

Put simply, this would help us ensure that Congress has the necessary data to forge another much-needed layer of defense.

As transnational criminal organizations continue to grow in both size and sophistication, illicit cross-border tunnels along the southwest border of the United States represent a significant and growing threat to national security.

Congress must address this deadly threat and ensure U.S. Customs and Border Protection has the resources needed to acquire counter-tunnel technology.

Since 1990, officials have discovered more than 140 tunnels that have breached the U.S. border with an 80 percent increase in tunnel activity occurring since 2008.

Over the years, CBP has worked to combat these tunnels as part of their overall strategy. In fact, the United States conducts research, development, and test activities with Israel who must contend with a vast network of Hamas tunnels originating in the Gaza Strip. This partnership helps us detect and destroy tunnels in our respective countries.

The FY23 NDAA mandated that CBP submit a one-time report to Congress on a strategic plan for countering illicit cross-border tunnel operations.

This singular report has since led Congress to conduct critical oversight and has enabled CBP to formalize many of the processes, technologies, and resources needed to counteract illegal tunnels under the U.S.-Mexico border.

My bill would expand on this success by mandating a report every year going forward to ensure Congress has sufficient knowledge and oversight regarding this dynamic threat.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this legislation for a secure southern border.

Mr. GIMENEZ. Mr. Speaker, I have no further speakers, I am prepared to close, and I reserve the balance of my time.

Mr. IVEY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I believe this bill is a step in the right direction.

Receiving information from the Department of Homeland Security on an annual basis will improve Congress' efforts to counter illicit cross-border tunnels and hold bad actors accountable.

I support this bipartisan piece of legislation, and I yield back the balance of my time.

Mr. GIMENEZ. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge all Members to support the bipartisan Subterranean Border Defense Act, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. GIMENEZ) that the House suspend the rules and pass the bill, H.R. 7404.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COUNTERING THE PRC MALIGN INFLUENCE FUND AUTHORIZATION ACT OF 2023

Mr. BARR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1157) to provide for the authorization of appropriations for the Countering the People's Republic of China Malign Influence Fund, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1157

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Countering the PRC Malign Influence Fund Authorization Act of 2023".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR COUNTERING THE PEOPLE'S REPUBLIC OF CHINA MALIGN INFLUENCE FUND.

(a) COUNTERING THE PEOPLE'S REPUBLIC OF CHINA MALIGN INFLUENCE FUND.—

(1) IN GENERAL.—There is authorized to be appropriated \$325,000,000 for each of fiscal years 2023 through 2027 for the Countering the People's Republic of China Malign Influence Fund to counter the malign influence of the Chinese Communist Party and the Government of the People's Republic of China and entities acting on their behalf globally.

(2) AVAILABILITY; AMOUNTS IN ADDITION TO OTHER AMOUNTS.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1)—

(A) are authorized to remain available until expended; and

(B) shall be in addition to amounts otherwise authorized to be appropriated for the purposes described in paragraph (1).

(b) CONSULTATION REQUIRED.—The obligation of funds appropriated pursuant to the authorization of appropriations under subsection (a) or otherwise made available for the purposes described in subsection (a)(1) shall be subject to prior consultation with, and consistent with section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1), the regular notification procedures of—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(c) POLICY GUIDANCE, COORDINATION, AND APPROVAL.—

(1) COORDINATOR.—The Secretary of State shall designate an existing senior official of the Department of State to provide policy guidance, coordination, and approval for the obligation of funds appropriated pursuant to the authorization of appropriations under subsection (a).

(2) ASSISTANT COORDINATOR.—The Administrator of the United States Agency for International Development shall designate an existing senior official of the United States Agency for International Development to assist and consult with the senior official of the Department of State designated pursuant to paragraph (1).

(3) DUTIES.—The senior official of the Department of State designated pursuant to paragraph (1) shall be responsible for—

(A) on an annual basis, the identification of specific strategic priorities for using funds appropriated pursuant to the authorization of appropriations under subsection (a), such as geographic areas of focus or functional categories of programming that funds are to be concentrated within, consistent with the national interests of the United States and the purposes of this section;

(B) the coordination and approval of all programming conducted using such funds, based on an assessment that such programming directly counters the malign influence of the Chinese Communist Party or the Government of the People's Republic of China, including specific activities or policies advanced by the Chinese Communist Party or the Government of the People's Republic of China and entities acting on their behalf globally, pursuant to the strategic objectives of the United States, as established in the 2017 National Security Strategy, the 2018 National Defense Strategy, and other relevant national and regional strategies as appropriate;

(C) ensuring that all programming approved bears a sufficiently direct nexus to such activities of the Chinese Communist Party or the Government of the People's Republic of China described in subsection (d) and adheres to the requirements outlined in subsection (e); and

(D) conducting oversight, monitoring, and evaluation of the effectiveness of all programming conducted using such funds to ensure that it advances United States interests and degrades the ability of the Chinese Communist Party or the Government of the People's Republic of China, to advance activities that align with subsection (d) of this section.

