

right to self-determination went on to fuel the abolitionists, the women's suffragists, and the civil rights warriors. Their fearlessness inspires freedom movements that we are seeing all across the globe today.

Just a few months ago, heads turned toward China as thousands of Hong Kong people poured into the streets and said no to Beijing's stranglehold, but just saying no wasn't enough. Now their neighborhoods and universities have morphed into war zones, and Chinese authorities have long since justified shooting live rounds of ammunition into the crowds.

Imagine the intensity of the fear it takes to push a government to fire on its own people when the entire world is watching. Beijing is worried, but Beijing will also not hesitate to use any force it deems necessary to tighten its grip on Hong Kong.

Now, here in the Senate, we are working on a few pieces of legislation to let the Chinese and the Hong Kong Governments know that the United States is watching. We have included a bill that will prevent U.S. companies from exporting crowd control supplies to the Hong Kong Police Force. It is important, though, for everyone to understand that the motivating factors behind political oppression have nothing to do with tear gas or with stun guns. There is only so much that legislation can do.

Governments in Iraq, Vietnam, Algeria, and Lebanon are also hard at work in doing whatever they can to prevent their citizens from stepping out of line, because they know what will happen if their citizens are free to criticize the state, and they are terrified of losing power.

This month, the entire world looks toward Central Europe to commemorate the fall of the Berlin Wall. When East Berliners first stepped into the western half of their city, they revealed to the rest of the world the horrors of living under a political regime that sustained itself by consuming the autonomy of its subjects. History serves as an enduring warning against the dangers of the all-powerful state.

As we watch mass protests play out a half a world away, many Americans still see social chaos not as a symptom of a disease but as a spontaneous expression of some nebulous desire to be free. They don't stop to recall what sparked the first feelings of unease long before the Molotov cocktails started flying through the air.

This is why, here in the United States, my colleagues in the majority have forced many conversations on the perils of degrading the foundations of our Republic. We have debated ad nauseam the Constitution's place in civil and legal discourse, asking: Does it provide a workable standard or is it just an outdated piece of paper now rendered illegitimate by the male whiteness of its drafters? I think the Presiding Officer knows my response.

We defend the Constitution and the system of government it created be-

cause we know, from studying history and from observing current events, that freedom does not suddenly expire. Freedom begins to wither the moment those in power convince themselves that a reprieve from uncomfortable policy debates over speech, self-defense, or the size of government will be worth the risk of shelving the standards that protect individual liberty.

The current blase tolerance and, in some cases, incomprehensible enthusiasm for socialism and other authoritarian philosophies is sending a strong message to the rest of the world that the standard for global freedom is up for debate. If we acquiesce to the argument that America's founding principles have passed their expiration date, we will have failed as a people and as a world leader. That failure will change the course of our history, and it will be used as a weapon to quash dissent elsewhere in the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

HONG KONG HUMAN RIGHTS AND DEMOCRACY ACT OF 2019

Mr. RUBIO. Mr. President, in a moment here, as my colleagues gather, we hope to pass the Hong Kong Human Rights and Democracy Act.

I first acknowledge all of the people who worked so hard on it—our staffs, obviously, and, in addition, Senators CARDIN, RISCH, MENENDEZ, and over 50 cosponsors, many of whom will join us here this evening. I also thank Leaders MCCONNELL and SCHUMER for their support in helping us get here. I thank Chairman CRAPO, who has helped us make some important changes at the end that will make the sanctions easier to implement.

A lot of people have been watching on the news the protests that have been going on in Hong Kong and are wondering as to, perhaps, the depths of what it is all about.

When the United Kingdom handed Hong Kong over to China, they signed an agreement that is known as the Joint Declaration. It basically guarantees a high degree of autonomy and freedom of the people of Hong Kong. As a result of that agreement, the United States has treated commerce and trade with Hong Kong differently than it has its commercial and trade activity with the mainland of China. What has happened over the last few years is the steady effort, on the part of Chinese authorities, to erode that autonomy and those freedoms.

The most recent protests really began with a proposal to pass an extradition law that would allow the Chinese Government to basically have arrested and extradite someone in Hong Kong over to the mainland. There was a huge pushback against that, and protests emerged as a result of it. Even though the Government of Hong Kong has pulled out from pursuing that law, the protests have continued because

the people of Hong Kong have seen what is coming. They see the steady effort to erode their autonomy and their freedoms.

