

erwise 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 non-violent 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.

(Pub. L. 102-383, title II, §206, as added Pub. L. 116-76, §4(b), Nov. 27, 2019, 133 Stat. 1165.)

SUBCHAPTER III—REPORTING PROVISIONS

§ 5731. Reporting requirement

(a) In general

Not later than March 31, 2019, and annually thereafter through 2024, the Secretary of State shall submit to the appropriate congressional committees a report on conditions in Hong Kong of interest to the United States. This report shall cover (in the case of the initial report) the period since October 5, 1992, or (in the case of subsequent reports) the period since the most

recent report pursuant to this section and shall describe—

(1) significant developments in United States relations with Hong Kong, including a description of agreements that have entered into force between the United States and Hong Kong;

(2) other matters, including developments related to the change in the exercise of sovereignty over Hong Kong, affecting United States interests in Hong Kong or United States relations with Hong Kong;

(3) the nature and extent of United States-Hong Kong cultural, education, scientific, and academic exchanges, both official and unofficial;

(4) the laws of the United States with respect to which the application of section 5721(a) of this title has been suspended pursuant to section 5722(a) of this title or with respect to which such a suspension has been terminated pursuant to section 5722(d) of this title, and the reasons for the suspension or termination, as the case may be;

(5) treaties and other international agreements with respect to which the President has made a determination described in the last sentence of section 5721(b) of this title, and the reasons for each such determination;

(6) significant problems in cooperation between Hong Kong and the United States in the area of export controls;

(7) the development of democratic institutions in Hong Kong; and

(8) the nature and extent of Hong Kong's participation in multilateral forums.

(b) Form

The report required by subsection (a) shall be submitted in unclassified form and shall be published on a publicly available website of the Department of State.

(c) Appropriate congressional committees

In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(Pub. L. 102-383, title III, §301, Oct. 5, 1992, 106 Stat. 1453; Pub. L. 104-107, title V, §576(a), Feb. 12, 1996, 110 Stat. 750; Pub. L. 107-115, title V, §586(a), Jan. 10, 2002, 115 Stat. 2173; Pub. L. 115-232, div. A, title XII, §1256, Aug. 13, 2018, 132 Stat. 2056.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 designated existing provisions as subsec. (a), inserted heading, in introductory provisions substituted “Not later than March 31, 2019, and annually thereafter through 2024,” for “Not later than March 31, 1993, March 31, 1995, March 31, 1996, March 31, 1997, March 31, 1998, March 31, 1999, March 31, 2000, March 31, 2001, March 31, 2002, March 31, 2003, March 31, 2004, March 31, 2005, and March 31, 2006” and “submit to the appropriate congressional committees” for “transmit to the Speaker of the House of Representatives and

the chairman of the Committee on Foreign Relations of the Senate”, and added subsecs. (b) and (c).

2002—Pub. L. 107-115 substituted “March 31, 2000, March 31, 2001, March 31, 2002, March 31, 2003, March 31, 2004, March 31, 2005, and March 31, 2006” for “and March 31, 2000,” in introductory provisions.

1996—Subsec. (a). Pub. L. 104-107 inserted “March 31, 1996,” after “March 31, 1995,” in introductory provisions.

Statutory Notes and Related Subsidiaries

EXTENSION OF REPORTING TIME

Pub. L. 107-115, title V, § 586(b), Jan. 10, 2002, 115 Stat. 2173, provided that: “The requirement in section 301 of the United States-Hong Kong Policy Act [22 U.S.C. 5731], as amended by subsection (a), that a report under that section shall be transmitted not later than March 31, 2001, shall be considered satisfied by the transmittal of such report by August 7, 2001.”

REPORT ON SINO-BRITISH JOINT DECLARATION ON QUESTION OF HONG KONG

Pub. L. 104-208, div. A, title I, § 101(c) [title V, § 571], Sept. 30, 1996, 110 Stat. 3009-121, 3009-167, which directed that the additional report required to be submitted during 1997 under this section include detailed information on the status of, and other developments affecting, implementation of the Sino-British Joint Declaration on the Question of Hong Kong, was from the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, and was not repeated in subsequent appropriations acts. Similar provisions were contained in the following prior appropriation act:

Pub. L. 104-107, title V, § 576(b), Feb. 12, 1996, 110 Stat. 750.

