

# MARKUP OF VARIOUS MEASURES

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## MARKUP BEFORE THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

November 29, 2023

**Serial No. 118-64**

Printed for the use of the Committee on Foreign Affairs



Available: <http://www.foreignaffairs.house.gov/>, <http://docs.house.gov>,  
or <http://www.govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

54-518PDF

WASHINGTON : 2024

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## MARKUP OF VARIOUS MEASURES

Wednesday, November 29, 2023

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:16 a.m., in room 210, House Visitor Center, Hon. Michael McCaul (chairman of the committee) presiding.

Chairman McCAUL. A quorum being present the Committee on Foreign Affairs will come to order. The committee is meeting today for consideration of H.R. 6349, Preventing Adversaries From Developing Critical Capabilities Act; H.R. 533, Promoting a Resolution to Tibet-China Conflict Act; H.R. 2766, the Uyghur Policy Act of 2023; H.R. 5375, Strengthening the Quad Act; H.R. 1103, Hong Kong Economic and Trade Office Certification Act; and H.R. 5532, Russian-North Korea Cooperation Sanctions Act.

The chair announces that any request for recorded votes may be rolled. He may recess the committee at any point. Without objection, so ordered.

Pursuant to House rules, I request that members have the opportunity to submit views for any committee report that may be produced on any of today's measures and without objection, so ordered.

Pursuant to notice, I now call up H.R. 6349, Preventing Adversaries from Developing Critical Capabilities Act.

[The Bill H.R. 6349 follows:]

118TH CONGRESS  
1ST SESSION

# H. R. 6349

To prohibit or require notification with respect to certain activities of United States persons involving countries of concern, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 2023

Mr. McCAUL (for himself and Mr. MEEKS) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To prohibit or require notification with respect to certain activities of United States persons involving countries of concern, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preventing Adversaries  
5 from Developing Critical Capabilities Act”.

6 **SEC. 2. EXERCISE OF AUTHORITIES UNDER THE INTER-**  
7 **NATIONAL EMERGENCY ECONOMIC POWERS**  
8 **ACT.**

9 (a) IN GENERAL.—The President may exercise all  
10 authorities provided under the International Emergency

1 Economic Powers Act (50 U.S.C. 1701 et seq.) necessary  
2 to carry out the provisions of this Act, including authori-  
3 ties to impose penalties under section 206 of such Act.

4 (b) DELEGATION.—The President may delegate the  
5 authorities described in subsection (a) to the head of any  
6 Federal agency the President determines appropriate in  
7 order to carry out the provisions of this Act.

8 **SEC. 3. PROHIBITION ON COVERED ACTIVITIES IN COV-**  
9 **ERED SECTORS THAT POSE PARTICULARLY**  
10 **ACUTE THREATS TO UNITED STATES NA-**  
11 **TIONAL SECURITY.**

12 (a) IDENTIFICATION OF CATEGORIES OF TECH-  
13 NOLOGIES AND PRODUCTS.—

14 (1) IN GENERAL.—Not later than one year  
15 after the date of the enactment of this Act, and an-  
16 nually thereafter as described in paragraph (2), the  
17 President—

18 (A) shall identify categories of technologies  
19 and products in covered sectors that may pose  
20 a particularly acute threat to the national secu-  
21 rity of the United States if developed or ac-  
22 quired by a country of concern; and

23 (B) publish a list of the categories of tech-  
24 nologies and products identified under para-  
25 graph (1) in the Federal Register.

1           (2) UPDATES.—The President shall annually  
2       review and update the list of the categories of tech-  
3       nologies and products identified under paragraph  
4       (1)(A) and update the Federal Register under para-  
5       graph (1)(B) as appropriate.

6       (b) PROHIBITION ON COVERED ACTIVITIES.—The  
7       President shall, on or after the date on which the initial  
8       list of categories of technologies and products is published  
9       in the Federal Register pursuant to subsection (a)(1)(B),  
10      prescribe, subject to public notice and comment, regula-  
11      tions to prohibit a United States person from engaging,  
12      directly or indirectly, in a covered activity involving a cat-  
13      egory of technologies and products on such list of cat-  
14      egories of technologies and products in a covered sector.  
15      Such regulations should—

16           (1) require that a United States person take all  
17      reasonable steps to prohibit and prevent any trans-  
18      action by a foreign entity under the control of the  
19      United States person that would be a prohibited  
20      transaction if engaged in by a United States person;  
21      and

22           (2) exclude any transaction consisting of the ac-  
23      quisition of an equity or other interest in an entity  
24      located outside a country of concern, where the  
25      President has determined that the government of the

1 country in which that entity is established or has its  
2 principal place of business has in place a program  
3 for the restriction of certain activities involving  
4 countries of concern that is comparable to the provi-  
5 sions provided for in this Act.

6 (c) SENSE OF CONGRESS.—It is the sense of Con-  
7 gress that the covered sectors include certain categories  
8 of technologies and products that would pose a particu-  
9 larly acute threat to the national security of the United  
10 States if developed or acquired by a country of concern,  
11 and that the President should identify certain technologies  
12 and products in the covered sectors as categories of tech-  
13 nologies and products in covered sectors for purposes of  
14 subsection (a)(1).

