

Although our public lands belong to all Americans, many simply don't have the opportunity or the resources to visit these incredible places. H.R. 1487 would help us take an important step toward ensuring that public lands access exists for all Americans, and I thank my colleague Congressman LIEU for championing this proposal.

Mr. Speaker, I strongly urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1487 authorizes a special resource study of portions of the Los Angeles coastal area in California to evaluate alternatives for land management, including designating the coastal area as a unit of the National Park System.

While I do not oppose authorizing a special resource study of this area, I hope that Congress will exercise caution before adding significant amounts of coastline to the existing Santa Monica Mountains National Recreation Area, which is already struggling to manage its current resources and is increasingly beginning to resemble Lincoln's story of a farmer who said, "I ain't greedy for land. I just want what joins mine."

In 2018, because of bad land management, the vast majority of this same area burned in the massive Woolsey fire. More than 21,000 of the 23,595 National Park Service acres, about 88 percent of the land, were burned. This included most of the Western Town at Paramount Ranch, the 1926 Peter Strauss Ranch home, most of the joint National Park Service/UCLA La Kretz Research Center, two ranger residences, and an attached archives building.

Further, the National Park Service is already stretched perilously thin and facing a nearly \$12 billion deferred maintenance backlog that we discussed in an earlier bill.

Although I recognize that this measure simply authorizes a study and doesn't transfer any land or jurisdiction, it is imperative that we take into account the realities that our parks are facing and the devastating consequences of a land management policy that can only be described as benign neglect. As we are discovering, the consequences are anything but benign.

Mr. Speaker, with that caveat, I urge adoption of the measure, and I reserve the balance of my time.

Mr. HUFFMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. TED LIEU).

Mr. TED LIEU of California. Mr. Speaker, I thank Congressman HUFFMAN for his leadership and for supporting this legislation, and I thank Congressman McCLINTOCK for supporting this legislation.

Mr. Speaker, I rise today in support of H.R. 1487, the Santa Monica Mountains National Recreation Area Boundary Adjustment Study Act.

In the 1970s, Congress established the Santa Monica Mountains National Recreation Area to preserve natural and historic sites and to provide recreational, educational, scientific, and public health benefits to our greater Los Angeles community.

Today, it spans more than 150,000 acres in Los Angeles and Ventura Counties, including parts of the Santa Monica Bay Watershed in my congressional district. Much of the Santa Monica Bay Watershed, however, remains outside of the national recreation area. This includes several miles of beaches and acres of wetlands that stand to benefit greatly from Federal resources.

My bill would commission the National Park Service to conduct a 3-year special resource study to determine whether to expand the boundary of the existing Santa Monica Mountains National Recreation Area or create a new national recreation area altogether.

The study would cover the entire Santa Monica Bay coastline, from Venice Beach to Torrance Beach, as well as the Ballona Wetlands, Ballona Creek, Baldwin Hills, and the San Pedro coastline.

While conducting the study, the National Park Service will consult with State and local government groups, community groups, nonprofits, and residents.

The study would become a basis for future congressional action to modify the national recreation area borders. Expanding the national recreation area would allow the watershed to benefit from available Federal, scientific, and infrastructure resources, enabling better conservation and recreational use. It would also help Federal agencies enter into cooperative agreements to manage the land and carry out improvement projects aimed at connecting trails, building wildlife corridors, and more.

Importantly, all of this would be accomplished without affecting private property rights or creating unfunded mandates on State or local governments.

The Los Angeles coastal region stands to benefit tremendously from increased Federal resources to preserve open space for conservation and recreation, and I am proud to have the support of many of my colleagues in the Los Angeles delegation. I urge my colleagues to vote in favor of H.R. 1487.

Mr. McCLINTOCK. Mr. Speaker, I would urge adoption of the measure with the caveats I have already discussed, and I yield back the balance of my time.

Mr. HUFFMAN. Mr. Speaker, I urge an "aye" vote with no caveats, and I thank the gentleman, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HUFFMAN) that the House suspend the rules and pass the bill, H.R. 1487, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1530

## HONG KONG HUMAN RIGHTS AND DEMOCRACY ACT OF 2019

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1838) to amend the Hong Kong Policy Act of 1992, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1838

*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 violations of United States export control laws and United Nations sanctions occurring in Hong Kong.
- Sec. 6. Protecting United States citizens and others from rendition to the People's Republic of China.
- Sec. 7. Sanctions relating to undermining fundamental freedoms and autonomy in Hong Kong.
- Sec. 8. Sanctions reports.
- Sec. 9. Sense of Congress on People's Republic of China state-controlled media.
- Sec. 10. Sense of Congress on commercial exports of crowd control equipment to Hong Kong.

### SEC. 2. DEFINITIONS.

In this Act:

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

- (A) the Committee on Foreign Relations of the Senate;
- (B) the Committee on Armed Services of the Senate;
- (C) the Committee on Banking, Housing, and Urban Affairs 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 Foreign Affairs of the House of Representatives;
- (G) the Committee on Armed Services of the House of Representatives;
- (H) the Committee on Financial Services 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.

(2) SOCIAL CREDIT SYSTEM.—The term "social credit system" means a system proposed by the Government of the People's Republic of China and scheduled for implementation by 2020, which would—

- (A) use existing financial credit systems, public records, online activity, and other tools of surveillance to aggregate data on every Chinese citizen and business; and
- (B) use such data to monitor, shape, and rate certain financial, social, religious, or political behaviors.

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

- (A) a United States citizen;
- (B) a lawfully admitted permanent resident of the United States; or
- (C) an entity organized under the laws of—
  - (i) the United States; or
  - (ii) any jurisdiction within the United States, including a foreign branch of such an entity.