(4) INTERAGENCY COORDINATION.—The senior official of the Department of State designated pursuant to paragraph (1) shall, in coordinating and approving programming pursuant to paragraph (2), seek—

(A) to conduct appropriate interagency consultation; and

(B) to ensure, to the maximum extent practicable, that all approved programming functions in concert with other Federal activities to counter the malign influence of the Chinese Communist Party or the Government of the People's Republic of China.

(d) MALIGN INFLUENCE.—In this section, the term "malign influence", with respect to the Chinese Communist Party or the Government of the People's Republic of China, shall be construed to include acts conducted by the Chinese Communist Party or the Government of the People's Republic of China, or entities acting on their behalf that—

(1) undermine a free and open international order;

(2) advance an alternative, repressive international order that bolsters the Chinese Communist Party's or the Government of the People's Republic of China's hegemonic ambitions and is characterized by coercion and dependency;

(3) undermine the national security or sovereignty of the United States or other countries; or

(4) undermine the economic security of the United States or other countries, including by promoting corruption and advancing coercive economic practices.

(e) COUNTERING MALIGN INFLUENCE.—In this section, countering malign influence through the use of funds appropriated pursuant to the authorization of appropriations under subsection (a) shall include efforts—

(1) to promote transparency and accountability, and reduce corruption, including in governance structures targeted by the malign influence of the Chinese Communist Party or the Government of the People's Republic of China;

(2) to support civil society and independent media to raise awareness of and increase transparency regarding the negative impact of activities related to the Belt and Road Initiative, associated initiatives, other economic initiatives with strategic or political purposes, and coercive economic practices;

(3) to counter transnational criminal networks that benefit, or benefit from, the malign influence of the Chinese Communist Party or the Government of the People's Republic of China;

(4) to encourage economic development structures that help protect against predatory lending schemes, including support for market-based alternatives in key economic sectors, such as digital economy, energy, and infrastructure;

(5) to counter activities that provide undue influence to the security forces of the People's Republic of China;

(6) to expose misinformation and disinformation of the Chinese Communist Party's or the Government of the People's Republic of China's propaganda, including through programs carried out by the Global Engagement Center; and

(7) to counter efforts by the Chinese Communist Party or the Government of the People's Republic of China to legitimize or promote authoritarian ideology and governance models.

(f) ANNUAL SUMMARY.—Not later than September 30, 2023, and annually thereafter for 5 years, the senior official of the Department of State designated pursuant to subsection (c)(1) shall submit to the congressional committees specified in paragraphs (1) and (2) of subsection (b), a summary identifying each activity or program approved pursuant to subsection (c), and shall include—

(1) for each program or activity, an identification of the country or regional location of the program or activity;

(2) for each program or activity, whether the program or activity was ongoing prior to receiving support from funds from the Countering People's Republic of China Malign Influence Fund, or any predecessor resource intended for the same or substantially similar purpose;

(3) for each program or activity, an identification of the acts described in subsection (d) that such program or activity is intended to counter; and

(4) a table identifying the respective allocation of all programs or activities approved during that fiscal year across accounts and regional or functional bureaus.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. BARR) and the gentleman from New York (Mr. MEEKS) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. BARR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BARR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of my legislation, H.R. 1157, Countering the PRC Malign Influence Fund Authorization Act.

The Chinese Communist Party is the most dangerous threat America has

faced in decades, and Beijing has been spreading its malign influence across the world.

China knows that one of the United States' greatest assets is our credibility and effectiveness in supporting our allies and partners.

Thus, the CCP is actively working to undermine U.S. legitimacy across the world by undercutting and distorting markets in areas such as critical infrastructure.

Among other things, their disruptive tools include predatory lending, coercive economic practices, misinformation, taking advantage of foreign corruption, and legitimizing authoritarianism.

The Countering the PRC Malign Influence Fund was originally created by an appropriation intended to address China's pernicious and growing influence, but for too long it has been used as a slush fund for the State Department's vanity projects, for example: \$6 million for expanding Pacific Island weather and ocean data collection, \$5 million for English language training in Angola, \$2.5 million for scooter charging stations in Vietnam.

While some may argue that funding for these types of activities can counter the PRC by meeting the wish lists of our partners experiencing PRC pressure, there are other organizations like the Development Finance Corporation and USAID that are already able to meet these types of needs with their own appropriated and authorized funding.

