

Calendar No. 148

118TH CONGRESS
1ST SESSION

S. 490

To require the President to remove the extension of certain privileges, exemptions, and immunities to the Hong Kong Economic and Trade Offices if Hong Kong no longer enjoys a high degree of autonomy from the People's Republic of China, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2023

Mr. RUBIO (for himself, Mr. MERKLEY, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JULY 25, 2023

Reported by Mr. MENENDEZ, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To require the President to remove the extension of certain privileges, exemptions, and immunities to the Hong Kong Economic and Trade Offices if Hong Kong no longer enjoys a high degree of autonomy from the People's Republic of China, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Hong Kong Economic
3 and Trade Office (HKETO) Certification Act”.

4 **SEC. 2. CERTIFICATION ON WHETHER TO EXTEND CERTAIN**
5 **PRIVILEGES, EXEMPTIONS, AND IMMUNITIES**
6 **TO THE HONG KONG ECONOMIC AND TRADE**
7 **OFFICES IN THE UNITED STATES.**

8 (a) **CERTIFICATION REQUIRED.**—Not later than 30
9 days after the date of the enactment of this Act, and
10 thereafter as part of each certification required by the Sec-
11 retary of State under section 205(a)(1)(A) of the United
12 States-Hong Kong Policy Act of 1992 (22 U.S.C.
13 5725(a)(1)(A)), the President shall submit to the appro-
14 priate congressional committees a certification that—

15 (1) the Hong Kong Economic and Trade Of-
16 fices—

17 (A) merit extension and application of the
18 privileges, exemptions, and immunities specified
19 in subsection (b); or

20 (B) no longer merit extension and applica-
21 tion of the privileges, exemptions, and immuni-
22 ties specified in subsection (b); and

23 (2) a detailed report justifying that certifi-
24 cation.

25 (b) **PRIVILEGES, EXEMPTIONS, AND IMMUNITIES**
26 **SPECIFIED.**—The privileges, exemptions, and immunities

1 specified in this subsection are the privileges, exemptions,
 2 and immunities extended and applied to the Hong Kong
 3 Economic and Trade Offices under section 1 of the Act
 4 entitled “An Act to extend certain privileges, exemptions,
 5 and immunities to Hong Kong Economic and Trade Of-
 6 fices”, approved June 27, 1997 (22 U.S.C. 288k).

7 (c) EFFECT OF CERTIFICATION.—

8 (1) TERMINATION.—If the President certifies
 9 under subsection (a)(1)(B) that the Hong Kong
 10 Economic and Trade Offices no longer merit exten-
 11 sion and application of the privileges, exemptions,
 12 and immunities specified in subsection (b), the Hong
 13 Kong Economic and Trade Offices shall terminate
 14 operations not later than 180 days after the date on
 15 which that certification is delivered to the appro-
 16 priate congressional committees.

17 (2) CONTINUED OPERATIONS.—If the President
 18 certifies under subsection (a)(1)(A) that the Hong
 19 Kong Economic and Trade Offices merit extension
 20 and application of the privileges, exemptions, and
 21 immunities specified in subsection (b), the Hong
 22 Kong Economic and Trade Offices may continue op-
 23 erations for the one-year period following the date of
 24 that certification or until the next certification re-
 25 quired under section 205(a)(1)(A) of the United

1 ~~States-Hong Kong Policy Act of 1992 (22 U.S.C.~~
 2 ~~5725(a)(1)(A))~~ is submitted, whichever occurs first,
 3 unless a disapproval resolution is enacted under sub-
 4 section (f).

5 (d) ~~REVOCATION OF EXTENSION AND APPLICATION~~
 6 ~~OF PRIVILEGES, EXEMPTIONS, AND IMMUNITIES.~~—The
 7 President may revoke the extension and application to the
 8 Hong Kong Economic and Trade Offices of the privileges,
 9 exceptions, and immunities specified in subsection (b).

10 (e) ~~TERMINATION OF CERTIFICATION REQUIRE-~~
 11 ~~MENT.~~—If the Hong Kong Economic and Trade Offices
 12 terminate operations in the United States, whether pursu-
 13 ant to subsection (c) or otherwise, the President shall not
 14 issue additional certifications under subsection (a)(1) after
 15 the date on which those operations terminated.