### 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”;

(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 to uphold its commitments to Hong Kong, including allowing the people of Hong Kong to govern Hong Kong with a high degree of autonomy and without undue interference, and ensuring that Hong Kong voters freely enjoy the right to elect the Chief Executive and all members of the Hong Kong Legislative Council by universal suffrage;

(5) to support the establishment of a genuine democratic option to freely and fairly nominate and elect the Chief Executive of Hong Kong, and the establishment by 2020 of open and direct democratic elections for all members of the Hong Kong Legislative Council;

(6) 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, the Joint Declaration, and the International Covenant on Civil and Political Rights;

(7) to support freedom from arbitrary or unlawful arrest, detention, or imprisonment for all Hong Kong residents, as provided by the Basic Law, the Joint Declaration, and the International Covenant on Civil and Political Rights;

(8) 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, as provided by the International Covenant on Civil and Political Rights, and any encroachment upon the autonomy guaranteed to Hong Kong by the Basic Law and the Joint Declaration;

(9) to protect United States citizens and long-term permanent residents living in Hong Kong, as well as people visiting and transiting through Hong Kong;

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

(11) to coordinate with allies, including the United Kingdom, Australia, Canada, Japan, and the Republic of Korea, to promote democracy and human rights in 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 striking “such date” each place such term appears and inserting “the date of the enactment of the Hong Kong Human Rights and Democracy Act of 2019”; and

(2) adding at the end the following:

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

“(a) CERTIFICATION.—

“(1) IN GENERAL.—Except as provided in subsection (b), the Secretary of State, on at least an annual basis, and in conjunction with the report required under section 301, shall issue a certification to Congress that—

“(A) indicates whether Hong Kong continues to warrant treatment under United States law in the same manner as United States laws were applied to Hong Kong before July 1, 1997;

“(B) addresses—

“(i) commercial agreements;

“(ii) law enforcement cooperation, including extradition requests;

“(iii) sanctions enforcement;

“(iv) export controls, and any other agreements and forms of exchange involving dual use, critical, or other sensitive technologies;

“(v) any formal treaties or agreements between the United States and Hong Kong;

“(vi) other areas of bilateral cooperation that the Secretary determines to be relevant; and

“(vii) decision-making within the Government of Hong Kong, including executive, legislative, and judicial structures, including—

“(I) freedom of assembly;

“(II) freedom of speech;

“(III) freedom of expression; and

“(IV) freedom of the press, including the Internet and social media;

“(viii) universal suffrage, including the ultimate aim of the selection of the Chief Executive and all members of the Legislative Council by universal suffrage;

“(ix) judicial independence;

“(x) police and security functions;

“(xi) education;

“(xii) laws or regulations regarding treason, secession, sedition, subversion against the Central People’s Government of the People’s Republic of China, or theft of state secrets;

“(xiii) laws or regulations regarding foreign political organizations or bodies;

“(xiv) laws or regulations regarding political organizations; and

“(xv) other rights enumerated in the Universal Declaration of Human Rights, done at Paris December 10, 1948, and the International Covenant on Civil and Political Rights, done at New York December 19, 1966; and

“(C) includes—

“(i) an assessment of the degree of any erosions to Hong Kong’s autonomy in each category listed in subparagraph (B) resulting from 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;

“(ii) an evaluation of the specific impacts to any areas of cooperation between the United States and Hong Kong resulting from erosions of autonomy in Hong Kong or failures of the Government of Hong Kong to fulfill obligations to the United States under international agreements within the categories listed in subparagraph (B); and

“(iii) a list of any specific actions taken by the United States Government in response to any erosion of autonomy or failures to fulfill obligations to the United States under international agreements identified in this certification and the report required under section 301.

“(2) FACTOR FOR CONSIDERATION.—In making each certification under paragraph (1), the Secretary of State should consider the terms, obligations, and expectations expressed in the Joint Declaration with respect to Hong Kong.

“(3) ADDITIONAL CERTIFICATIONS.—The certification under section (1) shall be issued annually, but the Secretary may issue additional certifications at any time if the Secretary determines it is warranted by circumstances in Hong Kong.

“(b) WAIVER AUTHORITY.—

“(1) IN GENERAL.—The Secretary of State may waive the application of subsection (a) if—

“(A) the Secretary determines that such a waiver is in the national security interests of the United States; and

“(B) on or before the date on which the 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;

“(2) PARTIAL WAIVER.—Except for the list of actions described in subsection (a)(1)(C)(iii), the Secretary of State may waive relevant parts of the application of subsection (a) if the President issues an Executive order under section 202 that suspends the application of any particular United States law to Hong Kong.”

(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:

#### “SEC. 206. TREATMENT OF HONG KONG APPLICANTS FOR VISAS TO STUDY OR WORK IN THE UNITED STATES.

“(a) VISA ELIGIBILITY FOR CERTAIN HONG KONG STUDENTS.—Notwithstanding any other provision of law, applications for visas to enter, study, or work in the United States, which are submitted by otherwise qualified applicants who resided in Hong Kong in 2014 and later, may not be denied primarily on the basis of the applicant’s subjection to politically-motivated arrest, detention, or other adverse government action.

