

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3524
OFFERED BY MR. CASTRO OF TEXAS**

At the appropriate place in the bill, insert the following:

1 **SEC. ____.** **CHINA CENSORSHIP MONITOR AND ACTION**
2 **GROUP.**

3 (a) **REPORT ON CENSORSHIP AND INTIMIDATION OF**
4 **UNITED STATES PERSONS BY THE GOVERNMENT OF THE**
5 **PEOPLE’S REPUBLIC OF CHINA.—**

6 (1) **REPORT.—**

7 (A) **IN GENERAL.—**Not later than 90 days
8 after the date of the enactment of this Act, the
9 Secretary of State shall select and seek to enter
10 into an agreement with a qualified research en-
11 tity that is independent of the Department of
12 State to write a report on censorship and in-
13 timidation in the United States and its posses-
14 sions and territories of United States persons,
15 including United States companies that conduct
16 business in the People’s Republic of China,
17 which is directed or directly supported by the
18 Government of the People’s Republic of China.

1 (B) MATTERS TO BE INCLUDED.—The re-
2 port required under subparagraph (A) shall—

3 (i) assess major trends, patterns, and
4 methods of the Government of the People’s
5 Republic of China’s efforts to direct or di-
6 rectly support censorship and intimidation
7 of United States persons, including United
8 States companies that conduct business in
9 the People’s Republic of China, which are
10 exercising their right to freedom of speech;

11 (ii) assess, including through the use
12 of illustrative examples, as appropriate, the
13 impact on and consequences for United
14 States persons, including United States
15 companies that conduct business in the
16 People’s Republic of China, that criticize—

17 (I) the Government of the Peo-
18 ple’s Republic of China;

19 (II) the Chinese Communist
20 Party;

21 (III) the authoritarian model of
22 government of the People’s Republic
23 of China; or

24 (IV) a particular policy advanced
25 by the Chinese Communist Party or

1 the Government of the People's Re-
2 public of China;

3 (iii) identify the implications for the
4 United States of the matters described in
5 clauses (i) and (ii);

6 (iv) assess the methods and evaluate
7 the efficacy of the efforts by the Govern-
8 ment of the People's Republic of China to
9 limit freedom of expression in the private
10 sector, including with respect to media, so-
11 cial media, film, education, travel, financial
12 services, sports and entertainment, tech-
13 nology, telecommunication, and internet in-
14 frastructure interests;

15 (v) include policy recommendations
16 for the United States Government, includ-
17 ing recommendations regarding collabora-
18 tion with United States allies and partners,
19 to address censorship and intimidation by
20 the Government of the People's Republic of
21 China; and

22 (vi) include policy recommendations
23 for United States persons, including
24 United States companies that conduct
25 business in China, to address censorship

1 and intimidation by the Government of the
2 People's Republic of China.

3 (C) APPLICABILITY TO UNITED STATES
4 ALLIES AND PARTNERS.—To the extent prac-
5 ticable, the report required under subparagraph
6 (A) should identify implications and policy rec-
7 ommendations that are relevant to United
8 States allies and partners facing censorship and
9 intimidation directed or directly supported by
10 the Government of the People's Republic of
11 China.

12 (2) SUBMISSION OF REPORT.—

13 (A) IN GENERAL.—Not later than one year
14 after the date of the enactment of this Act, the
15 Secretary of State shall submit the report writ-
16 ten by the qualified research entity selected
17 pursuant to paragraph (1)(A) to the appro-
18 priate congressional committees.

19 (B) PUBLICATION.—The report referred to
20 in subparagraph (A) shall be made accessible to
21 the public online through relevant United
22 States Government websites.

23 (3) FEDERAL GOVERNMENT SUPPORT.—The
24 Secretary of State and other Federal agencies se-
25 lected by the President shall provide the qualified re-

1 search entity selected pursuant to paragraph (1)(A)
2 with timely access to appropriate information, data,
3 resources, and analyses necessary for such entity to
4 write the report described in paragraph (1) in a
5 thorough and independent manner.

6 (b) CHINA CENSORSHIP MONITOR AND ACTION
7 GROUP.—

8 (1) CERTIFICATION.—Upon receipt and review
9 of the report described in subsection (a), the Presi-
10 dent shall make a determination on whether the
11 Government of the People’s Republic of China en-
12 gages in the censorship and intimidation of United
13 States persons, including United States companies
14 that conduct business in the People’s Republic of
15 China, which are exercising their right to freedom of
16 speech, taking into account the contents of the re-
17 port and other information available to the govern-
18 ment of the United States.

19 (2) IN GENERAL.—If there is a determination
20 under paragraph (1) that the Government of the
21 People’s Republic of China engages in the censorship
22 and intimidation of United States persons, including
23 United States companies that conduct business in
24 the People’s Republic of China, which are exercising
25 their right to freedom of speech, the President shall

1 establish an interagency task force, which shall be
2 known as the “China Censorship Monitor and Action
3 Group” (referred to in this section as the “Task
4 Force”).