16 (f) ~~CONGRESSIONAL REVIEW.~~—

17 (1) ~~DISAPPROVAL RESOLUTION.~~—In this sub-
 18 section, the term “disapproval resolution” means
 19 only a joint resolution of either House of Congress—

20 (A) the title of which is the following: “A
 21 joint resolution disapproving the certification by
 22 the President that the Hong Kong Economic
 23 and Trade Offices continue to merit extension
 24 and application of certain privileges, exemp-
 25 tions, and immunities.”; and

(B) the sole matter after the resolving clause of which is the following: “Congress disapproves of the certification by the President under section 2(a)(1)(A) of the Hong Kong Economic and Trade Office (HKETO) Certification Act that the Hong Kong Economic and Trade Offices merit extension and application of certain privileges, exemptions, and immunities, on _____.”, with the blank space being filled with the appropriate date.

(2) INTRODUCTION.—A disapproval resolution may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader’s designee) or the minority leader (or the minority leader’s designee).

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a disapproval resolution has been referred has not reported the resolution within 10 legislative days after the date of referral, that committee shall be discharged from further consideration of the resolution.

1 (4) CONSIDERATION IN SENATE.—

2 (A) COMMITTEE REFERRAL.—A dis-
3 approval resolution introduced in the Senate
4 shall be referred to the Committee on Foreign
5 Relations.

6 (B) REPORTING AND DISCHARGE.—If the
7 Committee on Foreign Relations of the Senate
8 has not reported the resolution within 10 legis-
9 lative days after the date of referral of the reso-
10 lution, that committee shall be discharged from
11 further consideration of the resolution and the
12 resolution shall be placed on the appropriate
13 calendar.

14 (C) PROCEEDING TO CONSIDERATION.—
15 Notwithstanding Rule XXII of the Standing
16 Rules of the Senate, it is in order at any time
17 after the Committee on Foreign Relations re-
18 ports a disapproval resolution to the Senate or
19 has been discharged from consideration of such
20 a resolution (even though a previous motion to
21 the same effect has been disagreed to) to move
22 to proceed to the consideration of the resolu-
23 tion, and all points of order against the resolu-
24 tion (and against consideration of the resolu-
25 tion) are waived. The motion to proceed is not

1 debatable. The motion is not subject to a mo-
 2 tion to postpone. A motion to reconsider the
 3 vote by which the motion is agreed to or dis-
 4 agreed to shall not be in order.

5 (D) RULINGS OF THE CHAIR ON PROCE-
 6 DURE.—Appeals from the decisions of the Chair
 7 relating to the application of the rules of the
 8 Senate, as the case may be, to the procedure re-
 9 lating to a disapproval resolution shall be de-
 10 cided without debate.

11 (E) CONSIDERATION OF VETO MES-
 12 SAGES.—Debate in the Senate of any veto mes-
 13 sage with respect to a disapproval resolution,
 14 including all debatable motions and appeals in
 15 connection with the resolution, shall be limited
 16 to 10 hours, to be equally divided between, and
 17 controlled by, the majority leader and the mi-
 18 nority leader or their designees.

19 (5) RULES RELATING TO SENATE AND HOUSE
 20 OF REPRESENTATIVES.—

21 (A) TREATMENT OF SENATE RESOLUTION
 22 IN HOUSE.—In the House of Representatives,
 23 the following procedures shall apply to a dis-
 24 approval resolution received from the Senate

(unless the House has already passed a resolution relating to the same proposed action):

(i) The resolution shall be referred to the appropriate committees.

(ii) If a committee to which a resolution has been referred has not reported the resolution within 10 legislative days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(iii) Beginning on the third legislative day after each committee to which a resolution has been referred reports the resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which

the motion is disposed of shall not be in order.

(iv) The resolution shall be considered as read. All points of order against the resolution and against its consideration are waived. The previous question shall be considered as ordered on the resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the offeror of the motion to proceed (or a designee) and an opponent. A motion to reconsider the vote on passage of the resolution shall not be in order.

(B) TREATMENT OF HOUSE RESOLUTION
IN SENATE.—

(i) RECEIVED BEFORE PASSAGE OF SENATE RESOLUTION.—If, before the passage by the Senate of a disapproval resolution, the Senate receives an identical resolution from the House of Representatives, the following procedures shall apply:

(I) That resolution shall not be referred to a committee.

1 (II) With respect to that resolu-
2 tion—

3 (aa) the procedure in the
4 Senate shall be the same as if no
5 resolution had been received from
6 the House of Representatives;
7 but

8 (bb) the vote on passage
9 shall be on the resolution from
10 the House of Representatives.