“(b) IMPLEMENTATION.—The Secretary of State shall take such steps as may be necessary to ensure that consular officers are aware of the policy described in subsection (a) and receive appropriate training and support to ensure that the policy is carried out so that affected individuals do not face discrimination or unnecessary delay in the processing of their visa applications, including—

“(1) providing specialized training for all consular officers posted to the United States Embassy in Beijing or to any United States consulate in the People’s Republic of China,

the Hong Kong Special Administrative Region, or the Macau Special Administrative Region;

“(2) instructing the United States Consulate in Hong Kong to maintain an active list of individuals who are known to have been formally charged, detained, or convicted by the Government of Hong Kong Special Administrative Region or by the Government of the People’s Republic of China, or intermediaries of such governments, based on politically-motivated considerations related to their exercise of rights enumerated in the Universal Declaration of Human Rights, done at Paris December 10, 1948, or the International Covenant on Civil and Political Rights, done at New York December 19, 1966, to facilitate the cross-checking of visa applications for Hong Kong residents; and

“(3) updating any relevant United States Government websites with information on the policy described in subsection (a).

“(c) COOPERATION WITH LIKE-MINDED COUNTRIES.—The Secretary of State shall contact appropriate representatives of other democratic countries, particularly those who receive a large number of applicants for student and employment visas from Hong Kong—

“(1) to inform them of the United States policy regarding arrests for participation in nonviolent protests in Hong Kong; and

“(2) to encourage them to take similar steps to ensure the rights of nonviolent protesters are protected from discrimination due to the actions of the Government of Hong Kong and of the Government of the People’s Republic of China.”.

#### **SEC. 5. ANNUAL REPORT ON VIOLATIONS OF UNITED STATES EXPORT CONTROL LAWS AND UNITED NATIONS SANCTIONS OCCURRING IN HONG KONG.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until the date that is 7 years after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of the Treasury and the Secretary of State, shall submit a report to the committees specified in subsection (b) that includes—

(1) an assessment of the nature and extent of violations of United States export control and sanctions laws occurring in Hong Kong;

(2) to the extent possible, the identification of—

(A) any items that were reexported from Hong Kong in violation of the laws referred to in paragraph (1);

(B) the countries and persons to which the items referred to in subparagraph (A) were reexported; and

(C) how such items were used;

(3) an assessment of whether sensitive dual-use items subject to the export control laws of the United States are being—

(A) transshipped through Hong Kong; and

(B) used to develop—

(i) the Sharp Eyes, Skynet, Integrated Joint Operations Platform, or other systems of mass surveillance and predictive policing; or

(ii) the “social credit system” of the People’s Republic of China;

(4) an assessment of the efforts by the Government of the People’s Republic of China to use the status of Hong Kong as a separate customs territory to import items into the People’s Republic of China from Hong Kong in violation of the export control laws of the United States, whether as part of the Greater Bay Area plan, through the assignment by Beijing of Hong Kong as a national technology and innovation center, or through other programs that may exploit Hong Kong as a conduit for controlled sensitive technology;

(5) an assessment of whether the Government of Hong Kong has adequately enforced sanctions imposed by the United Nations;

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

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

(7) an assessment of whether shortcomings in the enforcement of export controls or sanctions by the Government of Hong Kong necessitates the assignment of additional Department of the Treasury, Department of Commerce, or Department of State personnel to the United States Consulate in Hong Kong.

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

(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 Commerce, Science, and Transportation of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives; and

(5) the Committee on Energy and Commerce of the House of Representatives.

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

#### **SEC. 6. PROTECTING UNITED STATES CITIZENS AND OTHERS FROM RENDITION TO THE PEOPLE’S REPUBLIC OF CHINA.**

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

(1) to safeguard United States citizens from extradition, rendition, or abduction to the People’s Republic of 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, not less frequently than annually and as circumstances dictate whether 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) RESPONSE TO THREAT OF RENDITION.—Not later than 30 days after the President determines that legislation proposed or enacted by the Government of Hong Kong would put United States citizens at risk of extradition or rendition to the People’s Republic of China or to other countries that lack protections for the rights of defendants, the President shall submit a report to the appropriate congressional committees that—

(1) contains a strategy for protecting United States citizens and businesses in Hong Kong;

(2) assesses the potential risks of the legislation to United States citizens residing in, traveling to, or transiting through Hong Kong; and

(3) determines whether—

(A) additional resources are needed for American Citizen Services at the United States Consulate in Hong Kong; and

(B) the Government of Hong Kong is “legally competent” to administer the United States-Hong Kong Agreement for the Surrender of Fugitive Offenders, done at Hong Kong December 20, 1996, or other relevant law enforcement agreements between the United States and Hong Kong.

#### **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 submit a report to the appropriate congressional committees, in accordance with paragraph (2), that identifies each foreign person that the President determines is responsible for—

(A) the extrajudicial rendition, arbitrary detention, or torture of any person in Hong Kong; or

(B) other gross violations of internationally recognized human rights in Hong Kong.

(2) TIMING OF REPORTS.—The President shall submit to the appropriate congressional committees—

(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 not later than 15 days after any new action is taken under subsection (b) based on the discovery of new information described in paragraph (1).

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

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

(B) information obtained by other countries or reputable 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.—An alien described in subsection (a)(1) 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.—An alien 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.

(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 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) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.—Sanctions under subsection (c)(2) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) 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; or

(B) to carry out or assist law enforcement activity in the United States.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

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

(B) GOOD DEFINED.—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

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

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

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

(3) the 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 ac-

tivity 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.

(h) SUNSET.—This section, and any sanctions imposed under this section, shall terminate on the date that is 5 years after the date of the enactment of this Act.

(i) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN.—The terms “admission”, “admitted”, and “alien” have the meanings given those terms 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.

#### SEC. 8. SANCTIONS REPORTS.

(a) IN GENERAL.—In accordance with section 7, the President shall submit, to the appropriate congressional committees, a report that includes—

(1) a list of each foreign person with respect to which the President imposed sanctions during the year preceding the submission of the 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 sanctions under section 7 during that year;

(4) the dates on which such sanctions were imposed or terminated, as applicable;

(5) the reasons for imposing or terminating such sanctions; and

(6) a description of the efforts of the President to encourage the governments of other countries to impose sanctions that are similar to the sanctions authorized under section 7.

(b) 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.

#### SEC. 9. SENSE OF CONGRESS ON PEOPLE'S REPUBLIC OF CHINA STATE-CONTROLLED MEDIA.

It is the sense of Congress that—

(1) the United States condemns the deliberate targeting and harassment of democracy activists, diplomatic personnel of the United States and other nations, and their families by media organizations controlled by the Government of the People's Republic of China, including Wen Wei Po and Ta Kung Po;

(2) the Secretary of State should clearly inform the Government of the People's Republic of China that the use of media outlets to spread disinformation or to intimidate and threaten its perceived enemies in Hong Kong or in other countries is unacceptable; and

(3) the Secretary of State should take any activities described in paragraph (1) or (2) into consideration when granting visas for travel and work in the United States to journalists from the People's Republic of China who are affiliated with any such media organizations.

#### SEC. 10. SENSE OF CONGRESS ON COMMERCIAL EXPORTS OF CROWD CONTROL EQUIPMENT TO HONG KONG.

It is sense of Congress that the Department of Commerce, in conjunction with other relevant Federal departments and agencies, should consider appropriate adjustments to the current United States export controls with respect to Hong Kong to prevent the supply of crowd control and surveil-

lance equipment that could be used inappropriately in Hong Kong.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on S. 1838.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the passage of the Hong Kong Human Rights and Democracy Act today will once again demonstrate our support for the people of Hong Kong. The House passed our version of the bill several weeks ago, and this version passed the Senate last night as well, demonstrating, without a doubt, that the U.S. Congress stands with the people of Hong Kong even during a particularly troubling time.

We are seeing the escalation of violence in unprecedented ways, indiscriminate use of force against students, and troubling reports of Chinese forces directing and manipulating the security forces in Hong Kong.

However, as Joshua Wong said when he was last here with us on Capitol Hill just a few weeks ago, the “people of Hong Kong will never walk alone.” That is a quote. Never has this been truer than today.

Although the abuses and injustices that have been endured by the people of Hong Kong are clear and evident to everyone, the policy challenge that this presents for the United States is far more nuanced.

It is my expectation that, when implementing this legislation, the Secretary of State will understand congressional intent that this legislation is designed to help the U.S. Government and the U.S. Congress better evaluate the erosion of Hong Kong's autonomy and, ultimately, stem the tide of China's aggressive behavior toward the people of Hong Kong.

Our objective is not to punish Hong Kong, but to help preserve and protect Hong Kong's autonomy in the face of Beijing's flagrant disregard for “one country, two systems,” which they had promised. As such, we believe it is in the national security interest of the United States to protect the autonomy of Hong Kong.

It is with that intent that this entire legislative exercise has been undertaken. I hope that in evaluating how to apply the mandates in this bill, this administration, and any future administration, will give the best interest of the people of Hong Kong the highest consideration.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

First of all, I want to thank the distinguished chairman and the ranking member, Mr. McCAUL, for their strong support for this effort, both bills that are up today.

And I would also especially like to thank the Speaker for her leadership as well.

Mr. Speaker, since the 1989 Tiananmen Square massacre 30 years ago, I have had the privilege of working with colleagues on both sides of the aisle, including, and especially, Speaker PELOSI, JIM MCGOVERN, my good friend—and he is the chairman of the China Commission, and I am ranking member—and Congressman Frank Wolf, a former Member who was tenacious in his fight for human rights, the rule of law, and democracy for the people of China.

We have always believed that every person deserves better than the brutality so many endure in the systematic violations of their universally recognized human rights. China's ruthless dictators do not agree, and they are driven—they are obsessed—to tighten their control.

Today, Mr. Speaker, Hong Kong is burning. The status quo is no longer. The brutal government crackdown on democracy activists has escalated. Tragically, under President Xi Jinping, human rights abuse throughout China has significantly worsened, including the pervasive use of torture, religious persecution, human trafficking, and genocide against Muslim Uighurs.

Last month, Mr. Speaker, President Xi ominously warned of even more brutal violence to come in Hong Kong, threatening “crushed bodies and shattered bones.”

And the Hong Kong Government, itself, prefers bullets and batons over peaceful and political dialog that would address the Hong Kong people's rightful grievances.

That is a sad and disgusting reality, and it is what the Chinese Government, however, does best: suppress, repress, torture, kill, and censor.

With the passage of the Hong Kong Human Rights and Democracy Act, the United States Congress is making it clear that beating, torturing, and jailing democracy activists is absolutely wrong. We stand in solidarity with the people of Hong Kong. There will be strong sanctions, other ramifications, for this crackdown, for this abuse of power.

The people of Hong Kong have feared for their freedom for a long time.

In 2014, Mr. Speaker, I met with Martin Lee and Anson Chan, two titans of Hong Kong's democracy movement. They and Scott Flipse, of the China Commission, and I met in my office for hours as we discussed the Chinese Communist Party's growing influence and their attempts that had already begun to degrade autonomy and human rights in Hong Kong.

That is, Mr. Speaker, the genesis of this bill and our 5-year effort to push back on Beijing's pernicious interference in Hong Kong.

In the midst of the 2014 Umbrella Movement, I first introduced, joined by Speaker PELOSI, the first Hong Kong Human Rights and Democracy Act. My CECC co-chair, Senator BROWN of Ohio, introduced the same bill in the Senate.

Over the years, in 2015 and 2017, Senator RUBIO and I upgraded the bill to reflect the kidnapping of book sellers, the disqualification of elected lawmakers, and the political prosecutions of Joshua Wong, Nathan Law, Benny Tai, and many others. However, every time, every single time we pushed for passage, there was vigorous opposition from diplomats, so-called experts, committee chairs, and U.S. business interests in Hong Kong.

So passage of this legislation is long overdue.

My House bill, cosponsored by the gentleman from Massachusetts (Mr. MCGOVERN), my good friend and colleague, and 46 other bipartisan cosponsors passed last month on October 15.

Today, we consider a final bill derived from working with our colleagues in the United States Senate. Specifically, the act directs the Secretary of State to report and certify to Congress, annually, whether Hong Kong continues to deserve special treatment under U.S. law, different from Mainland China, in such matters as trade, customs, sanctions enforcement, law enforcement cooperation, and protection of human rights and the rule of law.

It directs the State Department not to deny entry visas based primarily on the applicant's arrest or detention for participating in nonviolent protest activities in Hong Kong.

It requires, for the next 7 years, an annual report from the Commerce Department on whether Hong Kong Government adequately enforces U.S. export controls and sanctions laws, including on those goods and services transshipped to North Korea, Iran, or other countries relating to the proliferation of weapons of mass destruction, narcotics trafficking, and more.

It requires an assessment of whether U.S. origin items, including software, technology, and services, have been transferred from Hong Kong to China in violation of U.S. law and have been used by China for mass surveillance, predictive policing, or for the so-called social credit system.

I know some Members might be wondering: What is the social credit system? It is a ubiquitous, totalitarian, “brave new world” system scheduled for implementation by 2020 that uses 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 financial, social, religious, or political behaviors.

The bill requires the President to submit a strategy to Congress, to pro-

tect U.S. citizens and businesses in Hong Kong from the erosion of autonomy and the rule of law because of actions taken by the Chinese Government.

It requires the President to identify and sanction persons in Hong Kong or in Mainland China responsible for extrajudicial rendition and gross violations of internationally recognized human rights.

The Chinese Government warns us repeatedly not to interfere in China's internal affairs, but the only interference we see is Beijing's meddling in the democratic freedoms of Hong Kong. All I see and this body sees, my fellow colleagues, is Beijing's failure to honor the promises made in the 1984 Sino-British declaration, an international treaty. All we see is Beijing's failure to honor the promises of Hong Kong's Basic Law.

We cannot avert our eyes to what is happening in Hong Kong. We cannot silence our voices when the rule of law, democracy, human rights, free speech, and autonomy are being threatened in Hong Kong. We must remain steadfast in support of the people of Hong Kong.

The whole world has a stake in a peaceful and just resolution in Hong Kong. The passage of the Hong Kong Human Rights and Democracy Act is an important signal that this Congress, Democrat and Republican alike, House and Senate, considers Hong Kong's freedoms and autonomy a critical interest of the United States and the international community.

In Hong Kong, they encourage each other to keep pressing forward with the phrase “Jia you.” So today, I say to you, all of you in Hong Kong: “Jia you.” Your cause is a noble, one and you will not be forgotten.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our Speaker of the House, who has been very, very active in Hong Kong freedom.

Ms. PELOSI. Mr. Speaker, I thank the distinguished chairman for yielding.

I salute him and Mr. McCAUL, the ranking member of the Foreign Affairs Committee. To you, Mr. Chairman and Mr. McCAUL, thank you for affording this opportunity to vote on the Hong Kong Human Rights and Democracy Act.

This is a proud day for the U.S. Congress, for our values of freedom and justice, and for the people of Hong Kong.

For 6 months, the people of Hong Kong have stirred the hearts of all freedom-loving people with their extraordinary outpouring of courage and their refusal to relinquish their demand for democracy, the democratic freedoms, and the rule of law which was promised more than two decades ago.

Today, the Congress is sending an unmistakable message to the world that the United States stands in solidarity

with the freedom-loving people of Hong Kong, and we fully support their fight for freedom.

We salute Chairman MCGOVERN, a leading voice for human rights in China and around the world, our Congressional-Executive Commission on China chair and also chair of the Tom Lantos Human Rights Commission.

Mr. Speaker, I thank Congressman SMITH, just listening to him talk about we are into our third generation of freedom-loving people in Hong Kong.

I am so glad Mr. SMITH acknowledged the work of our distinguished former colleague, Frank Wolf, who was so, so very much a part and still continues to be a spiritual leader to us in this regard.

We have worked with Martin Lee and Anson Chan way back when and—so late 1980s, early 1990s—then into this new century with another generation; and now, three generations, Martin Lee still being involved, but with Joshua Wong and Nathan Wong and all of the young participants who are there, because it is a sad situation.

In 1997, when the United Kingdom transferred Hong Kong to China, America was hopeful that the people of Hong Kong would achieve the “high degree of autonomy”—that is in quotes—“high degree of autonomy” that they were promised. Today, it is beyond question that China has utterly broken that promise.

America has been watching for years as the people of Hong Kong have been increasingly denied their full autonomy and faced with a cruel crackdown on their freedoms and an escalation of violence.

Most recently, the violent attacks against students at Hong Kong Polytechnic University have shocked the world as unconscionable and unacceptable.

More than 1,000 young people were denied food, water, first aid. Scores were sent to the hospital for hypothermia after attempting to escape through a sewer, and hundreds now languish in jail cells.

Right now, frightened parents of the students who remain on campus are holding vigil outside, praying that their children will be safe, clutching signs reading: “Save the kids. Don’t kill our children,” and, “They are children of God. Let them go.”

In the Congress, Democrats and Republicans stand united with the protestors and with the people of Hong Kong. We have stood united in a bipartisan way.

It has been a very unifying issue for us, whether we are talking about the autonomy of Tibet that the Chinese are trying to destroy, the culture, the language, and the region of Tibet; the Uighurs, where 1, 2, 3, maybe 3 million Uighurs are under education camps, which the Chinese Government says they really enjoy being in—Oh, really?—or human rights violations, suppression of human rights throughout all of China.

□ 1545

If America does not speak out for human rights in China because of commercial interests, we lose all moral authority to speak out on human rights elsewhere.

Since Tiananmen Square, many of us in a bipartisan way have been fighting this fight, and we have seen that commercial interests always win the fight. It has always for them been about money.

To those who take the repressive Chinese Government’s side, I say: What does it profit a person to gain the whole world and suffer the loss of his soul?

Today the House is proud to once again pass the bicameral, bipartisan Hong Kong Human Rights and Democracy Act to reaffirm America’s commitment to human rights, democracy, and the rule of law in the face of Beijing’s crackdown.

I see we have been joined by the distinguished ranking member of the Foreign Affairs Committee, Mr. MCCAUL. I thank him for his leadership in bringing this legislation to the floor. I acknowledged him earlier, along with our distinguished chairman, Mr. ENGEL.

We are proud to pass the Senate version of Chairman MCGOVERN’s Protect Hong Kong Act to suspend sales on dangerous munitions to the Hong Kong police, and we also salute Senator MERKLEY in his leadership in passing that on the Senate floor.

The future of Hong Kong, the future of autonomy, freedom, and justice for millions is at stake. America must take a stand with Hong Kong. I am so pleased that we are making our statement in Congress in the House and in the Senate on both sides of the aisle, Democrats and Republicans unified in speaking out for democracy.

I urge a “yes” vote on both of these bills.

Mr. SMITH of New Jersey. Mr. Speaker, I yield as much time as he may consume to the gentleman from Texas (Mr. MCCAUL), the ranking member of the Committee on Foreign Affairs.

Mr. MCCAUL. Mr. Speaker, I thank the gentleman for yielding.

I rise today in support of the Hong Kong Human Rights and Democracy Act. Two months ago I had the opportunity to join a press conference with Speaker NANCY PELOSI, Chairman ENGEL, my colleague, CHRIS SMITH, and Hong Kong prodemocracy activists Joshua Wong, Nathan Law, and Denise Ho to denounce China’s authoritarian brutality.

I said it then and I will say it again; today we stand here not as Republicans or Democrats, but as Americans united in our strong support for Hong Kong.

And I would like to take this opportunity to speak directly to the people of Hong Kong, who I know are watching this right now. America stands with you, and America will always support you. We hear you sing our national anthem. We see you carrying our

American flag. This is a battle between democracy versus dictatorship, liberty versus tyranny, and freedom versus oppression.

This bill sends a clear message to China that there will be consequences to the ruthless and brutal actions. Congress, the United States, and the world will not stand by idly as the Chinese Communist Party fights for itself and not its own people.

Again, I want to thank the authors of this bill. I am proud to be a part of this movement, this cause. And we have seen quite a bit of response on social media on this bill coming directly from the people of Hong Kong to the Members who are on this floor saying thank you for standing up for us.

That is democracy in action. That is what this country stands for. And it is a proud moment, I think, for both sides of the aisle as we are going through this time in our history to be able to stand together for democracy and such a great movement and cause for freedom.

Mr. ENGEL. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), an important leader on this issue.

Mr. MCGOVERN. Mr. Speaker, I rise in support of S. 1838, the Hong Kong Human Rights and Democracy Act.

I want to say thank you to Speaker NANCY PELOSI for her incredible leadership in ensuring that the House made a timely and unequivocal statement in support of the Hong Kong people at this very important and vital time.

I would also like to thank Congressman CHRIS SMITH of New Jersey, as well as Chairman ENGEL and Ranking Member MCCAUL for bringing this legislation to the floor today. I also appreciate the leadership of Senators RUBIO, CARDIN, and MENENDEZ for all that they have done.

Mr. Speaker, in recent months, the situation in Hong Kong has worsened as the Chinese and Hong Kong Governments have escalated repression against the protest movement and provoked more violence and chaos.

The recent attacks on university campuses, including last weekend against students at Hong Kong Polytechnic University raises disturbing questions on the strategy of the Chinese and Hong Kong Governments. Protestors were violently assaulted and not even allowed to escape without facing a barrage of tear gas and police brutality.

It is long past time for the Chinese and Hong Kong Governments to try a different approach that respects the people of Hong Kong and restores the people’s faith in the autonomy of the government. That is what political leaders do, they use dialogue and negotiation to achieve their goals. The demands of the protestors are reasonable, and an independent inquiry into the police violence is more than justified.

In what was initially a positive development, this week the Hong Kong High Court decided that the government’s recent facemask ban was unconstitutional. Unfortunately, the fierce



response by Beijing to that ruling and claim of sole jurisdiction over constitutional review almost certainly violates the basic law, subverts the rule of law, and further undermines whatever trust the Hong Kong people have left in their governing institutions.

If the Hong Kong court system is not sufficiently autonomous, then it is difficult, if not impossible, to argue that Hong Kong is sufficiently autonomous. It should be clear by now that Hong Kong's leaders are beholden to the Chinese Government, and the independence of the judiciary is being undermined.

The "one country, two systems" framework enshrined in the 1984 Sino-British Joint Declaration and Hong Kong's basic law has been rapidly eroding and has now reached a point when the United States has no choice but to modify its policy toward Hong Kong.

It is time we put the Chinese Government on annual notice that further erosion of autonomy or a crackdown will cause the city, which serves as an important financial haven for wealthy Chinese elites, to lose its special economic, financial and trade arrangement with the United States.

Further, the legislation authorizes sanctions against individuals who violate human rights, and states that Hong Kong visa applicants should not be denied entry to the U.S. on the basis of politically-motivated arrests due to their protest activities.

Today a Chinese official said that they will take strong opposing measures if the Hong Kong Human Rights and Democracy bill passes.

Well, I have a message for Beijing: The United States will not stand idly by while the Chinese Government stifles free expression and tightens its grip on Hong Kong.

Over the years, Hong Kong has prospered and become the financial center of Asia because of its strong commitment to the rule of law, good governance, human rights, and an open economic system.

We must use our leverage to help the people of Hong Kong in their struggle to secure a democratic future that protects Hong Kong's autonomy and way of life.

I am proud to support this legislation, which we will pass today with an overwhelmingly bipartisan majority.

I now call upon the President of the United States, who has been way too silent on this issue, to sign the bill into law.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. YOHO), the ranking member of the Asia, the Pacific, and Nonproliferation Subcommittee.

Mr. YOHO. Mr. Speaker, I just want to give a shout-out to the bipartisan nature of this bill. Both sides are working strongly on this. Chairman ENGEL, thank you. Mr. MCGOVERN, thank you. CHRIS, thank you for doing what you

have done. It is true leadership. And to see Speaker PELOSI down here, I think it speaks loudly to how America stands on this.

In September, I, too, had the honor of meeting with a few of the courageous leaders of Hong Kong student unions. They were advocating for peace, liberty, and freedom. These are basic innate human rights that have been taken away from Hong Kongers by the authoritarian overreach of the Chinese Communist Party Complex, which is comprised of Xi Jinping, the Politburo of the Chinese Communist Party, and leadership within the People's Liberation Army.

As protests in Hong Kong continue into the sixth month, Xi Jinping still refuses to take responsibility for this unrest. The cause is simple: theft of basic rights and freedoms, not a separatist movement or foreign influence. Members of this body have been accused of being the cause of the protests. Speaker PELOSI was named individually. Senator SCHUMER, MARCO RUBIO, and I were named as the cause of the Hong Kong protests.

This disdain was sparked by the introduction of the infamous extradition bill by Chief Executive Carrie Lam at the command of the CCPC and has grown into what are known as the five demands. Had Xi Jinping and his cohorts just honored the 1997 international agreement between Great Britain and China, which allows Hong Kong to remain a self-ruling, semi-autonomous province, none of this would have occurred.

Not upholding one's contract has consequences. Disregarding contracts breaks trust and dishonors the country, its leaders, and its people. The narrative that the Chinese Communist Party Complex has created for itself is that China cannot and should not be trusted and that the party will go to great lengths to dismantle free societies in their backyard.

The survival of democracy and freedom exposes the failures of communism. Xi Jinping, along with his cohorts' lack of acknowledgment of their failures, whether from deliberate denial or complete ignorance, was demonstrated by Mr. Han Zheng, China's Vice Premier, who said he believes antigovernment protests are damaging the "one country, two systems" formula, and again, are caused by a separatist movement and foreign influence.

While sitting next to Chief Executive Carrie Lam, he continued, "We firmly support the Special Administrative Region Government to adopt more proactive and more effective measures" to solve the social problems.

Since I wrote this, they have come out and said they expect to have brutality ramped up to bring these people under control. The proactive and more effective measures referred to by Mr. Han Zheng are intimidation, brutality, imprisonment and death.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. SMITH of New Jersey. Mr. Speaker, I yield the gentleman from Florida an additional 1 minute.

Mr. YOHO. Mr. Speaker, as the international community is well aware, Beijing's standard procedure for dealing with unrest is well documented. In the end, Xi Jinping will leave no stone unturned in his quest to destroy democracy. The party will spare no one in their fight to protect communist ideals and power. Chief Executive Lam will be Beijing's sacrificial lamb and removed for two reasons: one, the Communist Party must save face and have a scapegoat; and two, Xi Jinping and the Communist Party must maintain their authority and not show weakness.

Communism fears free thought and cannot survive in it. And I am honored to stand with the Hong Kong protestors in their important cause. I urge my colleagues to also stand with the courageous individuals in Hong Kong and pass the Hong Kong Human Rights and Democracy Act.

"Jia you" to our Hong Kong friends standing up for your basic human rights.

Mr. ENGEL. Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. SHERMAN), and I ask unanimous consent that he be allowed to control the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SHERMAN. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield as much time as he may consume to the gentleman from Arkansas (Mr. HILL).

Mr. HILL of Arkansas. Mr. Speaker, I thank the gentleman from New Jersey, my good friend, for yielding, and I have to thank him for his decades of service and leadership here for free expression and for liberty in Hong Kong.

I was moved by the Speaker's tribute and appreciate her 30 years of work there. I thank Mr. ENGEL for his leadership, and, of course, my good friend from California, who now is controlling the time for the majority.

□ 1600

Mr. Speaker, I rise today in strong support of the Hong Kong Human Rights and Democracy Act and stand in solidarity with the people of Hong Kong.

For 6 months, we have witnessed Hong Kong citizens protest for their right to live in a free and fair political system, an expectation they fully have. Over the last several weeks, we have witnessed the government become increasingly violent as it cracks down on protests. It is sad to see death and destruction come to this beautiful and energetic place.

For three decades, I have traveled to Hong Kong and witnessed their innovative spirit and their extraordinary work ethic. In fact, Hong Kong was the model for the post-World War II Asian

Tiger growth and prosperity now shared across the region. When a proponent of welfare statism queried progrowth economist Melvyn B. Krauss, "But how many Hong Kongs can the world have?" the professor responded, "As many as the world will allow itself."

The 7 million citizens of Hong Kong are looking to us for a voice and for leadership, and with today's vote, we will deliver. I call on President Trump to sign this important measure into law with expediency and show the world that America supports the people of Hong Kong, their right to free expression, and their democratic governance guaranteed under the five-decade arrangement agreed to in 1997 by the People's Republic of China and the United Kingdom.

Mr. Speaker, I thank Mr. SMITH for his leadership, and I urge all of my colleagues to support this measure.

Mr. SHERMAN. Mr. Speaker, I will close when the gentleman has closed on his side, and I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the United States' and the world's response to the Tiananmen Square massacre 30 years ago and the massive crackdown that was unleashed after that, because of that weak response, has enabled unrelenting and pervasive human rights abuses ever since.

Had we been strong and predictable and said that human rights matter, had we linked it to MFN, most-favored-nation status, and stuck to it, we would have had a different China today that, at least more than it does today, would have respected the rule of law and human rights.

We cannot recommit that mistake by being weak and vacillating in the face of this terrible, terrible attack on the people of Hong Kong and on their autonomy.

Remember, what we are asking Xi Jinping, Carrie Lam, and all the other leaders in Hong Kong and in Beijing to do is just honor your promises; you made solemn promises that you are violating now with impunity.

We have to be very clear that if we enable that, if we look the other way, then we become unwittingly, perhaps, but complicit in this terrible degrading of the human rights situation for the people of Hong Kong.

Mr. Speaker, I want to remind my colleagues as well, and I think we all know this, but this bill is the work of so many who deeply care, many Members across the aisle, bipartisanship at a time when that seems to be pretty much a rare commodity, but when it comes to Hong Kong, we are all there joined together arm-in-arm speaking out on behalf of these tremendous leaders who suffer and go to prison and endure tear gas and worse each and every day.

I want to mention some of the staff members, and there are many. When

we had the bill up on the 15th, I mentioned even more. But these members were instrumental in working on the legislation over the past 5 years. Remember, this is the fourth time I introduced it, and I have worked with MARCO RUBIO and others. This is a bicameral and bipartisan bill.

Mr. Speaker, I want to thank former staff directors of the Congressional-Executive Commission on China, Paul Protic and Elise Anderson, for their important work on Hong Kong and China. I want to thank Piero Tozzi of my staff for his focus on human rights in China and around the world. I particularly want to mention the contribution made to this legislation by Scott Flipse of the CECC, the Congressional-Executive Commission on China.

In 2014, Dr. Flipse first convinced me. We had met, and he said that we have a problem in Hong Kong and that we need to address it. I was co-chair of the China Commission. Then we had meetings with Chinese leaders and Hong Kong leaders. We began to see that what was taking place in somewhat slow motion before our eyes was that there was a long-term Beijing plan to undermine Hong Kong's autonomy and that the U.S. needed to focus its efforts on countering that plan. He has been a stalwart advocate for the people of Hong Kong ever since, and I, again, want to thank him for his critical contributions to this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. SHERMAN. Mr. Speaker, I yield myself such time as I may consume for the purpose of closing.

We vote today on S. 1838, but this is not just a Senate bill. This is a bill very similar to the one introduced in this House by the gentleman from New Jersey. This House has already voted on this bill and supported it overwhelmingly. Today, once again, we show the world our commitment to the people of Hong Kong and to the preservation and protection of Hong Kong's autonomy, given China's aggressive attempts to undermine the "one country, two systems" approach.

With this important legislation, we send a clear signal that the United States will hold those undermining Hong Kong's rights and autonomy accountable and that the American people stand shoulder to shoulder with the people of Hong Kong. With few exceptions, the people of Hong Kong have fought for their rights through peaceable protest, and we stand with them.

Mr. Speaker, I hope all Members will join me in supporting the passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MCGOVERN). The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and pass the bill, S. 1838.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SHERMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

# PROHIBITING THE COMMERCIAL EXPORT OF COVERED MUNITIONS ITEMS TO THE HONG KONG POLICE FORCE

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2710) to prohibit the commercial export of covered munitions items to the Hong Kong Police Force.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2710

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

## SECTION 1. DEFINITIONS.

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

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED MUNITIONS ITEMS.—The term "covered munitions items" means tear gas, pepper spray, rubber bullets, foam rounds, bean bag rounds, pepper balls, water cannons, handcuffs, shackles, stun guns, and tasers.

(3) HONG KONG.—The term "Hong Kong" has the meaning given such term in section 3 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5702).

(4) HONG KONG POLICE FORCE.—The term "Hong Kong Police Force" means—

(A) the Hong Kong Police Force; and

(B) the Hong Kong Auxiliary Police Force.

## SEC. 2. PROHIBITION ON COMMERCIAL EXPORT OF COVERED MUNITIONS ITEMS TO THE HONG KONG POLICE FORCE.

(a) IN GENERAL.—Except as provided in subsection (b), beginning on the date that is 30 days after the date of the enactment of this Act, the President shall prohibit the issuance of licenses to export covered munitions items to the Hong Kong Police Force.

(b) EXCEPTIONS.—The prohibition set forth in subsection (a) shall not apply to the issuance of a license with respect to which the President submits to the appropriate congressional committees, not fewer than 30 days before the date of such issuance, a written notice—

(1) certifying that the exports to be covered by such license are important to the national interests and foreign policy goals of the United States; and

(2) describing the manner in which such exports will promote such interests and goals.

## SEC. 3. SUNSET.

The prohibition under section 2 shall expire one year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that all Members