The bill before us today will create specific statutory guardrails so that our taxpayer dollars are used strategically and effectively to counter the CCP's malign influence.

It specifies the aims and duties of the fund, requires consultation with Congress before funds are obligated, and mandates an annual report on the fund's activities. This is basic congressional stewardship of taxpayer dollars.

The bill received bipartisan support when it was marked up by the Foreign Affairs Committee last year.

While we will never be able to nor want to outspend the PRC dollar for dollar, we must ensure that every ounce of funding is going the farthest to counter this generational threat.

I urge my colleagues to support my bill, the Countering the PRC Malign Influence Fund Authorization Act, and I reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I rise in support of H.R. 1157, and I yield myself such time as I may consume.

There is strong bipartisan support in Congress for the Countering the People's Republic of China's Malign Influence Fund because it is the primary pool of funding for USAID and State Department projects to compete with China on the global stage.

Given this bipartisan consensus on the importance of the fund, I had hoped we could engage in a bipartisan process for this bill. Instead, most of our recommended changes to the bill were not

accepted when this bill was rushed to a markup at the very start of this Congress. When offered an amendment to increase the fund's authorization from \$325 million to \$400 million per year—the same amount requested by the Biden-Harris administration—every Republican on our committee, unfortunately, voted against it.

Is that being tough on China? I don't think so.

In briefing after briefing, our committee has learned that the administration is laser-focused on addressing the China challenge and is utilizing the funds effectively to counter PRC disinformation, build resilience against the PRC's malign influence, and provide nations around the world with alternatives to China's extractive development framework. The administration is doing this work, and they are doing it very well.

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As drafted, I believe H.R. 1157 could constrain the State Department and USAID in competing effectively. To compete with China, the fund and our institutions need to be nimble so they can adapt to Beijing's constantly evolving tactics and policies. While I support this bill, as it moves forward, there needs to be a real bipartisan consultation with the administration on how best to achieve our objectives and ensure the fund is effective for the long term.

If we are serious about the threat that China poses and if we are truly committed to winning this competition, then we need to put our money where our mouth is. We can hold all the China weeks we want, but if House Republicans keep cutting funding for the State Department and USAID, then we are not going to win the competition with China.

Mr. Speaker, we are in a global competition for influence with China, and if you want to win it, then you cannot do it on a middle power budget. China is putting its money up. We want to compete; we don't want to just talk about it. We need to put ours up so that we cannot just compete; we can win.

The stakes in our strategic competition with China are high. To come out ahead, we cannot spend our time playing whack-a-mole, reacting to every move China makes around the world. We have to proactively compete. That means sticking to our values because they are better than the values of the Chinese Communist Party. It means listening to our partners, our friends, our allies, and their needs, not forcing them to choose.

It means building resilience to China's malign influence by strengthening governance and the rule of law; and crucially, it means providing real, sustainable alternatives to China's financing and China's infrastructure and development assistance.

To achieve these goals and to do it effectively, we need more than just

rhetoric. We need creative thinking, a willingness to experiment, and a commitment to sustain American engagement and diplomacy. All that requires a clear strategy, a nimble State Department, and a USAID apparatus, and, again, dare I say it, money, not just for this fund but for our broader foreign operations and assistance also.

As we move forward with authorizing the Countering the PRC Malign Influence Fund Authorization Act, we need to remember that this is a long game. This is a long game. The game is not in the fourth quarter. If America wants to win it, then we must sufficiently invest. We must invest in our strengths as well as our tools of competition.

We are the greatest nation in the world with the greatest resources in the world. Let's do something so that we can continue being the leaders of the world.

Mr. Speaker, I yield back the balance of my time.

Mr. BARR. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, I thank Chairman MCCAUL and Ranking Member MEEKS for working with me to move this important legislation to the floor.

I share many of the comments that my friend, the ranking member from New York, just stated. We do need to invest. We need to invest in the tools of diplomacy that we have to counter PRC malign influence in the world. We need to support the China transformational exports program with the Export-Import Bank. We need to support the Development Finance Corporation. We need to support USAID where it can help and the Peace Corps where it can help with soft power. We need diplomacy. We need foreign deployed foreign service personnel. However, we have to remember that we cannot counter and we should not attempt to counter Communist China by becoming more like China.

We have a \$35 trillion national debt, Mr. Speaker. Spending money like drunken sailors without any accountability and without any effective strategy is not effective diplomacy in countering the malign influence from China.

While I certainly do support the PRC malign influence fund, for goodness' sake, we are the Congress. We control the purse strings. Let's do our job. Let's create an authorization, put some guardrails around it and not allow the administration to spend this country into bankruptcy. That is the fastest way to lose the competition to China.

