRESSIVE PEOPLE
WITHIN THE CHINESE COMMUNIST PARTY ACT

SEPTEMBER 12, 2024.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. MCCAUL, from the Committee on Foreign Affairs,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 3334]

[Including cost estimate of the Congressional Budget Office]

The Committee on Foreign Affairs, to whom was referred the bill (H.R. 3334) to provide for the imposition of sanctions on members of the National Communist Party Congress of the People's Republic of China, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

CONTENTS

	Page
Summary and Purpose	5
Hearings	5
Committee Consideration and Votes	6
Oversight Findings and Recommendations	6
New Budget Authority, Tax Expenditures, and Federal Mandates	7
Congressional Budget Office Cost Estimate	7
Committee Cost Estimate	8
Federal Mandates	8
Non-Duplication of Federal Programs	8
Performance Goals and Objectives	9
Congressional Accountability Act	9
New Advisory Committees	9
Earmark Identification	9
Section-By-Section Analysis	9
Changes in Existing Law	10
Dissenting Views	11

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sanctioning Tyrannical and Oppressive People with- in the Chinese Communist Party Act” or the “STOP CCP Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Hong Kong National Security Law promulgated on July 1, 2020—

(A) contravenes the Basic Law of the Hong Kong Special Administrative Region that provides in Article 23 that the Legislative Council of Hong Kong shall enact legislation related to national security;

(B) violates the People’s Republic of China’s commitments under inter- national law, as defined by the Joint Declaration; and

(C) causes severe and irreparable damage to the “one country, two sys- tems” principle and further erodes global confidence in the People’s Repub- lic of China’s commitment to international law.

(2) Repression of ethnic Muslim minorities in the Xinjiang Uyghur Autono- mous Region of the People’s Republic of China has been ongoing, and was for- malized with the “Strike Hard Campaign against Violent Terrorism” that began in 2014.

(3) The mass internment of Uyghur and other Muslim ethnic minorities in the Xinjiang Uyghur Autonomous Region has been ongoing since April 2017.

(4) The People’s Republic of China has conducted a targeted and systemic population-control campaign against ethnic and religious minorities in the Xinjiang Uyghur Autonomous Region by imposing and implementing coercive population-control practices, including selectively enforcing birth quotas, tar- geting minority women who are in noncompliance with birth quotas, and sub- jecting women to coercive measures such as forced birth control, forced steriliza- tion, and forced abortion.

(5) On October 6, 2020, 39 countries delivered a cross-regional joint statement to the United States Mission to the United Nations on the human rights abuses on Uyghurs and other minorities for forced birth control including sterilization.

(6) On January 19, 2021, the Department of State determined that the Peo- ple’s Republic of China committed crimes against humanity and genocide against Uyghurs and other ethnic and religious minority groups in the Xinjiang Uyghur Autonomous Region, citing forced sterilizations, forced abortions, coer- ced marriages, and separation of Uyghur children from their families.

(7) The Department of State’s 2020 Country Reports on Human Rights Prac- tices affirmed the genocide determination and noted coercive population control measures inflicted on ethnic and religious minority women in China, including forced injections with “drugs that cause temporary or permanent end to their menstrual cycles and fertility”.

(8) The United States ratified the United Nations Convention on the Preven- tion and Punishment of Genocide in 1988, recognizing that “imposing measures intended to prevent births within the group” with intent to destroy a group in whole or part is an act that constitutes genocide.

(9) Taiwan is a free and prosperous democracy of nearly 24,000,000 people and an important contributor to peace and stability around the world.

(10) Section 2(b) of the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301(b)) states that it is the policy of the United States—

(A) “to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan, as well as the people on the China mainland and all other peoples of the Western Pacific area”;

(B) “to declare that peace and stability in the area are in the political, security, and economic interests of the United States, and are matters of international concern”;

(C) “to make clear that the United States decision to establish diplomatic relations with the People’s Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means”;

(D) “to consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States”;

(E) “to provide Taiwan with arms of a defensive character”; and

(F) “to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan”.

