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MARKUP OF H. RES. 543, H.R. 3289, H.R. 4270, H. RES. 517, H. RES. 387, H. RES. 552, AND H. RES. 521

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

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MARKUP OF H. RES. 543, H.R. 3289, H.R. 4270, H. RES. 517, H. RES. 387,H. RES. 552, AND H. RES. 521

Wednesday, September 25, 2019
House of Representatives
Committee on Foreign Affairs

Washington, DC

The committee met, pursuant to notice, at 10 a.m., in room 2172 Rayburn House Office Building, Hon. Eliot Engel (chairman of the committee) presiding.

Chairman ENGEL. The committee will come to order.

Without objection, the chair is authorized to declare a recess of the committee at any point. Pursuant to Committee Rule 4, the chair announces that the chair may postpone further proceedings on approving any measure, or matter, or adopting an amendment.

Without objection, all members may have 5 days to submit statements or extraneous material on today's business.

As members were notified yesterday, we intended to consider today's measures and amendments en bloc. Pursuant to notice, for purposes of markup I will now call up the en bloc passages consisting of seven measures:

First, H. Res. 543, Recognizing Hong Kong's bilateral relationship with the U.S., with an amendment in the nature of a substitute;

Two, H.R. 3289, Hong Kong Human Rights and Democracy Act of 2019, with an amendment in the nature of a substitute;

H.R. 4270, Protect Hong Kong Act, with an amendment in the nature of a substitute;

H. Res. 517, Supporting the Global Fund to fight AIDS, TB, malaria, and its Sixth Replenishment;

H. Res. 387, Condemning continued violence against civilians by armed groups in the Central American(sic) Republic, with an Engel amendment;

H. Res. 552, Calling on the Government of the Russian Federation to release Paul Whelan, and finally;

H. Res. 521, which commends the Canadian Government for their efforts in extracting a Huawei executive.

At this time I recognize myself to speak on today's business. And I am pleased to support all of the measures before us today, and I thank our members for their hard work. I want to start by discussing our strong measures that address the situation in Hong Kong.

Over the past months we have watched as the people of Hong Kong have bravely and tirelessly protested for their rights and their freedoms. And we are watching in realtime as Beijing tries

to flex its muscles and stifle this democratic dissent. Thirty years after the Tiananmen Square massacre Chinese authorities are still trying to use violence and intimidation to crush fundamental freedoms.

To the Chinese Communist Party and those seeking to undermine Hong Kong's freedom and autonomy let me be crystally clear: the House Foreign Affairs Committee will not just sit idly by. So, I am pleased we have a number of good measures before us today to demonstrate our support for the Hong Kong people at this critical time.

First, we have Mr. Smith's Hong Kong Human Rights and Democracy Act, which requires regular evaluations of Beijing's aggressive attempts to interfere in Hong Kong society.

We also have Mr. Sherman's resolution that condemns China's intrusions in Hong Kong's affairs, and supports the people of Hong Kong's right to protest.

And there is Mr. McGovern's PROTECT Hong Kong Act which addresses the disturbingly excessive use of force by the Hong Kong police against protestors. This bipartisan bill ensures that U.S. weapons are not being used to contribute to these horrific abuses.

All three of these measures are important ways for us to take a stand on these critical issues, and I am pleased to support them all.

Another measure on China today is Mr. McCaul's H. Res. 521. China has essentially been playing a game of hostage diplomacy with our ally and neighbor Canada, arresting and detaining Canadian citizens purely to retaliate against Canada's lawfully arresting a Huawei executive. This measure rightly shows our support for Canada, upholding the rule of law, and expresses concern over this dangerous and inappropriate response from the Chinese Government.

Next, we have a measure dealing with an American citizen being wrongfully held in prison abroad. Russia's Vladimir Putin and his cronies have kept American Paul Whelan locked up for over 8 months without providing so much as a shred of evidence that he has done anything wrong. H. Res. 552 calls on the Russian Government to provide evidence or release Mr. Whelan so he can come home to the United States and receive the proper medical treatment he so urgently needs. Every day he spends in that Russian prison is yet another day spent suffering. This is another reminder of the kind of leader Putin is, and something we should all keep in mind.

I strongly support this measure. And I want to thank Representative Stevens for his hard work to seek justice for Paul Whelan and his family.

Next, I will turn to my resolution with Mr. McCaul that demonstrates Congress' bipartisan support for the Global Fund to fight AIDS, tuberculosis, and malaria. The Global Fund has contributed to incredible achievements in the fight against some of the world's most terrible diseases. We cannot accept the Trump amendments—Trump Administration's drastic cut to this lifesaving program, so I am pleased that we are moving this forward, and hope all members will join me in supporting it.

Finally, we turn to the Central African Republic with their over 1 million people displaced by horrific violence and instability. Mr. Cicilline and Mr. Fortenberry's resolution before us today condemns the random violence of armed groups in the Central African Republic, and supports the country's efforts to move toward stability and accountability. It is a good measure that shows we are paying attention to this critical issue. And I hope all members will join me in supporting it.

Again, I am pleased to support all the measures on today's markup, and I urge all members on both sides to join me in doing so.

And I will now recognize our ranking Member Mr. McCaul of Texas for his remarks.

Mr. MCCAUL. Thank you, Mr. Chairman. I just want to thank you again for your bipartisanship. I was on the floor yesterday with Congressman Levin debating six bills that we passed on suspension dealing with human rights in Burma, and genocide. And it just makes me proud to be a part of this committee.

And today we are going to mark up two bipartisan bills and five bipartisan resolutions. And I want to start by thanking you, Chairman Engel, for your work on H. Res. 517 supporting the Global Fund, which I am proud to be the lead Republican on this effort. It is vitally important. As you mentioned, the cuts were unacceptable. I think you and I standing together to fully fund this Global Health Fund, right now in the United Nations is, the Assembly is in New York right now, and there will be a global health conference in Lyons, France, in October.

I think this important piece of legislation will send a strong message to the world that we intend to fully fund it. And we also want full participation from other countries.

Today we will consider three very important Hong Kong measures. Last week I was proud to join Speaker Pelosi, and you, sir, and Mr. Engel, Congressman Smith, the author of the bill, and Jim McGovern, and several Hong Kong pro-democracy activists to denounce China's authoritarian brutality. I said it then and I will say it again: today we stand not as Republicans or Democrats but as Americans united in our strong support for Hong Kong.

And as I said at the press conference directly to the people of Hong Kong, America stands with you, and we will always support you. We hear you sing our national anthem and we see you carrying our American flag. This is a battle between democracy versus dictatorship, liberty versus tyranny, and freedom versus oppression.

And I am pleased that today we will consider Mr. Smith's Hong Kong Human Rights and Democracy Act which sends a clear message to China that there will be consequences to their ruthless and brutal actions. This committee, this Congress, and the United States and the world will not stand by idly as the Chinese Communist Party fights for itself and not its own people.

I know we have read many reports coming out of China after our press conference. I am sure we will hear many today. I wear that as a badge of honor.

I would also like to highlight H. Res. 521, which I introduced with my good friend Chairman Engel. This resolution commends Canada for upholding the rule of law regarding extradition of

Huawei Technology's chief financial officer Meng Wanzhou. It also expresses concern with China's retaliatory and hostile actions against Canadian citizens detained in China.

China's hostage diplomacy is abhorrent. Canadian citizens Michael Kovrig and Michael Spavor have been detained in China since last year without due process, and have been subjected to harsh conditions, such as limited consular access, no attorney representation, and lengthy interrogations.

Meanwhile, Ms. Meng, on the other hand, has received proper treatment in Canadian custody, with all her legal, health, and other needs attended to, and is currently released on bail. What a difference in the two criminal justice systems. I commend Canada, and regret that the Canadian citizens are paying the price for China's malfeasance. Canadian citizens must be released immediately.

Finally, we all need to remember that Huawei is supported by the Chinese Government and is responsive to its leaders. Our data is not safe or secure on their systems. And I appreciate Australia—and I was at the embassy last weekend with the prime minister—and other countries who have pushed back against Huawei.

So, Mr. Chairman, I look forward to supporting you and these measures today, and I yield back the balance of my time.

Chairman ENGEL. Thank you, Mr. McCaul.

Mr. SHERMAN.

Mr. SHERMAN. I am pleased that the chair and ranking member have guided us here to a group of legislation that we can all be proud of. I am pleased to co-sponsor all the bills under consideration. And once again this committee sets a standard for bipartisanship.

Particularly want to focus on the stand with Hong Kong resolution, which I introduced along with Ms. Wagner, Mr. Connolly, Mr. Yoho, and of course we have other co-sponsors as well. This demonstrates that the so-called Extradition Bill is an infringement on the rights, the autonomy rights of Hong Kong, and that we stand with the protestors and their fine demands: the complete withdrawal of this Extradition Bill, the implementation of universal suffrage, and the election of a chief executive and all members of the Legislative Council, the establishment of an independent commission to investigate police conduct during the protests, the declassification of the protestors as rioters, and the dropping of all charges against persons who participated in the protests.

We are also considering, and I am pleased to co-sponsor, the Hong Kong Human Rights and Democracy Act and the PROTECT Hong Kong Act.

I join with Mr. Cicilline in his concern for what is happening in the Central African Republic.

I commend the chairman for his resolution regarding our commitment to the Global Fund to fight AIDS, tuberculosis, and malaria.

And, of course, we need to call for the proper handling of the complaint against an American citizen, Paul Whelan, who is being held by Russia, and with Russia not as of yet producing charges or credible evidence.

And, of course, Canada is to be commended for its steadfast adherence to its obligations under the extradition treaty with the

United States in connection with the chief financial officer of Huawei. Unfortunately, Canadian nationals are being held in response. We need to make a claim to China that it is very hard to do business when they engage in hostage diplomacy.

So, I urge a yes vote on all the bills. And I yield back.

Chairman ENGEL. Thank you, Mr. Sherman.

Mr. SMITH.

Mr. SMITH. Thank you very much, Mr. Chairman.

And, Mr. Chairman, as you and Ranking Member McCaul, and other members of this committee know so well, the 1984 Sino-British joint declaration that facilitated the conveyance of Hong Kong from the U.K. to the PRC beginning July 1st, 1997, was absolutely clear that autonomy, human rights, including press assembly, association, and religion would be exactly the same as before the handover for at least 50 years. And that would take them to the year 2047.

The basic law of Hong Kong adopted by China's National People's Congress in 1990 was also clear that autonomy and rights would be protected, again, with no diminution whatsoever of that autonomy and rights until 2047. Today, however, those promises solemnly undertaken by Beijing have seriously eroded and, as stated in the most recent State Department report, they have been diminished.

Since that report, however, things have gotten demonstrably worse. So, I would like to thank—On a daily basis we are reminded of the desire of the brave people of Hong Kong to be free and how the totalitarian regime of Xi Jinping is working to dismantle the rights and liberties of the people of Hong Kong.

So, I would like to thank Chairman Engel, Ranking Member McCaul, and their staff, for working diligently with my staff and with the lead Democratic co-sponsor Jim McGovern, and the Speaker's staff to bring the Hong Kong Human Rights Democracy—and Democracy Act to markup. This legislation is timely and it is essential.

Five years ago I first introduced the Hong Kong Human Rights and Democracy Act, co-sponsored by House Speaker Nancy Pelosi, and then on the Senate side with co-chair of the China Commission, Senator Sherrod Brown. The bill allowed for more flexible and robust U.S. responses to the steady erosion of Hong Kong's autonomy and human rights.

Over the years we have upgraded the bill. This is the fourth time we have introduced it. But, again, this comes at the most critical time. Look how many people are out on the streets. Joshua Wong had the press conference last week, and he said it in a Washington Post article back in June, that at one point there were 2 million people on the streets. That is one-fourth of the entire population of Hong Kong.

So, again I want to thank my good friends and colleagues for cosponsoring, including many members of this committee. Specifically, the bill directs the Secretary of State to certify to Congress annually whether the Hong Kong—whether Hong Kong continues to deserve special treatment under U.S. law different from mainland China in such matters as trade, customs, sanctions enforce-

ment, law enforcement cooperation, and protection of human rights and the rule of law.

It also underscores the need for the State Department not to deny entry visas based on the applicant's arrest or detention for participating in non-violent protest activities in Hong Kong.

I requires the annual report on whether the Hong Kong Government adequately enforces U.S. export controls and sanctions laws, requires the Secretary of State to submit a strategy to Congress to protect U.S. citizens and businesses in Hong Kong from erosion of autonomy and the rule of law because of actions taken by the Chinese Communist Government, especially in Beijing.

It requires the President to identify and sanction persons in Hong Kong or in mainland China responsible for the erosion of human right and Hong Kong's autonomy.

The particular amendment in the nature of a substitute further directs the State Department to provide greater analysis of the threats to Hong Kong's autonomy and extend the period of reporting by requiring certification by the Secretary of State. It helps to ensure an honest evaluation of the situation as it really is on the ground, much as our annual trafficking in persons tier rankings are intended to do.

And it contains a waiver provision, agreed to by both sides of the aisle, to ensure that our actions enhance the autonomy of Hong Kong rather than inadvertently harming it.

I would also like to urge passage of Chairman McGovern's PROTECT Hong Kong Act, which I am the lead Republican co-sponsor. Congressman McGovern and I were the first Members of Congress to call on the Trump Administration to suspend the sale of tear gas, rubber bullets, pepper spray, and other crowd control equipment to the Hong Kong police. In tandem with the Hong Kong Human Rights Democracy Act, Congress is sending a clear bipartisan and bicameral statement. And I do urge support for this legislation.

Chairman ENGEL. Thank you, Mr. Smith.

Ms. BASS.

Ms. BASS. Thank you, Mr. Chair. I want to thank my colleague Representative Cicilline for introducing H. Res. 387. I am discouraged by the continuing violence between rival armed groups in the Central African Republic that has caused fatalities and injuries to innocent citizens and peacekeepers. The recent clashes between the Popular Front for the Renaissance of the Central African Republic and the movement of the Central African Freedom Fighters for Justice is a direct conflict of the peace deal signed by 14 armed groups in February of this year.

I am concerned about the effectiveness of ending the violence that has plagued the country since the removal of the former President Bozize in 2013.

Furthermore, this unrelenting conflict has forced millions of CAR's residents to migrate to neighboring countries, fleeing their homes and livelihoods. I also condemn the violence against innocent civilians and humanitarian workers, and I call on the international community to help find long-term, sustainable solutions that will help stabilize the region.

CAR has made progress toward democracy, justice, and accountability by holding democratic elections in 2016, and by establishing the Special Criminal Court and Peace Committee in 2017.

Since 2013, the U.S. has been the largest single donor to the humanitarian response in CAR, and has remained involved in peace throughout the country—in promoting peace throughout the country. This measure resolves that the U.S. must maintain strong leadership and support in CAR to ensure regional security and stability. The resolution condemns violence committed by all armed actors within CAR.

What is very important about this resolution is that it calls for coordination between U.S. agencies in providing assistance, and for the U.S. Embassy in Bangui to have adequate staff and funding. This is critical for supporting this partnership with the Central African Republic.

I also want to thank Chairman Engel and Ranking Member McCaul for introducing H. Res. 517. This resolution outlines the value of the Global Fund's contribution to fighting AIDS, malaria, and TB; highlights the historical U.S. leadership role with the Global Fund; and references the upcoming replenishment and contributions by other countries to date.

Thank you and I yield back.

Chairman ENGEL. Thank you, Ms. Bass.

Mr. CHABOT.

Mr. CHABOT. Thank you, Mr. Chairman. I want to focus on Hong Kong and on the three related measures we have before us today, and I will be relatively brief, namely, the Hong Kong Human Rights and Democracy Act authored by Mr. Smith; Mr. McGovern's PROTECT Hong Kong Act; and Mr. Sherman's resolution on the protests. All of them I am supportive and thank them for offering these, and thank them for their leadership.

Over the past several months we have watched as the people of Hong Kong have bravely stood up to the Chinese Communist Party demanding that Hong Kong authorities withdraw the Extradition Bill that would have further eroded Hong Kong's economy. When Britain handed Hong Kong back to the Chinese Communist Party, Hong Kong was guaranteed basic human rights, basic freedoms, along with a substantial degree of autonomy.

The Chinese Communist Party proceeded to break all those promises, not surprisingly, like most of the other promises that they had broken over time. True to form, they have worked to steadily erode Hong Kong's independence. And the Extradition Bill is only the last straw for the people of Hong Kong who have no desire to live under the yoke of the PRC, where dissent is a crime, and basic human rights ignored.

