

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3524
OFFERED BY MS. TENNEY OF NEW YORK**

Add at the end of title III the following:

1 **SEC. 3 ____ . IMPOSITION OF SANCTIONS WITH RESPECT TO**
2 **SENIOR OFFICIALS OF THE CHINESE COM-**
3 **MUNIST PARTY.**

4 (a) STATEMENT OF POLICY.—It is the policy of the
5 United States to hold members of the politburo of the Chi-
6 nese Communist Party (CCP) accountable for their ma-
7 lign disinformation campaign and political warfare against
8 the United States, theft of intellectual property of United
9 States citizens, and severe abuses of human rights of the
10 people of China.

11 (b) IMPOSITION OF SANCTIONS.—

12 (1) IN GENERAL.—Notwithstanding any other
13 provision of law, the President is authorized to im-
14 pose the sanctions described in paragraph (2) with
15 respect to any foreign person who the President de-
16 termines is a senior official of the CCP, including a
17 member of the CCP politburo, and has engaged in
18 or provided support to or for—

1 (A) a malign disinformation campaign or
2 political warfare operation against the United
3 States;

4 (B) the theft of intellectual property of a
5 United States person;

6 (C) threats or actions undermining the
7 sovereignty of Taiwan; or

8 (D) the forced closure or destruction of
9 churches, mosques, Buddhist temples, or any
10 other place of worship in China, or restricting
11 the religious practice of Christians, Muslims,
12 Buddhists, or any other religious group in
13 China.

14 (2) SANCTIONS DESCRIBED.—

15 (A) IN GENERAL.—The sanctions de-
16 scribed in this subsection are the sanctions de-
17 scribed in section 6(c) of the Uyghur Human
18 Rights Policy Act of 2020 (Public Law 116–
19 145; 22 U.S.C. 6901 note).

20 (B) PENALTIES.—The penalties provided
21 for in subsections (b) and (c) of section 206 of
22 the International Emergency Economic Powers
23 Act (50 U.S.C. 1705) shall apply to a person
24 that violates, attempts to violate, conspires to
25 violate, or causes a violation of regulations pro-

1 mulgated under paragraph (6) to implement
2 this section to the same extent that such pen-
3 alties apply to a person that commits an unlaw-
4 ful act described in section 206(a) of that Act.

5 (C) EXCEPTIONS.—The exceptions de-
6 scribed in section 6(f) of the Uyghur Human
7 Rights Policy Act of 2020 (Public Law 116–
8 145; 22 U.S.C. 6901 note) shall apply with re-
9 spect to sanctions under this section.

10 (3) WAIVER.—The President may, on a case-
11 by-case basis and for one period not to exceed one
12 year, waive the application of sanctions imposed with
13 respect to a foreign person under this section if the
14 President certifies to the appropriate congressional
15 committees not later than 15 days before such waiv-
16 er is to take effect that such waiver is vital to the
17 national security interests of the United States.

18 (4) TERMINATION OF SANCTIONS.—The Presi-
19 dent may terminate the application of sanctions
20 under this section if the President determines and
21 reports to the appropriate congressional committees
22 not later than 15 days before the termination takes
23 effect that the President has determined that the
24 foreign person no longer is involved in any of the ac-
25 tivities described in paragraph (1).

1 (5) IMPLEMENTATION AUTHORITY.—The Presi-
2 dent may exercise all authorities provided to the
3 President under sections 203 and 205 of the Inter-
4 national Emergency Economic Powers Act (50
5 U.S.C. 1702 and 1704) for purposes of carrying out
6 this section.

7 (6) REGULATORY AUTHORITY.—

8 (A) IN GENERAL.—Not later than 90 days
9 after the date of the enactment of this Act, the
10 President shall promulgate regulations as nec-
11 essary for the implementation of this section.

12 (B) NOTIFICATION TO CONGRESS.—Not
13 less than 10 days before the promulgation of
14 regulations under subparagraph (A), the Presi-
15 dent shall notify and provide to the appropriate
16 congressional committees the proposed regula-
17 tions and the provisions of this section that
18 such regulations are implementing.

19 (7) SUNSET.—

20 (A) IN GENERAL.—This section shall ter-
21 minate on January 1, 2025.

22 (B) INAPPLICABILITY.—Subparagraph (A)
23 shall not apply with respect to sanctions im-
24 posed with respect to a foreign person under
25 this section before January 1, 2025.

1 (8) DEFINITIONS.—In this section:

2 (A) APPROPRIATE CONGRESSIONAL COM-
3 MITTEES.—The term “appropriate congres-
4 sional committees” means—

5 (i) the Committee on Foreign Affairs,
6 the Committee on the Judiciary, the Com-
7 mittee on Ways and Means, and the Com-
8 mittee on Financial Services of the House
9 of Representatives; and

10 (ii) the Committee on Foreign Rela-
11 tions and the Committee on Banking,
12 Housing, and Urban Affairs of the Senate.

13 (B) FOREIGN PERSON.—The term “foreign
14 person” means a person that is not a United
15 States person.

16 (c) DETERMINATION WITH RESPECT TO THE IMPO-
17 SITION OF SANCTIONS ON MEMBERS OF THE CCP POLIT-
18 BURO.—

19 (1) IN GENERAL.—Not later than 180 days
20 after the date of the enactment of this Act, the Sec-
21 retary of State, in consultation with the Secretary of
22 the Treasury, shall submit to the appropriate con-
23 gressional committees a determination, including a
24 detailed justification, regarding whether any member
25 of the Chinese Communist Party (CCP) Politburo

1 satisfies the criteria for the application of sanctions
2 pursuant to any of the following:

3 (A) Subsection (b) of this section.

4 (B) Executive Order 13694 (50 U.S.C.
5 1701 note; relating to blocking property of cer-
6 tain persons engaged in significant malicious
7 cyber-enabled activities).

8 (C) The Global Magnitsky Human Rights
9 Accountability Act (enacted as subtitle F of
10 title XII of division A of the National Defense
11 Authorization Act for Fiscal Year 2017; 22
12 U.S.C. 2656 note).

13 (D) The Uyghur Human Rights and Policy
14 Act of 2020 (Public Law 116–145).

15 (E) The Hong Kong Human Rights and
16 Democracy Act of 2019 (Public Law 116–76).

17 (2) FORM.—The determination required by
18 paragraph (1) shall be submitted in unclassified
19 form but may contain a classified annex.

20 (3) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES DEFINED.—In this section, the term “appro-
22 priate congressional committees” means—

23 (A) the Committee on Armed Services, the
24 Committee on Foreign Affairs, the Committee
25 on Financial Services, and the Committee on

1 the Judiciary of the House of Representatives;
2 and
3 (B) the Committee on Armed Services, the
4 Committee on Foreign Relations, the Com-
5 mittee on Banking, Housing, and Urban Af-
6 fairs, and the Committee on the Judiciary of
7 the Senate.

