

117TH CONGRESS
1ST SESSION

S. 417

To prohibit the Secretary of State from issuing B1 and B2 visas to nationals of the People's Republic of China for periods of more than one year unless certain conditions are met.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2021

Mr. COTTON (for himself, Mr. SCOTT of Florida, Mrs. BLACKBURN, Mr. CRUZ, and Mr. RUBIO) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit the Secretary of State from issuing B1 and B2 visas to nationals of the People's Republic of China for periods of more than one year unless certain conditions are met.

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 “Visa Security Act”.

1 **SEC. 2. CONDITIONS ON ISSUANCE OF CERTAIN B1 AND B2**
2 **VISAS TO NATIONALS OF THE PEOPLE'S RE-**
3 **PUBLIC OF CHINA.**

4 (a) IN GENERAL.—The Secretary of State may not
5 issue to a national of the People's Republic of China a
6 nonimmigrant visa described in section 101(a)(15)(B) of
7 the Immigration and Nationality Act (8 U.S.C.
8 1101(a)(15)(B)) that is valid for a period of more than
9 one year unless the Secretary certifies to Congress that
10 the Government of the People's Republic of China has—

11 (1) ceased its—

12 (A) campaign of economic and industrial
13 espionage against the United States; and

14 (B) provocative and coercive behavior to-
15 wards Taiwan;

16 (2) withdrawn its national security law with re-
17 spect to Hong Kong and fully upheld its commit-
18 ments under the Sino-British Joint Declaration of
19 1984;

20 (3) ended its systematic oppression of Uighurs,
21 Tibetans, and other ethnic groups;

22 (4) retracted its unlawful claims in the South
23 China Sea; and

24 (5) released foreign hostages and wrongfully de-
25 tained individuals in the People's Republic of China.

1 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
 2 tion may be construed to limit the period for which a visa
 3 may be issued to an applicant from Taiwan or a bona fide
 4 Hong Kong applicant.

5 (c) DEFINITION OF BONA FIDE HONG KONG APPLI-
 6 CANT.—In this section, “bona fide Hong Kong applicant”
 7 means an individual who—

8 (1)(A) was a resident of the Hong Kong Special
 9 Administrative Region on December 31, 2018; or

10 (B)(i) has been a resident of the Hong Kong
 11 Special Administrative Region during the entire 60-
 12 day period ending on the date on which the indi-
 13 vidual applies for a visa described in section
 14 101(a)(15)(B) of the Immigration and Nationality
 15 Act (8 U.S.C. 1101(a)(15)(B)); and

16 (ii) the Secretary of State certifies to Congress
 17 that the United States has no reason to believe that
 18 the individual is acting on behalf of the Government
 19 of the People’s Republic of China, or any entity con-
 20 trolled by the Government of the People’s Republic
 21 of China;

22 (2) is a citizen of the People’s Republic of
 23 China; and

24 (3) is not a citizen of any other country.

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