



# IN THE CONGRESS OF THE UNITED STATES

JANUARY 12, 2022

Mr. CARTER (for himself) introduced the following bill;

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## A BILL

To protect the national security of the United States of America, to protect the integrity of state-owned devices, to protect national secrets and data from foreign eyes, to ensure compliance with federal law, to hold the People's Republic of China accountable for human rights abuses, and for other purposes.

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the “American Security Act”

### SEC. 2. DEFINITIONS.

In this Act—

- (1) the term “covered application” means the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited;
- (2) the term “executive agency” has the meaning given that term in section 133 of title 41, United States Code; and
- (3) the term “information technology” has the meaning given that term in section 11101 of title 40, United States Code.

- (4) the term “Specially Designated Nationals and Blocked Persons List” (henceforth referred to as the “SDN List”) refers to the list maintained by the Office of Foreign Asset Control of individuals and corporations blocked from interacting with U.S. institutions or persons.

### **SEC. 3. PROHIBITION AGAINST PURCHASES OF PROPERTY BY CERTAIN ENTITIES IN GENERAL—**

- (a) Any individual (or company, entity, or foreign state) that is associated with to any degree, or who is or has been employed by, the following entities, shall be prohibited from purchasing any parcel of land, leasing any parcel of land, or applying for any permits or waivers for the construction of new structures on already owned or leased land within the United States of America or any territories or waters controlled or managed by the United States:
- (i) The Chinese Communist Party
  - (ii) The Government of the People’s Republic of China
  - (iii) The People’s Liberation Army (Mainland China)
  - (iv) ‘*People’s Daily*’ or any other propaganda or news-based firm funded in part or in whole by the Chinese Communist Party.
- (b) Persons or entities that fall under the prohibition as described in subsection a shall be prohibited from applying for an extension to any existing lease.

### **SEC. 4. PERMANENT PROHIBITION OF CERTAIN CELLULAR TECHNOLOGIES IN GENERAL—**

- (a) Any company that is owned in part or in whole by any of the entities listed in Section 3(a), or that have any official association or agreement with any of the entities listed in Section 3(a), shall be considered a threat to the integrity of U.S. communications infrastructure and national security.o
- (b) Any company that meets the criteria as described in subsection a of this section shall cease operations of telecommunications services in the United States, including cellular, broadband, wired internet, and radio services.
- (i) All activities as described in subsection (b) must cease by January 1, 2023.
  - (ii) Any individual who conducts activities in violation of this section shall be considered as taking part in unlawful interference and subject to prosecution under 47 C.F.R. § 97.101(d).

## **SEC. 5. EXCLUSION OF CERTAIN ENTITIES AND SERVICES ON STATE DEVICES**

- (a) Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator of General Services, the Director of the Cybersecurity and Infrastructure Security Agency, the Director of National Intelligence, and the Secretary of Defense, and consistent with the information security requirements under subchapter II of chapter 35 of title 44, United States Code, shall develop standards and guidelines for executive agencies requiring the removal of any covered application from information technology.

## **SEC. 6. SANCTIONS AGAINST INDIVIDUALS**

- (a) All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:
- (i) Ma Xingrui (馬興瑞), Communist Party Secretary of Xinjiang Uyghur Autonomous Region.
  - (ii) Erkin Tuniyaz (艾爾肯·吐尼亞孜), Chairman of Xinjiang Uyghur Autonomous Region.
  - (iii) Chen Quanguo (陈全国), former Communist Party Secretary of Xinjiang Uyghur Autonomous Region.
  - (iv) Shewket Imin (肖開提·依明), Chairman of the Standing Committee of the People's Congress of Xinjiang Uygur Autonomous Region.
  - (v) Nurlan Abilmazhinuly (努爾蘭·阿不都滿金), Chairman of the Xinjiang Regional Committee of the Chinese People's Political Consultative Conference.
  - (vi) Zhang Chunxian (張春賢), Vice Chairperson of the Standing Committee of the National People's Congress, former Communist Party Secretary of the Xinjiang Uyghur Autonomous Region.
  - (vii) Nur Bekri (努爾·白克力), Director of the National Energy Administration, former Chairman of the Xinjiang Uyghur Autonomous Region People's Government.
  - (viii) Shohrat Zakir (雪克來提·扎克爾), former Chairman of the Xinjiang Uyghur Autonomous Region.
  - (ix) Guo Shengkun (郭声琨), Secretary of the Central Political and Legal Affairs Commission of the Chinese Communist Party.

- (x) Meng Jianzhu (孟建柱), former Secretary of the Central Political and Legal Affairs Commission of the Chinese Communist Party.
- (xi) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:
  - (1) to be responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, or to have participated in, directly or indirectly, any of the following in or in relation to the Xinjiang Uyghur Autonomous Region:
    - a) Significant acts of violence or conduct that constitutes a serious abuse or violation of human rights
    - b) The arbitrary detention of any person or person without due process or probable cause for detention, including the conducting of show trials, or trials that yield convictions and sentences without a bona fide attempt at ensuring due process of law, and ensuring guilt of a legitimate crime
    - c) The repression or limiting of a legitimate religious practice or observance, or any discrimination or targeting of religious groups, their respective institutions, leaders therein, or members or observances of any religious group, faith, creed, or organization, institution, or otherwise equivalent body.
    - d) The torture, murder, or death, intentional or otherwise caused by deliberative negligence, of any person or persons, done so on the basis of religion, ethnicity, creed, national origin, or any other status protected under international law, occurring within the Xinjiang Uyghur Autonomous Region, and occurring between January 1st, 2008, and the date of enactment of this Act.
  - (2) To have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of:
    - a) A person whose property and interests in property are blocked pursuant to this Act; or
    - b) An activity described in subsection (xi)(1) of this section
- (b) The prohibitions in subsection (a) of this section apply notwithstanding any contract entered into or any license or permit granted prior to the effective date of this Act.

## **SEC. 7. PROHIBITIONS OF CERTAIN ACTIONS**

- (a) The making of donations of the type of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to section 4 of this Act is prohibited.
- (b) The prohibitions in section 4 of this Act include but are not limited to:
  - (i) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this Act; and
  - (ii) the receipt of any contribution or provision of funds, goods, or services from any such person.
  - (iii) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this Act
  - (iv) Any conspiracy formed to violate any of the prohibitions set forth in this Act

## **SEC. 8. MISCELLANEOUS PROVISIONS**

- (a) The Secretary of the Treasury, as well as any other officials entrusted with the execution of this Act and its provisions, shall undertake the aforementioned actions in a period not exceeding ten days following the effective passage of this Act.
- (b) The Secretary of the Treasury retains the right to take any additional actions seen necessary against any individual found to be involved in, complicit in, or contributing to in any way, directly or indirectly, the actions or activities previously mentioned in this Act.
- (c) The Secretary of the Treasury, nor the President, or any surrogate, may not rescind any sanction or penalty put into place under this Act, for any purpose, under penalty of law.
- (d) All persons sanctioned under Section 4 of this Act shall be added to the SDN List within ten days of the effective passage of this Act.

## **SEC. 9. ENACTMENT**

The provisions of this Act shall be enacted immediately upon passage into law.