After months of delay, Beijing ultimately let Hong Kong's leadership withdraw the Extradition Bill, but not before the people of Hong Kong became determined to not only defeat the bill but also to win back some of their long-lost freedoms. As protests continue as we approach October 1st, the 70th anniversary of the Chinese Communist Party's bloody rule, the jury is still out on whether we will actually see something akin to Tiananmen Square once again.

I would just like to conclude by saying that the erosion of basic human rights that we are witnessing in Hong Kong, it is really the

basic nature of the CCP, the Chinese Communist Party. It is what they are all about. Look no further than Xinjiang, than Tibet. We have seen this time and time again that the people under their yoke really have no freedoms at all.

That is the vision of the Chinese Communist Party, not only there, but their vision for the way the rest of the world ought to be under their yoke. We must never let their vision triumph.

I am proud, and happy, and thank my colleagues on both sides of the aisle that today we are standing with the people of Hong Kong by enacting these measures. And I want to thank my colleagues for doing that.

I would urge support of these and yield back.

Chairman ENGEL. Thank you, Mr. Chabot.

Mr. KEATING.

Mr. KEATING. Thank you, Mr. Chairman.

Chairman ENGEL. Mr. Keating.

Mr. KEATING. Thank you, Mr. Chairman. As a co-sponsor of H. Res. 552 I am deeply saddened but not surprised that we must call on the government of the Russian Federation to release U.S. resident Paul Whelan. It is nearly 9 months since Paul's arrest occurred on December 28th.

The Russian Government has refused to provide any evidence to substantiate the espionage charges against Paul. They continue to hold Paul in pretrial detention, consistently delaying his trial, subjecting him to physical and psychological pressure, denying him the ability to speak freely with U.S. Embassy staff or receive some of the basic privileges to which Russian prisoners in the United States are entitled, such as the opportunity to speak with family members.

The Russian Government has consistently denied requests for Paul to be examined or treated by a private physician to address pre-existing health concerns. These concerns have been reiterated to the Russian Government time and time again by the U.S. Embassy, as well as the embassies of the United Kingdom, Ireland, Canada, and all the countries of which Paul has citizenship.

I have spoken frequently with Paul's sister Elizabeth, who has seen firsthand the pain and the anguish Paul's continued detention has caused, not only for him but for the members of his family.

I hope you will support H. Res. 552, and join me in urging the Government of Russia to provide the evidence against Paul, allow a fair and transparent judicial process without delay, facilitate Paul's medical care, and allow for unrestricted visits with the U.S. Embassy. The Russian Government has not been able to provide evidence against Paul. And we must all stand with the United Kingdom, Ireland, and Canada in calling for Paul's immediate release.

I yield back.

Chairman ENGEL. Thank you, Mr. Keating.

Mr. YOHO. Oh, Mr. Wilson.

Mr. WILSON. No, no. I yield to Mr. Yoho. But please keep me on the list.

Chairman ENGEL. You will be next, Mr. Wilson.

Mr. WILSON. Thank you.

Chairman ENGEL. I promise.

Mr. YOHO. It is an honor to go ahead of Mr. Wilson. I appreciate it.

I want to thank you, Mr. Chairman, for allowing this to happen, and Ranking Member McCaul. These measures include H. Res. 543 by Representative Sherman, H.R. 3289 by Representative Smith, and H.R. 4270 by Representative McGovern, and I am a proud cosponsor of all three.

Representative Sherman's resolution recognizes Hong Kong's bilateral relationship with the United States, condemns the interference of the People's Republic of China in Hong Kong affairs, and supports the people of Hong Kong's rights to protest.

H.R. 4270, the PROTECT Hong Kong Act, prohibits the export of riot control equipment like tear gas to the Hong Kong police. This is in response to the continuing concerns regarding human rights abuses against Hong Kong demonstrators by the Hong Kong police.

H.R. 3289, the Hong Kong Human Rights and Democracy Act, builds on the Hong Kong Policy Act, the cornerstone for our bilateral relationship, and allows the Administration to reexamine our special relationship with Hong Kong and revoke privileges should the autonomy and freedoms of Hong Kong continue to erode. This bill applies sanctions to human rights abusers, and ensures that visas are not blocked by pro-democracy protestors.

Each of these measures demonstrates the United States' continued commitment to preserving the autonomy and freedom of Hong Kong and its people. And we have witnessed the impact of these bills firsthand as pro-democracy's demonstrators in Hong Kong stood outside U.S. consulates waving U.S. flags, and asking the U.S. Government to help them.

As Members of Congress, we must continue to provide strength through unity to the Hong Kongers who are desperately protecting the freedoms and liberties they hold dear. Over the past 4 months mass civilian protests in Hong Kong have begun to shed light on the deterioration of the Chinese Communist Party's suppression of freedom. Rising resentment in Hong Kong is not simply a result of ill-fated—of the ill-fated extradition law championed by Chief Executive Carrie Lam, but now the continued encroachment on freedom and liberties by emperor Xi Jinping and the CCP.

Despite the 1997 British-Chinese agreement, leaders in Beijing continue to dishonor that agreement, and Hong Kong's autonomy continues to disappear. The protestors now maintain the five demands. We have heard them talked about today. The only one that has been removed was by Chief Executive Lam, and that was the Extradition Bill. In response to this continued unrest, the CCP through acts of ignorance has continued to cast blame on the United States and other democratic nations for interfering in Hong Kong's internal affairs and encouraging mass civil protests.

In response to recent Tweets by me and some of our colleagues, the Chinese foreign minister released a statement that said, "I cannot help asking the relevant Senators and House Representatives, Are you lawmakers or are you law breakers? Hong Kong affairs are entirely internal affairs, and you are neither entitled nor qualified to comment on them. Mind your own business and stay out of Hong Kong affairs."

The CCP will continue to blame western nations for standing with the people of Hong Kong, as the party's biggest fear is freedom in their own backyard. It is not the U.S. to blame. The cause is simple, it is freedom and liberty. The people of Hong Kong have experienced these. They cherish, they cherish them and they do not want to lose them.

Unfortunately, Xi Jinping and the Chinese Communist Party do not understand liberty and freedom because they have neither experienced either one of them. I urge China to not make the same mistake they did 30 years ago in Tiananmen Square by bringing violence into the struggle. I stand with Hong Kong and will continue to support personal freedoms and democracy in Hong Kong. And I ask my colleagues to do the same.

I yield back.

Chairman ENGEL. Thank you, Mr. Yoho.

Ms. WILD.

Ms. WILD. Thank you, Mr. Chairman. And thank you to you, Mr. Chairman, and to Ranking Member McCaul for introducing H. Res. 517, Supporting the Global Fund to fight AIDS, Tuberculosis, Malaria, and its Sixth Replenishment.

As a member of the Foreign Affairs Subcommittee charged with protecting health and human rights across the globe, we have a responsibility to do everything within our power to shape a future in which no child, woman, or man dies from a preventable or treatable disease. The Global Fund puts us on the path to combat and ultimately eradicate the epidemics of AIDS, tuberculosis, and malaria around the world.

Since its creation in 2002, more than 27 million lives have been saved in countries where the Global Fund invests. Across the world the Fund has come to be seen as a model for developing effective partnerships between governments, the private sector, civil society, and affected communities to take on health epidemics. The Global Fund has contributed to extraordinary improvements in global health over all. It is the world's largest financier of treatment and prevention programs for AIDS, tuberculosis, and malaria.

The Fund has helped to reduce by half the number of AIDS-related deaths since 2005, contributed to a 37 percent decline in tuberculosis deaths from 2000 to 2016, and a 60 percent decline in the number of malaria deaths since 2000. Despite this progress, far too many people, including far too many children, lack access to the most basic health care services and medicine. That is why it is so essential that we pass H. Res. 517 with a resounding bipartisan vote.

This resolution rightly commends the work of the Global Fund and its partners for their contributions in decreasing the prevalence of AIDS, tuberculosis, and malaria, while also reaffirming Congress' support for the Global Fund by providing robust U.S. funding so that we can make greater progress.

As we redouble our efforts to advance global health, we should also urge other donor countries to step up the fight against these diseases, and increase their pledges with a Sixth Global Fund Replenishment. And we should, we should urge countries that receive support from the Global Fund to meet ambitious co-financing requirements to sustain the progress on ending these epidemics.

I am proud to co-sponsor and vote in support of H. Res. 517, a resolution supporting the Global Fund to fight AIDS, tuberculosis, malaria, and its Sixth Replenishment. I want to thank Chairman Engel and Ranking Member McCaul for introducing this resolution. And I urge my colleagues on both sides of the aisle to vote yes on H. Res. 517.

Thank you. I yield back.

Chairman ENGEL. Thank you, Ms. Wild.

Now, Mr. Wilson, it is finally your turn.

Mr. WILSON. I especially thank you, Mr. Chairman.

Thank you, Chairman Eliot Engel and Republic Leader Michael McCaul for bringing these important measures before us today. I am grateful for the bipartisan support this committee is showing today in support of the brave people of Hong Kong.

For 16 consecutive weeks now the world has witnessed the brave people of Hong Kong stand up and promote self-determination of their destiny from Beijing. The world deluded itself to believe that China would honor its pledge of "one country, two systems" after the British Government handed over control of Hong Kong to China in 1997. But Hong Kong is a model of openness for the people of China. Hong Kong stands as a clear example to the average Chinese people that you can be both free and rich. It is a symbol of everything Americans hold dear.

I appreciate so much President Donald Trump has courageously identified the democratic aspirations that are bursting under the chains of tyranny. My interest for the people of China is personal in that my father in 1944 served with the Flying Tigers in Chengdu, Ziyang, and Kunming, where he appreciated and supported the Chinese people to resist aggression.

I am grateful to be a co-sponsor of all three measures today that deal with Hong Kong. Thank you to our colleagues Brad Sherman, Chris Smith, and Jim McGovern for their hard work on the Hong Kong bills before us. This is a critical issue that requires strong and united leadership, and I am grateful that this committee is doing just that by marking up the measures today.

Last, I would like to express my strong support for Chairman Eliot Engel and Republic Leader Michael McCaul's H. Res. 517 supporting the Global Fund. Since its inception in 2001, the Global Fund has raised nearly $50 billion in support of fighting AIDS, tuberculosis, and malaria. In 2018 alone, the Global Fund distributed 131 million mosquito nets to prevent malaria, treated 5.3 million people with TB, and provided medication to 18.9 million people living with HIV. Thirty-two million lives have been saved thanks to the Global Fund since 2001.

I am grateful to stand with this committee in support of the life-saving work made possible by the Global Fund. I urge my colleagues to do as well.

With that, I yield back the balance of my time.

Chairman ENGEL. Thank you, Mr. Wilson.

Mr. CICILLINE.

Mr. CICILLINE. Thank you, Mr. Chairman. Thank you and thank Ranking Member McCaul for holding this markup today and for once again bringing up a bipartisan slate of important bills that will express this committee's support for peaceful protestors in

Hong Kong; demonstrate our ongoing commitment to fighting TB, malaria, and AIDS through the Global Fund; hold authoritarian governments to account; and express our support for peace in the Central African Republic.

I think these bills form a testament to our values as a committee that has historically been upheld to our foreign policy.

I am proud to co-sponsor H. Res. 543, Mr. Sherman's resolution recognizing the strong bilateral relationship between Hong Kong and the United States; Mr. Smith's bill, the Hong Kong Human Rights and Democracy Act; and Mr. McGovern's bill to restrict the sale of certain crowd control items to the Government of Hong Kong.

For weeks, the people of Hong Kong have taken to the streets to protest the authoritarian actions of the Chinese Government at every-increasing attempts to control Hong Kong. These brave protestors have persisted despite brutal actions on the part of the Hong Kong police and the ongoing threat of retaliation from mainland China. The people of Hong Kong deserve to determine their own future, and the United States must speak out against any government that uses aggressive and illegal tactics against peaceful protestors.

I want to turn to H. Res. 387, a bipartisan resolution I introduced with our colleague Jeff Fortenberry supporting the peace process and the ongoing American development efforts in the Central African Republic. I want to thank the Better World Campaign, the U.N. Foundation for their leadership on issues related to CAR, and for organizing the trip that I took along with members of Mr. Fortenberry's team so that we could see firsthand the challenges to maintaining peace in the country.

I also want to thank Chairwoman Bass and Chairman Engel for their ongoing engagement on this issue. I was lucky enough to travel to CAR and know the promise and peril. I have met with the Central African Republic leadership and worked with Mr. Fortenberry to craft legislation that lays out an important roadmap for the country to move beyond the current strike to find a lasting political solution to the conflict.

I want to begin by highlighting the importance of peacekeeping in general, and specifically within the country as the U.N. peacekeeping there, MINUSCA, is playing a critical role in maintaining stability. Let me say at the outset that it is certainly my view that the U.N. peacekeeping is a vital tool at our disposal to keep civil wars from expanding into regional conflicts, reduce force displacement, and prevent terrorists and criminals from establishing safe havens in places in countries where governance is weak.

International peacekeeping efforts save the U.S. money and resources while protecting our national interests. This viewpoint is not mine alone. A 2018 U.S. Government Accountability Office report found that U.N. peacekeeping missions operate at one-eighth the cost of what it would take to deploy American troops alone.

The U.S. military shares the same view about the value of peacekeeping. Lt. Gen. Castellaw who served over 30 years in the U.S. Marine Corps backs up this report. He said, and I quote, "Having spent about a third of my career deployed outside the United States, I know that Americans are not afraid to go in harms way.

But we can't be and we shouldn't have to be everywhere all the time. U.N. peacekeeping, like the mission I saw in CAR, helps ensure every country does its fair share to protect vulnerable populations and promote peace. It saves us money but, more importantly, it saves the lives of those who serve."

I mentioned peacekeeping to Lt. Gen. Castellaw because I traveled with him to the Central African Republic to see the work of the U.N. peacekeeping mission in that country up close. When I traveled with Lt. Castellaw in 2017, I witnessed firsthand the invaluable contributions of U.N. peacekeepers at preventing genocide. I saw peacekeepers protecting civilians and meeting with both Christian and Muslim communities to bring neighbors together and rebuild after conflict.

I also met with President Touadera, a former mathematics professor, who is committed to bringing peace not just to the capital of Bangui, but to the remote areas about and beyond to bring peace dividends to those marginalized communities.

I understand the challenges that the country still faces, including the lack of infrastructure, the difficulties of rebuilding the security sector, the need to end corruption, promoting good government, and reforming the justice system to end cycles of violence and revenge. For now, more than 600,000 people remain exiled in squalid, poorly funded refugee camps, most in Cameroon, Chad, and the Democratic Republic of Congo. And 464,000 more are dispersed across CAR where 14 armed groups are vying for control.

But there is also hope, despite these ongoing challenges. For instance, the United Nations Refugee Agency said it has helped support the voluntary repatriation of around 1,500 refugees this year alone, while a further 14,000 have expressed willingness to be repatriated in the coming months thanks to improved security.

In February of this year the government signed an African Union-sponsored peace agreement with 14 armed groups that have controlled large swaths of territory in CAR. The peace agreement's aim is to decrease violence and include the voices of marginalized communities. These are definite signs of progress. But a bevy of challenge remain which this legislation can help ameliorate.

This bill highlights the U.S. commitment to the people of the Central African Republic in supporting a democratic government in their efforts to make a lasting peace in the country and the region. It calls for continued U.S. support for U.N. peacekeeping operations, it recognizes the progress that has been made, and lays out opportunities for tackling the challenges that remain.

It is my hope that the strong showing of support for this resolution will help keep progress moving and demonstrate the ongoing commitment of the U.S. Government to achieving peace in the Central African Republic.

With that, I yield back. And thank you, Mr. Chairman.

Chairman ENGEL. Thank you, Mr. Cicilline.

Is there anyone else on the Republican side seeking recognition?

[No response.]

Chairman ENGEL. OK, then we will go to Mr. Castro.

Mr. CASTRO. Thank you, Chairman. And thank you to Ranking Member McCaul. These measures, all seven, are useful steps toward addressing challenges and capitalizing on opportunities

around the world today. All will improve our country's standing, strengthen our security, and ensure the United States remains a champion of liberty and justice for all in our foreign policy. I am proud to support passage for each of them, and will highlight a few specifically.

Before us are three measures responding to the situation in Hong Kong that reaffirm American commitment to universal liberties. Just as the United States must be earnest in promoting common cause on fundamental values, we must also call out abuses. These items from my colleagues on this committee make clear that the United States will stand up for basic rights and do its part to stop persecution.

The United States has a moral responsibility to call out misbehavior and not turn a blind eye to wrongdoing around the world. That is why I support these urgent and timely actions.