11 (ii) RECEIVED AFTER PASSAGE OF
12 SENATE RESOLUTION.—If, following pas-
13 sage of a disapproval resolution in the Sen-
14 ate, the Senate receives an identical resolu-
15 tion from the House of Representatives,
16 that resolution shall be placed on the ap-
17 propriate Senate calendar.

18 (iii) NO SENATE COMPANION.—If a
19 disapproval resolution is received from the
20 House of Representatives, and no com-
21 panion resolution has been introduced in
22 the Senate, the Senate procedures under
23 this subsection shall apply to the resolution
24 from the House of Representatives.

1 (C) APPLICATION TO REVENUE MEAS-
 2 URES.—The provisions of this subparagraph
 3 shall not apply in the House of Representatives
 4 to a disapproval resolution that is a revenue
 5 measure.

6 (6) RULES OF HOUSE OF REPRESENTATIVES
 7 AND SENATE.—This paragraph is enacted by Con-
 8 gress—

9 (A) as an exercise of the rulemaking power
 10 of the Senate and the House of Representa-
 11 tives, respectively, and as such is deemed a part
 12 of the rules of each House, respectively, and su-
 13 persedes other rules only to the extent that it
 14 is inconsistent with such rules; and

15 (B) with full recognition of the constitu-
 16 tional right of either House to change the rules
 17 (so far as relating to the procedure of that
 18 House) at any time, in the same manner, and
 19 to the same extent as in the case of any other
 20 rule of that House.

21 (g) DEFINITIONS.—In this section:

22 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 23 TEES.—The term “appropriate congressional com-
 24 mittees” means the Committee on Foreign Relations

1 of the Senate and the Committee on Foreign Affairs
2 of the House of Representatives.

3 ~~(2) HONG KONG ECONOMIC AND TRADE OF-~~
4 ~~FICES.—~~The term “Hong Kong Economic and
5 Trade Offices” has the meaning given that term in
6 section 1(c) of the Act entitled “An Act to extend
7 certain privileges, exemptions, and immunities to
8 Hong Kong Economic and Trade Offices”, approved
9 June 27, 1997 (22 U.S.C. 288k).

10 **SEC. 3. LIMITATION ON CONTRACTING RELATING TO HONG**
11 **KONG ECONOMIC AND TRADE OFFICES.**

12 ~~(a) IN GENERAL.—~~On and after the date of the en-
13 actment of this Act, an entity of the United States Gov-
14 ernment may enter into an agreement or partnership with
15 the Hong Kong Economic and Trade Offices to promote
16 tourism, culture, business, or other matters relating to
17 Hong Kong only if—

18 ~~(1)~~ the President has submitted to the Com-
19 mittee on Foreign Relations of the Senate and the
20 Committee on Foreign Affairs of the House of Rep-
21 resentatives a certification under section 2(a)(1)(A)
22 that the Hong Kong Economic and Trade Offices
23 merit extension and application of certain privileges,
24 exemptions, and immunities; and

1 (2) a disapproval resolution under section 2(f)
2 is not enacted during the 90-day period following the
3 submission of that certification.

4 (b) CERTIFICATION.—

5 (1) EXISTING AGREEMENTS AND PARTNER-
6 SHIPS.—Not later than 100 days after the date of
7 the enactment of this Act, any entity of the United
8 States Government or any entity that holds a cur-
9 rent Federal contract with the United States Gov-
10 ernment that has in effect an agreement or partner-
11 ship with the Hong Kong Economic and Trade Of-
12 fices, shall submit to the Secretary of State and the
13 Administrator of the General Services Administra-
14 tion a certification described in paragraph (3) with
15 respect to each such agreement or partnership.

16 (2) NEW AGREEMENTS AND PARTNERSHIPS.—
17 Not later than 15 days after entering into an agree-
18 ment or partnership with the Hong Kong Economic
19 and Trade Offices, an entity of the United States
20 Government or an entity that holds a current Fed-
21 eral contract with the United States Government
22 shall submit to the Secretary of State and the Ad-
23 ministrator of the General Services Administration a
24 certification described in paragraph (3) with respect
25 to that agreement or partnership.