The response by the Hong Kong authorities, with its having been under tremendous pressure from Beijing, has been that of violence and repression. So far, over 5,000 people have been arrested in Hong Kong. The youngest has been 12 years of age. The oldest has been 82. Hundreds more have been injured by violence committed by police authorities but also by street gangs—criminals, thugs—who have been empowered and encouraged by the Chinese authorities.

This effort by China to exert control and remove autonomy continues unabated. Here are some examples. There was a law that was passed that banned wearing masks, and a Hong Kong court ruled that the ban was unconstitutional. The so-called National People's Congress in Beijing today ruled that Hong Kong courts have no authority—no power—to review Hong Kong Government legislation. Under pressure from Beijing, the Government of Hong Kong threatened to cancel the November 24 elections—elections, by the way, that China has been interfering in. China has pushed to ban critics, like Joshua Wong, from running. Seven candidates who are running have been attacked by street gangs during this campaign, and two candidates have been arrested while campaigning.

And now for the latest move, China is pushing the Hong Kong Government to pass what they call the new national security law—a law that would allow them to arrest political critics and opponents. If this passes, if that happens, that is the very definition of control and de facto proof of all loss of autonomy.

By the way, China is also pushing for something very ominous. They call it patriotic education. What China is really pushing for in Hong Kong is moving from “one country, two systems” to “one country, one system”—the Chinese system.

So the bill that we will bring up here in a moment, with tremendous bipartisan support, requires five quick things that I will touch on.

First, its most important element is that it requires the Secretary of State to annually certify whether Hong Kong warrants being treated differently than China. If Hong Kong is no longer autonomous—and that is the rationale for different treatment—then, they should no longer receive that treatment.

It says that students in Hong Kong shouldn't be barred from entering the United States or getting a visa to study here, for example, because they have been the subject of a politically motivated arrest or detention.

It says that for the next 7 years, the Secretary of Commerce is going to report on whether export controls and sanction laws are being enforced by the Government of Hong Kong or whether

China is using Hong Kong as a back door to evade export controls and sanctions.

It says that if Hong Kong ultimately returns and passes that extradition bill that China wants, the President has to present a plan to protect Americans from this law.

Last but not least, it mandates that the President identify and sanction foreigners the President determines, based on credible information, who are responsible for extraditions, for arbitrary detention, for torture, or for forced confessions inside of Hong Kong or any other human rights violations in Hong Kong.

By the way, it would also allow blocking the assets of these persons if those assets are located here in the United States.

So, in a moment here, as we continue to gather, we are waiting the arrival of companion legislation.

I yield the floor because I know we have lot of important sponsors that are here who want to speak on the subject.

The PRESIDING OFFICER (Ms. MCSALLY). The Senator from Idaho.

Mr. RISCH. Madam President, first of all, this is an important step that we are taking here. This is a matter that we have been discussing for a long time. There has been a lot of action on it, and I want to thank Senator RUBIO and Senator CARDIN, who are the lead supporters of this bill and who have, on behalf of the committee, done yeoman's work getting it together and getting the bipartisan compromise to get the language here. Also, virtually all members of the committee have had fingerprints on this bill, and so in that regard, I think it is going to pass quite handily.

I want to thank the Banking staff, particularly my colleague from Idaho, Senator CRAPO, who, of course, has the expertise—the Banking, Housing, and Urban Affairs Committee—on these kinds of things on sanctions. They were very helpful in hammering out the language that we needed for the sanctions.

I want to thank the Banking, Housing, and Urban Affairs Committee staff, who were helpful.

I want to thank the staff of the Foreign Relations Committee, who work for us—both the minority staff, Senator MENENDEZ's staff, and my staff, the majority staff—for doing this and all of the people who worked on this. So thank you to all of you.

Since June, millions of people in Hong Kong have taken to the streets protesting the erosion of their rights and freedoms.

Hong Kong was supposed to maintain a high degree of autonomy after China regained sovereignty over the territory in 1997. This wasn't just a verbal understanding. This was in the treaty that China signed with Great Britain. However, since that time, China has gradually chipped away at Hong Kong's autonomy, and this is now becoming a real problem.

China now refers to its treaty with Great Britain as “a historical document,” and says it is no longer bound by its terms. This is just one of many examples that show that the Chinese Government has no respect for the rule of law.

After two decades of broken commitments, it is past time that we hold the Chinese Communist Party accountable. What it is doing in Hong Kong is just wrong.

That is why I am proud to join Senator RUBIO and Senator CARDIN and all the others who have had hands on this bill in bringing the Hong Kong Human Rights and Democracy Act to the Senate floor. This bill is the result of a strong, strong bipartisan consensus that we must act in support of the Hong Kong people.

Thank you all for helping. We will get to the unanimous consent here in a little bit.

I yield the floor to Senator CARDIN.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, let me first thank Senator RUBIO for his leadership on this issue and Senator MENENDEZ and Senator RISCH for their leadership in our committee and so many others who have been involved, because tonight we have a chance to reaffirm our commitment for human rights and democracy.

That is exactly what our legislation does. It recognizes the fact that for 24 consecutive weeks, the people of Hong Kong have been asking for their basic democracy and freedom.

On Monday, it was reported—just yesterday—that police fired 1,458 rounds of tear gas, 1,391 rubber bullets, 325 beanbag rounds, and 265 sponge grenades—that is just yesterday—on peaceful protesters.

They are asking nothing more than to exercise the rights they were told would be protected to express their views and to be able to have democracy in Hong Kong, which is the way it was in the previous time.

Senator RUBIO and I introduced legislation, and the chairman and ranking member of the Foreign Relations Committee, Senator RISCH and Menendez, joined us, and we passed this bipartisan legislation on June 13. It reaffirms the principles set forth in the United States-Hong Kong Policy Act of 1992, which supports democratization, human rights, and the autonomy of Hong Kong.

Now, Senator RUBIO already talked about this, but this is a very important thing. We gave Hong Kong a special status in its relationship with the United States that China does not enjoy, and we gave them that special status upon their protecting democracy and human rights in Hong Kong. That was the commitment.

If they don't comply with that, this special status should no longer be available, and this legislation requires that we get information on a regular basis as to whether China is respecting

the rights that we put in our legislation in 1992, that they notify us on a regular timeframe. That is an important point, because if they don't, we shouldn't give them that protected status.

Secondly, it identifies persons who suppress basic freedoms, similar to the Magnitsky Act sanctions. Those that are taking away the human rights of the people of Hong Kong would be subject to the same type of visa restrictions to visit America and to use our banking system. That makes a great deal of sense, and we know that is pretty effective.

So it is time that we back up our words and our commitment to supporting Hong Kong's democratization, human rights, and autonomy with action. Let's make sure the people of Hong Kong know that the U.S. Congress and the American people stand in solidarity with them, as the Chinese authorities, as we speak, are repressing the legitimate rights of the people of Hong Kong. We can stand with the people of Hong Kong for democracy and human rights by our actions this evening.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I rise in support of the motion that shortly will be made by our colleague, the Senator from Florida. I want to congratulate Senator CARDIN and him for their leadership in this regard. I appreciate the chairman and myself having joined them and moving this expeditiously through the committee, and I am looking forward to its critical passage on the floor. Time is of the essence.

The people of Hong Kong are fighting for their lives. Six months ago, millions of Hong Kong citizens took to the streets to peacefully protest the erosion of their democracy and their rights. Now, half a year later, we find mounting anger and unrest, with the violence against students and protesters—most dramatically, in the crackdown on Hong Kong Polytechnic University—only getting worse.

People are being shot. Universities are being burned. The violence perpetrated by the authorities in Hong Kong and, by extension, Beijing are turning the city into a battlefield.

This is not the Hong Kong that any of us want to see. The special character of Hong Kong is one of the world's great success stories. The vibrancy of the people of Hong Kong, especially its young people and the rising generation of leaders standing up for democracy and self-governance, should inspire all of us.

We admire Hong Kong's success as a burgeoning economic powerhouse, and we admire the vibrant and autonomous civil society and civic life that has flourished under the “one country, two systems” principle.

Hong Kong is one of the remarkable success stories of the Indo-Pacific—one

of the most remarkable success stories of China and the Chinese people—and it is a success worth protecting.

I call on the police to act professionally and to treat its fellow citizens with respect and restraint. We call for Beijing and the Hong Kong authorities to address the noble and legitimate aspirations of the people of Hong Kong.

In these turbulent times, the Congress of the United States must lead with our values. We must stand on the side of freedom and human dignity, and we must send a clear and uncompromising statement that America stands with the people of Hong Kong in their quest to maintain their self-governance and autonomy, to safeguard their human rights, to exercise their democratic freedom, and to determine their own future.

The House of Representatives already passed their version of this bill, and the situation in Hong Kong grows more tenuous by the day. That is why the United States should and must act today.

I look forward to the passage of this bill without delay. Let us work to hold China accountable for the erosion of democracy in Hong Kong, and let us together send a message to the people of Hong Kong that their cries for democracy and freedom have been heard through both Chambers of the U.S. Congress, and that America stands with them in their call for justice and self-determination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Madam President, the Hong Kong Human Rights and Democracy Act is really about promises—making promises and keeping promises. Unfortunately, the Chinese Communist Party has a long history of making promises but not keeping them.

You can ask a rice farmer from Stuttgart. You can ask a software programmer from Fayetteville, a factory worker from Fort Smith, or a Christian missionary from Searcy.

In this case, China promised in 1984 that it would uphold the “one country, two systems” approach to Hong Kong when it took over in 1997, a promise to preserve the freedoms that have made Hong Kong distinctive—the freedom to practice one’s religion as one sees fit, to speak one’s mind, and to participate in the political process.

But that is just another promise they are on the verge of breaking. Apparently, the “one country, two systems” approach can’t satisfy Beijing’s rapacious appetite. They look at and covet Hong Kong’s wealth, and they fear and loathe its freedom, which stands in shining contrast to the Orwellian oppression on the mainland. In fact, they fear that mainland Chinese might look across the bay and start to get ideas.

So the Chinese Communist Party has been breaking its promises to Hong Kong and to the world, waging a brutal campaign to absorb Hong Kong into its dystopian, high-tech dictatorship.

Hongkongers are bravely resisting in the face of this kind of escalating violence. In recent days, Hong Kong security forces have shot a protestor in the stomach. They have trapped hundreds of students in the university, using rubber bullets and tear gas on them. They have threatened them with mass arrest.

Beijing’s propagandists have been hinting that even harsher measures are on the way.

An article in the party-controlled China Daily argues that Beijing must accelerate Hong Kong’s integration with the mainland and then reeducate Hongkongers, just like they are doing on a mass scale to 1 million Uighurs in concentration camps in Xinjiang.

I said this in the summer when the protests started. Let me say it again. It would be a grave mistake of historic proportion—surpassing the massacre of Tiananmen Square—if Beijing were to impose martial law, occupy, or otherwise crackdown on Hong Kong.

But the Hong Kong Human Rights and Democracy Act is about more than China making and breaking promises. It is also about the United States finally enforcing China’s promises.

We have a shot to avert catastrophe, protect the people of Hong Kong, and to finally enforce Beijing promises or hold them accountable for breaking those promises.

Very soon, the Senate will pass this legislation on a unanimous, bipartisan basis to give you a sense of sentiment in the Congress. This legislation requires the Secretary of State to certify Hong Kong’s autonomy from the mainland each year. Otherwise, they will lose the special privileges that U.S. law currently grants to Hong Kong.

The bill will freeze the assets and travel of officials who are responsible for abducting Hongkongers, like journalists, booksellers who have been vanishing without a trace since 2017, and it will ensure that pro-democracy protesters cannot be denied visas to the United States despite their specious arrests. But if the Hong Kong Chinese Communist Party will simply pull back from the brink, if they will keep their promises, if they will respect their one-country, two-system approach, none of this will happen.

So Beijing has a promise. Keep its promises, or give Americans and the world one more reason to treat China like an outlaw regime.

Choose wisely, Mr. General Secretary Xi.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I want to thank my colleagues, Senators RUBIO, CARDIN, MENENDEZ, and Representative CHRIS SMITH for moving the Hong Kong Human Rights and Democracy Act in both Chambers, legislation I was proud to cosponsor. With the situation deteriorating by the hour in Hong Kong, the passage of legislation could not be more timely. I urge my colleagues in the House to take action

quickly without delay. This bill sends an important message of bipartisan support from the U.S. Congress for the democratic aspirations of the broad majority of the people of Hong Kong.

Some of you may realize that we, just a few months ago, celebrated the 30th anniversary of the bloody crackdown that ended the peaceful democracy movement in Tiananmen Square. Who among us can forget those riveting weeks during which there was real hope and possibility of China opening its political system—the Goddess of Democracy statue modeled after our own Statue of Liberty—and, sadly, the jarring image of the protestor that was standing to try to block the onslaught of a tank?

The crude propaganda and disinformation used by Communist hardliners to brainwash young military conscripts to turn on their own people was both heartbreaking and infuriating. Remembering those days, we must not sit by idly and quietly and allow Hong Kong’s freedoms to be similarly threatened.

I have been moved by the courageousness of the pro-democracy protesters in the face of increasingly excessive use of force by the Hong Kong police in one of the most vibrant cities in the world. What exactly are Hong Kong protesters fighting for—the freedoms we in America take for granted every day—the freedom of assembly, suffrage, speech, due process, and rule of law. Rather than sitting down with the protesters, Hong Kong authorities have increasingly used excessive force instead of engaging in constructive dialogue. Yet, ultimately, I believe the Hong Kong Government and the protesters are capable of finding a solution, and I hope they do.

Let me end by appealing to the leadership in China to show the courage to allow the continued prosperous democratic autonomy enjoyed by the people of Hong Kong. Hong Kong’s continued special status is the sign of strength and confidence, not weakness.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Madam President, I rise today to speak about the greatest threat the United States faces in the next century, the threat of Communist China.

I have been saying, for months, Communist China is not our friend. They are stealing our technology; refusing to open up their markets to foreign goods as required by the WTO; militarizing the South China Sea, even after promising President Obama they wouldn’t; holding over 1 million Uighurs in prison camps just for their religion; harvesting the organs of detainees against their will; and Communist China is intentionally pushing fentanyl into the United States, killing Americans every day.

Communist China continues to strip the people of Hong Kong of their basic rights. I was the first Senator to visit

Hong Kong since the protests started nearly 6 months ago. I had the opportunity to meet with the protestors—students, parents, and grandparents—who are fighting to regain the freedom they were once promised. I heard their stories, horrible and frightening stories of police brutality, threats against individuals and their families, and mysterious disappearances.

Six months in and no signs of Communist China loosening their grip—their efforts to crack down on the protests in Hong Kong reflect their commitment to denying basic human rights and snuffing out any opposition to their totalitarian goals. We cannot stay silent. General Secretary of the Communist Party Xi is trying to be the dominant world power. It is Hong Kong now, then it will be Taiwan.

Communist China believes that, in order for them to be stronger, other freedom-loving countries must be weaker. As Communist China becomes more and more aggressive, we must ask ourselves: Is this the next Tiananmen Square? We all remember that famous image. Times have changed, but one thing stays the same: Wherever totalitarian regimes exist, there will be brave freedom fighters who will stand up against injustice and stand for human rights. That is what we are seeing in Hong Kong today.

Beijing soldiers have been appearing on the city streets, raising questions about the army's future role. Will Communist China once again use its military might to quash peaceful protests? Will they once again stand against those fighting for human rights and democracy? Will the United States stand by and allow this to happen?

We are seeing Americans like Michael Bloomberg putting profits above human rights and propping up the Chinese Government by continuing to host huge events in Communist China. It is time for the world to stand and present a unified front against Communist China's aggression, and that starts with supporting the brave people of Hong Kong.

We must do everything we can to communicate our commitment to democracy, freedom, and human rights. I am proud to stand in support of the Hong Kong Freedom and Democracy Act, which will give the United States more authority to reevaluate Beijing's influence on Hong Kong. This bill makes it clear that General Secretary of the Communist Party Xi needs to comply with what China agreed to in 1997. Communist China must give Hong Kong its autonomy, or the United States will continue to ramp up pressure on Communist China.

We cannot underestimate this threat. We must be vigilant. We must be aggressive. America's role of fighting for freedom and liberty worldwide depends on it. The future of our children and grandchildren depends on it.

To the brave and resilient people of Hong Kong, the United States is with you. Your fight will not be in vain, and it does not go unnoticed.

And to Communist China and General Secretary of the Communist Party Xi, consider your next moves carefully. The world is watching.

I won't stop fighting until America's economic and political future—and the freedom of nations across the globe—is secure from the threat of China's influence.

I want to thank Senator RUBIO and Senator CARDIN and all Senators of the U.S. for their support of this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. HAWLEY. Madam President, just two brief points this evening—the first is that I am proud to join not only as a supporter of this measure but as original cosponsor, and I want to thank the other Senators—Senator RUBIO, especially Senator CARDIN, and Senator RISCH—for their leadership on this issue, but I want to be clear that we are here today in this Chamber, and what we are doing is possible tonight because of the bravery and the courage of the protesters in Hong Kong.

Many of them are very young people who are risking their very lives, taking to the streets, standing for democracy, standing for the promises that were made to them by Beijing many years ago and fighting for them now, putting everything on the line. And I just want to say to those protesters that you are making a difference, that your lives have made a difference, and to those who even now are trapped inside PolyU in this siege that the Hong Kong police force has created—this humanitarian crisis that the Hong Kong police force has fostered—what you are doing is inspiring the world. What you are doing has moved this body. What you are doing is changing the world. Thank you for your courage. Thank you for your bravery. Thank you for believing in your city, and thank you for believing in Hong Kong.

The other thing I would say is that, while today is a good day in the struggle to preserve the freedoms of this city and the struggle against a totalitarian regime in Beijing, it is not the last day. Although this step is an important step that this Chamber takes, it is not the last step that this Nation may need to take in order to hold China to its commitments made in 1984, in order to protect the autonomy and the liberty of the city of Hong Kong because, make no mistake, we are in for a long struggle with Communist China. We are in for a long struggle with Beijing. We know what their ambitions are: to dominate Hong Kong, to dominate Taiwan, to dominate the region and, ultimately, to impose their will on the entire international system. We are going to have to stand against that for freedom, for liberty, for our security and our prosperity.

So there is much to do. There is a long road ahead of us, but today is a good day, and I hope the people of Hong Kong will see that the people of the

free world are awake, that they are with you, and we are ready to stand together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, I want to thank Senator RUBIO for the work that he has done on this a few minutes earlier. Today, I spoke about the cause of freedom and how we are seeing people around the world stand up for freedom—and, yes, indeed, we see this in Hong Kong, and it does inspire us. The message that we are sending to Beijing is that, indeed, we are watching and we are paying attention—and to the Hong Kong protesters, for them to know that we are watching what they are doing and that we are standing with them.

It is important to note that China has really earned its place atop the list of the world's most notorious human rights violators, and over the past few weeks, Hong Kong's descent into chaos and bloodshed has provided a much-needed reminder of the horrors, the absolute horrors of authoritarian rule.

There can be no change without accountability, and Beijing needs to know we are focused on that accountability, which is why, today, I am so pleased to stand with these other Members of this Chamber in support of the Hong Kong Human Rights and Democracy Act. The bill does demand accountability, not only from Beijing but also from us. It will require us to monitor Hong Kong's progress toward autonomy and China's behavior toward Hong Kong people who choose to exercise their internationally recognized rights, those rights that we have spoken of in this Chamber today.

The bill will help us identify the tactics Beijing uses to capture Hong Kong's dissidents and then to trap them on mainland China, and we will also ensure that no peaceful protesters are denied visas to the United States because of the alleged crimes.

Now, I will tell you, the bill is a great start, but the time and the work that we put in it will be wasted unless every single Member of this Chamber makes a commitment to hold us accountable, to hold China accountable. I would encourage my colleagues to view their support of this legislation as a promise to these protesters in Hong Kong, that their cries for help are not going to go unanswered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, today, brave men and women, boys and girls, are standing up and demanding that the Chinese Communist Party protect Hong Kong's autonomy, protect free speech, and defend human rights.

Despite these peaceful protests, the Chinese Communist Party is fighting back with brutality and violence. The police brutality that we have seen and the Chinese Communist Party's larger assault on the people of Hong Kong has

been shameful. Just this past weekend, the Hong Kong police began attacking young, innocent students who were peacefully protesting that brutality. They were attacked with tear gas and rubber bullets.

