

**Suspend the Rules and Pass the Bill, HR. 4132, With an Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 4132

To provide for the imposition of sanctions with respect to forced organ harvesting within the People’s Republic of China, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2023

Mr. PERRY (for himself, Mr. BURCHETT, Mr. MURPHY, Ms. SALAZAR, Mr. FALLON, Mr. TIFFANY, Mr. BILIRAKIS, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for the imposition of sanctions with respect to forced organ harvesting within the People’s Republic of China, 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 “Falun Gong Protection  
5 Act”.

1 **SEC. 2. STATEMENT OF POLICY.**

2 It is the policy of the United States to—

3 (1) avoid any cooperation with the PRC in the  
4 organ transplantation field while the Chinese Com-  
5 munist Party remains in power;

6 (2) take appropriate measures, including using  
7 relevant sanctions authorities, to coerce the Chinese  
8 Communist Party to end any state-sponsored organ  
9 harvesting campaign; and

10 (3) work with allies, partners, and multilateral  
11 institutions to highlight China's persecution of  
12 Falun Gong and coordinate closely with the inter-  
13 national community on targeted sanctions and visa  
14 restrictions.

15 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
16 **FORCED ORGAN HARVESTING WITHIN THE**  
17 **PEOPLE'S REPUBLIC OF CHINA.**

18 (a) IMPOSITION OF SANCTIONS.—The President shall  
19 impose the sanctions described in subsection (c) with re-  
20 spect to each foreign person included in the most recent  
21 list submitted pursuant to subsection (b).

22 (b) LIST OF PERSONS.—

23 (1) IN GENERAL.—Not later than 180 days  
24 after the date of the enactment of this Act, the  
25 President shall submit to the appropriate congres-  
26 sional committees a list of foreign persons who the

1 President determines to have knowingly and directly  
2 engaged in or facilitated the involuntary harvesting  
3 of organs within the People's Republic of China.

4 (2) UPDATES OF LISTS.—The President shall  
5 submit to the appropriate congressional committees  
6 an updated list under paragraph (1)—

7 (A) as new information becomes available;

8 (B) not later than one year after the date  
9 of the enactment of this Act; and

10 (C) annually thereafter until the date of  
11 termination under subsection (h).

12 (3) FORM.—The list required by paragraph (1)  
13 shall be submitted in unclassified form, but may in-  
14 clude a classified annex.

15 (c) SANCTIONS DESCRIBED.—The sanctions de-  
16 scribed in this subsection are the following:

17 (1) BLOCKING OF PROPERTY.—The President  
18 shall exercise all of the powers granted to the Presi-  
19 dent by the International Emergency Economic  
20 Powers Act (50 U.S.C. 1701 et seq.) (except that  
21 the requirements of section 202 of such Act (50  
22 U.S.C. 1701) shall not apply) to the extent nec-  
23 essary to block and prohibit all transactions in prop-  
24 erty and interests in property of the person if such  
25 property and interests in property are in the United

1 States, come within the United States, or are or  
2 come within the possession or control of a United  
3 States person.

4 (2) INADMISSIBILITY OF CERTAIN INDIVID-  
5 UALS.—

6 (A) INELIGIBILITY FOR VISAS, ADMISSION,  
7 OR PAROLE.—A foreign person included in the  
8 most recent list submitted pursuant to sub-  
9 section (b) is—

10 (i) inadmissible to the United States;

11 (ii) ineligible to receive a visa or other

12 documentation to enter the United States;

13 and

14 (iii) otherwise ineligible to be admitted

15 or paroled into the United States or to re-

16 ceive any other benefit under the Immigra-

17 tion and Nationality Act (8 U.S.C. 1101 et

18 seq.).

19 (B) CURRENT VISAS REVOKED.—A foreign

20 person described in subparagraph (A) is also

21 subject to the following:

22 (i) Revocation of any visa or other

23 entry documentation regardless of when

24 the visa or other entry documentation is or

25 was issued.

1                   (ii) A revocation under clause (i) shall  
2                   take effect immediately and automatically  
3                   cancel any other valid visa or entry docu-  
4                   mentation that is in the foreign person's  
5                   possession.

6                   (3) EXCEPTION.—Sanctions under paragraph  
7                   (2) shall not apply to an alien if admitting or parol-  
8                   ing the alien into the United States is necessary to  
9                   permit the United States to comply with the Agree-  
10                  ment regarding the Headquarters of the United Na-  
11                  tions, signed at Lake Success June 26, 1947, and  
12                  entered into force November 21, 1947, between the  
13                  United Nations and the United States, or other ap-  
14                  plicable international obligations of the United  
15                  States.

16                  (d) PENALTIES.—The penalties provided for in sub-  
17                  sections (b) and (c) of section 206 of the International  
18                  Emergency Economic Powers Act (50 U.S.C. 1705) shall  
19                  apply to a person who violates, attempts to violate, con-  
20                  spires to violate, or causes a violation of regulations pro-  
21                  mulgated to carry out subsection (a) to the same extent  
22                  that such penalties apply to a person who commits an un-  
23                  lawful act described in section 206(a) of that Act.

1 (e) EXCEPTION TO COMPLY WITH NATIONAL SECUR-  
2 RITY.—The following activities shall be exempt from sanc-  
3 tions under this section:

4 (1) Activities subject to the reporting require-  
5 ments under title V of the National Security Act of  
6 1947 (50 U.S.C. 3091 et seq.).

7 (2) Any authorized intelligence or law enforce-  
8 ment activities of the United States.

9 (f) EXCEPTION RELATING TO PROVISION OF HUMAN-  
10 ITARIAN ASSISTANCE.—Sanctions under this section may  
11 not be imposed with respect to transactions or the facilita-  
12 tion of transactions for—

13 (1) the sale of agricultural commodities, food,  
14 or medicine;

15 (2) the provision of vital humanitarian assist-  
16 ance;

17 (3) financial transactions relating to humani-  
18 tarian assistance or for humanitarian purposes; or

19 (4) transporting goods or services that are nec-  
20 essary to carry out operations relating to humani-  
21 tarian assistance or humanitarian purposes.

22 (g) WAIVER AUTHORITY.—

23 (1) WAIVER.—The President may, on a case by  
24 case basis, waive the imposition of any sanction  
25 under this section if the President determines such

1 waiver is in the vital national security interest of the  
2 United States.

3 (2) REPORTS.—Not later than 120 days after  
4 the date on which the President submits the list  
5 under subsection (b), and every 120 days thereafter  
6 until the date of termination under subsection (h),  
7 the President shall submit to the appropriate con-  
8 gressional committees a report on the extent to  
9 which the President has used the waiver authority  
10 under paragraph (1) during the period covered by  
11 that report.

12 (h) SUNSET.—The authority to impose sanctions  
13 under this section shall terminate on the date that is 5  
14 years after the date of the enactment of this Act.

15 **SEC. 4. REPORT.**

16 (a) IN GENERAL.—Not later than one year after the  
17 date of the enactment of this Act, the Secretary of State,  
18 in consultation with the Secretary of Health and Human  
19 Services and the Director of the National Institutes of  
20 Health, shall submit to the appropriate congressional com-  
21 mittees a report on the organ transplant policies and prac-  
22 tices of the People's Republic of China.

23 (b) MATTERS TO BE INCLUDED.—The report re-  
24 quired under subsection (a) shall include—

1           (1) a summary of de jure and de facto policies  
2           toward organ transplantation in the PRC, including  
3           with respect to prisoners of conscience (including  
4           Falun Gong) and other prisoners;

5           (2)(A) the number of organ transplants that  
6           are known to occur or are estimated to occur on an  
7           annual basis in the PRC;

8           (B) the number of known or estimated vol-  
9           untary organ donors in the PRC;

10          (C) an assessment of the sources of organs for  
11          transplant in the PRC; and

12          (D) an assessment of the time, in days, that it  
13          takes to procure an organ for transplant within the  
14          Chinese medical system and an assessment of wheth-  
15          er such timetable is possible based on the number of  
16          known or estimated organ donors in the PRC;

17          (3) a list of all United States grants over the  
18          past ten years that have supported research on  
19          organ transplantation in the PRC or in collaboration  
20          between a Chinese and a United States entity; and

21          (4) a determination as to whether the persecu-  
22          tion of Falun Gong practitioners within the People's  
23          Republic of China constitutes an "atrocious" (as such  
24          term is defined in section 6 of the Elie Wiesel Geno-



1       cide and Atrocities Prevention Act of 2018 (Public  
2       Law 115–441; 22 U.S.C. 2656 note)).

3       (c) FORM.—The report required under subsection (a)  
4 shall be submitted in unclassified form, but may include  
5 a classified annex.

6 **SEC. 5. EXCEPTION RELATING TO IMPORTATION OF**  
7                                   **GOODS.**

8       (a) IN GENERAL.—The authorities and requirements  
9 to impose sanctions authorized under this Act shall not  
10 include the authority or requirement to impose sanctions  
11 on the importation of goods.

12       (b) GOOD DEFINED.—In this section, the term  
13 “good” means any article, natural or man-made sub-  
14 stance, material, supply or manufactured product, includ-  
15 ing inspection and test equipment, and excluding technical  
16 data.

17 **SEC. 6. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**  
18                                   **FINED.**

19       In this Act, the term “appropriate congressional com-  
20 mittees” means—

21               (1) the Committee on Foreign Affairs of the  
22               House of Representatives; and

23               (2) the Committee on Foreign Relations of the  
24               Senate.