(11) Since the election of President Tsai Ing-wen as President of Taiwan in 2016, the Government of the People’s Republic of China has intensified its efforts to pressure Taiwan through diplomatic isolation and military provocations.

(12) The rapid modernization of the People’s Liberation Army and recent military maneuvers in and around the Taiwan Strait illustrate a clear threat to Taiwan’s security.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that members of the Chinese Communist Party, led by General Secretary Xi Jinping, are responsible for violations of Hong Kong’s autonomy, increased aggression against the people of Taiwan, numerous human rights violations against the people of Hong Kong and the people of Taiwan, and acts of repression and genocide against Uyghur Muslims in the Xinjiang Uyghur Autonomous Region.

SEC. 4. IMPOSITION OF SANCTIONS ON MEMBERS OF THE CENTRAL COMMITTEE OF THE CHINESE COMMUNIST PARTY.

(a) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (c) with respect to—

(1) each person who is a member of the Central Committee of the Chinese Communist Party that the President determines engages in the conduct described in subsection (b);

(2) each person who is a member of any successor organization of the Central Committee of the Chinese Communist Party that the President determines engages in the conduct described in subsection (b), in the event that the Central Committee is dissolved; and

(3) each person who is an adult family member, including a spouse or an adult family member of the spouse, of a person described in paragraph (1) or paragraph (2).

(b) **SANCTIONABLE CONDUCT.**—A person engages in the conduct described by this subsection if the person plays a significant role in the development or implementation of government policies or laws that the President determines appear designed to—

(1) violate the autonomy of Hong Kong;

(2) harass, intimidate, or result in increased aggression towards the people of Taiwan; or

(3) contribute to political oppression or violation of human rights of individuals or societal groups within the People’s Republic of China, including Uyghur Muslims.

(c) **SANCTIONS DESCRIBED.**—

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

(A) **BLOCKING OF PROPERTY.**—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) **ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.**—

(i) **VISAS, ADMISSION, OR PAROLE.**—An alien who the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reason to believe, is described in subsection (a) is—

(I) inadmissible to the United States;

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

(III) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(ii) **CURRENT VISAS REVOKED.**—

(I) **IN GENERAL.**—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), revoke any visa or other entry documentation issued to an alien described in

clause (i) regardless of when the visa or other entry documentation is issued.

(II) EFFECT OF REVOCATION.—A revocation under subclause (I) shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(2) EXCEPTIONS.—

(A) UNITED NATIONS HEADQUARTERS AGREEMENT.—The sanctions described in paragraph (1)(B) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(B) EXCEPTION FOR INTELLIGENCE, LAW ENFORCEMENT, AND NATIONAL SECURITY ACTIVITIES.—Sanctions under paragraph (1) shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(d) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations promulgated to carry out this section or the sanctions imposed pursuant to this section to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

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

(f) REGULATORY AUTHORITY.—The President shall, not later than 30 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this section.

(g) WAIVER.—The President may, for one or more periods of not more than 60 days each, waive the application of sanctions or restrictions imposed with respect to a foreign person under this section if the President certifies to the appropriate congressional committees, not later than 15 days before such waiver takes effect, that the waiver is vital to the national security interests of the United States.

(h) TERMINATION.—The President may terminate any sanctions imposed under subsection (a) not fewer than 15 days after the date on which the President provides a written certification to the appropriate congressional committees, and concurrently publishes on a publicly available website of the Federal Government, that—

(1) the People's Republic of China and the Chinese Communist Party have—

(A) ceased the genocide of the Uyghur Muslim population, including verifiably shutting down all internment camps of Uyghurs and ending the practice of facilitating or supporting Uyghur forced labor and forced sterilization;