When citizens took to the streets to register their opposition to a proposed Extradition Bill that would have flagrantly undermined the rule of law, they were defending their vital semi-autonomous status under the "one country, two systems" framework established in 1997. As those in Hong Kong continue to exercise civil disobedience, they deserve protection. Violence by any party is unacceptable.

A testament to the success of universal rights and protections, the United States is the greatest example of self-determination for freedom-loving people the world over. As proud Americans, we should not compromise our values, nor censor criticism especially to appease anti-democratic authoritarians, not today and not ever. Amid reports of Chinese Communist Party disinformation campaigns and the buildup of military personnel on the mainland, we must clearly condemn efforts to silence the voice of the people.

Thirty years removed from Tiananmen Square, the international community still remembers and watches vigilantly today. I stand in solidarity with peaceful supporters of freedom.

Thank you, Chairman. I yield back.

Chairman ENGEL. Thank you, Mr. Castro.

Mr. LEVIN.

Mr. LEVIN. Mr. Chairman, I move to strike the last word.

I want to thank you, Chairman Engel, as well as Ranking Member McCaul for this package of bills. And I want to speak particularly on H. Res. 552 which calls on the Russian Government to provide evidence of wrongdoing or to release United States citizen Paul Whelan. Mr. Whelan is a Michigander from the district of my friend and neighboring Congresswoman Haley Stevens. He was arrested in Russia in December of last year and has been held without trial in a Russian prison.

The Russian Government has presented zero evidence that Paul committed a crime, and yet, he remains in prison, denied due process. And now he is in very poor health. We must bring Paul Whelan home.

I hope this resolution sends a clear message to the Russian Government, and I hope it assures his brave family that we are absolutely committed to getting Paul back to Michigan safely and soon.

I strongly urge everyone on this committee to support this resolution. And I yield back the balance of my time.

Chairman ENGEL. Thank you, Mr. Levin.

Are there any other members seeking recognition?

Mr. MALINOWSKI.

Mr. MALINOWSKI. Thank you, Mr. Chairman. I just want to say a couple of things about the Hong Kong bills.

I am very, very glad that we are moving them forward on a bipartisan basis. The Hong Kong people's struggle for democracy and human rights is their struggle, theirs alone, led by them, but it also clearly implicates America's national interests. This is about a promise that the Chinese Communist Party made, not just to the people of Hong Kong but to all of us, including the United States, that Hong Kong's autonomy as a rule of law environment would be maintained. That promise is being violated. And I think it is extremely important that we communicate clearly to the Chinese Government that these promises need to be kept.

And I can say from my own experience as a former diplomat having dealt with the Chinese, that they, they are very, very concerned about international opinion. Their frantic efforts to persuade us not to pass resolutions like this, not to make statements like this are a testament to their sensitivity and their concern about what the international community may think.

I also want to add that I do hope as we rightly speak out about the events in Hong Kong that we also move as quickly as possible to address another human rights situation in China, the situation involving the Uighur people. As awful as Chinese influence, repression in Hong Kong has been, it pales in comparison to what is probably the single greatest abuse of human rights in the world today, the detention of up to 10 percent of the popula—the Uighur population, and attempt to essentially eradicate a people and a culture.

We have legislation in the House that is, frankly, it is good. I would even want it to be stronger. I believe we absolutely do need to mandate sanctions against those responsible in China for these terrible abuses, and to wrestle more than we have with the question of complicity by American and multinational companies in China's instruments of oppression: its surveillance state, its labor abuses in Xinjiang and so forth.

So, I hope that we will come soon to a point where this committee can come together around some strong measures to deal with the situation in Xinjiang as well.

Thank you, and I yield.

Chairman ENGEL. Thank you, Mr. Malinowski.

Anyone else seeking recognition?

[No response.]

Chairman ENGEL. OK, hearing no further requests for recognition, and without objection, the committee will proceed to consider the noticed items en bloc. Without objection, each measure is considered as read and the amendments to each are considered as read and are agreed to.

[The Measures and Amendments en bloc follow:]

116TH CONGRESS
1ST SESSION

H. RES. 543

Recognizing Hong Kong's bilateral relationship with the United States, condemning the interference of the People's Republic of China in Hong Kong's affairs, and supporting the people of Hong Kong's right to protest

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IN THE HOUSE OF REPRESENTATIVES

AUGUST 30, 2019

Mr SHERMAN (for himself, Mrs WAGNER, Mr CONNOLLY, and Mr YOHO) submitted the following resolution, which was referred to the Committee on Foreign Affairs

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RESOLUTION

Recognizing Hong Kong's bilateral relationship with the United States, condemning the interference of the People's Republic of China in Hong Kong's affairs, and supporting the people of Hong Kong's right to protest.

Whereas the United States-Hong Kong Policy Act of 1992 (Public Law 102–383) states that—

(1) "[s]upport for democratization is a fundamental principle of United States foreign policy";

(2) "the human rights of the people of Hong Kong are of great importance to the United States and are directly relevant to United States interests in Hong Kong [and] serve as a basis for Hong Kong's continued economic prosperity"; and

(3) Hong Kong must remain sufficiently autonomous from the People's Republic of China to justify a different treatment than accorded to the People's Republic of China under United States law;

Whereas the United States maintains substantial economic and political interests in Hong Kong, with more than 1,300 United States firms operating in the Special Administrative Region, owing largely to Hong Kong's favorable business environment,

Whereas the United States supports Hong Kong's "high degree of autonomy" promised by the Sino-British Joint Declaration of 1984 in accordance with the "one country, two systems" framework by concluding and implementing bilateral agreements, promoting trade and investment, and bolstering educational, academic, and cultural links;

Whereas the Department of State reported in its 2019 Hong Kong Policy Act Report, dated March 21, 2019, that the People's Republic of China has implemented a number of fixed "redlines" inconsistent with China's commitments in the Basic Law of the Hong Kong Special Administrative Region, and the Sino-British Joint Declaration of 1984, which have diminished Hong Kong's high degree of autonomy;

Whereas the Communist Party of China has increasingly constrained Hong Kong's freedoms in violation of the "one country, two systems" framework by supporting, among other actions, the banishment of the pro-independence Hong Kong National Party, the restriction of entry for individuals critical of the Communist Party of China, the refusal of a United States extradition request in May 2018, and the indiscriminate disqualification of can-

didates for office due to their alleged support for Hong Kong self-determination;

Whereas, on April 3, 2019, the Government of Hong Kong introduced a bill to amend the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Ordinance laws (commonly known as the extradition bill) concerning extradition to expand the extradition arrangement to include mainland China, which would allow for the handover of any persons in the territory of Hong Kong, residents and nonresidents, as well as materials in their possession;

Whereas the Department of State issued a statement on June 9, 2019, warning that the lack of procedural protections in the bill could negatively impact Hong Kong's longstanding protections of human rights, fundamental freedoms, and democratic values;

Whereas, on June 9, 2019, approximately 1,000,000 people peacefully rallied against the bill, and on June 12, 2019, in Admiralty, tens of thousands staged a protest outside the city's government headquarters to stop the legislators from moving forward with the bill;

Whereas, on June 12, the Government of Hong Kong took advantage of the acts of a small minority of protesters and classified the largely peaceful protest as an unlawful assembly and a "riot", a charge that can result in a prison sentence of up to 10 years for those who were arrested;

Whereas the police's excessive use of force on June 12, 2019, to disperse the protestors, including tear gas, beanbag rounds, rubber bullets, batons, and pepper spray, widely visible in video footage, fueled tensions, contributed to

worsening violence, and caused severe injuries to protesters;

Whereas, on June 16, 2019, approximately 2,000,000 people peacefully gathered in Admiralty, equivalent to 25 percent of the population, the largest protest in Hong Kong's history;

Whereas, on July 21, 2019, a self-professed progovernment mob of men violently attacked protestors, innocent bystanders, and journalists with sticks and metal bars in Yuen Long, which resulted in the hospitalization of 45 people, with 1 person in critical condition;

Whereas the Royal Hong Kong Police have failed to take action against the progovernment "triad" gangs, suggesting the police may be complicit in their actions,

Whereas the protestors' demands include: the complete withdrawal of the bill to amend the extradition bill; the implementation of universal adult suffrage in the election of Chief Executive and the Legislative Council; the establishment of an independent commission to investigate whether police have used excessive force; the declassification of the protest as a riot; and the dropping of all charges against persons who did not personally engage in violence;

Whereas, on July 27, 2019, 9 people were injured when police fired rubber bullets at demonstrators in Yuen Long who were protesting the July 21, 2019, triad gangs' violent attacks and the lack of a police response to them;

Whereas, on July 29, 2019, China's spokesman for the State Council's Hong Kong and Macao Affairs Office issued a statement referring to the protesters as "radical elements

committing evil and criminal acts", and applauding the police for sticking to their posts;

Whereas, on July 30, 2019, China's Foreign Ministry said the pro-democracy protests are the "work of the United States", alleging that there had been unprecedented levels of contact between prodemocracy leaders and the United States;

Whereas the Chinese Communist Party has expressed its "strong indignation" and has called the protests "absolutely intolerable", raising fears that the Party may use force in an attempt to violently suppress the protestors;

Whereas, on August 5, 2019, teachers, aviation workers, finance employees, and civil servants went on strike across 7 districts, the largest citywide strike in decades, which evolved into a wave of demonstrations, and resulted in the police firing 800 tear gas rounds to clear the protestors, almost as many as were used in the previous 8 weeks;

Whereas, on August 5, 2019, a self-professed pro-government mob of men violently attacked demonstrators with sticks and metal bars in North Point after the demonstrators were dispersed by police from Admiralty, and again the police did not respond to the ambush;

Whereas, on August 6, 2019, a Chinese Communist Party official threatened the demonstrators by stating that, "those who play with fire will perish by it" and "as for their [the demonstrators,] punishment, it's only a matter of time"; and

Whereas, on August 7, 2019, pro-Beijing media began publishing articles accusing Julie Eadeh, the Political Counselor at the United States Consulate General in Hong

Kong, of subversion, as well as publicly identifying her husband and family: Now, therefore, be it

1 *Resolved,* That the House of Representatives—

2 (1) calls on the Government of Hong Kong to
3 begin to undertake steps towards negotiations to ad-
4 dress the demonstrators' 5 central demands: the
5 complete withdrawal of the bill to amend the Fugi-
6 tive Offenders and Mutual Legal Assistance in
7 Criminal Matters Ordinance laws (commonly known
8 as the extradition bill); the implementation of uni-
9 versal adult suffrage; the establishment of an inde-
10 pendent investigation; the declassification of the pro-
11 test as a riot; and the dropping of all charges
12 against persons arrested during the protests;

13 (2) condemns the Hong Kong police's use of
14 force against the demonstrations in a manner that
15 violates citizens' rights of freedom of expression and
16 peaceful assembly;

17 (3) calls on the Administration to ensure that
18 munitions and crowd-control equipment the United
19 States sells to the Hong Kong police aren't used to
20 repress peaceful protests in Hong Kong;

21 (4) condemns the efforts by the Hong Kong
22 and Chinese Governments to characterize the pro-
23 tests as "riots" and to blame the United States for

1 involvement in the political instability they alone cre-
2 ated;
3 (5) shares the concerns of the people of Hong
4 Kong that the lack of procedural protections in the
5 proposed amendments to the extradition bill, which
6 would negatively impact the territory's longstanding
7 protections of human rights, fundamental freedoms,
8 and democratic values as enshrined in the Basic
9 Law and the Sino-British Joint Declaration of 1984;
10 (6) recognizes the "one country, two systems"
11 framework and the Basic Law afford Hong Kong a
12 high degree of autonomy with respect to economic
13 and trade matters, and rule of law;
14 (7) condemns the pro-Beijing media for tar-
15 geting Julie Eadeh, the Political Counselor at the
16 United States Consulate General in Hong Kong, and
17 her family; and
18 (8) calls on the Government of Hong Kong and
19 all governments—
20 (A) to protect the rights of freedom of ex-
21 pression and peaceful assembly;
22 (B) to condemn all acts of violence against
23 those seeking to further their democratic rights;
24 and

1 (C) to refrain from the use of violence.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 543 OFFERED BY MR. SHERMAN OF CALIFORNIA

Strike the preamble and insert the following:

This resolution may be cited as the "Stand with Hong Kong Resolution".

Whereas the United States-Hong Kong Policy Act of 1992 (Public Law 102–383) states—

(1) "[s]upport for democratization is a fundamental principle of United States foreign policy";

(2) "the human rights of the people of Hong Kong are of great importance to the United States and are directly relevant to United States interests in Hong Kong [and] serve as a basis for Hong Kong's continued economic prosperity"; and

(3) "Hong Kong must remain sufficiently autonomous from the People's Republic of China to justify a different treatment than accorded to the People's Republic of China under United States law";

Whereas the United States maintains substantial economic and political interests in Hong Kong, with more than 1,200 United States firms operating in the Special Administrative Region, due largely to Hong Kong's strong business environment, predicated on respect for the rule of law and an independent judiciary;

Whereas the United States supports Hong Kong's "high degree of autonomy" promised by the Joint Declaration be-

tween the Government of the United Kingdom of Great Britain and the Government of the People's Republic of China on the Question of the Hong Kong ("Joint Declaration") in accordance with the "One Country, Two Systems" framework through bilateral agreements, the promotion of trade and investment, and the bolstering of educational, academic, and cultural links;

Whereas the Department of State reported in its 2019 Hong Kong Policy Act Report, dated March 21, 2019, that the People's Republic of China has carried out a number of actions inconsistent with China's commitments in the Basic Law of the Hong Kong Special Administrative Region ("Basic Law") and the Joint Declaration, which have diminished Hong Kong's high degree of autonomy;

Whereas China has increasingly constrained Hong Kong's freedoms in violation of the "One Country, Two Systems" framework by, among other actions, supporting the restriction of entry into Hong Kong for individuals critical of the Communist Party of China, instructing to the Hong Kong Government to refuse a United States extradition request in May 2018, and abusing the national security rationale to justify interference with matters related to Hong Kong politics and governance;

Whereas on April 3, 2019, the Government of Hong Kong introduced the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 (commonly known as the "extradition bill") that would amend the Fugitive Offenders Ordinance by expanding the existing extradition arrangement to include mainland China, allowing for the handover of any persons in the territory of Hong Kong, residents and non-residents, as well as any materials in their possession;

Whereas the Department of State issued a statement on June 9, 2019, warning that the lack of procedural protections in the bill could negatively impact Hong Kong's long-standing protections of human rights, fundamental freedoms, and democratic values;

Whereas on June 9, 2019, as many as 1,000,000 people protested against the bill, and on June 12, 2019, tens of thousands staged a protest near the Legislative Council building to express opposition to the bill;

Whereas on June 12, 2019, the Government of Hong Kong took advantage of the acts of a small group of protesters to classify the largely peaceful protest as an unlawful assembly and a "riot", a charge that can result in a prison sentence of up to 10 years for those who were arrested;

Whereas the police's excessive use of force on June 12, 2019, as seen in video footage, to disperse the protestors, including the use of tear gas, bean bag rounds, rubber bullets, batons, and pepper spray, caused severe injuries to protesters;

Whereas the excessive use of force fueled tensions and contributed to the worsening of violence;

Whereas on June 16, 2019, as many as 2,000,000 people peacefully gathered in the Admiralty district, which is likely the largest protest in Hong Kong's history;

Whereas on July 21, 2019, a group alleged to be linked to organized crime violently attacked protestors, innocent bystanders, and journalists with sticks and metal bars in Yuen Long, which resulted in the hospitalization of forty-five people, with one person in critical condition;

Whereas the Hong Kong Police Force have been slow to take meaningful action against those who attacked the

protestors on July 21, 2019, suggesting the police may be complicit in their actions;

Whereas the protestors' demands included—

(1) the complete withdrawal of the extradition bill;

(2) the implementation of universal suffrage in the election of the Chief Executive and all members the Legislative Council;

(3) the establishment of an independent commission to investigate police conduct during the protests;

(4) the declassification of the protests as a riots; and

(5) the dropping of all charges against persons who participated in any protests;

Whereas on July 27, 2019, nine people were injured when police fired rubber bullets at demonstrators in Yuen Long who were protesting the July 21 violent attacks against protestors and the lack of a police response to them;

Whereas on July 29, 2019, China's spokesman for the State Council's Hong Kong and Macao Affairs Office issued a statement referring to the protesters as "radical elements committing evil and criminal acts";

Whereas on July 30, 2019, China's Foreign Ministry falsely claimed that the pro-democracy protests are the "work of the United States", alleging that American officials have interfered in Hong Kong's internal affairs;

Whereas the Chinese Communist Party has called the protests "absolutely intolerable", "terrorism", and "terror atrocities", raising fears that China may use the People's

Liberation Army or the People's Armed Police to violently suppress the protestors;

Whereas on August 5, 2019, teachers, aviation workers, finance employees, and civil servants went on strike across seven districts, the largest citywide strike in decades, which evolved into a wave of demonstrations and resulted in the police firing approximately 800 tear gas rounds to clear the protestors, almost as many as were used in the previous 8 weeks combined;

Whereas on August 5, 2019, a mob violently attacked demonstrators with sticks and metal bars in North Point after the demonstrators were dispersed by police from the Admiralty district, and again the police did not respond to the ambush;

Whereas on August 6, 2019, a Chinese Communist Party official threatened the demonstrators by stating, "those who play with fire will perish by it", and "as for their [the demonstrators'] punishment, it's only a matter of time";

Whereas on August 7, 2019, Chinese state media began publishing articles accusing the Political Counselor to the United States Consulate General in Hong Kong of being "a black hand creating chaos in Hong Kong", as well as publicly identifying family members of the Consulate General staff;

Whereas on August 11, 2019, Hong Kong police beat fleeing protesters with batons and fired pepper ball rounds at them at close range,

Whereas on August 11, 2019 it was reported that a young woman, allegedly a medic, who has since become a symbol for the protest movement, sustained a serious eye in-

jury from a bean-bag round after the police fired a projectile into the crowd;

Whereas on August 18, 2019, as many as 1,700,000 Hong Kong people attended a peaceful rally against police brutality;

Whereas on August 31, 2019, Hong Kong Police Force Special Tactical Squad officers beat with batons protesters and train passengers at Prince Edward station; and

Whereas on September 4, 2019, Hong Kong Chief Executive Carrie Lam announced the Government would withdraw the extradition bill from the Legislative Council's agenda when it reconvenes in October 2019: Now, therefore, be it

Strike the resolving clause and insert the following:

Resolved, That the House of Representatives—

(1) calls on the Government of Hong Kong to begin negotiations to address the demonstrators' remaining demands, which include—

(A) the formal withdrawal of the bill from the Hong Kong Legislative Council;

(B) the implementation of universal suffrage;

(C) the establishment of an independent investigation into police conduct during the protests;

(D) the declassification of the protest as a riot; and

(E) the dropping of all charges against persons arrested during the protests;

(2) condemns—

(A) the Hong Kong police's use of force against the demonstrators in ways that are inconsistent with international standards for the use of such equipment and in violation of citizens' rights to freedom of expression and peaceful assembly; and

(B) the Hong Kong Government for tolerating the use of violent force against protesters by police;

(3) calls on the Administration to review the appropriateness of sales by United States firms of munitions and crowd-control equipment to Hong Kong, to ensure that they are not used to repress peaceful protests;

(4) condemns efforts by the Hong Kong and Chinese Governments to characterize the protests as "riots" and to falsely accuse the United States of orchestrating political instability that they alone created;

(5) shares the concerns of the people of Hong Kong that the Hong Kong Government's proposed amendments to the Fugitive Offenders Ordinance, if

1 adopted, would negatively impact the territory's
2 long-standing protections of human rights, funda-
3 mental freedoms, and democratic values as en-
4 shrined in the Basic Law and the Sino-British Joint
5 Declaration;
6 (6) recognizes that the "One Country, Two Sys-
7 tems" framework and the Basic Law require that
8 Hong Kong is afforded a high degree of autonomy
9 with respect to economic and trade matters and the
10 rule of law;
11 (7) condemns Chinese state media for targeting
12 staff and family members of the United States Con-
13 sulate General in Hong Kong; and
14 (8) calls on the Government of Hong Kong and
15 all governments—
16 (A) to protect the rights of freedom of ex-
17 pression and peaceful assembly;
18 (B) to condemn all acts of violence against
19 those seeking to further their democratic rights;
20 (C) to refrain from the use of violence; and
21 (9) calls on the Government of Hong Kong and
22 the Government of China to abide by the provisions
23 of the Joint Declaration and the Basic Law.

Amend the title so as to read: "A resolution recognizing Hong Kong's bilateral relationship with the United States, condemning the People's Republic of China for

violating their obligations to the people of Hong Kong, and supporting the people of Hong Kong's right to freedom of assembly and peaceful protest.''.

I

116TH CONGRESS
1ST SESSION

H. R. 3289

To amend the Hong Kong Policy Act of 1992 and for other purposes

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IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 2019

Mr SMITH of New Jersey (for himself, Mr MCGOVERN, Mr PERRY, Mr SUOZZI, Mr FITZPATRICK, Mr SHERMAN, and Mr YOHO) introduced the following bill, which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, 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 amend the Hong Kong Policy Act of 1992 and for other purposes.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Hong Kong Human Rights and Democracy Act of 2019".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec 1 Short title, table of contents
Sec 2 Definitions
Sec 3 Statement of policy
Sec 4 Amendments to the United States-Hong Kong Policy Act of 1992
Sec 5 Annual report on enforcement of United States export control and sanctions laws by Hong Kong
Sec 6 Protecting United States citizens and others from rendition to mainland China
Sec 7 Identification of persons responsible for abductions and for other actions to suppress basic freedoms in Hong Kong
Sec 8 Inadmissibility of certain aliens and family members
Sec 9 Financial measures
Sec 10 Reports to Congress

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMITTED; ALIEN.—The terms "admitted" and "alien" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(C) the Committee on Foreign Relations of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on the Judiciary of the Senate;

(F) the Committee on Armed Services of the House of Representatives;

(G) the Committee on Financial Services of the House of Representatives;

(H) the Committee on Foreign Affairs of the House of Representatives;

(I) the Committee on Homeland Security of the House of Representatives; and

(J) the Committee on the Judiciary of the House of Representatives.

(3) CHINA.—The term "China" means the People's Republic of China.

(4) FINANCIAL INSTITUTION.—The term "financial institution" has the meaning given that term in section 5312 of title 31, United States Code.

(5) SOCIAL CREDIT SYSTEM.—The term "social credit system" means a system proposed by the Government of China, scheduled to be implemented by 2020, that would aggregate data on every Chinese citizen and business from existing financial credit systems, mass surveillance, public records, online activity, and artificial intelligence to expand the notion of a financial credit score, potentially rewarding or punishing certain financial, social, religious, or political behaviors.

1 (6) UNITED STATES PERSON.—The term
2 "United States person" means—
3 (A) a United States citizen or an alien law-
4 fully admitted for permanent residence to the
5 United States; or
6 (B) an entity organized under the laws of
7 the United States or of any jurisdiction within
8 the United States, including a foreign branch of
9 such an entity.

10 **SEC. 3. STATEMENT OF POLICY.**

11 It is the policy of the United States—
12 (1) to reaffirm the principles and objectives set
13 forth in the United States-Hong Kong Policy Act of
14 1992 (Public Law 102–383), namely that—
15 (A) the United States has "a strong inter-
16 est in the continued vitality, prosperity, and
17 stability of Hong Kong";
18 (B) "[s]upport for democratization is a
19 fundamental principle of United States foreign
20 policy";
21 (C) "the human rights of the people of
22 Hong Kong are of great importance to the
23 United States and are directly relevant to
24 United States interests in Hong Kong [and]

1 serve as a basis for Hong Kong's continued eco-
2 nomic prosperity"; and
3 (D) Hong Kong must remain sufficiently
4 autonomous from the People's Republic of
5 China to justify a different treatment under a
6 particular law of the United States, or any pro-
7 vision thereof, from that accorded the People's
8 Republic of China;
9 (2) to support the democratic aspirations of the
10 people of Hong Kong, as guaranteed to them by the
11 Joint Declaration of the Government of the United
12 Kingdom of Great Britain and Northern Ireland and
13 the Government of the People's Republic of China
14 on the Question of Hong Kong, done at Beijing De-
15 cember 19, 1984 (referred to in this Act as the
16 "Joint Declaration"), the International Covenant on
17 Civil and Political Rights, done at New York Decem-
18 ber 19, 1966, the Universal Declaration of Human
19 Rights, done at Paris December 10, 1948, and the
20 Basic Law of the Hong Kong Special Administrative
21 Region of the People's Republic of China (referred
22 to in this Act as the "Basic Law");
23 (3) to urge the Government of the People's Re-
24 public of China to uphold its commitments to Hong
25 Kong, including allowing the people of Hong Kong

1 to rule Hong Kong with a high degree of autonomy
2 and without undue interference, and ensuring that
3 Hong Kong voters freely enjoy the right to elect the
4 Chief Executive and all members of the Hong Kong
5 Legislative Council by universal suffrage;
6 (4) to support the establishment of a genuine
7 democratic option to freely and fairly nominate and
8 elect the Chief Executive of Hong Kong, and the es-
9 tablishment by 2020 of open and direct democratic
10 elections for all members of the Hong Kong Legisla-
11 tive Council;
12 (5) to support the robust exercise by residents
13 of Hong Kong of the rights to free speech and the
14 press as guaranteed to them by the Basic Law and
15 the Joint Declaration;
16 (6) to ensure that all residents of Hong Kong
17 are afforded freedom from arbitrary or unlawful ar-
18 rest, detention, or imprisonment as guaranteed to
19 them by the Basic Law and the Joint Declaration;
20 (7) to draw international attention to any viola-
21 tions by the Government of the People's Republic of
22 China of the fundamental rights of residents of
23 Hong Kong and any encroachment upon the auton-
24 omy guaranteed to Hong Kong by the Basic Law
25 and the Joint Declaration;

(8) to protect United States citizens and long-term permanent residents living in Hong Kong and those visiting and transiting through Hong Kong; and

(9) to maintain the economic and cultural ties that provide significant benefits to the United States and Hong Kong.

SEC. 4. AMENDMENTS TO THE UNITED STATES-HONG KONG POLICY ACT OF 1992.

(a) REPORT.—Title II of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5721 et seq.) is amended—

(1) in section 201(b), by inserting "or after" after "entered into before"; and

(2) adding at the end the following:

"SEC. 205. SECRETARY OF STATE REPORT REGARDING THE AUTONOMY OF HONG KONG.

"(a) REPORT.—

"(1) IN GENERAL.—The Secretary of State shall annually certify to Congress, in conjunction with the report required under section 301, whether Hong Kong is sufficiently autonomous to justify special treatment by the United States for bilateral agreements and programs, in accordance with this Act, including the degree to which Hong Kong's au-

1 tonomy has been eroded due to actions taken by the
2 Government of China that are inconsistent with its
3 commitments in the Basic Law and the Joint Dec-
4 laration and the impact of such erosion on specific
5 areas of cooperation with the United States, includ-
6 ing on political rights, civil liberties, rule of law,
7 freedom of information, religious freedom, and
8 democratic governance in Hong Kong.

9 "(2) FACTOR FOR CONSIDERATION.—In making
10 a certification under paragraph (1), the Secretary of
11 State should consider the terms, obligations, and ex-
12 pectations expressed in the Joint Declaration with
13 respect to Hong Kong.

14 "(b) WAIVER AUTHORITY.—The Secretary of State
15 may waive the application of subsection (a) if the Sec-
16 retary—

17 "(1) determines that such a waiver is in the na-
18 tional security interests of the United States; and

19 "(2) on or before the date on which the waiver
20 takes effect, notifies the Committee on Foreign Re-
21 lations of the Senate and the Committee on Foreign
22 Affairs of the House of Representatives of the intent
23 to waive such subsection.".

24 (b) VISA APPLICANTS.—Title II of the United States-
25 Hong Kong Policy Act of 1992 (22 U.S.C. 5721 et seq.),

1 as amended by subsection (a), is further amended by add-
2 ing at the end the following:

3 **"SEC. 206. TREATMENT OF HONG KONG APPLICANTS FOR**
4 **VISAS TO STUDY OR WORK IN THE UNITED**
5 **STATES.**

6 "(a) STATEMENT OF POLICY.—Notwithstanding any
7 other provision of law, applications for visas to enter,
8 study, or work in the United States, which are submitted
9 by otherwise qualified applicants who resided in Hong
10 Kong in 2014, shall not be denied on the basis of the ap-
11 plicant's arrest, detention, or other adverse government
12 action taken as a result of the applicant's participation
13 in nonviolent protest activities related to the electoral
14 process, internationally recognized human rights, pro-
15 tecting an independent judiciary, or the rule of law.

16 "(b) IMPLEMENTATION.—The Secretary of State
17 shall take such steps as may be necessary to ensure that
18 consular officers are aware of the policy described in sub-
19 section (a) and receive appropriate training and support
20 to ensure that the policy is carried out so that affected
21 individuals do not face discrimination or unnecessary
22 delay in the processing of their visa applications, includ-
23 ing—

1 "(1) providing specialized training for consular
2 officers posted to Hong Kong, Beijing, Guangzhou,
3 or Macau;
4 "(2) instructing the United States Consulate in
5 Hong Kong to maintain an active list of individuals
6 whom are known to have been detained, arrested, or
7 otherwise targeted by the Government of Hong
8 Kong or of China, or intermediaries of such govern-
9 ments, as a result of their participation in the 2014
10 protests, to facilitate the cross-checking of visa ap-
11 plications for Hong Kong residents;
12 "(3) amending the physical and online versions
13 of the visa application, as necessary, to notify rel-
14 evant applicants of such policy; and
15 "(4) instructing personnel at the United States
16 Consulate in Hong Kong to engage with relevant in-
17 dividuals in the Hong Kong community to
18 proactively inform them that they will not face dis-
19 crimination when applying for a visa to the United
20 States due to any adverse action taken against them
21 by the authorities as a result of their participation
22 in the 2014 protests or other peaceful pro-democracy
23 or human rights demonstrations.
24 "(c) COOPERATION WITH LIKE-MINDED COUN-
25 TRIES.—The Secretary of State, or his or her designee,

1 shall contact appropriate representatives of other demo-
2 cratic countries, particularly those who receive a large
3 number of applicants for student and employment visas
4 from Hong Kong—

5 "(1) to inform them of the United States policy
6 regarding arrests for participation in nonviolent pro-
7 tests in Hong Kong;

8 "(2) to encourage them to take similar steps to
9 ensure the rights of nonviolent protesters are pro-
10 tected from discrimination due to the actions of the
11 Government of Hong Kong and of China; and

12 "(3) to offer to share information, as appro-
13 priate, regarding the execution of such policy, in-
14 cluding information regarding persons eligible for re-
15 lief under such policy.".

16 **SEC. 5. ANNUAL REPORT ON ENFORCEMENT OF UNITED**
17 **STATES EXPORT CONTROL AND SANCTIONS**
18 **LAWS BY HONG KONG.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of the enactment of this Act, and annually thereafter,
21 the Secretary of Commerce, in consultation with the Sec-
22 retary of the Treasury and the Secretary of State, shall
23 submit a report to the committees specified in subsection
24 (b) that includes—

1 (1) an assessment of whether the Government
2 of Hong Kong has adequately enforced the export
3 control laws of the United States with respect to
4 sensitive dual-use items;
5 (2) to the extent possible, an identification of—
6 (A) any items that were reexported from
7 Hong Kong in violation of such laws;
8 (B) the countries and persons to which
9 such items were reexported; and
10 (C) how such items were used;
11 (3) an assessment of whether sensitive dual-use
12 items subject to the export control laws of the
13 United States are being—
14 (A) transshipped through Hong Kong; and
15 (B) used to develop—
16 (i) the Sharp Eyes, Skynet, Inte-
17 grated Joint Operations Platform, or other
18 systems of mass surveillance and predictive
19 policing; or
20 (ii) the "social credit" system of
21 China;
22 (4) an assessment of the efforts by the Govern-
23 ment of China to use the status of Hong Kong as
24 a separate customs territory to import items into
25 China in violation of the export control laws of the

1 United States, whether as part of the Greater Bay
2 Area plan, the assignment of Hong Kong by Beijing
3 as a national technology and innovation center, or
4 through other programs that may exploit Hong
5 Kong as a conduit for controlled sensitive tech-
6 nology;
7 (5) an assessment of whether the Government
8 of Hong Kong has adequately enforced sanctions im-
9 posed by the United States and the United Nations;
10 and
11 (6) a description of the types of goods and serv-
12 ices transshipped or reexported through Hong Kong
13 in violation of such sanctions to—
14 (A) North Korea or Iran; or
15 (B) other countries, regimes, or persons
16 subject to such sanctions for engaging in activi-
17 ties—
18 (i) relating to international terrorism,
19 international narcotics trafficking, or the
20 proliferation of weapons of mass destruc-
21 tion; or
22 (ii) that otherwise present a threat to
23 the national security, foreign policy, or
24 economy of the United States.

1 (b) COMMITTEES SPECIFIED.—The committees spec-
2 ified in this subsection are—
3 (1) the Committee on Foreign Relations of the
4 Senate;
5 (2) the Committee on Banking, Housing, and
6 Urban Affairs of the Senate;
7 (3) the Committee on Commerce, Science, and
8 Transportation of the Senate;
9 (4) the Committee on Foreign Affairs of the
10 House of Representatives; and
11 (5) the Committee on Energy and Commerce of
12 the House of Representatives.
13 (c) FORM OF REPORT.—The report required under
14 subsection (a) shall be submitted in unclassified form, but
15 may include a classified annex.

16 **SEC. 6. PROTECTING UNITED STATES CITIZENS AND OTH-**
17 **ERS FROM RENDITION TO MAINLAND CHINA.**

18 (a) FINDINGS.—Congress makes the following find-
19 ings:
20 (1) The proposed amendments to Hong Kong's
21 Fugitive Ordinance, if enacted—
22 (A) would allow rendition from Hong Kong
23 of residents or foreign nationals to countries—

1 (i) with criminal procedure systems
2 that lack strong protections for the rights
3 of defendants; or
4 (ii) in which the law is used as to re-
5 press internationally recognized human
6 rights, including to mainland China;
7 (B) would remove independent legislative
8 oversight and appropriate judicial review of ex-
9 tradition requests;
10 (C) may increase the influence of the Gov-
11 ernment of China in Hong Kong and further
12 erode the autonomy guaranteed Hong Kong by
13 the Joint Declaration, and
14 (D) would erode Hong Kong's reputation
15 as a center of commerce and freedom governed
16 by the rule of law.
17 (2) The Government of China has subjected
18 Chinese and foreign nationals, including citizens of
19 the United States, Canada, Australia, Sweden, and
20 Taiwan, to arbitrary detention, televised confessions,
21 denial of legal representation and medical treatment,
22 and other types of mistreatment.
23 (b) POLICY STATEMENTS.—It is the policy to the
24 United States—

1 (1) to ensure that United States citizens are
2 protected from rendition to mainland China;
3 (2) pursuant to section 103(7) of the United
4 States-Hong Kong Policy Act of 1992 (22 U.S.C.
5 5713(7)), to encourage United States businesses "to
6 continue to operate in Hong Kong in accordance
7 with applicable United States and Hong Kong law";
8 and
9 (3) pursuant to section 201(b) of such Act (22
10 U.S.C. 5721(b)), to decide whether the Government
11 of Hong Kong is "legally competent to carry out its
12 obligations" under treaties and international agree-
13 ments established between the United States and
14 Hong Kong.
15 (c) RESPONSE TO THREAT OF RENDITION.—If the
16 proposed amendments to Hong Kong's Fugitive Offenders
17 Ordinance are enacted, and the amended law allows ren-
18 ditions to countries that lack protection for the rights of
19 defendants—
20 (1) not later than 30 days after the date of the
21 enactment of such amendments, the President shall
22 submit a report to the appropriate congressional
23 committees that—
24 (A) assesses whether the Government of
25 Hong Kong is "legally competent" to admin-

1 ister the United States-Hong Kong Agreement
2 for the Surrender of Fugitive Offenders;
3 (B) determines whether any additional au-
4 thorities are needed to revise or withdraw from
5 that treaty to protect United States citizens
6 and national security and to support the guar-
7 anteed protections of the Joint Declaration; and
8 (C) includes a strategy for protecting
9 United States citizens from rendition to main-
10 land China from Hong Kong, including an as-
11 sessment of—
12 (i) whether additional resources are
13 needed for American Citizen Services at
14 the United States Consulate in Hong
15 Kong; and
16 (ii) whether the Department of State
17 will revise the travel advisory for Hong
18 Kong to reflect the potential impact of the
19 revised Fugitive Offenders Ordinance on
20 United States residents and individuals
21 traveling to, or transiting through, Hong
22 Kong; and
23 (2) if the Government of Hong Kong enacts a
24 new law regarding national security, pursuant to Ar-
25 ticle 23 of the Basic Law, the President and the

1 Secretary of State shall take the actions required
2 under paragraph (1) and any additional actions re-
3 quired under section 202 of the United States-Hong
4 Kong Policy Act of 1992 (U.S.C. 5722) unless Sec-
5 retary of State certifies that—
6 (A) the new law does not violate the guar-
7 antees of the Joint Declaration; and
8 (B) the internationally recognized human
9 rights of Hong Kong citizens and foreign resi-
10 dents will not be restricted as a result of the
11 new law's implementation.

12 **SEC. 7. IDENTIFICATION OF PERSONS RESPONSIBLE FOR**
13 **ABDUCTIONS AND FOR OTHER ACTIONS TO**
14 **SUPPRESS BASIC FREEDOMS IN HONG KONG.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of the enactment of this Act, and annually thereafter
17 in conjunction with the publication of the report required
18 under section 301 of the Hong Kong Policy Act of 1992
19 (22 U.S.C. 5731) the President shall submit, to the appro-
20 priate congressional committees, a list containing the
21 name of each person who the President determines, based
22 on credible information, is responsible for—
23 (1) the surveillance, abduction, detention,
24 abuse, or forced confession of Gui Minhai, Lee Bo,
25 Lam Wing-kee, Lui Bo, or Cheung Chi-ping, all of

1 whom are involved in the operation of the Mighty
2 Current Publishing House based in Hong Kong;
3 (2) the surveillance, abduction, detention,
4 abuse, or forced confession of Guo Zhongxiao or
5 Wang Jianmin, both of whom are involved in the op-
6 eration of magazine publications based in Hong
7 Kong; or
8 (3) the rendition to the mainland of the Peo-
9 ple's Republic of China of any individual, or the ar-
10 bitrary detention, torture, or forced confession of
11 any individual after rendition, in connection with the
12 exercise by that individual of internationally recog-
13 nized human rights in Hong Kong, including such
14 individuals extradited to the mainland of the Peo-
15 ple's Republic of China under any amended fugitive
16 offenders ordinance in Hong Kong.
17 (b) CONSIDERATION OF CERTAIN INFORMATION.—In
18 preparing the list required under subsection (a), the Presi-
19 dent shall consider—
20 (1) information provided by the chairperson and
21 ranking member of each of the appropriate congres-
22 sional committees; and
23 (2) credible information obtained by other coun-
24 tries or nongovernmental organizations, including or-
25 ganizations inside China or Hong Kong, that mon-

1 itor the human rights abuses of the Government of
2 the China or its agents.
3 (c) REQUESTS BY CHAIRPERSON AND RANKING
4 MEMBER OF APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—
6 (1) IN GENERAL.—Not later than 120 days
7 after receiving a written request from the chair-
8 person and ranking member of 1 of the appropriate
9 congressional committees with respect to whether a
10 person meets the criteria for being added to the list
11 required under subsection (a), the President shall
12 submit a response to the chairperson and ranking
13 member of the committee that made the request
14 with respect to the status of the person.
15 (2) INFORMATION ABOUT REMOVAL DECI-
16 SIONS.—If the President removes from the list re-
17 quired under subsection (a) a person that was placed
18 on the list at the request of the chairperson and
19 ranking member of 1 of the appropriate congres-
20 sional committees, the President shall provide the
21 chairperson and ranking member with any informa-
22 tion that contributed to the decision to remove the
23 person.
24 (3) FORM.—The President may submit a re-
25 sponse required under paragraph (1) in classified

form if the President determines that such classification is vital to the national security interests of the United States.

SEC. 8. INADMISSIBILITY OF CERTAIN ALIENS AND FAMILY MEMBERS.

(a) IN GENERAL.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

"(J) CERTAIN ALIENS RESPONSIBLE FOR ABDUCTIONS OR EXTRADITIONS FROM HONG KONG.—Any alien included in the list submitted by the President under section 7(a) of the Hong Kong Human Rights and Democracy Act of 2019 is inadmissible.".

(b) CURRENT VISAS REVOKED.—

(1) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of either Secretary) shall revoke any visa or other entry documentation issued to any alien who is included on the list required under section 7(a), regardless of when such visa or entry documentation was issued.

(2) EFFECTIVE DATE.—Revocations under paragraph (1) shall take effect on the date such action is taken and shall automatically cancel any

1 other valid visa or entry documentation that is in
2 the alien's possession.
3 (c) WAIVER FOR NATIONAL SECURITY INTERESTS.—
4 (1) IN GENERAL.—The Secretary of State may
5 waive, with respect to an alien, the application of
6 section 212(a)(2) of the Immigration and Nation-
7 ality Act, as amended by subsection (a), or the ap-
8 plication of subsection (b) if the Secretary—
9 (A) determines that such waiver—
10 (i) is necessary to permit the United
11 States to comply with the Agreement be-
12 tween the United Nations and the United
13 States of America regarding the Head-
14 quarters of the United Nations, signed
15 June 26, 1947, and entered into force No-
16 vember 21, 1947, or other applicable inter-
17 national obligations of the United States;
18 or
19 (ii) is vital to the national security in-
20 terests of the United States; and
21 (B) before granting such waiver, provides
22 to the appropriate congressional committees no-
23 tice of, and a justification for, the waiver.
24 (2) TIMING FOR CERTAIN WAIVERS.—Notifica-
25 tion under subparagraph (B) of paragraph (1) shall

be made not later than 15 days before granting a waiver under such paragraph if the Secretary grants such waiver under subparagraph (A)(ii) of such paragraph.

(d) REGULATORY AUTHORITY.—The Secretary of State shall prescribe such regulations as may be necessary to carry out this section.

SEC. 9. FINANCIAL MEASURES.

(a) BLOCKING OF PROPERTY.—The President shall exercise all powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person on the list required under section 7(a) if such property and interests in property—

(1) are in the United States;

(2) come within the United States; or

(3) are or come within the possession or control of a United States person.

(b) EXCEPTION FOR IMPORTATION OF GOODS.—

(1) IN GENERAL.—The requirement to impose sanctions under subsection (a) shall not include the authority to impose sanctions with respect to the importation of goods.

1 (2) GOOD DEFINED.—In this subsection, the
2 term "good" means any article, natural or manmade
3 substance, material, supply or manufactured prod-
4 uct, including inspection and test equipment, and ex-
5 cluding technical data.
6 (c) WAIVER FOR NATIONAL SECURITY INTERESTS.—
7 The President may waive the application of subsection (a)
8 if the President—
9 (1) determines that such waiver is vital for the
10 national security interests of the United States; and
11 (2) not later than 15 days before granting the
12 waiver, submits to the appropriate congressional
13 committees notice of, and a justification for, the
14 waiver.
15 (d) ENFORCEMENT.—
16 (1) PENALTIES.—Any person that violates, at-
17 tempts to violate, conspires to violate, or causes a
18 violation of subsection (a) or any regulation, license,
19 or order issued to carry out that subsection shall be
20 subject to the penalties set forth in subsections (b)
21 and (c) of section 206 of the International Emer-
22 gency Economic Powers Act (50 U.S.C. 1705) to the
23 same extent as a person that commits an unlawful
24 act described in subsection (a) of such section.

1 (2) REQUIREMENTS FOR FINANCIAL INSTITU-
2 TIONS.—Not later than 120 days after the date of
3 the enactment of this Act, the Secretary of the
4 Treasury shall prescribe or amend regulations to the
5 extent necessary to require each financial institution
6 that is a United States person and has within its
7 possession or control assets that are property or in-
8 terests in property of a person on the list required
9 under section 7(a) to certify to the Secretary that,
10 to the best of the knowledge of the financial institu-
11 tion, the financial institution has blocked all assets
12 within the possession or control of the financial in-
13 stitution in accordance with subsection (a).
14 (3) NOTIFICATION TO CONGRESS.—Not later
15 than 10 days before prescribing or revising regula-
16 tions under paragraph (2), the President shall notify
17 the appropriate congressional committees of the pro-
18 posed regulations and the provisions of this Act or
19 amendments made by this Act that the regulations
20 are implementing.
21 (e) RULEMAKING.—The Secretary of the Treasury
22 shall issue such regulations, licenses, and orders as may
23 be necessary to carry out this section.

1 **SEC. 10. REPORTS TO CONGRESS.**

2 (a) IN GENERAL.—The President shall submit a re-
3 port to the appropriate congressional committees that in-
4 cludes—

5 (1) a list of each foreign person with respect to
6 which the President imposed sanctions pursuant to
7 section 8 or 9 during the 1-year period preceding the
8 submission of the report,

9 (2) a description of the type of sanctions im-
10 posed with respect to each such person,

11 (3) the number of foreign persons with respect
12 to which the President—

13 (A) imposed sanctions under section 8 or
14 9 during that year; and

15 (B) terminated sanctions under section 8
16 or 9 during that year;

17 (4) the dates on which such sanctions were im-
18 posed or terminated; and

19 (5) the reasons for imposing or terminating
20 such sanctions.

21 (b) DATES FOR SUBMISSION.—

22 (1) INITIAL REPORT.—The President shall sub-
23 mit the initial report under subsection (a) not later
24 than 1 year after the date of the enactment of this
25 Act.

26 (2) SUBSEQUENT REPORTS.—

1 (A) IN GENERAL.—The President shall
2 submit a report under subsection (a) on Decem-
3 ber 10, or the first day thereafter on which
4 both Houses of Congress are in session, of—
5 (i) the calendar year in which the ini-
6 tial report is submitted if the initial report
7 is submitted before December 10 of that
8 calendar year; and
9 (ii) each calendar year thereafter.
10 (c) FORM OF REPORT.—
11 (1) IN GENERAL.—Each report required under
12 subsection (a) shall be submitted in unclassified
13 form, but may include a classified annex.
14 (2) EXCEPTION.—The name of a foreign person
15 to be included in the list required under subsection
16 (a)(1) may not be included in the classified annex
17 authorized under paragraph (1) unless the Presi-
18 dent—
19 (A) determines that such inclusion is vital
20 to the national security interests of the United
21 States;
22 (B) uses the annex in a manner consistent
23 with congressional intent and the purposes of
24 this Act; and

1 (C) not later than 15 days before including
2 such name in the classified annex, provides to
3 the appropriate congressional committees notice
4 of, and a justification for, including the name
5 in the classified annex despite any publicly
6 available credible information indicating that
7 the person engaged in an activity described in
8 section 8 or 9.
9 (d) PUBLIC AVAILABILITY.—
10 (1) IN GENERAL.—The unclassified portion of
11 the report required under subsection (a) shall be
12 made available to the public, including through pub-
13 lication in the Federal Register.
14 (2) NONAPPLICABILITY OF CONFIDENTIALITY
15 REQUIREMENT WITH RESPECT TO VISA RECORDS.—
16 The President shall publish the list required under
17 subsection (a)(1) without regard to the requirements
18 under section 222(f) of the Immigration and Nation-
19 ality Act (8 U.S.C. 1202(f)) with respect to con-
20 fidentiality of records pertaining to the issuance or
21 refusal of visas or permits to enter the United
22 States.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3289

OFFERED BY MR. SMITH

Strike all after the enacting clause and insert the following:

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Hong Kong Human Rights and Democracy Act of 2019".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1 Short title, table of contents
Sec 2 Definitions
Sec 3 Statement of policy
Sec 4 Amendments to the United States-Hong Kong Policy Act of 1992
Sec 5 Report on enforcement of United States export control and sanctions laws by Hong Kong.
Sec 6. Protecting United States interests with respect to Hong Kong
Sec 7 Sanctions relating to undermining fundamental freedoms and autonomy in Hong Kong
Sec 8 Sanctions reports

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Affairs of the House of Representatives;

(B) the Committee on Financial Services of the House of Representatives;

(C) the Committee on the Judiciary of the House of Representatives.

(D) the Committee on Foreign Relations of the Senate;

(E) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(F) the Committee on the Judiciary of the Senate.

(2) CHINA.—The term "China" means the People's Republic of China.

(3) SOCIAL CREDIT SYSTEM.—The term "social credit system" means a system proposed by the Government of China and scheduled for implementation by 2020 that would use existing financial credit systems, public records, online activity, and other tools of surveillance to aggregate data on every Chinese citizen and business and use that data to monitor, shape, and rate certain financial, social, religious, or political behaviors.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to reaffirm the principles and objectives set forth in the United States-Hong Kong Policy Act of 1992 (Public Law 102–383), namely that—

(A) the United States has "a strong interest in the continued vitality, prosperity, and stability of Hong Kong";

(B) "[s]upport for democratization is a fundamental principle of United States foreign policy" and therefore "naturally applies to United States policy toward Hong Kong";

(C) "the human rights of the people of Hong Kong are of great importance to the United States and are directly relevant to United States interests in Hong Kong [and] serve as a basis for Hong Kong's continued economic prosperity"; and

(D) Hong Kong must remain sufficiently autonomous from the People's Republic of China to "justify treatment under a particular

law of the United States, or any provision thereof, different from that accorded the People's Republic of China";

(2) to support the high degree of autonomy and fundamental rights and freedoms of the people of Hong Kong, as enumerated by—

(A) the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing December 19, 1984 (referred to in this Act as the "Joint Declaration");

(B) the International Covenant on Civil and Political Rights, done at New York December 19, 1966; and

(C) the Universal Declaration of Human Rights, done at Paris December 10, 1948.

(3) to support the democratic aspirations of the people of Hong Kong, including the "ultimate aim" of the selection of the Chief Executive and all members of the Legislative Council by universal suffrage, as articulated in the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (referred to in this Act as the "Basic Law");

(4) to urge the Government of the People's Republic of China and the Government of the Hong Kong Special Autonomous Region to uphold their commitment to the people of Hong Kong, including providing a high degree of autonomy for Hong Kong as articulated in the Joint Declaration and the Basic Law;

(5) to support the robust exercise by residents of Hong Kong of the rights to free speech, the press, and other fundamental freedoms as provided by the Basic Law and the Joint Declaration;

(6) to support freedom from arbitrary or unlawful arrest, detention, or imprisonment for all Hong Kong residents, as provided to them by the Basic Law and the Joint Declaration;

(7) to draw international attention to any violations by the Government of the People's Republic of China of the fundamental rights

of the people of Hong Kong and any encroachment upon the autonomy guaranteed to Hong Kong by the Basic Law and the Joint Declaration;

(8) to protect United States citizens and legal permanent residents living in Hong Kong as well as people visiting and transiting through Hong Kong; and

(9) to maintain the economic and cultural ties that provide significant benefits to both the United States and Hong Kong.

SEC. 4. AMENDMENTS TO THE UNITED STATES-HONG KONG POLICY ACT OF 1992.

(a) CERTIFICATIONS.—Title II of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5721 et seq.) is amended by adding at the end the following new section:

"SEC. 205. SECRETARY OF STATE CERTIFICATION REGARDING THE AUTONOMY OF HONG KONG.

"(a) CERTIFICATION.—

"(1) IN GENERAL.—The Secretary of State shall annually submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a certification, in conjunction with and taking into consideration the contents of the report required in section 301, regarding whether Hong Kong continues to warrant treatment under particular treaties, international agreements, and United States laws, or any provisions thereof, specified in paragraph (2) in the same manner as such treaties, international agreements, and laws were applied to Hong Kong as of the date of enactment of this section.

"(2) PROVISIONS SPECIFIED.—The treaties, international agreements, and United States laws specified in this paragraph are the following:

"(A) Commercial agreements.

"(B) Law enforcement cooperation, including extradition matters.

"(C) Nonproliferation commitments.

"(D) Sanctions enforcement.

"(E) Export control agreements, including enforcement of export controls with respect to dual use technologies.

"(F) Formal treaties and agreements between the United States and Hong Kong, including agreements related to taxation and currency exchange.

"(G) Other particular laws of the United States, or any provisions thereof, that accord to Hong Kong treatment different to that accorded to the People's Republic of China.

"(H) Other bilateral or multilateral agreements determined relevant by the Secretary.

"(3) CONTENTS.—Each certification under paragraph (1) shall include the following:

"(A) An evaluation of the Government of Hong Kong's autonomous decision-making within the executive, legislative, and judicial branches, with respect to—

"(i) upholding the rule of law; and

"(ii) protecting the rights enumerated in—

"(I) the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing December 19, 1984 (the 'Joint Declaration');

"(II) the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (the 'Basic Law');

"(III) the Universal Declaration of Human Rights, done at Paris December 10, 1948; and

"(IV) the International Covenant on Civil and Political Rights, done at New York December 19, 1966.

"(4) FACTORS FOR CONSIDERATION.—In making a certification under paragraph (1), the Secretary of State should consider the terms, obligations, and expectations expressed in the Joint Declaration and the Basic Law.

"(5) ADDITIONAL CERTIFICATIONS.—Notwithstanding the annual requirement for certifications under paragraph (1), the Secretary of State may issue additional certifications at any time if the Secretary determines that circumstances in Hong Kong warrant such.

"(6) FORM.—Each certification under paragraph (1) and any additional certifications under paragraph (5) shall be submitted in unclassified form but may include a classified annex if the Secretary of State determines such is necessary.

"(b) WAIVER.—The Secretary of State may waive the application of subsection (a) in, whole or in part, if—

"(1) the Secretary determines that such a waiver is in the national security interests of the United States or would protect the autonomy of Hong Kong; and

"(2) on or before the date on which such a waiver takes effect, the Secretary notifies the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives of the intent to waive such subsection.

"(c) PUBLIC AVAILABILITY.—The unclassified portion of the certifications required under subsection (a) shall be made available to the public, including through publication on the Department of State website.".

(b) VISA APPLICANTS.—Title II of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5721 et seq.), as amended by subsection (a), is further amended by adding at the end the following new section:

"SEC. 206. TREATMENT OF HONG KONG APPLICANTS FOR VISAS TO ENTER THE UNITED STATES.

"It is the sense of Congress that applications for visas to enter the United States, including for work or study, which are submitted by otherwise qualified applicants from Hong Kong should not be denied solely on the basis of politically-motivated arrest, detention, or other adverse government action taken against such applicants as a result of the participation by such applicants in protest activities, and that the Secretary of State should make efforts to implement such policy, ensure consular officers make determinations in accordance with such policy, and coordinate with representatives of other countries to encourage the adoption of compatible policies.".

(c) Reporting Requirements.— Section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731) is amended in subsection (a):

(1) by deleting "2024" and inserting in its place "2027";

(2) in paragraph (7) by deleting "and"; and

(3) prior to the final period by inserting the following paragraphs:

"(9) An evaluation of China's ability to limit Hong Kong's autonomy with respect to the treaties, international agreements, and United States laws specified in paragraph (2) as a result of actions by the Government of the People's Republic of China that are inconsistent with its commitments under the Basic Law or the Joint Declaration.

"(10) An evaluation of limitations to Hong Kong's autonomy with respect to the treaties, international agreements, and United States laws specified in paragraph (2) resulting from actions by the Government of the Hong Kong Special Autonomous Region that are inconsistent with its commitments under the Basic Law or the Joint Declaration.

"(11) An evaluation of specific impacts to any areas of cooperation between the United States and Hong Kong as a result of limits, whether self-imposed or otherwise, to Hong Kong's autonomy, including any failures of the Hong Kong Government to fulfill obligations with the United States under the treaties, international agreements, and United States laws specified in paragraph (2).

"(12) A description of specific actions taken by the United States Government to mitigate the negative impact to United States interests of limitations, whether self-imposed or otherwise, to Hong Kong's autonomy or any failures to fulfill obligations with the United States under the treaties, international agreements, and United States laws specified in paragraph (2); and

"(13) An analysis of whether the rescission of special treatment under any particular treaties, international agreements, or particular laws of the United States, or any provisions thereof would contribute to further erosion of Hong Kong's autonomy.

SEC. 5. REPORT ON ENFORCEMENT OF UNITED STATES EXPORT CONTROL AND SANCTIONS LAWS BY HONG KONG.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the committees specified in subsection (b) a report that includes the following:

(1) An assessment of the policies and actions of the Government of the Hong Kong Special Autonomous Region to enforce the Export Control Reform Act of 2018 (subtitle B of title XVII of Public Law 115–232) and other relevant provisions of United States law related to export controls.

(2) To the extent possible, an identification of the following:

(A) Any items that were transferred from Hong Kong in violation of such laws.

(B) The countries and persons to which such items were transferred.

(C) How such items were used.

(3) An assessment of whether United States origin items (including software, technology, and services) have been transferred from Hong Kong to China in violation of United States law and have been used by

China for mass surveillance, predictive policing, or for the social credit system.

(4) An assessment of the policies and actions of the Government of the Hong Kong Special Autonomous Region to enforce sanctions imposed by the United States and the United Nations.

(5) A description of the types of goods and services transshipped or reexported through Hong Kong in violation of such sanctions to—

(A) North Korea or Iran; or

(B) other countries, regimes, or persons subject to such sanctions for engaging in activities—

(i) relating to—

(I) international terrorism, international narcotics trafficking, or the proliferation of weapons of mass destruction; or

(II) corruption and violations of human rights; or

(ii) that otherwise present a threat to the national security, foreign policy, or economy of the United States.

(b) COMMITTEES SPECIFIED.—The committees specified in this subsection are the following:

(1) The Committee on Foreign Relations of the Senate.

(2) The Committee on Banking, Housing, and Urban Affairs of the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives.

(c) FORM OF REPORT.—The report required under subsection (a) shall be transmitted in unclassified form, but may include a classified annex.

SEC. 6. PROTECTING UNITED STATES INTERESTS WITH RESPECT TO HONG KONG.

(a) POLICY STATEMENTS.—It is the policy to the United States—

(1) to safeguard United States citizens and lawful permanent residents from extradition, rendition, or abduction to China from Hong Kong for trial, detention, or any other purpose;

(2) to safeguard United States businesses in Hong Kong from economic coercion and intellectual property theft;

(3) pursuant to section 103(7) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5713(7)), to encourage United States businesses "to continue to operate in Hong Kong in accordance with applicable United States and Hong Kong law"; and

(4) pursuant to section 201(b) of such Act (22 U.S.C. 5721(b)), to evaluate as circumstances require the Government of Hong Kong is "legally competent to carry out its obligations" under treaties and international agreements established between the United States and Hong Kong.

(b) NOTIFICATION TO CONGRESS.—

(1) DETERMINATION.—The Secretary of State shall, with respect to any legislation proposed or enacted by the Government of Hong Kong, determine, not later than 30 days after such legislation is proposed or enacted, if such proposed or enacted legislation would—

(A) put United States citizens or lawful permanent residents at risk for rendition to China or other countries with which the United States Government does not have an extradition agreement; or

(B) otherwise have a significant negative impact on United States interests with respect to Hong Kong.

(2) NOTIFICATION.—If the Secretary of State makes a determination in the affirmative under paragraph (1), the Secretary shall submit to the appropriate congressional committees a notification relating thereto that includes the following:

(A) An assessment of the potential risks of the proposed or enacted legislation described in such paragraph to United States national interests, including risks to United States citizens or lawful permanent residents residing in, traveling to, or transiting through Hong Kong.

(B) A strategy for protecting United States interests in Hong Kong with respect to the proposed or enacted legislation described in such paragraph.

SEC. 7. SANCTIONS RELATING TO UNDERMINING FUNDAMENTAL FREEDOMS AND AUTONOMY IN HONG KONG.

(a) IDENTIFICATION OF PERSONS RESPONSIBLE FOR UNDERMINING FUNDAMENTAL FREEDOMS AND AUTONOMY IN HONG KONG.—

(1) IN GENERAL.—The President shall transmit to the appropriate congressional committees a report, in accordance with paragraph (2), that identifies each foreign person that the President determines, based on credible information, is knowingly responsible for any of the following:

(A) The actual or threatened rendition, arbitrary detention, torture, or forced confession of any individual in Hong Kong.

(B) Repeated acts or decisions which contravene the shared obligations of China and Hong Kong under the Joint Declaration and Basic Law and undermine the national interests of the United States in Hong Kong's autonomy and the rule of law.

(C) Other gross violations of internationally recognized human rights human rights in Hong Kong.

(2) TIMING OF REPORTS.—The President shall transmit—

(A) the report required under paragraph (1)—

(i) not later than 180 days after the date of the enactment of this Act; and

(ii) not less frequently than annually thereafter in conjunction with the publication of the report required under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731); and

(B) an update to the report required under paragraph (1) not later than 15 days after any new credible information described in such paragraph becomes available.

(3) CONSIDERATION OF CERTAIN INFORMATION.—In preparing the report required under paragraph (1), the President shall consider the following:

(A) Information provided jointly by the chairperson and ranking member of each of the appropriate congressional committees.

(B) Credible information obtained by other countries or nongovernmental organizations that monitor violations of human rights abuses.

(4) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) IMPOSITION OF SANCTIONS.—The President shall impose the sanctions described in subsection (c) with respect to each foreign person identified in the report required under subsection (a)(1).

(c) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) ASSET BLOCKING.—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a foreign person identified in the report required under subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—A foreign person described in subsection (a)(1) and his or her immediate family members is—

(i) inadmissible to the United States;

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

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—A foreign person described in subsection (a)(1) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(C) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS.—Sanctions under this paragraph shall not apply with respect to a foreign person if admitting or paroling such person into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(3) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a foreign person that violates, attempts

to violate, conspires to violate, or causes a violation of paragraph (1) to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(d) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(e) WAIVER.—The President may waive the application of sanctions under this section with respect to a foreign person identified in the report required under subsection (a)(1) if the President determines and certifies to the appropriate congressional committees that such a waiver is in the national interest of the United States.

(f) TERMINATION OF SANCTIONS.—The President may terminate the application of sanctions under this section with respect to a foreign person if the President determines and reports to the appropriate congressional committees not less than 15 days before such termination takes effect that—

(1) credible information exists that such person did not engage in the activity for which sanctions were imposed;

(2) such person has been prosecuted appropriately for the activity for which sanctions were imposed;

(3) such person has credibly demonstrated a significant change in behavior, has paid an appropriate consequence for the activity for which sanctions were imposed, and has credibly committed to not engage in an activity described in subsection (a)(1) in the future; or

(4) the termination of the sanctions is in the national security interests of the United States.

(g) EXCEPTION RELATING TO THE IMPORTATION OF GOODS.—

(1) IN GENERAL.—The authorities and requirements to impose sanctions under this section shall not include the authority or requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this subsection, the term "good" means any article, natural or man-made substance, material, supply or manufactured

product, including inspection and test equipment, and excluding technical data.

(h) DEFINITIONS.—In this section:

(1) ADMITTED.—The term "admitted" has the meanings given such term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FOREIGN PERSON.—The term "foreign person" means a person that is not a United States person.

(3) KNOWINGLY.—The term "knowingly" means, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) PERSON.—The term "person" means an individual or entity.

(5) UNITED STATES PERSON.—The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

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

SEC. 8. SANCTIONS REPORTS.

(a) IN GENERAL.—The President shall transmit to the appropriate congressional committees a report that includes the following:

(1) A list of each foreign person with respect to which the President imposed sanctions under section 7 during the year preceding the transmission of such report.

(2) A description of the type of sanctions imposed with respect to each such person.

(3) The number of foreign persons with respect to which the President terminated such sanctions during such year.

(4) The dates on which such sanctions were imposed or terminated, as applicable.

(5) The reasons for imposing or terminating such sanctions.

(6) A description of the efforts of the President to encourage the governments of other countries to impose sanctions that are similar to such sanctions.

(b) FORM.—The report required under subsection (a) shall be transmitted in unclassified form but may contain a classified annex.

(c) PUBLIC AVAILABILITY.—The unclassified portion of the report required under subsection (a) shall be made available to the public, including through publication in the Federal Register.

(d) NONAPPLICABILITY OF CONFIDENTIALITY REQUIREMENT WITH RESPECT TO VISA RECORDS.—The President shall publish the report required under subsection (a) without regard to the requirements of section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) with respect to confidentiality of records pertaining to the issuance or refusal of visas or permits to enter the United States.

I

116TH CONGRESS
1ST SESSION

H. R. 4270

To prohibit commercial exports of certain nonlethal crowd control items and defense articles and services to the Hong Kong Disciplined Services, and for other purposes

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2019

Mr MCGOVERN (for himself, Mr SMITH of New Jersey, and Mr KHANNA) introduced the following bill, which was referred to the Committee on Foreign Affairs

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A BILL

To prohibit commercial exports of certain nonlethal crowd control items and defense articles and services to the Hong Kong Disciplined Services, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Placing Restrictions on Teargas Exports and Crowd Control Technology to Hong Kong Act" or the "PROTECT Hong Kong Act".

SEC. 2. FINDINGS AND STATEMENT OF POLICY.