Let's put some parameters around this PRC malign influence fund and direct those scarce taxpayer resources effectively so that they actually do the job that the taxpayers deserve and we actually win this fight.

Spending our country into oblivion is what Communists do. We don't do that. Our ace in the hole is that we are capitalists. We do not misallocate resources. That is why we need this bill.

All of us agree that American taxpayer dollars should be used more effectively to counter China's disruptive, predatory influence around the world, but let's do it smart, Mr. Speaker. Let's do it the smart way.

Mr. Speaker, I urge all Members to vote in favor of H.R. 1157, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. EZELL). The question is on the motion offered by the gentleman from Kentucky (Mr. BARR) that the House suspend the rules and pass the bill, H.R. 1157.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BARR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

HONG KONG ECONOMIC AND TRADE OFFICE (HKETO) CERTIFICATION ACT

Mr. BARR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1103) to require the President to remove the extension of certain privileges, exemptions, and immunities to the Hong Kong Economic and Trade Offices if Hong Kong no longer enjoys a high degree of autonomy from the People's Republic of China, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1103

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hong Kong Economic and Trade Office (HKETO) Certification Act".

SEC. 2. DETERMINATION ON WHETHER TO EXTEND CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES TO THE HONG KONG ECONOMIC AND TRADE OFFICES IN THE UNITED STATES.

(a) DETERMINATION REQUIRED.—Not later than 30 days after the date of the enactment of this Act, and thereafter as part of each certification required by the Secretary of State under section 205(a)(1)(A) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725(a)(1)(A)), the Secretary of State shall, as part of such certification, include a separate determination that—

(1) the Hong Kong Economic and Trade Offices—

(A) merit extension and application of the privileges, exemptions, and immunities specified in subsection (b); or

(B) no longer merit extension and application of the privileges, exemptions, and immunities specified in subsection (b); and

(2) a detailed report justifying that determination, which may include considerations related to United States national security interests.

(b) PRIVILEGES, EXEMPTIONS, AND IMMUNITIES SPECIFIED.—The privileges, exemptions, and immunities specified in this subsection are the privileges, exemptions, and immunities extended and applied to the Hong Kong

Economic and Trade Offices under section 1 of the Act entitled "An Act to extend certain privileges, exemptions, and immunities to Hong Kong Economic and Trade Offices", approved June 27, 1997 (22 U.S.C. 288k).

(c) EFFECT OF DETERMINATION.—

(1) TERMINATION.—If the Secretary of State determines under subsection (a)(1)(B) that the Hong Kong Economic and Trade Offices no longer merit extension and application of the privileges, exemptions, and immunities specified in subsection (b), the Hong Kong Economic and Trade Offices shall terminate operations not later than 180 days after the date on which that determination is delivered to the appropriate congressional committees, as part of the certification required under section 205(a)(1)(A) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725(a)(1)(A)).

(2) CONTINUED OPERATIONS.—If the Secretary of State determines under subsection (a)(1)(A) that the Hong Kong Economic and Trade Offices merit extension and application of the privileges, exemptions, and immunities specified in subsection (b), the Hong Kong Economic and Trade Offices may continue operations for the one-year period following the date of the certification that includes that determination or until the next certification required under section 205(a)(1)(A) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725(a)(1)(A)) is submitted, whichever occurs first, unless a disapproval resolution is enacted under subsection (d).

(d) CONGRESSIONAL REVIEW.—

(1) DISAPPROVAL RESOLUTION.—In this subsection, the term "disapproval resolution" means only a joint resolution of either House of Congress—

(A) the title of which is the following: "A joint resolution disapproving the certification by the President that the Hong Kong Economic and Trade Offices continue to merit extension and application of certain privileges, exemptions, and immunities."; and

(B) the sole matter after the resolving clause of which is the following: "Congress disapproves of the certification by the President under section 2(a)(1)(A) of the Hong Kong Economic and Trade Office (HKETO) Certification Act that the Hong Kong Economic and Trade Offices merit extension and application of certain privileges, exemptions, and immunities, on ____", with the blank space being filled with the appropriate date.

(2) INTRODUCTION.—A disapproval resolution may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a disapproval resolution has been referred has not reported the resolution within 10 legislative days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(4) CONSIDERATION IN SENATE.—

(A) COMMITTEE REFERRAL.—A disapproval resolution introduced in the Senate shall be referred to the Committee on Foreign Relations.

(B) REPORTING AND DISCHARGE.—If the Committee on Foreign Relations of the Senate has not reported the resolution within 10 legislative days after the date of referral of the resolution, that committee shall be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar.