

117TH CONGRESS
2D SESSION

H. R. 6417

To require the imposition of sanctions pursuant to the Global Magnitsky Human Rights Accountability Act to combat the perpetuation of human rights violations in the People’s Republic of China by certain members of the International Olympic Committee, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2022

Mr. GALLAGHER 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

A BILL

To require the imposition of sanctions pursuant to the Global Magnitsky Human Rights Accountability Act to combat the perpetuation of human rights violations in the People’s Republic of China by certain members of the International Olympic Committee, 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 “Free Peng Shuai Act”.

1 **SEC. 2. GLOBAL MAGNITSKY SANCTIONS WITH RESPECT TO**
2 **CERTAIN INTERNATIONAL OLYMPIC COM-**
3 **MITTEE (IOC) OFFICIALS WHO ARE**
4 **COMPLICIT IN THE PERPETUATION OF**
5 **HUMAN RIGHTS ABUSES IN THE PEOPLE'S**
6 **REPUBLIC OF CHINA.**

7 (a) IN GENERAL.—Not later than 120 days after the
8 date of the enactment of this Act and as appropriate
9 thereafter, the President shall impose the sanctions de-
10 scribed in subsection (c) with respect to each foreign per-
11 son described in subsection (b) if the President has cred-
12 ible evidence that the foreign person has knowingly en-
13 gaged in any of the activities described in section
14 1263(a)(3) of the Global Magnitsky Human Rights Ac-
15 countability Act (subtitle F of title XII of Public Law
16 114–328; 22 U.S.C. 2656 note).

17 (b) FOREIGN PERSONS DESCRIBED.—A foreign per-
18 son described in this subsection is a foreign person who
19 is—

20 (1) President of the International Olympic
21 Committee; or

22 (2) any other individual associated with the
23 International Olympic Committee who the President
24 determines has materially assisted the Government
25 of the People's Republic of China in the disappear-
26 ance of Peng Shuai.

1 (c) SANCTIONS DESCRIBED.—

2 (1) IN GENERAL.—The sanctions described in
3 this subsection are the sanctions described in section
4 1263(b) of the Global Magnitsky Human Rights Ac-
5 countability Act (subtitle F of title XII of Public
6 Law 114–328; 22 U.S.C. 2656 note).

7 (2) EXCEPTION FOR INTELLIGENCE ACTIVI-
8 TIES.—The requirement to impose sanctions under
9 this section shall not apply with respect to activities
10 subject to the reporting requirements under title V
11 of the National Security Act of 1947 (50 U.S.C.
12 3091 et seq.), or any authorized intelligence activi-
13 ties of the United States.

14 (d) WAIVER.—The President may waive the imposi-
15 tion of the sanctions under this section with respect to
16 a foreign person if the President determines and reports
17 to the appropriate congressional committees that—

18 (1) a waiver is in the national security interests
19 of the United States; or

20 (2) Peng Shuai has been released and may
21 travel freely, including internationally, and her well-
22 being has been independently confirmed to the satis-
23 faction of the Government of the United States.

24 (e) IMPLEMENTATION.—

1 (1) IN GENERAL.—The President may exercise
2 all authorities provided to the President under sec-
3 tions 203 and 205 of the International Emergency
4 Economic Powers Act (50 U.S.C. 1702 and 1704) to
5 carry out this section.

6 (2) EXCEPTION RELATING TO THE IMPORTA-
7 TION OF GOODS.—The authorities and requirements
8 to impose sanctions authorized under this Act shall
9 not include the authority or requirement to impose
10 sanctions on the importation of goods.

11 (3) GOOD DEFINED.—In this subsection, the
12 term “good” means any article, natural or manmade
13 substance, material, supply, or manufactured prod-
14 uct, including inspection and test equipment and ex-
15 cluding technical data.

16 (f) PENALTIES.—A person that violates, attempts to
17 violate, conspires to violate, or causes a violation of this
18 section or any regulation, license, or order issued to carry
19 out this section shall be subject to the penalties set forth
20 in subsections (b) and (c) of section 206 of the Inter-
21 national Emergency Economic Powers Act (50 U.S.C.
22 1705) to the same extent as a person that commits an
23 unlawful act described in subsection (a) of that section.

24 (g) REPORT ON IMPLEMENTATION.—Not later than
25 15 days after imposing sanctions under subsection (a), the

1 President shall submit to the appropriate congressional
2 committees a report regarding measures taken to imple-
3 ment this section.

4 (h) DEFINITIONS.—In this section:

5 (1) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

8 (A) the Committee on Foreign Affairs, the
9 Committee on Armed Services, the Permanent
10 Select Committee on Intelligence, the Com-
11 mittee on Financial Services, the Committee on
12 the Judiciary, and the Committee on Appro-
13 priations of the House of Representatives; and

14 (B) the Committee on Foreign Relations,
15 the Committee on Armed Services, the Select
16 Committee on Intelligence, the Committee on
17 Banking, Housing, and Urban Affairs, the
18 Committee on the Judiciary, and the Com-
19 mittee on Appropriations of the Senate.

20 (2) FOREIGN PERSON.—The term “foreign per-
21 son” means an individual or entity that is not a
22 United States person.

23 (3) UNITED STATES PERSON.—The term
24 “United States person” means—

1 (A) a United States citizen or an alien law-
2 fully admitted for permanent residence to the
3 United States; or

4 (B) an entity organized under the laws of
5 the United States or of any jurisdiction within
6 the United States, including a foreign branch of
7 such an entity.

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