1 (3) CERTIFICATION DESCRIBED.—With respect
 2 to an agreement or partnership with the Hong Kong
 3 Economic and Trade Offices, a certification de-
 4 scribed in this paragraph is a certification that the
 5 agreement or partnership does not promote efforts
 6 by the Government of the Hong Kong Special Ad-
 7 ministrative Region and the Government of the Peo-
 8 ple’s Republic of China—

9 (A) to justify the dismantling of the auton-
 10 omy of Hong Kong and the freedoms and rule
 11 of law guaranteed by the Sino-British Joint
 12 Declaration of 1984; or

13 (B) to portray within the United States
 14 the Government of the Hong Kong Special Ad-
 15 ministrative Region or the Government of the
 16 People’s Republic of China as protecting the
 17 rule of law or the human rights and civil lib-
 18 erties of the people of Hong Kong.

19 (c) HONG KONG ECONOMIC AND TRADE OFFICES
 20 DEFINED.—In this section, the term “Hong Kong Eco-
 21 nomic and Trade Offices” has the meaning given that
 22 term in section 1(c) of the Act entitled “An Act to extend
 23 certain privileges, exemptions, and immunities to Hong
 24 Kong Economic and Trade Offices”, approved June 27,
 25 1997 (22 U.S.C. 288k).

1 **SEC. 4. POLICY OF UNITED STATES ON PROMOTION OF AU-**
2 **TONOMY OF GOVERNMENT OF THE HONG**
3 **KONG SPECIAL ADMINISTRATIVE REGION.**

4 It is the policy of the United States—

5 (1) to ensure that entities of the United States
6 Government do not knowingly assist in the pro-
7 motion of Hong Kong as a free and autonomous city
8 or the Government of the Hong Kong Special Ad-
9 ministrative Region as committed to protecting the
10 human rights of the people of Hong Kong or fully
11 maintaining the rule of law required for human
12 rights and economic prosperity as long as the Sec-
13 retary of State continues to certify under section
14 205(a)(1) of the United States-Hong Kong Policy
15 Act of 1992 (~~22 U.S.C. 5725(a)(1)~~) that Hong
16 Kong does not enjoy a high degree of autonomy
17 from the People's Republic of China and does not
18 warrant treatment under the laws of the United
19 States in the same manner as those laws were ap-
20 plied to Hong Kong before July 1, 1997;

21 (2) to recognize that promotion of Hong Kong
22 as described in paragraph (1) should be considered
23 propaganda for the efforts of the People's Republic
24 of China to dismantle rights and freedom guaran-
25 teed to the residents of Hong Kong by the Inter-

1 national Covenant on Civil and Political Rights and
 2 the Sino-British Joint Declaration of 1984;

3 ~~(3)~~ to ensure that entities of the United States
 4 Government do not engage in or assist with propa-
 5 ganda of the People's Republic of China regarding
 6 Hong Kong; and

7 ~~(4)~~ to engage with the Government of the Hong
 8 Kong Special Administrative Region, through all rel-
 9 evant entities of the United States Government,
 10 seeking the release of political prisoners, the end of
 11 arbitrary detentions, the resumption of a free press
 12 and fair and free elections open to all candidates,
 13 and the restoration of an independent judiciary.

14 **SECTION 1. SHORT TITLE.**

15 *This Act may be cited as the “Hong Kong Economic*
 16 *and Trade Office (HKETO) Certification Act”.*

17 **SEC. 2. DETERMINATION ON WHETHER TO EXTEND CER-**
 18 **TAIN PRIVILEGES, EXEMPTIONS, AND IMMU-**
 19 **NITIES TO THE HONG KONG ECONOMIC AND**
 20 **TRADE OFFICES IN THE UNITED STATES.**

21 *(a) DETERMINATION REQUIRED.—Not later than 30*
 22 *days after the date of the enactment of this Act, and there-*
 23 *after as part of each certification required by the Secretary*
 24 *of State under section 205(a)(1)(A) of the United States-*
 25 *Hong Kong Policy Act of 1992 (22 U.S.C. 5725(a)(1)(A)),*

1 *the Secretary of State shall, as part of such certification,*
 2 *include a separate determination that—*

3 *(1) the Hong Kong Economic and Trade Of-*
 4 *fices—*

5 *(A) merit extension and application of the*
 6 *privileges, exemptions, and immunities specified*
 7 *in subsection (b); or*

8 *(B) no longer merit extension and applica-*
 9 *tion of the privileges, exemptions, and immuni-*
 10 *ties specified in subsection (b); and*

11 *(2) a detailed report justifying that determina-*
 12 *tion, which may include considerations related to*
 13 *United States national security interests.*

