

116TH CONGRESS
2D SESSION

S. 4797

To place restrictions on the issuance of nonimmigrant visas to Chinese journalists employed by a Chinese state-run media organization or effectively controlled by the Government of the People’s Republic of China or the Chinese Communist Party, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 5, 2020

Mr. SCOTT of Florida (for himself and Mrs. BLACKBURN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To place restrictions on the issuance of nonimmigrant visas to Chinese journalists employed by a Chinese state-run media organization or effectively controlled by the Government of the People’s Republic of China or the Chinese Communist Party, 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 “Chinese-Backed Media
5 Accountability Act”.

1 **SEC. 2. RESTRICTIONS ON NONIMMIGRANT VISAS FOR CHI-**
 2 **NESE JOURNALISTS.**

3 (a) DEFINED TERM.—

4 (1) IN GENERAL.—In this section, the term
 5 “Chinese state-run media organization” includes—

6 (A) China Central Television;

7 (B) China News Service;

8 (C) the People’s Daily;

9 (D) the Global Times;

10 (E) Xinhua News Agency;

11 (F) China Global Television Network;

12 (G) China Radio International;

13 (H) China Daily Distribution Corporation;

14 and

15 (I) Hai Tian Development USA.

16 (2) IDENTIFICATION OF ADDITIONAL CHINESE
 17 STATE-RUN MEDIA ORGANIZATIONS.—The Secretary
 18 of State shall determine whether any media organi-
 19 zation not listed under paragraph (1)—

20 (A) is a Chinese state-run media organiza-
 21 tion; and

22 (B) is subject to the visa restrictions set
 23 forth in this section.

24 (b) REPORT ON CHINESE JOURNALISTS IN THE
 25 UNITED STATES.—Not later than 30 days after the date
 26 of the enactment of this Act, the Secretary of State shall

1 submit a report to Congress that identifies the number
2 of nationals of the People’s Republic of China—

3 (1) who are engaged in the journalism profes-
4 sion;

5 (2)(A) who are employed by a Chinese state-run
6 media organization; or

7 (B) whose work product, in the opinion of the
8 Secretary of State, is effectively controlled by the
9 Government of the People’s Republic of China or the
10 Chinese Communist Party;

11 (3) who, during the most recent 1-year period—

12 (A) were issued a nonimmigrant visa under
13 section 101(a)(15)(H)(i)(b) of the Immigration
14 and Nationality Act (8 U.S.C.
15 1101(a)(15)(H)(i)(b)) (commonly known as an
16 “H–1B visa”) or were granted an extension for
17 such visa;

18 (B) were issued a nonimmigrant visa under
19 section 101(a)(15)(I) of such Act (8 U.S.C.
20 1101(a)(15)(I)) (commonly known as an “I–1
21 visa”) or were granted an extension for such
22 visa; or

23 (C) were issued a nonimmigrant visa under
24 section 101(a)(15)(L) of such Act (8 U.S.C.
25 1101(a)(15)(L)) (commonly known as an “L–1

1 visa”) or were granted an extension for such
2 visa; and

3 (4) who were physically present in the United
4 States on the date of the enactment of this Act.

5 (c) REVIEW OF CERTAIN NONIMMIGRANT VISA
6 HOLDERS.—U.S. Citizenship and Immigration Services
7 may not approve a petition for a nonimmigrant visa re-
8 ferred to in subsection (b)(3) to any journalist from the
9 People’s Republic of China described in subsection (b)(2),
10 and the Bureau of Consular Affairs may not issue such
11 a visa to any such journalist, until after the Secretary of
12 State submits the report required under subsection (b).

13 (d) ADDITIONAL REQUIREMENTS FOR CERTAIN NON-
14 IMMIGRANT VISAS.—Before issuing a nonimmigrant visa
15 referred to in subsection (b)(3) to a journalist from the
16 People’s Republic of China described in subsection (b)(2),
17 the Bureau of Consular Affairs shall ensure that—

18 (1) the number of nonimmigrant visas issued to
19 journalists from the People’s Republic of China de-
20 scribed in subsection (b)(2) does not exceed the
21 number of United States journalists in the People’s
22 Republic of China; and

23 (2) such visa is valid for a period not to exceed
24 90 days.

1 (e) RENEWALS.—A nonimmigrant visa issued to a
2 journalist from the People’s Republic of China described
3 in subsection (b)(2) may be renewed by U.S. Citizenship
4 and Immigration Services for an additional 90-day period
5 if the number of valid nonimmigrant visas issued to Chi-
6 nese journalists described in subsection (b)(2) is fewer
7 than the number of United States journalists in the Peo-
8 ple’s Republic of China.

9 **SEC. 3. CONGRESSIONAL REPORTING REQUIREMENTS.**

10 (a) REPORT.—Not later than 45 days after the date
11 of the enactment of this Act, the Secretary of State and
12 the Secretary of Homeland Security shall submit a report
13 to Congress regarding the ongoing monitoring of the num-
14 ber of Chinese journalists described in section 2(b).

15 (b) BIENNIAL CONGRESSIONAL BRIEFINGS.—The
16 Secretary of State and the Secretary of Homeland Secu-
17 rity shall ensure that appropriate staff are available to
18 provide a biennial briefings to the appropriate congres-
19 sional committees regarding—

20 (1) the number of Chinese journalists described
21 in section 2(b);

22 (2) the number of United States journalists in
23 the People’s Republic of China;

1 (3) the names of entities that are labeled, or
 2 considered to be labeled, as foreign missions of the
 3 People’s Republic of China.

4 (4) the extent to which the Department of State
 5 and the Department of Homeland Security are com-
 6 plying with the visa restrictions under this Act; and

7 (5) recommendations for improving the accu-
 8 racy of reporting from the People’s Republic of
 9 China—

10 (A) to prevent future pandemics origi-
 11 nating from the People’s Republic of China;
 12 and

13 (B) to provide accurate information to the
 14 public regarding—

15 (i) the mistreatment by the Govern-
 16 ment of the People’s Republic of China of
 17 natives of the Xinjiang Uyghur Autono-
 18 mous Region and followers of the Falun
 19 Gong religious movement; and

20 (ii) conditions affecting the political
 21 and civil rights of the people in Hong
 22 Kong.

○