(B) ceased all forms of threats, military exercises, and aggression toward Taiwan, including through verifiably, and for at least a period of one year, having not conducted any breach of Taiwan's air space, territorial waters, or land mass, by any military or intelligence personnel associated with the People's Republic of China or the Chinese Communist Party, or any agency or instrumentality thereof;

(C) ceased the undermining of the autonomy of Hong Kong, including through respecting the terms of the Sino-British Joint Declaration, and reversing all steps taken to interfere with the democratic process and governance of Hong Kong; and

(D) ceased efforts to steal the intellectual property of United States persons; or

(2) the sanctioned person has—

(A) affirmatively renounced membership in the Chinese Communist Party; and

(B) taken affirmative steps to denounce or remediate the conduct forming the basis for imposition of the sanction.

(i) SUNSET OF WAIVER AND LICENSE AUTHORITIES.—The President's authority to issue waivers or licenses with respect to sanctions required by subsection (a), including pursuant to sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704), shall terminate on the date that is 2 years after the date of the enactment of this Act.

(j) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

- (1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and
- (2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SUMMARY AND PURPOSE

The Chinese Communist Party (CCP) is responsible for egregious, widespread, and continuing abuses of fundamental human rights and threats to international security, including but not limited to: genocidal repression and crimes against humanity committed against Uyghurs and other ethnic and religious minority groups in the Xinjiang Uyghur Autonomous Region; severe political repression in Hong Kong, in violation of the People’s Republic of China’s prior international commitments; and an increasingly aggressive and threatening posture toward Taiwan, including military provocations and attempts at diplomatic isolation.

H.R. 3334, the Sanction Tyrannical and Oppressive People within the Chinese Communist Party or “STOP CCP” Act of 2024, requires the imposition of financial and visa sanctions on members of the Central Committee of the Chinese Communist Party, their spouses, and their adult family members who implement, design, or approve policies or laws that are designed to violate the autonomy of Hong Kong, intimidate Taiwan, or contribute to political oppression or violation of human rights within the People’s Republic of China. These sanctions may only be relaxed when the PRC ceases its aggressive behavior towards Taiwan and its political oppression of Hong Kong and ethnic minority groups, or the sanctioned individual affirmatively renounces his or her membership in the CCP and takes affirmative steps to denounce or remediate the CCP’s oppressive policies.

Despite the CCP’s continuing pattern of human rights abuse, political oppression, and aggression towards Taiwan, the administration has not taken any steps to implement meaningful sanctions tied to those who design and implement those policies. STOP CCP is designed to force implementation of sanctions against those individuals, while providing standard waiver authorities to avoid unintended collateral economic damage.

HEARINGS

In compliance with clause 3(c)(6) of rule XIII of the Rules of the House of Representatives, the Committee held the following hearings related to—and used to develop—the text of H.R. 3334 favorably reported by the Committee:

- The June 27, 2024 hearing of the Subcommittee on the Indo-Pacific titled, “Properly Resourcing the Indo-Pacific in an Era of Great Power Competition” discussed the expanding use of coercion and pressure against Taiwan.
- The May 1, 2024 hearing of the Subcommittee on the Indo-Pacific titled, “From 1979 to 2024: Evaluating the Taiwan Relations Act and Assessing the Future of U.S.–Taiwan Relations” discussed the Taiwan’s free and prosperous democracy and U.S. policy to ensure China is unable to forcibly take over the island through diplomatic isolation and military provocations.

- The March 21, 2024 hearing of the full Committee titled, “Countering China on the World Stage: Empowering American Businesses and Denying Chinese Military Our Technology” discussed the use of American technology in Chinese Communist Party’s military, which is being used to pressure Taiwan and other regional countries.
- The January 17, 2024 hearing of the full Committee titled, “Examining the Flow of U.S. Money into China’s Military Might” discussed the rapid modernization of the People’s Liberation Army using U.S. investment and technology.
- The July 18, 2024 hearing of the Subcommittee on the Indo-Pacific titled, “Achieving Peace through Strength in the Indo-Pacific: Examining the FY24 Budget Priorities” discussed U.S. efforts to address CCP actions and policies that undermine American interests.
- The December 12, 2023 hearing of the Oversight and Accountability Subcommittee titled, “Reviewing the Bureau of Industry and Security, Part II: U.S. Export Controls in an Era of Strategic Competition” discussed the CCP’s use of genetic data to carry out a genocide of the Uyghurs in Xinjiang.
- The February 28, 2023 hearing of the full Committee titled, “Combatting the Generational Challenge of CCP Aggression” discussed the Chinese Communist Party’s aggression against democratic values and human rights, including in Hong Kong and Xinjiang.

COMMITTEE CONSIDERATION AND VOTES

The Committee considered H.R. 3334 pursuant to notice, in open session, at a markup on March 20 21, 2024. An amendment in the nature of a substitute offered by Rep. Barr was adopted by voice vote. The bill, as amended, was ordered favorably reported to the House by a vote of 28 Ayes to 22 Noes.

- Ayes (28): McCaul, Smith, Wilson, Perry, Issa, Wagner, Mast, Buck, Burchett, Green, Barr, Ronny Jackson (TX), Young Kim (CA), Salazar, Huizenga, Radewagen, Hill, Baird, Waltz, Kean, Lawler, Mills, McCormick, Moran, James, Self, Wild, Allred.
- Noes (22): Meeks, Sherman, Connolly, Keating, Bera, Castro, Titus, Lieu, Phillips, Andy Kim (NJ), Jacobs, Manning, Cherfilus-McCormick, Stanton, Dean, Moskowitz, Jonathan Jackson (IL), Kamlager-Dove, Costa, Crow, Amo, Schneider.

OVERSIGHT FINDINGS AND RECOMMENDATIONS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the House of Representatives, are incorporated in the “Summary and Purpose” section of this report, above.

NEW BUDGET AUTHORITY, TAX EXPENDITURES, AND FEDERAL
MANDATES

Clause 3(c)(2) of House rule XIII is inapplicable because this bill does not provide new budget authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 3334, Sanctioning Tyrannical and Oppressive People within the Chinese Communist Party Act			
As ordered reported by the House Committee on Foreign Affairs on March 21, 2024			
By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	*	*	*
Revenues	*	*	*
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	*	*	0
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2035?	< \$2.5 billion	Statutory pay-as-you-go procedures apply? Yes	
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	Yes, Under Threshold
* = between -\$500,000 and \$500,000.			

H.R. 3334 would require the Administration to impose sanctions on foreign persons associated with the Chinese Communist Party who significantly contribute to the development or implementation of policies that:

- Restrict the autonomy of Hong Kong,
- Increase aggression towards the people of Taiwan, or
- Violate the human rights or political autonomy of people in China.

The bill also would require the Administration to sanction the adult family members of people sanctioned for the actions listed above.

Within 30 days of enactment, H.R. 3334 would require the Administration to issue regulations to implement the required sanctions. The Administration could waive the required sanctions during the two-year period following enactment after notifying the Congress of its intent to do so.

The Administration has existing authority to sanction foreign persons connected to efforts that violate human rights or disrupt international security. If enactment of the bill leads the Administration to broaden those sanctions, more people would be denied visas by the Department of State, resulting in an insignificant decrease in revenues from fees. Although most visa fees are retained by the Department of State and spent, some collections are deposited into the Treasury as revenues. Denying foreign nationals entry into the United States also would reduce direct spending on federal benefits (emergency Medicaid or federal subsidies for health insur-

ance, for example) for which those people might otherwise be eligible.

In addition, the bill would block transactions involving certain assets and property that are in the United States or that come under the control of people in the United States. People who violate those sanctions would be subject to civil or criminal monetary penalties. Those penalties are recorded as revenues, and a portion can be spent without further appropriation.

Using data about similar sanctions, CBO estimates that any additional sanctions would affect a small number of people; thus, enacting H.R. 3334 would have insignificant effects on revenues and direct spending, and would, on net, reduce deficits by insignificant amounts over the 2024–2034 period.

Based on the cost of regulations and notifications similar to those required by H.R. 3334, CBO estimates that fulfilling those requirements would cost less than \$500,000 over the 2024–2029 period. Such spending would be subject to the availability of appropriated funds.

H.R. 3334 would impose a private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA). Sanctions would prohibit individuals or entities in the United States from engaging in transactions involving assets and property that have been frozen. Those transactions are otherwise permitted under current law. The cost of the mandate would be any income lost because of the prohibition. CBO expects that because a small number of people or entities would be affected, the loss of income from any incremental increase in restrictions imposed by the bill would be small as well. CBO estimates that the cost of the mandate would fall well below the annual threshold established in UMRA for private-sector mandates (\$200 million in 2024, adjusted annually for inflation).

H.R. 3334 contains no intergovernmental mandates as defined in UMRA.

The CBO staff contacts for this estimate are Emma Uebelhor (for federal costs) and Brandon Lever (for mandates). The estimate was reviewed by Christina Hawley Anthony, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the Congressional Budget Office cost estimate on this measure.

FEDERAL MANDATES

The Committee adopts as its own the identification, description, and assessment of federal mandates contained in the Congressional Budget Office cost estimate on this measure.

NON-DUPLICATION OF FEDERAL PROGRAMS

Clause 3(c)(5) of House rule XIII is not applicable to this measure, as it is not a bill or joint resolution that establishes or reauthorizes a federal program.

PERFORMANCE GOALS AND OBJECTIVES

The goal of H.R. 3334 is to ensure that CCP officials who design, approve, or implement policies that cause political oppression are held to personal account via sanctions. This will provide a significant personal incentive for key policymakers in the CCP to remediate those oppressive policies, while also bolstering the global leadership of the United States as a strong supporter of democracy and political freedoms.

CONGRESSIONAL ACCOUNTABILITY ACT

H.R. 3334 does not apply to terms and conditions of employment or to access to public services or accommodations within the legislative branch.

NEW ADVISORY COMMITTEES

H.R. 3334 does not establish or authorize any new advisory committees.

EARMARK IDENTIFICATION

H.R. 3334 contains no congressional earmarks, limited tax benefits, or limited tariff benefits as described in clauses 9(e), 9(f), and 9(g) of House rule XXI.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title. This section identifies the short title as the “Sanction Tyrannical and Oppressive People within the Chinese Communist Party Act” or “STOP CCP Act.”

Section 2. Findings. This section contains findings related to the PRC’s ongoing political oppression of Hong Kong and minority groups and aggression towards Taiwan.

Section 3. Sense of Congress. This section conveys the sense of Congress that members of the Central Committee of the CCP are responsible for the oppressive policies described in section 2.

Section 4. Imposition of sanctions. This section requires the imposition of full financial blocking sanctions and visa sanctions on members of the Central Committee of the Chinese Communist Party, their spouses, and their adult family members who implement, design, or approve policies or laws that are designed to violate the autonomy of Hong Kong, intimidate Taiwan, or contribute to political oppression or violation of human rights within the People’s Republic of China. This section also contains standard exception and waiver provisions to ensure that these sanctions do not inhibit compliance with treaty obligations or cause unintended collateral economic damage to the United States. Finally, this section provides for the criteria under which the sanctions required can be terminated, providing that sanctions may only be terminated when the PRC ceases its aggressive behavior towards Taiwan and its political oppression of Hong Kong and ethnic minority groups, or the sanctions individual affirmatively renounces his or her membership in the CCP and takes affirmative steps to denounce or remediate the CCP’s oppressive policies.

CHANGES IN EXISTING LAW

The bill, as reported, does not propose to repeal or amend a statute or part thereof.

DISSENTING VIEWS

There is strong bipartisan agreement that the People's Republic of China is our gravest geopolitical challenge. Instead of working in a bipartisan way to advance effective approaches to outcompete Beijing and hold it accountable for its malign actions, HFAC Republicans have chosen to put forward partisan legislation that would be ineffective and counterproductive. Representative McClain's STOP CCP Act would do nothing to change PRC behavior with regards to human rights or Taiwan, while destabilizing U.S.–China relations and harming U.S. interests.

At a time where we are facing a war in Ukraine and a deepening humanitarian crisis in Gaza, this bill would initiate a crisis out of thin air by calling on the President to sanction *all* the PRC's top leadership, including the President, Premier, and senior ministers. This unilateral escalation would cause an unprecedented fissure in U.S.–China relations, and risks raising tensions to an unprecedented level not seen since establishing diplomatic ties with the PRC.

H.R. 3334 calls on the President to impose sweeping sanctions across the top tier of China's leadership, without any thought to how that might impact U.S. officials and businesses who need to engage PRC officials to advance U.S. interests. An abrupt rupture in U.S.–China relations would have grave consequences for America's economy, security, and national interest. Such sanctions would impede high-level diplomacy and dialogue between the United States and China, making it more difficult for American officials, diplomats, and military leaders to leverage open lines of communication with their counterparts. This is not just counterproductive; it could be dangerous in the event of a crisis on the Taiwan Strait or South China Sea. For instance, the PRC's previous Defense Minister Li Shangfu refused to engage American officials because of U.S. sanctions, making it difficult to develop crisis management mechanisms between the two militaries.

Moreover, this bill does not adhere to longstanding bipartisan standards for sanctions legislation to ensure effectiveness. Sanctions are most efficacious when they can be ratcheted up or down based on the target's behavior. Sanctioning all the CCP's top leaders in one fell swoop would have no deterrent effect on China and its malign behavior. By passing this bill, the House would be denying the United States future leverage with which to pressure Beijing if it engages in even more problematic policies than it does today. Second, the rationale for sanctions in the bill is not based on national security, but it requires that the Presidential waiver should be based on a national security standard, vice a national interest standard. The bill would also sanction family members of CCP officials, regardless of whether they have anything to do with the CCP or its policies.

Finally, this bill would undermine the Biden-Harris Administration's carefully crafted China strategy and its attempt to build a coalition to stand up against Beijing's malign and corrosive behavior. First, the bill would scuttle U.S. efforts to coordinate our China sanctions with partners and allies, who have increasingly been more willing to hold Beijing accountable. The Biden Administration has implemented unprecedented policies to prevent critical technology from U.S. and other partners from being exported to China and has also assembled a growing number of partners and allies to counter China's aggression and coercion at groupings such as the G7 and the Quad. And, with Congress's support, the Administration has attracted foreign investment in America's research and innovation capacity in critical industries through the CHIPS and Science Act and the Inflation Reduction Act, so that we can outcompete China economically. If this bill becomes law, this coalition will be harder to keep together if Beijing can more credibly point to the United States as the rash, destabilizing actor. Instead of isolating Beijing as the Biden-Harris Administration has been doing, this bill would widen the gap between the United States and our partners and allies.

An essential component of the United States' strategy is *deterrence and diplomacy* to ensure that competition does not veer into conflict. H.R. 3334 will upend this strategy. It would also roil bilateral tension, endangering nascent fentanyl cooperation and military-to-military dialogue with China, two agreements that President Biden secured last November to safeguard American lives. It will make it incredibly difficult to engage China squarely on anything to advance our interests, whether it is regional security, Taiwan, human rights, or IP theft. And by tanking the high-level diplomacy initiated by the Biden-Harris Administration, it will make conflict and crisis more likely.

In short, this is a dangerous and ineffective way to deal with the serious challenges posed by the CCP and China.

GREGORY W. MEEKS,
Ranking Member.