14 *(b) PRIVILEGES, EXEMPTIONS, AND IMMUNITIES*
 15 *SPECIFIED.—The privileges, exemptions, and immunities*
 16 *specified in this subsection are the privileges, exemptions,*
 17 *and immunities extended and applied to the Hong Kong*
 18 *Economic and Trade Offices under section 1 of the Act enti-*
 19 *tled “An Act to extend certain privileges, exemptions, and*
 20 *immunities to Hong Kong Economic and Trade Offices”,*
 21 *approved June 27, 1997 (22 U.S.C. 288k).*

22 *(c) EFFECT OF DETERMINATION.—*

23 *(1) TERMINATION.—If the Secretary of State de-*
 24 *termines under subsection (a)(1)(B) that the Hong*
 25 *Kong Economic and Trade Offices no longer merit ex-*

1 *tension and application of the privileges, exemptions,*
 2 *and immunities specified in subsection (b), the Hong*
 3 *Kong Economic and Trade Offices shall terminate op-*
 4 *erations not later than 180 days after the date on*
 5 *which that determination is delivered to the appro-*
 6 *priate congressional committees, as part of the certifi-*
 7 *cation required under section 205(a)(1)(A) of the*
 8 *United States-Hong Kong Policy Act of 1992 (22*
 9 *U.S.C. 5725(a)(1)(A)).*

10 (2) *CONTINUED OPERATIONS.—If the Secretary*
 11 *of State determines under subsection (a)(1)(A) that*
 12 *the Hong Kong Economic and Trade Offices merit ex-*
 13 *tension and application of the privileges, exemptions,*
 14 *and immunities specified in subsection (b), the Hong*
 15 *Kong Economic and Trade Offices may continue op-*
 16 *erations for the one-year period following the date of*
 17 *the certification that includes that determination or*
 18 *until the next certification required under section*
 19 *205(a)(1)(A) of the United States-Hong Kong Policy*
 20 *Act of 1992 (22 U.S.C. 5725(a)(1)(A)) is submitted,*
 21 *whichever occurs first, unless a disapproval resolution*
 22 *is enacted under subsection (d).*

23 (d) *CONGRESSIONAL REVIEW.—*

1 (1) *DISAPPROVAL RESOLUTION.*—*In this sub-*
 2 *section, the term “disapproval resolution” means only*
 3 *a joint resolution of either House of Congress—*

4 (A) *the title of which is the following: “A*
 5 *joint resolution disapproving the determination*
 6 *by the President that the Hong Kong Economic*
 7 *and Trade Offices continue to merit extension*
 8 *and application of certain privileges, exemp-*
 9 *tions, and immunities.”; and*

10 (B) *the sole matter after the resolving clause*
 11 *of which is the following: “Congress disapproves*
 12 *of the determination by the Secretary of State*
 13 *under section 2(a)(1)(A) of the Hong Kong Eco-*
 14 *nomic and Trade Office (HKETO) Certification*
 15 *Act that the Hong Kong Economic and Trade*
 16 *Offices merit extension and application of cer-*
 17 *tain privileges, exemptions, and immunities, on*
 18 *_____.”, with the blank space being filled with*
 19 *the appropriate date.*

20 (2) *INTRODUCTION.*—*A disapproval resolution*
 21 *may be introduced—*

22 (A) *in the House of Representatives, by the*
 23 *majority leader or the minority leader; and*

1 (B) *in the Senate, by the majority leader*
 2 *(or the majority leader’s designee) or the minor-*
 3 *ity leader (or the minority leader’s designee).*

4 (e) *DEFINITIONS.—In this section:*

5 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 6 *TEES.—The term “appropriate congressional commit-*
 7 *tees” means the Committee on Foreign Relations of*
 8 *the Senate and the Committee on Foreign Affairs of*
 9 *the House of Representatives.*

10 (2) *HONG KONG ECONOMIC AND TRADE OF-*
 11 *FICES.—The term “Hong Kong Economic and Trade*
 12 *Offices” has the meaning given that term in section*
 13 *1(c) of the Act entitled “An Act to extend certain*
 14 *privileges, exemptions, and immunities to Hong Kong*
 15 *Economic and Trade Offices”, approved June 27,*
 16 *1997 (22 U.S.C. 288k).*