(a) FINDINGS.—Congress finds the following:

1 (1) During the 2019 anti-extradition bill and
2 pro-democracy protests, the Hong Kong Police
3 Force used non-lethal crowd control articles such as
4 water cannon trucks, tear gas, rubber bullets,
5 sponge grenades, beanbag rounds, batons, pepper
6 spray, pepper balls, and projectile launchers.
7 (2) The United Nations High Commissioner for
8 Human Rights, along with human rights organiza-
9 tions, have called for an investigation of the use of
10 crowd control tactics used in Hong Kong which fall
11 short of international standards, including the
12 United Nations Code of Conduct for Law Enforce-
13 ment Officials and the Basic Principles on the Use
14 of Force and Firearms for Law Enforcement Offi-
15 cials.
16 (3) United States companies received export li-
17 censes to sell the Hong Kong Police Force munitions
18 and non-lethal crowd control defense articles and
19 services and at least some of those articles were used
20 by the police unnecessarily and disproportionately
21 during largely peaceful demonstrations.
22 (4) The Government of the United Kingdom
23 suspended export licenses for the sale of tear gas
24 and other non-lethal crowd control equipment to
25 Hong Kong until concerns about human rights

1 abuses are addressed by the Hong Kong Special Ad-
2 ministrative Region government.
3 (5) The European Parliament adopted a resolu-
4 tion calling on European governments and the inter-
5 national community to impose export-control mecha-
6 nisms to deny the Hong Kong and Chinese govern-
7 ments access to technologies used to violate basic
8 rights.
9 (6) Hong Kong citizens and the international
10 community have called for changes to the Hong
11 Kong Police's crowd control tactics and these re-
12 quests have gone unheeded by the Hong Kong Spe-
13 cial Administrative Region government.
14 (b) STATEMENT OF POLICY.—It is the policy of the
15 United States—
16 (1) to restrict the export of security assistance
17 and crime control and detection instruments and
18 equipment to any country the government of which
19 engages in a consistent pattern of gross violations of
20 internationally recognized human rights as required
21 by section 502B(a) of the Foreign Assistance Act of
22 1961 (22 U.S.C. 2304(a)); and
23 (2) to use export controls on crime control and
24 detection instruments and equipment to deter the
25 development of a consistent pattern of human rights

1 abuses, distance the United States from such
2 abuses, and avoid contributing to civil disorder in a
3 country or region in accordance with section
4 742.7(b) of part 774 of subtitle B of title 15, Code
5 of Federal Regulations.

6 **SEC. 3. PROHIBITION ON COMMERCIAL EXPORT OF COV-**
7 **ERED DEFENSE ARTICLES AND SERVICES**
8 **AND COVERED MUNITIONS ITEMS TO THE**
9 **HONG KONG DISCIPLINED SERVICES.**

10 (a) IN GENERAL.—Except as provided in subsection
11 (b), beginning on the date that is 30 days after the date
12 of the enactment of this Act, the President shall prohibit
13 the issuance of licenses to export covered defense articles
14 and services and covered munitions items to the Hong
15 Kong Disciplined Services.

16 (b) EXCEPTION.—The prohibition in subsection (a)
17 shall not take effect if—

18 (1) the President certifies to the appropriate
19 congressional committees before the date specified in
20 such subsection (a) that—

21 (A) extraordinary circumstances exist that
22 necessitate the continuation of the export of
23 covered defense articles and services and cov-
24 ered munitions items to the Hong Kong Dis-

1 ciplined Services and includes a description of
2 such circumstances; or
3 (B) exports of covered defense articles and
4 services and covered munitions items to parts of
5 the Hong Kong Disciplined Services other than
6 the Hong Kong Police Force are required to ad-
7 vance United States foreign policy goals and in-
8 cludes—
9 (i) a description of the articles, serv-
10 ices, and items; and
11 (ii) the number of articles, services,
12 and items required to meet such goals; or
13 (2) the President has issued an Executive order
14 under section 202 of the United States-Hong Kong
15 Policy Act of 1992 (22 U.S.C. 5722) before the date
16 specified in such subsection (a) suspending the ap-
17 plication of section 201(a) of such Act to any United
18 States law related to the sale of covered defense arti-
19 cles and services and covered munitions items to the
20 Hong Kong Disciplined Services.

SEC. 4. REPORT ON COVERED DEFENSE ARTICLES AND SERVICES AND COVERED MUNITIONS ITEMS EXPORTED TO THE HONG KONG DISCIPLINED SERVICES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Commerce and the heads of other relevant Federal departments and agencies, shall submit to the appropriate congressional committees a report that lists and provides a description of all covered defense articles and services and covered munitions items exported to the Hong Kong Disciplined Services during the five-year period ending on such date of enactment.

(b) FORM.—The report required by subsection (a) shall be—

(1) submitted in unclassified form; and

(2) submitted as either a separate written report or as an annex to testimony offered by Department of State officials before one or more of the appropriate congressional committees.

SEC. 5. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

1 (A) the Committee on Foreign Affairs of
2 the House of Representatives; and
3 (B) the Committee on Foreign Relations of
4 the Senate.
5 (2) COVERED DEFENSE ARTICLES AND SERV-
6 ICES.—The term "covered defense articles and serv-
7 ices" means defense articles and defense services
8 designated by the President under section 38(a)(1)
9 of the Arms Export Control Act (22 U.S.C.
10 2778(a)(1)).
11 (3) COVERED MUNITIONS ITEMS.—The term
12 "covered munitions items" means—
13 (A) items controlled under section 742.7 of
14 part 742 of subtitle B of title 15, Code of Fed-
15 eral Regulations (relating to crime control and
16 detection instruments and equipment and re-
17 lated technology and software); and
18 (B) items listed under the "600 series" of
19 the Commerce Control List contained in Sup-
20 plement No. 1 to part 774 of subtitle B of title
21 15, Code of Federal Regulations.
22 (4) HONG KONG.—The term "Hong Kong" has
23 the meaning given such term in section 3 of the
24 United States-Hong Kong Policy Act of 1992 (22
25 U.S.C. 5702)

1 (5) HONG KONG DISCIPLINED SERVICES.—The
2 term "Hong Kong Disciplined Services" means—
3 (A) the Hong Kong Police Force;
4 (B) the Hong Kong Auxiliary Police Force;
5 (C) the Hong Kong Immigration Depart-
6 ment;
7 (D) the Hong Kong Customs and Excise
8 Department;
9 (E) the Hong Kong Fire Services Depart-
10 ment;
11 (F) the Hong Kong Correctional Services
12 Department; and
13 (G) the Hong Kong Government Flying
14 Service.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 4270 OFFERED BY MR. ENGEL OF NEW YORK

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Placing Restrictions
3 on Teargas Exports and Crowd Control Technology to
4 Hong Kong Act" or the "PROTECT Hong Kong Act".

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) The United Nations High Commissioner for
8 Human Rights, along with human rights organiza-
9 tions, has called for an investigation of the use of
10 crowd control tactics used in Hong Kong which fall
11 short of international standards, including the
12 United Nations Code of Conduct for Law Enforce-
13 ment Officials and the Basic Principles on the Use
14 of Force and Firearms for Law Enforcement Offi-
15 cials.

16 (2) United States companies have reportedly
17 provided the Hong Kong Police Force with muni-

1 tions and non-lethal crowd control equipment that
2 were reportedly used by the police.
3 (3) Hong Kong citizens and the international
4 community have called for changes to the Hong
5 Kong Police's crowd control tactics and these re-
6 quests have gone unheeded by the Hong Kong Spe-
7 cial Administrative Region Government.

8 **SEC. 3. STATEMENT OF POLICY.**

9 It is the policy of the United States—
10 (1) to restrict the export of security assistance
11 and crime control and detection instruments and
12 equipment to any government that engages in a con-
13 sistent pattern of gross violations of internationally
14 recognized human rights, consistent with the re-
15 quirements of section 502B(a) of the Foreign Assist-
16 ance Act of 1961 (22 U.S.C. 2304(a)); and
17 (2) to use export controls on crime control and
18 detection instruments and equipment to deter the
19 development of a consistent pattern of human rights
20 abuses, distance the United States from such
21 abuses, and avoid contributing to civil disorder in a
22 country or region, in accordance with section
23 742.7(b) of part 774 of subtitle B of title 15, Code
24 of Federal Regulations.

1 **SEC. 4. PROHIBITION ON COMMERCIAL EXPORT OF COV-**
2 **ERED DEFENSE ARTICLES AND SERVICES**
3 **AND COVERED MUNITIONS ITEMS TO THE**
4 **HONG KONG POLICE.**

5 (a) IN GENERAL.—Beginning on the date that is 30
6 days after the date of the enactment of this Act, except
7 as provided in subsection (b), the President shall prohibit
8 the issuance of licenses to export covered defense articles
9 and services and covered munitions items to the Hong
10 Kong Police.

11 (b) WAIVER.—The prohibition under subsection (a)
12 shall not apply to the issuance of a license with respect
13 to which the President submits to the appropriate congres-
14 sional committees, not fewer than 30 days before the date
15 of such issuance, a written certification that the exports
16 to be covered by such license are important to the national
17 interests and foreign policy goals of the United States, in-
18 cluding a description of the manner in which such exports
19 will promote such interests and goals.

20 (c) TERMINATION.—The prohibition under sub-
21 section (a) shall terminate on the date on which the Presi-
22 dent certifies to the appropriate congressional committees
23 that—

24 (1) the Hong Kong Police have not engaged in
25 gross violations of human rights during the year
26 prior to such certification; and

1 (2) there has been an independent examination
2 of human rights concerns related to the crowd con-
3 trol tactics of the Hong Kong Police and the Gov-
4 ernment of the Hong Kong Special Administrative
5 Region has adequately addressed those concerns.

6 **SEC. 5. REPORT ON COVERED DEFENSE ARTICLES AND**
7 **SERVICES AND COVERED MUNITIONS ITEMS**
8 **EXPORTED TO THE HONG KONG POLICE.**

9 (a) IN GENERAL.—Not later than 90 days after the
10 date of the enactment of this Act, the Secretary of State
11 and the Secretary of Commerce, in consultation with the
12 heads of other relevant Federal departments and agencies,
13 shall jointly submit to the appropriate congressional com-
14 mittees a report that lists and provides a description of
15 all covered defense articles and services and covered muni-
16 tions items exported to the Hong Kong Police during the
17 five-year period ending on such date of enactment.

18 (b) FORM.—The report required by subsection (a)
19 shall be submitted in unclassified form but may include
20 a classified annex.

21 **SEC. 6. DEFINITIONS.**

22 In this Act:

23 (1) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—The term "appropriate congressional com-
25 mittees" means—

1 (A) the Committee on Foreign Affairs of
2 the House of Representatives;
3 (B) the Committee on Foreign Relations of
4 the Senate; and
5 (C) the Committee on Banking, Housing,
6 and Urban Affairs of the Senate.
7 (2) COVERED DEFENSE ARTICLES AND SERV-
8 ICES.—The term "covered defense articles and serv-
9 ices" means defense articles and defense services
10 designated by the President under section 38(a)(1)
11 of the Arms Export Control Act (22 U.S.C.
12 2778(a)(1)).
13 (3) COVERED MUNITIONS ITEMS.—The term
14 "covered munitions items" means—
15 (A) items controlled under section 742.7 of
16 part 742 of subtitle B of title 15, Code of Fed-
17 eral Regulations (relating to crime control and
18 detection instruments and equipment and re-
19 lated technology and software); and
20 (B) items listed under the "600 series" of
21 the Commerce Control List contained in Sup-
22 plement No. 1 to part 774 of subtitle B of title
23 15, Code of Federal Regulations.
24 (4) HONG KONG.—The term "Hong Kong" has
25 the meaning given such term in section 3 of the

1 United States-Hong Kong Policy Act of 1992 (22
2 U.S.C. 5702).
3 (5) HONG KONG POLICE.—The term "Hong
4 Kong Police" means—
5 (A) the Hong Kong Police Force; and
6 (B) the Hong Kong Auxiliary Police Force.

Amend the title so as to read: "A bill To prohibit commercial exports of certain nonlethal crowd control items and defense articles and services to the Hong Kong Police, and for other purposes.".

116TH CONGRESS
1ST SESSION

H. RES. 517

Supporting the Global Fund to fight AIDS, tuberculosis (TB), malaria, and its Sixth Replenishment.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2019

Mr ENGEL (for himself and Mr MCCAUL) submitted the following resolution, which was referred to the Committee on Foreign Affairs

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RESOLUTION

Supporting the Global Fund to fight AIDS, tuberculosis (TB), malaria, and its Sixth Replenishment.

Whereas the Global Fund to fight AIDS, tuberculosis (TB), and malaria is an effective partnership of governments, the private sector, civil society, and affected communities to transform the response to these epidemics;

Whereas since the Global Fund's creation in 2002, and in close cooperation with the President's Emergency Plan for AIDS Relief (PEPFAR), more than 27,000,000 lives have been saved in countries where the Global Fund invests;

Whereas the Global Fund has contributed to extraordinary improvements in global health, including by helping to reduce by half the number of AIDS-related deaths since 2005, contributing to a 37-percent decline in TB deaths

from 2000 to 2016, and a 60-percent decline in the number of malaria deaths since 2000;

Whereas the Global Fund and its partners work to uphold a steadfast commitment to transparency and accountability, receiving high marks in multilateral aid reviews and by independent watchdogs;

Whereas despite progress achieved to date in combating AIDS, TB, and malaria, significant challenges threaten future progress, including drug and insecticide resistance, reaching marginalized and vulnerable populations, and complacency in the fight against infectious diseases;

Whereas United States leadership has been critical to the Global Fund's success as its largest donor and through its oversight role on the Board of the Global Fund;

Whereas the Global Fund amplifies and supports the results of United States bilateral heath programs, including the PEPFAR, the President's Malaria Initiative, and the United States Agency for International Development TB program;

Whereas a statutory cap on United States contributions to the Global Fund has successfully leveraged increased contributions from other donors in prior Global Fund replenishments and is expected to do so again during the Sixth Replenishment, to be held in Lyon, France, on October 19, 2019;

Whereas the United Kingdom and Japan, for example, already have pledged significant increases to the Global Fund for the Sixth Replenishment;

Whereas the Global Fund's requirements for cofinancing have spurred domestic investments, with recipient countries committing 41 percent more of their own funding to fight

AIDS, TB, and malaria for 2018 to 2020 compared to 2015 to 2017;

Whereas recipient countries are expected to increase their co-financing by 48 percent, growing to $46,000,000,000 from 2021 to 2023; and

Whereas with these resources secured, the Global Fund projects it will reduce the number of deaths due to AIDS, TB, and malaria by nearly 50 percent, avert 234,000,000 infections or disease cases, and save an additional 16,000,000 lives: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the work of the Global Fund and its partners for their contributions in ending the epidemics of AIDS, TB, and malaria;

(2) affirms previous commitments of the United States to providing 33 percent of the budget to the Global Fund, including for the Sixth Global Fund Replenishment, to be held on October 10, 2019, in Lyon, France, as demonstrated by the $1,560,000,000 provided by H.R. 2839 in the 116th Congress (providing FY2020 appropriations for the Department of State, foreign operations, and related programs), as passed by the House of Representatives;

(3) urges donor countries to step up the fight and increase their pledges for the Sixth Global Fund

1 Replenishment and supports continued diplomatic
2 engagement to improve burden sharing;
3 (4) urges Global Fund recipient countries to
4 continue to make and meet ambitious cofinancing
5 commitments to sustain progress in ending the
6 epidemics of AIDS, TB, and malaria; and
7 (5) encourages United States bilateral aid pro-
8 grams to continue their collaboration with the Global
9 Fund to maximize the life-saving impact of global
10 health investments.

○

116TH CONGRESS
1ST SESSION

H. RES. 387

Condemning continued violence against civilians by armed groups in the Central African Republic and supporting efforts to achieve a lasting political solution to the conflict

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IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2019

Mr CICILLINE (for himself and Mr FORTENBERRY) submitted the following resolution, which was referred to the Committee on Foreign Affairs

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RESOLUTION

Condemning continued violence against civilians by armed groups in the Central African Republic and supporting efforts to achieve a lasting political solution to the conflict.