These students' college campus was turned into a warzone, where no one was safe. Today, we have the opportunity to tell the world, these blatant human rights attacks and this campaign to bully Hong Kong into submission are not OK and America won't stand for it.

Last month, I traveled to Hong Kong. I met with many brave men and women who were standing up. I met with the dissidents, the pro-democracy protesters who are speaking out for Hong Kong's autonomy and free speech and basic human rights. Along with them, I dressed in all black to express my solidarity with the peaceful protesters who have taken to the streets.

Right now, in response to that protest, tear gas, sponge grenades, rubber bullets are being fired at university campuses in Hong Kong. In Xinjiang Province, millions of detained Uighurs and other religious minorities are languishing in concentration camps, and across China, Falun Gong practitioners are captured and murdered so that the Communist Party can harvest their organs.

Freedom from this brutality and the tyranny of the Chinese Communist Party is the battle cry of the dissidents in Hong Kong. What have they been waving? American flags. What have they been singing? The American National Anthem—reciting quotations from our Founding Fathers who risked everything for freedom in America.

Madam President, I want to thank Senators RUBIO, CARDIN, RISCH, MENENDEZ, and all the members of the Senate Foreign Relations Committee, both Republicans and Democrats who have joined together. This legislation the Senate is preparing to pass, the Hong Kong Human Rights and Democracy Act, is important legislation. It is bipartisan legislation. I urge the House to take it up and pass it and pass it promptly.

The people in Hong Kong are engaged in an existential battle for liberty, and they should know and they will know, by our actions in just a few moments, that the people of America stand with Hong Kong.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 238, S. 1838.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1838) to amend the Hong Kong Policy Act of 1992, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the bill, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

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”; 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 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 cer-

tifications 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, based on credible information, is responsible for—

(A) the extrajudicial rendition, arbitrary detention, torture, or forced confession 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 credible 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) credible 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.

(C) **EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS.**—Sanctions under this paragraph shall not apply with respect to an alien if admitting or paroling the alien 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 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) **EXCEPTION RELATING TO IMPORTATION OF GOODS.**—

(1) **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.

(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.

(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) credible 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 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.

(h) **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) **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.

(c) **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 surveillance equipment that could be used inappropriately in Hong Kong.

Mr. RUBIO. I ask unanimous consent that the committee-reported substitute amendment be withdrawn, the Rubio substitute amendment at the desk be considered and agreed to, the bill as amended be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 1246) was agreed to as follows:

(Purpose: In the nature of a substitute.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 1838), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, 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"; 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 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 Emer-

gency 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 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.

(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 surveillance equipment that could be used inappropriately in Hong Kong.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Madam President, I sincerely thank my colleagues. This has been a great bipartisan moment on the floor of the Senate for a very important issue.

I particularly thank my colleagues from Florida, Senator RUBIO; from Maryland, Senator CARDIN; from New Jersey, Senator MENENDEZ; and from Idaho, Senator RISCH, as well as all the others who had a hand in this work.

The Senate has just sent a resounding message to the Chinese Communist Party and President Xi that the United States stands with the democratic protestors in Hong Kong. The bipartisan legislation, with the great help of the chair and ranking members of the Foreign Relations Committee, will safeguard Hong Kong's democracy and autonomy and hold accountable those responsible for any human rights abuses in Hong Kong. The bipartisan legislation that will soon be offered by the Senators from Oregon and Texas will make sure that U.S. companies don't sell riot equipment to Hong Kong.

We have sent a message to President Xi: Your suppression of freedom, whether in Hong Kong, in northwest China, or anywhere else, will not stand. You cannot be a great leader and you cannot be a great country when you oppose freedom, when you are so brutal to the people of Hong Kong, young and old, who are protesting, when you are so brutal to the Uighurs in northwest China, and when China is censored so that Chinese people can't get the truth. History has shown that that always fails, President Xi—always fails.

China has taken dramatic steps backward in the curtailment of freedom.

As my colleagues well know, the protests in Hong Kong have now taken an ominous turn. The Hong Kong police—no doubt at the behest of the Communist Party in Beijing—have undertaken an increasingly violent crackdown on student protestors. As the ruling party in Beijing continues to flout Hong Kong's judicial independence while perpetrating a brutal suppression of minority groups from one end of

China to the other, Americans' support for the democratic rights of Hong Kong citizenry is paramount.