17 **SEC. 3. LIMITATION ON CONTRACTING RELATING TO HONG**
 18 **KONG ECONOMIC AND TRADE OFFICES.**

19 (a) *IN GENERAL.—On and after the date of the enact-*
 20 *ment of this Act, an entity of the United States Government*
 21 *may enter into an agreement or partnership with the Hong*
 22 *Kong Economic and Trade Offices to promote tourism, cul-*
 23 *ture, business, or other matters relating to Hong Kong only*
 24 *if—*

1 (1) *the Secretary of State has submitted to the*
 2 *Committee on Foreign Relations of the Senate and the*
 3 *Committee on Foreign Affairs of the House of Rep-*
 4 *resentatives a determination under section 2(a)(1)(A)*
 5 *that the Hong Kong Economic and Trade Offices*
 6 *merit extension and application of certain privileges,*
 7 *exemptions, and immunities;*

8 (2) *a disapproval resolution under section 2(d)*
 9 *is not enacted during the 90-day period following the*
 10 *submission of that determination; and*

11 (3) *the agreement or partnership does not pro-*
 12 *mote efforts by the Government of the Hong Kong*
 13 *Special Administrative Region and the Government*
 14 *of the People's Republic of China—*

15 (A) *to justify the dismantling of the auton-*
 16 *omy of Hong Kong and the freedoms and rule of*
 17 *law guaranteed by the Sino-British Joint Dec-*
 18 *laration of 1984; and*

19 (B) *to portray within the United States the*
 20 *Government of the Hong Kong Special Adminis-*
 21 *trative Region or the Government of the People's*
 22 *Republic of China as protecting the rule of law*
 23 *or the human rights and civil liberties of the peo-*
 24 *ple of Hong Kong.*

1 (b) *HONG KONG ECONOMIC AND TRADE OFFICES DE-*
 2 *FINED.*—*In this section, the term “Hong Kong Economic*
 3 *and Trade Offices” has the meaning given that term in sec-*
 4 *tion 1(c) of the Act entitled “An Act to extend certain privi-*
 5 *leges, exemptions, and immunities to Hong Kong Economic*
 6 *and Trade Offices”, approved June 27, 1997 (22 U.S.C.*
 7 *288k).*

8 **SEC. 4. POLICY OF UNITED STATES ON PROMOTION OF AU-**
 9 **TONOMY OF GOVERNMENT OF THE HONG**
 10 **KONG SPECIAL ADMINISTRATIVE REGION.**

11 *It is the policy of the United States—*

12 (1) *to ensure that entities of the United States*
 13 *Government do not knowingly assist in the promotion*
 14 *of Hong Kong as a free and autonomous city or the*
 15 *Government of the Hong Kong Special Administra-*
 16 *tive Region as committed to protecting the human*
 17 *rights of the people of Hong Kong or fully maintain-*
 18 *ing the rule of law required for human rights and*
 19 *economic prosperity as long as the Secretary of State*
 20 *continues to determine under section 205(a)(1) of the*
 21 *United States-Hong Kong Policy Act of 1992 (22*
 22 *U.S.C. 5725(a)(1)) that Hong Kong does not enjoy a*
 23 *high degree of autonomy from the People’s Republic*
 24 *of China and does not warrant treatment under the*
 25 *laws of the United States in the same manner as*

1 *those laws were applied to Hong Kong before July 1,*
2 *1997;*

3 *(2) to recognize that promotion of Hong Kong as*
4 *described in paragraph (1) should be considered propa-*
5 *ganda for the efforts of the People's Republic of*
6 *China to dismantle rights and freedom guaranteed to*
7 *the residents of Hong Kong by the International Cov-*
8 *enant on Civil and Political Rights and the Sino-*
9 *British Joint Declaration of 1984;*

10 *(3) to ensure that entities of the United States*
11 *Government do not engage in or assist with propa-*
12 *ganda of the People's Republic of China regarding*
13 *Hong Kong; and*

14 *(4) to engage with the Government of the Hong*
15 *Kong Special Administrative Region, through all rel-*
16 *evant entities of the United States Government, seek-*
17 *ing the release of political prisoners, the end of arbi-*
18 *trary detentions, the resumption of a free press and*
19 *fair and free elections open to all candidates, and the*
20 *restoration of an independent judiciary.*

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A BILL

To require the President to remove the extension of certain privileges, exemptions, and immunities to the Hong Kong Economic and Trade Offices if Hong Kong no longer enjoys a high degree of autonomy from the People's Republic of China, and for other purposes.

JULY 25, 2023

Reported with an amendment