5 (3) MEMBERSHIP.—If, upon receipt and review
6 of the report described in subsection (a), he deems
7 it in the national interest, the President shall—

8 (A) appoint the chair of the Task Force
9 from among the staff of the National Security
10 Council;

11 (B) appoint the vice chair of the Task
12 Force from among the staff of the National
13 Economic Council; and

14 (C) direct the head of each of the following
15 executive branch agencies to appoint personnel
16 to participate in the Task Force:

17 (i) The Department of State.

18 (ii) The Department of Commerce.

19 (iii) The Department of the Treasury.

20 (iv) The Department of Justice.

21 (v) The Office of the United States
22 Trade Representative.

23 (vi) The Office of the Director of Na-
24 tional Intelligence, and other appropriate
25 elements of the intelligence community (as

1 defined in section 3 of the National Secu-
2 rity Act of 1947 (50 U.S.C. 3003)).

3 (vii) The Federal Communications
4 Commission.

5 (viii) The United States Agency for
6 Global Media.

7 (ix) Other agencies designated by the
8 President.

9 (4) RESPONSIBILITIES.—The Task Force
10 shall—

11 (A) oversee the development and execution
12 of an integrated Federal Government strategy
13 to monitor and address the impacts of efforts
14 directed, or directly supported, by the Govern-
15 ment of the People’s Republic of China to cen-
16 sor or intimidate, in the United States or in
17 any of its possessions or territories, any United
18 States person, including United States compa-
19 nies that conduct business in the People’s Re-
20 public of China, which are exercising their right
21 to freedom of speech; and

22 (B) submit the strategy developed pursu-
23 ant to subparagraph (A) to the appropriate
24 congressional committees not later than 120

1 days after the date of the enactment of this
2 Act.

3 (5) MEETINGS.—The Task Force shall meet
4 not less frequently than twice per year.

5 (6) CONSULTATIONS.—The Task Force should
6 regularly consult, to the extent necessary and appro-
7 priate, with—

8 (A) Federal agencies that are not rep-
9 resented on the Task Force;

10 (B) independent agencies of the United
11 States Government that are not represented on
12 the Task Force;

13 (C) relevant stakeholders in the private
14 sector and the media; and

15 (D) relevant stakeholders among United
16 States allies and partners facing similar chal-
17 lenges related to censorship or intimidation by
18 the Government of the People’s Republic of
19 China.

20 (7) REPORTING REQUIREMENTS.—

21 (A) ANNUAL REPORT.—The Task Force
22 shall submit an annual report to the appro-
23 priate congressional committees that describes,
24 with respect to the reporting period—

1 (i) the strategic objectives and policies
2 pursued by the Task Force to address the
3 challenges of censorship and intimidation
4 of United States persons while in the
5 United States or any of its possessions or
6 territories, which is directed or directly
7 supported by the Government of the Peo-
8 ple's Republic of China;

9 (ii) the activities conducted by the
10 Task Force in support of the strategic ob-
11 jectives and policies referred to in clause
12 (i); and

13 (iii) the results of the activities re-
14 ferred to in clause (ii) and the impact of
15 such activities on the national interests of
16 the United States.

17 (B) FORM OF REPORT.—Each report sub-
18 mitted pursuant to subparagraph (A) shall be
19 unclassified, but may include a classified annex.

20 (C) CONGRESSIONAL BRIEFINGS.—Not
21 later than 90 days after the date of the enact-
22 ment of this Act, and annually thereafter, the
23 Task Force shall provide briefings to the appro-
24 priate congressional committees regarding the
25 activities of the Task Force to execute the

1 strategy developed pursuant to paragraph
2 (3)(A).

3 (c) SUNSET.—This section shall terminate on the
4 date that is five years after the date of the enactment of
5 this Act.

6 (d) DEFINITIONS.—In this section:

7 (1) QUALIFIED RESEARCH ENTITY.—The term
8 “qualified research entity” means an entity that—

9 (A) is a nonpartisan research organization
10 or a federally funded research and development
11 center;

12 (B) has appropriate expertise and analyt-
13 ical capability to write the report required
14 under section 3; and

15 (C) is free from any financial, commercial,
16 or other entanglements, which could undermine
17 the independence of such report or create a
18 conflict of interest or the appearance of a con-
19 flict of interest, with—

20 (i) the Government of the People’s
21 Republic of China;

22 (ii) the Chinese Communist Party;

23 (iii) any company incorporated in the
24 People’s Republic of China or a subsidiary
25 of such company; or

1 (iv) any company or entity incor-
2 porated outside of the People’s Republic of
3 China that is believed to have a substantial
4 financial or commercial interest in the Peo-
5 ple’s Republic of China.

6 (2) UNITED STATES PERSON.—The term
7 “United States person” means—

8 (A) a United States citizen or an alien law-
9 fully admitted for permanent residence to the
10 United States; or

11 (B) an entity organized under the laws of
12 the United States or any jurisdiction within the
13 United States, including a foreign branch of
14 such an entity.