To the people of China: We stand with you in freedom.

To the kids in Hong Kong, the students and the adults: We stand with you.

To the Uighurs who simply want to practice their religion: We stand with you.

Freedom will prevail, and the Chinese system will either change or fail. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

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

Mr. MERKLEY. Madam President, on June 9, the streets of Hong Kong filled with over 1 million individuals peacefully protesting what they saw as an unjust law and attack on democracy. It was an incredible visual of people standing up for democracy and standing up for human rights.

Here we are 5 months later, and the images are much different. You would be forgiven if you saw them and thought they were in a war zone. Hundreds of student protesters barricaded themselves in a Hong Kong university surrounded by armored riot police, pummeled by rubber bullets and tear gas, fires raging, destruction, devastation, and smoke everywhere.

There have been 5 months of protests, rising anger, and tension. There have been 5 months of police crackdowns on peaceful protests, spurring further protests and resistance, and U.S.-made, U.S.-exported police equipment being misused by the Hong Kong police to violate the human rights of protestors. So far, over 10,000 rounds of tear gas have been fired into the crowds of protestors.

We believe in free speech, freedom to assemble, freedom to protest, not state-sponsored oppression and violence. It is time to ban the export of U.S.-made police equipment to Hong Kong that is being used to abuse their human rights. That is why I am so pleased to introduce, in partnership with my colleague from Texas, S. 2710, which prohibits the export of munitions and crowd-control equipment to the Hong Kong Police Force.

Since the protests in June, over 1,700 Hong Kong residents have been injured and over 5,000 have been arrested. Amnesty International verified incidents involving the dangerous use of U.S.-made pepper spray, batons used to beat protestors, rubber bullets, and tear gas. One young woman was clubbed from behind with a police baton and continued to be beaten even after she was on the ground with her arms zip-tied behind her.

We have seen tear gas fired into confined spaces, in violation of the U.N. Basic Principles on the Use of Force

and Firearms. We have seen brutal police tactics that continued even when women and men were held in captivity or in custody. There has been report after report of violent assaults taking place inside police stations.

We cannot turn a blind eye. It is time to stand with the people of Hong Kong who are demanding a democratic future and against the violent suppression of free speech.

The bill the Senator from Texas and I have introduced lays out a series of products that we will no longer export to the Hong Kong Police Force: tear gas, pepper spray, rubber bullets, foam and bean bag rounds, pepper balls, water cannons, handcuffs, shackles, stun guns, and tasers.

This bill is backed by many colleagues on both sides of the aisle. I say a huge thank-you to Senator MARKEY, Senator BLACKBURN, Senator LEAHY, Senator SCOTT, Senator COONS, Senator WICKER, Senator BLUMENTHAL, Senator INHOFE, Senator GILLIBRAND, Senator CARDIN, Senator WYDEN, Senator BRAUN, Senator GARDNER, and Senator VAN HOLLEN.

I am really proud to stand here in a bipartisan representation tonight, to stand with my colleagues who have introduced the Hong Kong Human Rights Democracy Act, and to stand together in a bipartisan fashion to ban the export of these brutal crowd-control strategies being misused in Hong Kong by their police to abuse the protestors.

I turn to my colleague from Texas. The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, for months, the world has watched as the brave citizens of Hong Kong have sustained protests against China's decades-long degradation of their civil liberties.

The U.N. High Commissioner has found credible evidence of the Hong Kong Police Force using nonlethal crowd-control weapons in ways that violate international norms and standards. That is why I am proud to support the bipartisan PROTECT Hong Kong Act, as described by our colleague Senator MERKLEY.

The PROTECT Hong Kong Act would direct the President to ban the issuance of licenses for commercial export of riot-control weapons like tear gas, pepper spray, rubber bullets, stun guns, and tasers to the Hong Kong Police Force. This ensures that the Hong Kong pro-democracy protestors are not subjected to police brutality using products made in the United States of America. I am also proud to support the just-passed Hong Kong Human Rights and Democracy Act.

I think the statement being made by the passage of these two pieces of legislation and the presence today of so many of our colleagues on a bipartisan basis standing with the people of Hong Kong against this oppression by their Communist overlords is very, very significant.

Now more than ever, the United States must send a clear message to