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S. 2606

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

IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2021

Mr. RUBIO (for himself and Ms. CORTEZ MASTO) 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 the People’s Republic of China and the Chinese Communist Party 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”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

6 (A) the Committee on Appropriations of
7 the Senate;

8 (B) the Committee on Armed Services of
9 the Senate;

10 (C) the Committee on Foreign Relations of
11 the Senate;

12 (D) the Committee on Health, Education,
13 Labor, and Pensions of the Senate;

14 (E) the Committee on the Judiciary of the
15 Senate;

16 (F) the Select Committee on Intelligence of
17 the Senate;

18 (G) the Committee on Banking, Housing,
19 and Urban Affairs of the Senate;

20 (H) the Committee on Appropriations of
21 the House of Representatives;

22 (I) the Committee on Armed Services of
23 the House of Representatives;

24 (J) the Committee on Education and
25 Labor of the House of Representatives;

1 (K) the Committee on Foreign Affairs of
 2 the House of Representatives;

3 (L) the Committee on the Judiciary of the
 4 House of Representatives;

5 (M) the Permanent Select Committee on
 6 Intelligence of the House of Representatives;
 7 and

8 (N) the Committee on Financial Services
 9 of the House of Representatives.

10 (2) POLITICAL INFLUENCE OPERATIONS.—The
 11 term “political influence operations” means the co-
 12 ordinated and often concealed application of
 13 disinformation, press manipulation, economic coer-
 14 cion, targeted investments, corruption, or academic
 15 censorship, which are often intended—

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

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

23 **SEC. 3. STATEMENT OF POLICY.**

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

1 (1) The Government of the People’s Republic of
2 China and the Chinese Communist Party employ a
3 wide range of political, informational, and economic
4 measures to influence, coerce, intimidate, and under-
5 mine the United States interests and the interests of
6 United States partners and allies.

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

14 (3) Given the economic strength of the People’s
15 Republic of China and the growing apparatus being
16 used to spread its influence globally, efforts to pro-
17 mote its authoritarian ideal pose significant and con-
18 sequential long-term challenges to United States in-
19 terests and values.

20 (4) The Government of the People’s Republic of
21 China and the Chinese Communist Party use overt
22 and covert means to target the political and eco-
23 nomic elite, the media and public opinion, civil soci-
24 ety and academia, and members of the Chinese dias-
25 pora.

1 (5) The Government of the People’s Republic of
2 China and the Chinese Communist Party employ an
3 array of government entities, friendship and ex-
4 change organizations, private entities and
5 businesspeople, and government-funded foundations,
6 think tanks, educational and other projects to carry
7 out political influence operations, which is often re-
8 ferred to as “United Front work.”

9 (6) According to the U.S.-China Economic and
10 Security Review Commission, “China uses what it
11 calls ‘United Front’ work to co-opt and neutralize
12 sources of potential opposition to the policies and
13 authority of its ruling Chinese Communist Party. . .
14 To carry out its influence activities abroad, the
15 [United Front Work Department] directs ‘overseas
16 Chinese work,’ which seeks to co-opt ethnic Chinese
17 individuals and communities living outside China,
18 while a number of other key affiliated organizations
19 guided by China’s broader United Front strategy
20 conduct influence operations targeting foreign actors
21 and states.”

22 (7) These political influence operations violate
23 national sovereignty, and as such, are fundamentally
24 different from traditional efforts by countries to
25 shape international policy debates and improve their

1 public image through public diplomacy and strategic
2 communications campaigns.

3 (8) The aims of the political influence oper-
4 ations of the Government of the People's Republic of
5 China and the Chinese Communist Party are—

6 (A) to protect the political security of the
7 Chinese Communist Party, or its ability to exer-
8 cise an absolute monopoly on political power
9 within the People's Republic of China and to in-
10 creasingly to dominate international politics re-
11 garding issues that the Chinese Communist
12 Party deems important;

13 (B) to domestically and globally promote
14 the idea that the Chinese Communist Party's
15 political and economic model is superior to that
16 of democracies;

17 (C) to spread its governance model to
18 other countries and to undermine democracy
19 and free-market economies;

20 (D) to promote the interests of the regime
21 globally;

22 (E) to weaken American alliances and
23 partnerships by creating new divisions between
24 them, or by exacerbating existing ones; and

1 (F) to foment domestic social and political
 2 divisions, and to exacerbate existing ones, with-
 3 in democratic countries, including by under-
 4 mining popular confidence in democracy and its
 5 essential institutions.

6 (9) The political influence operations of the
 7 Government of the People’s Republic of China and
 8 the Chinese Communist Party take advantage of the
 9 open and democratic nature of the United States, in-
 10 cluding—

11 (A) constitutional protections for free
 12 speech and a free press; and

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

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

19 (1) the political influence operations of the Gov-
 20 ernment of the People’s Republic of China and the
 21 Chinese Communist Party are not “soft power” in-
 22 tended to persuade, but “sharp power” intended—

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

1 (B) to foster attitudes, behavior, laws, and
2 policies favorable to the Government of the Peo-
3 ple's Republic of China's interest through
4 disinformation, coercion, corruption, and other
5 means;

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

8 (i) to suppress political opposition to
9 the Chinese Communist Party; and

10 (ii) to violate the internationally rec-
11 ognized human and civil rights of both
12 Chinese and foreign citizens living in coun-
13 tries around the world; and

14 (D) to undermine the strength of American
15 alliances around the world; and

16 (2) the people of the United States need reliable
17 and current information—

18 (A) to identify the key institutions, individ-
19 uals, entities, and ministries that carry out such
20 operations; and

21 (B) to distinguish between malign political
22 influence operations intended to undermine core
23 American freedoms and democratic institutions,
24 as opposed to legitimate cultural, educational,

1 business, and people-to-people exchanges that
2 may benefit the United States and China.

3 (c) STATEMENT OF POLICY.—It is the policy of the
4 United States—

5 (1) to clearly differentiate between the Chinese
6 people and culture and the Government of the Peo-
7 ple’s Republic of China and the Chinese Communist
8 Party in official statements, media messaging, and
9 policy;

10 (2) to clearly differentiate between legal, inter-
11 nationally accepted public diplomacy and strategic
12 communications campaigns and illicit activities to
13 undermine democratic institutions or freedoms;

14 (3) to protect United States citizens and legal
15 residents from malign or coercive political influence
16 operations;

17 (4) to enhance cooperation and coordination
18 with the United Kingdom, Australia, Canada, New
19 Zealand, Japan, Taiwan, Singapore, and the mem-
20 bers of the European Union, whose governments and
21 institutions have faced acute pressure from the polit-
22 ical influence operations of the Government of the
23 People’s Republic of China and the Chinese Com-
24 munist Party, and with other allies throughout the
25 world;

1 (5) to create strategies to ensure that countries
2 in Africa, the Western Hemisphere, Southeast Asia,
3 and elsewhere are aware of the People’s Republic of
4 China’s “sharp power” tactics, including the Chinese
5 Communist Party’s party-to-party training program,
6 which is designed to instill admiration and emulation
7 of Beijing’s governance model and weaken democ-
8 racy in these regions, and provide needed capacity to
9 counter them effectively;

10 (6) to implement more advanced transparency
11 requirements concerning collaboration with Chinese
12 actors for media agencies, universities, think tanks,
13 and government officials;

14 (7) to use various forums to raise awareness
15 about—

16 (A) the goals and methods of the political
17 influence operations of the Government of the
18 People’s Republic of China and the Chinese
19 Communist Party; and

20 (B) common patterns and approaches used
21 by Chinese intelligence agencies or related ac-
22 tors;

23 (8) to require greater transparency for Confu-
24 cius Institutes, think tanks, academic programs, and
25 nongovernmental organizations funded primarily by

1 the Government of the People's Republic of China
2 and the Chinese Communist Party, or by individuals
3 or public or private organizations with a demon-
4 strable affiliation with the Government of the Peo-
5 ple's Republic of China and the Chinese Communist
6 Party that are operating in the United States to reg-
7 ister through the Foreign Agents Registration Act of
8 1938 (22 U.S.C. 611 et seq.) or a comparable mech-
9 anism;

10 (9) to seek ways to increase Chinese language
11 proficiency among mid-career professionals that do
12 not rely on funding linked to the Government of the
13 People's Republic of China;

14 (10) to ensure that existing tools are suffi-
15 ciently screening for the risk of Chinese influence
16 operations; and

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

19 (A) screening investments from the Gov-
20 ernment of the People's Republic of China or
21 sources backed by such government to protect
22 against the takeover of United States compa-
23 nies by Chinese state-owned or state-driven en-
24 tities; and

1 (B) protecting institutions or business sec-
2 tors critically important to United States na-
3 tional security and the viability of democratic
4 institutions.

5 **SEC. 4. STRATEGY TO COUNTER “SHARP POWER” POLIT-**
6 **ICAL INFLUENCE OPERATIONS AND TO PRO-**
7 **TECT UNITED STATES CITIZENS.**

8 (a) IN GENERAL.—The Secretary of State and the
9 Secretary of Homeland Security, in coordination with all
10 relevant Federal agencies, shall develop a long-term strat-
11 egy—

12 (1) to carry out the policy set forth in section
13 3(c);

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

17 (3) to ensure that United States citizens, par-
18 ticularly Chinese Americans and members of the
19 Chinese, Uyghur, Mongolian, Korean, Taiwanese,
20 and Tibetan diaspora who are often the victims and
21 primary targets of malign political influence oper-
22 ations, are protected;

23 (4) to ensure that—

24 (A) the United States Government strategy
25 to protect the communities described in para-

1 graph (3) is clearly communicated by relevant
2 Federal officials; and

3 (B) secure outlets are created for reporting
4 on intimidation and surveillance;

5 (5) to ensure that Chinese nationals who are le-
6 gally studying, living, or working temporarily in the
7 United States know that intimidation or surveillance
8 by the Government of the People's Republic of
9 China and the Chinese Communist Party is an unac-
10 ceptable invasion of their rights while they reside in
11 the United States;

12 (6) to provide secure outlets for reporting on in-
13 timidation and surveillance; and

14 (7) to identify new tools or authorities nec-
15 essary to implement this strategy.

16 (b) REPORT.—Not later than 180 days after the date
17 of the enactment of this Act, and annually thereafter, the
18 Secretary of State, or an appropriate high-ranking official,
19 shall—

20 (1) submit an unclassified report, which may
21 include a classified annex, containing the strategy
22 required under subsection (a) to the appropriate
23 congressional committees; or

24 (2) describe the strategy required under sub-
25 section (a) through unclassified testimony before the

1 Committee on Foreign Relations of the Senate or
2 the Committee on Foreign Affairs of the House of
3 Representatives.

4 **SEC. 5. REPORT ON THE POLITICAL INFLUENCE OPER-**
5 **ATIONS OF THE GOVERNMENT OF CHINA AND**
6 **THE COMMUNIST PARTY OF CHINA.**

7 (a) IN GENERAL.—Because it is important for
8 United States policymakers and the American people to
9 be informed about the influence operations described in
10 section 3, not later than 270 days after the date of the
11 enactment of this Act, and annually thereafter, the Sec-
12 retary of State, in coordination with the Director of Na-
13 tional Intelligence, and in consultation with the heads of
14 relevant Federal departments and agencies, shall submit
15 an unclassified report, which may include a classified
16 annex, to the appropriate congressional committees that
17 describes the political influence operations of the Govern-
18 ment of the People's Republic of China and the Chinese
19 Communist Party affecting the United States and select
20 allies and partners, including the United Kingdom, Can-
21 ada, Australia, New Zealand, Taiwan, and Japan, includ-
22 ing efforts—

23 (1) to exert influence over United States gov-
24 ernmental or nongovernmental institutions or indi-

1 viduals, or government officials among United States
2 allies and partners;

3 (2) to coerce or threaten United States citizens
4 or legal permanent residents or their families and
5 associates living in China or elsewhere;

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

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

11 (5) to develop or obtain property, facilities, in-
12 frastructure, business entities, or other assets for
13 use in facilitating the activities described in para-
14 graphs (1) through (4).

15 (b) CONTENTS.—The report required under sub-
16 section (a) shall include recommendations for the Presi-
17 dent and Congress relating to—

18 (1) the need for additional resources or authori-
19 ties to counter political influence operations in the
20 United States directed by the Government of the
21 People’s Republic of China and the Chinese Com-
22 munist Party, including operations carried out in
23 concert with allies;

24 (2) whether a permanent office to monitor and
25 respond to political influence operations of the Gov-

1 ernment of the People's Republic of China and the
2 Chinese Communist Party should be established
3 within the Department of State or within the Office
4 of the Director of National Intelligence; and

5 (3) whether regular public reports on the polit-
6 ical influence operations of the Government of the
7 People's Republic of China and the Chinese Com-
8 munist Party are needed to inform Congress and the
9 American people of the scale and scope of such oper-
10 ations.

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