

118TH CONGRESS  
1ST SESSION

# H. R. 5448

To require the imposition of sanctions with respect to Chinese officials determined to be involved in the Mexican fentanyl trade, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2023

Mr. OGLES (for himself, Mr. CLOUD, Mrs. MILLER of Illinois, Mr. TIFFANY, Mr. DONALDS, Mr. NORMAN, Mr. MOONEY, and Mr. WEBER of Texas) 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 require the imposition of sanctions with respect to Chinese officials determined to be involved in the Mexican fentanyl trade, 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 “Countering CCP  
5 Fentanyl Trafficking Act”.

1 **SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO CHI-**  
2 **NESE OFFICIALS INVOLVED IN THE MEXICAN**  
3 **FENTANYL TRADE.**

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

8 (b) LIST OF PERSONS.—

9 (1) IN GENERAL.—Not later than 60 days after  
10 the date of enactment of this Act, the President  
11 shall submit to the appropriate congressional com-  
12 mittees a list of officials of the Government of the  
13 People’s Republic of China who the President deter-  
14 mines as having assisted in or approved with knowl-  
15 edge of the recipient, the transportation of pill press-  
16 es, fentanyl products, or fentanyl precursors to 1 or  
17 more Mexican drug cartels.

18 (2) UPDATES OF LISTS.—The President shall  
19 submit to the appropriate congressional committees  
20 an updated list under paragraph (1)—

21 (A) not later than 180 days after the date  
22 of enactment of this Act and annually there-  
23 after for 10 years; or

24 (B) as new information becomes available.

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

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

6           (1) BLOCKING OF PROPERTY.—The President  
7 shall exercise all of the powers granted to the Presi-  
8 dent by the International Emergency Economic  
9 Powers Act (50 U.S.C. 1701 et seq.) (except that  
10 the requirements of section 202 of such Act shall  
11 not apply) to the extent necessary to block and pro-  
12 hibit all transactions in property and interests in  
13 property of the person if such property and interests  
14 in property are in the United States, come within  
15 the United States, or are or come within the posses-  
16 sion or control of a United States person.

17           (2) INADMISSIBILITY OF CERTAIN INDIVID-  
18 UALS.—

19           (A) INELIGIBILITY FOR VISAS, ADMISSION,  
20 OR PAROLE.—A foreign person included in the  
21 most recent list submitted pursuant to sub-  
22 section (b) is—

23           (i) inadmissible to the United States;

1 (ii) ineligible to receive a visa or other  
2 documentation to enter the United States;  
3 and

4 (iii) otherwise ineligible to be admitted  
5 or paroled into the United States or to re-  
6 ceive any other benefit under the Immigra-  
7 tion and Nationality Act (8 U.S.C. 1101 et  
8 seq.).

9 (B) CURRENT VISAS REVOKED.—A foreign  
10 person described in subparagraph (A) is also  
11 subject to the following:

12 (i) Revocation of any visa or other  
13 entry documentation regardless of when  
14 the visa or other entry documentation is or  
15 was issued.

16 (ii) A revocation under clause (i) shall  
17 take effect immediately and automatically  
18 cancel any other valid visa or entry docu-  
19 mentation that is in the foreign person's  
20 possession.

21 (3) EXCEPTION.—Sanctions under paragraph  
22 (2) shall not apply to an alien if admitting or parol-  
23 ing the alien into the United States is necessary to  
24 permit the United States to comply with the Agree-  
25 ment regarding the Headquarters of the United Na-

1 tions, signed at Lake Success June 26, 1947, and  
2 entered into force November 21, 1947, between the  
3 United Nations and the United States, or other ap-  
4 plicable international obligations of the United  
5 States.

6 (d) PENALTIES.—The penalties provided for in sub-  
7 sections (b) and (c) of section 206 of the International  
8 Emergency Economic Powers Act (50 U.S.C. 1705) shall  
9 apply to a person who violates, attempts to violate, con-  
10 spires to violate, or causes a violation of regulations pro-  
11 mulgated to carry out subsection (a) to the same extent  
12 that such penalties apply to a person who commits an un-  
13 lawful act described in section 206(a) of that Act.

14 (e) EXCEPTION TO COMPLY WITH NATIONAL SECUR-  
15 ITY.—The following activities shall be exempt from sanc-  
16 tions under this section:

17 (1) Activities subject to the reporting require-  
18 ments under title V of the National Security Act of  
19 1947 (50 U.S.C. 3091 et seq.).

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

22 (f) WAIVER.—The President may, on a case-by-case  
23 basis, waive the imposition of any sanction under this sec-  
24 tion if the President—

1           (1) determines that such a waiver is in the na-  
2           tional interest of the United States; and

3           (2) not later than 120 days after the date on  
4           which the President imposes the sanctions described  
5           in subsection (a), and every 120 days thereafter  
6           until the date of termination under subsection (g),  
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          (g) SUNSET.—The authority to impose sanctions  
13          under this section shall terminate on the date that is 10  
14          years after the date of enactment of this Act.

15          (h) APPROPRIATE CONGRESSIONAL COMMITTEES  
16          DEFINED.—In this Act, the term “appropriate congres-  
17          sional committees” means—

18                 (1) the Committee on Foreign Affairs of the  
19                 House of Representatives; and

20                 (2) the Committee on Foreign Relations of the  
21                 Senate.

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