§ 5732. Separate part of country reports

Whenever a report is transmitted to the Congress on a country-by-country basis there shall be included in such report, where applicable, a separate subreport on Hong Kong under the heading of the state that exercises sovereignty over Hong Kong. The reports to which this section applies include the reports transmitted under—

(1) sections 2151n(d) and 2304(b) of this title (relating to human rights);

(2) section 2241 of title 19 (relating to trade barriers); and

(3) section 4711¹ of title 15 (relating to economic policy and trade practices).

(Pub. L. 102-383, title III, § 302, Oct. 5, 1992, 106 Stat. 1454.)

Editorial Notes

REFERENCES IN TEXT

Section 4711 of title 15, referred to in par. (3), was repealed by Pub. L. 107-228, div. A, title VI, § 671(1), Sept. 30, 2002, 116 Stat. 1407.

CHAPTER 67—FREEDOM FOR RUSSIA AND EMERGING EURASIAN DEMOCRACIES AND OPEN MARKETS SUPPORT

Sec.

5801. Definition of independent states.

SUBCHAPTER I—GENERAL PROVISIONS

5811. Findings.

5812. Program coordination, implementation, and oversight.

¹ See References in Text note below.

Sec.

5813. Report on overall assistance and economic cooperation strategy.

5814. Repealed.

SUBCHAPTER II—BUSINESS AND COMMERCIAL DEVELOPMENT

5821. American Business Centers.

5822. Business and Agriculture Advisory Council.

5823. Funding for export promotion activities and capital projects.

5824. Interagency working group on energy of the Trade Promotion Coordinating Committee.

5825. Repealed.

5826. Policy on combatting tied aid practices.

5827. Technical assistance for Russian Far East.

5828. Funding for OPIC programs.

SUBCHAPTER III—THE DEMOCRACY CORPS

5841. Authorization for establishment of Democracy Corps.

SUBCHAPTER IV—NONPROLIFERATION AND DISARMAMENT PROGRAMS AND ACTIVITIES

5851. Findings.

5852. Eligibility.

5853. Nonproliferation and disarmament activities in independent states.

5854. Nonproliferation and disarmament fund.

5855. Limitations on defense conversion authorities.

5856. Soviet weapons destruction.

5857. Waiver of certain provisions.

5858. Notice and reports to Congress.

5859. International nonproliferation initiative.

5859a. International nonproliferation initiative.

5860. Report on special nuclear materials.

5861. Research and Development Foundation.

SUBCHAPTER V—SPACE TRADE AND COOPERATION

5871. Facilitating discussions regarding acquisition of space hardware, technology, and services from former Soviet Union.

5872. Office of Space Commerce.

5873. Report to Congress.

5874. Definitions.

§ 5801. Definition of independent states

For purposes of this Act, the terms “independent states of the former Soviet Union” and “independent states” mean the following: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

(Pub. L. 102-511, § 3, Oct. 24, 1992, 106 Stat. 3321.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 102-511, Oct. 24, 1992, 106 Stat. 3320, known as the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 and also as the FREEDOM Support Act. For complete classification of this Act to the Code, see Short Title note below and Tables.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2020 AMENDMENT

Pub. L. 116-260, div. FF, title III, § 321, Dec. 27, 2020, 134 Stat. 3101, provided that: “This subtitle [subtitle C (§§ 321-330) of title III of div. FF of Pub. L. 116-260, amending provisions set out as a note under section 5811 of this title] may be cited as the ‘Belarus Democracy, Human Rights, and Sovereignty Act of 2020.’”

SHORT TITLE OF 2012 AMENDMENT

Pub. L. 112-82, § 1, Jan. 3, 2012, 125 Stat. 1863, provided that: “This Act [amending provisions set out as a note