Whereas the overthrow of the Government of the Central African Republic in March 2013 and subsequent violence has led to the proliferation of multiple armed groups, which have been responsible for widespread atrocities based on perceived or actual religious or ethnic identities;

Whereas the United Nations (UN) concluded in 2014 that the Central African Republic's minority Muslim community had been the target of ethnic cleansing, and multiple UN officials have warned of a risk of genocide;

Whereas, according to the United Nations, an estimated 2,900,000 people are in need of humanitarian assistance, over 590,000 Central Africans are refugees in neighboring countries, and over 640,000 people are displaced, most of whom are women and children;

Whereas armed groups continue to engage in gross human rights abuses, violence, pillaging, and the illicit trafficking of natural resources such as ivory, gold, cattle, and diamonds;

Whereas armed groups have intentionally targeted personnel from the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), aid workers, and journalists, making the Central African Republic one of the world's most dangerous operating environments for humanitarian actors;

Whereas the Central African Republic has made significant progress toward democracy by conducting democratic elections despite the lack of security around electoral polling stations and some irregularities, and inaugurated President Faustin-Archange Touadéra in March 2016;

Whereas the establishment of the Special Criminal Court in June 2017 and the creation of more than 1,000 peace committees across the country demonstrate a genuine commitment to justice and accountability on the part of the people of the Central African Republic; and

Whereas, since 2013, the United States has been the largest single donor to the humanitarian response in the Central African Republic, promoted peace and social cohesion, supported the deployment of MINUSCA, enacted sanctions against senior leaders of armed groups, and provided life-saving assistance to communities in the Central

African Republic affected by the crisis: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes that strong United States leadership and support for the stability of the Central African Republic is necessary for the security and future stability of the region;

(2) condemns violence against civilians, humanitarian workers, journalists, faith leaders, and United Nations peacekeepers by all armed actors operating within the Central African Republic;

(3) welcomes the signing of the Khartoum Peace Agreement in February 2019 and urges all parties to adhere to the terms of the agreement, including participating in efforts to disarm and demobilize combatants, to advance long-term sustainable peace for the citizens of the Central African Republic;

(4) supports continued efforts by the Government of the Central African Republic, with support from the African Union and United Nations, to combat the threat posed by armed groups;

(5) calls on the international community, including all members of the United Nations Security Council as well as neighboring countries, to support

1 constructive efforts toward peace in the Central Af-
2 rican Republic;
3 (6) calls on the Government of the Central Afri-
4 can Republic to ensure that all state security forces
5 adhere to civilian command, refrain from human
6 rights abuses, and sever any and all links to armed
7 groups except in the framework of disarmament, de-
8 mobilization, and reintegration under the Khartoum
9 Agreement; and
10 (7) urges the Secretary of State and the Ad-
11 ministrator of the United States Agency for Inter-
12 national Development (USAID), in coordination with
13 other relevant Federal departments and agencies,
14 to—
15 (A) provide life-saving humanitarian and
16 development assistance to support vulnerable
17 populations and build local capacity to support
18 sustainable agricultural production in the Cen-
19 tral African Republic;
20 (B) support the efforts of local commu-
21 nities, nongovernmental organizations, and the
22 Government of the Central African Republic to
23 prevent atrocities along religious and ethnic
24 lines, including through programs that focus on
25 peacebuilding, reconciliation, human rights,

1 good and inclusive governance, justice, security
2 sector reform, and the implementation of the
3 Khartoum Agreement;
4 (C) work with the United Nations, African
5 Union, and regional governments and organiza-
6 tions to enforce existing sanctions related to the
7 Central African Republic and address cross-bor-
8 der flows of illicit arms, natural resources, and
9 armed groups;
10 (D) ensure that United States assistance is
11 well-coordinated among agencies and with other
12 donors to maximize diplomatic, development,
13 and defense resources to support peace, sta-
14 bility, and the Central African Republic's jour-
15 ney to self-reliance;
16 (E) undertake efforts to prioritize mutual
17 interests between the United States and the
18 Central African Republic and take steps to po-
19 sition the United States as a leader working
20 with the Government of the Central African Re-
21 public in the areas of reconstruction, postcon-
22 flict remediation, and institution building, as
23 well as taking steps to combat Russian influ-
24 ence in the country and region;

(F) support rehabilitation and reintegration programs led by the Central African Republic Government, nongovernmental organizations, and regional government partners for children, youth, and adults that have demobilized from armed groups, including the Lord's Resistance Army;

(G) ensure that the United States Embassy in Bangui, including USAID presence, and the Department of State Africa Bureau have adequate staffing and funding to carry out their programs and objectives; and

(H) ensure that the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic has adequate resources, including personnel and force enabling equipment, and full funding to carry out its mandate.

○

AMENDMENT TO H. RES. 387
OFFERED BY MR. ENGEL OF NEW YORK

Page 6, beginning line 15, strike "has adequate resources" and all that follows through the end and insert "has adequate resources, including personnel, temporary forward operating bases, and force enabling equipment, to carry out its civilian protection mandate and more effectively project the presence of the United Nations.".

116TH CONGRESS
1ST SESSION

H. RES. 552

Calling on the Government of the Russian Federation to provide evidence of wrongdoing or to release United States citizen Paul Whelan

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 2019

Ms STEVENS (for herself, Mr WALBERG, Mr LEVIN of Michigan, Mr KILDEE, Mrs DINGELL, Mr KEATING, Mr HUIZENGA, Mr UPTON, Mr MOOLENAAR, Mr KING of New York, Mrs LAWRENCE, Ms SLOTKIN, and Mr BERGMAN) submitted the following resolution, which was referred to the Committee on Foreign Affairs

---

RESOLUTION

Calling on the Government of the Russian Federation to provide evidence of wrongdoing or to release United States citizen Paul Whelan.

Whereas United States citizen Paul Whelan is a resident of Novi, Michigan, and a United States Marine Corps veteran;

Whereas Paul Whelan traveled to Moscow for the wedding of a personal friend on December 22, 2018;

Whereas Russia's Federal Security Service arrested Paul Whelan at the Metropol Hotel in Moscow on December 28, 2018, and charged him with espionage;

Whereas Paul Whelan was imprisoned in Lefortovo Prison and continues to be held there more than eight months after his arrest;

Whereas the Federal Security Service has not provided any evidence of supposed wrongdoing;

Whereas a Moscow court has extended Paul Whelan's pretrial detention multiple times without publicly presenting justification or evidence of wrongdoing;

Whereas officials from the United States Embassy in Moscow have routinely had their topics of discussion with Paul Whelan severely limited by the Federal Security Service;

Whereas even Paul Whelan's Federal Security Service-appointed lawyer, Vladimir Zherebenkov, said on May 24, 2019, "[The Federal Security Service] always roll[s] out what they have, but in this case, we've seen nothing concrete against Whelan in five months. That means there is nothing.";

Whereas the United States Ambassador to Russia, Jon Huntsman, responded on April 12, 2019, to a question about the detention of Paul Whelan, "If the Russians have evidence, they should bring it forward. We have seen nothing. If there was a case, I think the evidence would have been brought forward by now."; and

Whereas Secretary of State Mike Pompeo met with Russian Foreign Minister Sergey Lavrov on May 14, 2019, and urged him to ensure United States citizens are not unjustly held abroad· Now, therefore, be it

1 *Resolved,* That the House of Representatives—

2 (1) urges the Government of the Russian Fed-

3 eration to present credible evidence on the allega-

1 tions against Paul Whelan or immediately release
2 him from detention;
3 (2) urges the Government of the Russian Fed-
4 eration to provide unrestricted consular access to
5 Paul Whelan while he remains in detention;
6 (3) urges the Government of the Russian Fed-
7 eration to ensure Paul Whelan is afforded due proc-
8 ess and universally recognized human rights,
9 (4) encourages the President and the Secretary
10 of State to continue to press the Government of the
11 Russian Federation at every opportunity and urge
12 the Russian Government to guarantee a fair and
13 transparent judicial process without undue delay in
14 accordance with its international legal obligation;
15 and
16 (5) expresses sympathy to the family of Paul
17 Whelan and expresses hope that their ordeal can
18 soon be brought to an end.

○

116TH CONGRESS
1ST SESSION

H. RES. 521

Commending the Government of Canada for upholding the rule of law and expressing concern over actions by the Government of the People's Republic of China in response to a request from the United States Government to the Government of Canada for the extradition of a Huawei Technologies Co., Ltd., executive.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2019

Mr. MCCAUL (for himself and Mr. ENGEL) submitted the following resolution, which was referred to the Committee on Foreign Affairs.

RESOLUTION

Commending the Government of Canada for upholding the rule of law and expressing concern over actions by the Government of the People's Republic of China in response to a request from the United States Government to the Government of Canada for the extradition of a Huawei Technologies Co., Ltd., executive.

Whereas, on December 1, 2018, Canadian authorities detained Huawei Technologies Co., Ltd., chief financial officer Meng Wanzhou based on an arrest warrant issued pursuant to a request made by the United States under the Extradition Treaty Between the United States of America and Canada, signed at Washington December 3, 1971;

Whereas, on January 24, 2019, the United States filed a superseding indictment in the United States District Court for the Eastern District of New York against Huawei Technologies Co., Ltd. ("Huawei"), Huawei Device USA Inc., Skycom Tech Co. Ltd. ("Skycom"), and Meng Wanzhou;

Whereas the January 24, 2019, indictment charges two counts of bank fraud, two counts of conspiracy to commit bank fraud, one count of conspiracy to commit wire fraud, one count of wire fraud, one count of conspiracy to defraud the United States, two counts of conspiracy to violate the International Emergency Economic Powers Act, two counts of violations of the International Emergency Economic Powers Act, one count of money laundering conspiracy, and one count of conspiracy to obstruct justice;

Whereas the January 24, 2019, indictment charges that "Huawei operated Skycom as an unofficial subsidiary to obtain otherwise prohibited U.S.-origin goods, technology, and services, including banking services, for Huawei's Iran-based business while concealing the link to Huawei";

Whereas the United States Government is seeking the extradition of Meng Wanzhou;

Whereas Canadian authorities granted Meng Wanzhou access to Chinese consular officials, and she was able to engage a lawyer of her choice and was released on bail pending the outcome of the extradition hearing;

Whereas the Chinese Ministry of Foreign Affairs strongly urged Canada "to immediately release" Meng Wanzhou and threatened that otherwise "it will definitely have

grave consequences, and [Canada] will have to bear the full responsibility for it";

Whereas the Government of the People's Republic of China detained Canadian diplomat Michael Kovrig and Canadian executive Michael Spavor on December 10, 2018, in apparent retaliation for the arrest of Meng Wanzhou;

Whereas Michael Spavor and Michael Kovrig have faced harsh conditions while in detention that include limited consular access, no access to a lawyer, being unable to turn off the lights at night, and lengthy interrogations, including in the case of Mr Kovrig, about his official activities during his previous tenure as an accredited diplomat in the People's Republic of China, potentially in violation of the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961;

Whereas, on January 14, 2019, a third Canadian, Robert Schellenberg, in Chinese custody for drug smuggling, had his case reviewed and his 15-year sentence changed to the death penalty;

Whereas the Department of State's Country Report on Human Rights Practices for 2018 stated that "[a]rbitrary arrest and detention remained serious problems" in China and that Chinese judges "regularly received political guidance on pending cases, including instructions on how to rule, from both the government and the CCP [Chinese Communist Party], particularly in politically sensitive cases"; and

Whereas while neither Michael Kovrig nor Michael Spavor has been formally charged with any crime under Chinese law, the Government of the People's Republic of China

formally arrested them on May 6, 2019, following their detention on December 10, 2018: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the Government of Canada for upholding the rule of law and complying with its international legal obligations, including those pursuant to the Extradition Treaty Between the United States of America and Canada, signed at Washington December 3, 1971;

(2) commends the Government of Canada for providing consular access and due process for Huawei Technologies Co., Ltd., chief financial officer Meng Wanzhou;

(3) expresses concern over the Government of the People's Republic of China's apparent arbitrary detention and abusive treatment of Canadian nationals Michael Spavor and Michael Kovrig in apparent retaliation for the Government of Canada's detention of Meng Wanzhou; and

(4) joins the Government of Canada in calling for the immediate release of Michael Spavor and Michael Kovrig and for due process for Canadian national Robert Schellenberg.

○

Chairman ENGEL. The question occurs on the measure en bloc, as amended, if amended. All those in favor, say aye.

All those opposed, no.

In the opinion of the chair, the ayes have it. The measures considered en bloc are agreed to. And without objection, each measure if ordered favorably reported, as amended, if amended. And any amendments to a bill shall be reported as a single amendment in the nature of a substitute.

Without objection, staff is authorized to make any technical and conforming changes. And this concludes our business today.

I want to once again thank Ranking Member McCaul and all of the committee members for their contributions and assistance with today's markup. The committee stands adjourned.

[Whereupon, at 11:02 a.m., the committee was adjourned.]

APPENDIX

FULL COMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Eliot L. Engel (D-NY), Chairman

September 25, 2019

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN markup of the Committee on Foreign Affairs to be held in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at https://foreignaffairs.house.gov/):

DATE: Wednesday, September 25, 2019

TIME: 10:00 a.m

MARKUP OF:

H.Res. 543, Recognizing Hong Kong's bilateral relationship with the United States, condemning the interference of the People's Republic of China in Hong Kong's affairs, and supporting the people of Hong Kong's right to protest

H.R. 3289, Hong Kong Human Rights and Democracy Act of 2019

H.R. 4270, PROTECT Hong Kong Act

H. Res. 517, Supporting the Global Fund to fight AIDS, tuberculosis (TB), malaria, and its Sixth Replenishment

H.Res. 387, Condemning continued violence against civilians by armed groups in the Central African Republic and supporting efforts to achieve a lasting political solution to the conflict

H.Res. 552, Calling on the Government of the Russian Federation to provide evidence of wrongdoing or to release United States citizen Paul Whelan

H.Res. 521, Commending the Government of Canada for upholding the rule of law and expressing concern over actions by the Government of the People's Republic of China in response to a request from the United States Government to the Government of Canada for the extradition of a Huawei Technologies Co., Ltd., executive

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

FULL COMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Eliot L. Engel (D-NY), Chairman

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HOUSE COMMITTEE ON FOREIGN AFFAIRS

FULL COMMITTEE ATTENDANCE

PRESENT	*MEMBER*
X	Eliot L. Engel, NY
X	Brad Sherman, CA
	Gregory W. Meeks, NY
	Albio Sires, NJ
X	Gerald E. Connolly, VA
	Theodore E. Deutch, FL
X	Karen Bass, CA
X	William Keating, MA
X	David Cicilline, RI
	Ami Bera, CA
X	Joaquin Castro, TX
	Dina Titus, NV
	Adriano Espaillat, NY
	Ted Lieu, CA
X	Susan Wild, PA
X	Dean Phillips, MN
	Ilhan Omar, MN
	Colin Allred, TX
X	Andy Levin, MI
X	Abigail Spanberger, VA
X	Chrissy Houlahan, PA
X	Tom Malinowski, NJ
	David Trone, MD
X	Jim Costa, CA
X	Juan Vargas, CA
X	Vicente Gonzalez, TX

PRESENT	*MEMBER*
X	Michael T. McCaul, TX
X	Christopher H. Smith, NJ
X	Steve Chabot, OH
X	Joe Wilson, SC
X	Scott Perry, PA
X	Ted Yoho, FL
	Adam Kinzinger, IL
X	Lee Zeldin, NY
	James Sensenbrenner, Jr., WI
	Ann Wagner, MO
X	Brian J. Mast, FL
	Francis Rooney, FL
X	Brian K. Fitzpatrick, PA
X	John Curtis, UT
X	Ken Buck, CO
	Ron Wright, TX
X	Guy Reschenthaler, PA
	Tim Burchett, TN
X	Greg Pence, IN
X	Steve Watkins, KS
X	Michael Guest, MS

MARKUP SUMMARY

09/25/2019 House Foreign Affairs Committee Markup Summary

The Chair called up the following measures and amendments, previously provided to Members, to be considered *en bloc*:

(1) H.Res 543, Recognizing Hong Kong's bilateral relationship with the United States, condemning the interference of the People's Republic of China in Hong Kong's affairs, and supporting the people of Hong Kong's right to protest (Sherman)
- Sherman, an amendment in the nature of a substitute to H.Res. 543

(2) H R 3289, Hong Kong Human Rights and Democracy Act of 2019 (Smith)
- Smith, an amendment in the nature of a substitute to H R. 3289

(3) H.R. 4270, PROTECT Hong Kong Act (McGovern)
- Engel, an amendment in the nature of a substitute to H.R. 4270

(4) H.Res. 517, Supporting the Global Fund to fight AIDS, tuberculosis (TB), malaria, and its Sixth Replenishment (Engel)

(5) H Res. 387, Condemning continued violence against civilians by armed groups in the Central African Republic and supporting efforts to achieve a lasting political solution to the conflict (Cicilline)
- Engel Amendment #90

(6) H.Res. 552, Calling on the Government of the Russian Federation to provide evidence of wrongdoing or to release United States citizen Paul Whelan (Stevens)

(7) H.Res 521, Commending the Government of Canada for upholding the rule of law and expressing concern over actions by the Government of the People's Republic of China in response to a request from the United States Government of Canada for the extradition of a Huawei Technologies Co., Ltd., executive (McCaul)

The measures considered *en bloc* were agreed to by voice vote By unanimous consent, the measures were ordered favorably reported, as amended if amended. The Chairman intends to seek House consideration under suspension of the rules.

The Committee adjourned.

***All measures can be found here

○