15 **SEC. 4. MANDATORY NOTIFICATION OF COVERED ACTIVI-**  
16 **TIES IN COVERED SECTORS THAT MAY POSE**  
17 **THREATS TO UNITED STATES NATIONAL SE-**  
18 **CURITY.**

19 (a) IDENTIFICATION OF CATEGORIES OF TECH-  
20 NOLOGIES AND PRODUCTS.—Not later than one year after  
21 the date of the enactment of this Act, the President  
22 shall—

23 (1) identify categories of technologies and prod-  
24 ucts in covered sectors that may pose a threat to the

1 national security of the United States if developed or  
2 acquired by a country of concern;

3 (2) publish a list of the categories of tech-  
4 nologies and products identified under paragraph (1)  
5 in the Federal Register; and

6 (3) annually thereafter, review the categories of  
7 technologies and products identified under para-  
8 graph (1) and publish an updated list of the cat-  
9 egories of technologies and products in the Federal  
10 Register under paragraph (2) if the list identified in  
11 paragraph (2) has changed.

12 (b) MANDATORY NOTIFICATION.—

13 (1) IN GENERAL.—Beginning on the date that  
14 is 90 days after the date on which the initial list of  
15 categories of technologies and products is published  
16 in the Federal Register pursuant to subsection  
17 (a)(2), a United States person engaging in a covered  
18 activity involving a category identified in subsection  
19 (a)(1), or controlling a foreign entity engaging in an  
20 activity that would be a covered activity if engaged  
21 in by a United States person, shall submit to the  
22 President a complete written notification of the ac-  
23 tivity not later than 14 days after the completion  
24 date of the activity.

25 (2) CIRCULATION OF NOTIFICATION.—

1 (A) IN GENERAL.—The President shall,  
2 upon receipt of a notification under paragraph  
3 (1), promptly inspect the notification for com-  
4 pleteness.

5 (B) INCOMPLETE NOTIFICATION.—If a no-  
6 tification submitted under paragraph (1) is in-  
7 complete, the President shall promptly inform  
8 the United States person that submits the noti-  
9 fication that the notification is not complete  
10 and provide an explanation for relevant mate-  
11 rial respect in which the notification is not com-  
12 plete.

13 (3) IDENTIFICATION OF NON-NOTIFIED ACTIV-  
14 ITY.—The President shall establish a process to  
15 identify a covered activity involving a category iden-  
16 tified under subsection (a)(1) for which—

17 (A) a notification is not submitted to the  
18 President under paragraph (1); and

19 (B) information is reasonably available.

20 (c) CONFIDENTIALITY OF INFORMATION.—

21 (1) IN GENERAL.—Except as provided in para-  
22 graph (2), any information or documentary material  
23 filed with the President pursuant to this section  
24 shall be exempt from disclosure under section  
25 552(b)(3) of title 5, United States Code, and no

1 such information or documentary material may be  
2 made public by any government agency or Member  
3 of Congress.

4 (2) EXCEPTIONS.—Subject to appropriate con-  
5 fidentiality and classification requirements, the ex-  
6 emption from disclosure provided by paragraph (1)  
7 shall not prevent the disclosure of the following:

8 (A) Information relevant to any adminis-  
9 trative or judicial action or proceeding.

10 (B) Information provided to Congress or  
11 any of the appropriate congressional commit-  
12 tees.

13 (C) Information important to national se-  
14 curity analysis or actions of the President to  
15 any domestic government entity, or to any for-  
16 eign governmental entity of an ally or partner  
17 of the United States, under the direction and  
18 authorization of the President, only to the ex-  
19 tent necessary for national security purposes.

20 (D) Information that the parties have con-  
21 sented to be disclosed to third parties.

22 **SEC. 5. REPORTING REQUIREMENTS.**

23 (a) IN GENERAL.—Not later than one year after the  
24 date on which the regulations prescribed under section 6  
25 take effect, and not less frequently than annually there-



1 after, the President shall submit to the appropriate con-  
2 gressional committees a report that—

3 (1) lists all notifications submitted under sec-  
4 tion 4(b) during the year preceding submission of  
5 the report, disaggregated by—

- 6 (A) sector;
- 7 (B) covered activity;
- 8 (C) covered foreign entity; and
- 9 (D) country of concern;

10 (2) an assessment of whether to amend the reg-  
11 ulations, including whether to amend the definition  
12 of “covered sectors” to enhance national security;

13 (3) provides additional context and information  
14 regarding trends in the sectors, the types of covered  
15 activity, and the countries involved in those notifica-  
16 tions, including—

17 (A) the location of the relevant covered for-  
18 eign entities; and

19 (B) the country in which the United States  
20 person or foreign entity controlled by such  
21 United States person involved in the relevant  
22 covered activity is located; and

23 (4) assesses the overall impact of those notifica-  
24 tions, including recommendations for—

1           (A) expanding existing Federal programs  
2           to support the production or supply of covered  
3           sectors in the United States, including the po-  
4           tential of existing authorities to address any re-  
5           lated national security concerns; and

6           (B) the continuation, expansion, or modi-  
7           fication of the implementation and administra-  
8           tion of this Act.

9       (b) FORM.—Each report required by this section  
10      shall be submitted in unclassified form, but may include  
11      a classified annex.

12      (c) PROHIBITION ON DISCLOSURE.—Information  
13      contained in each report required by this section may be  
14      withheld from disclosure only to the extent otherwise per-  
15      mitted by statute, except that all information included  
16      pursuant to subsection (a)(1) shall be withheld from public  
17      disclosure.

18      **SEC. 6. REQUIREMENT FOR REGULATIONS.**

19      (a) IN GENERAL.—Not later than 180 days after the  
20      date on which the initial list of categories of technologies  
21      and products have been published in the Federal Register  
22      pursuant to sections 3(a)(1)(B) and 4(a)(2), the President  
23      shall prescribe and finalize proposed regulations to carry  
24      out this Act.

1 (b) ELEMENTS.—Regulations prescribed to carry out  
2 this Act shall specify—

3 (1) the types of activities that will be considered  
4 to be covered activities;

5 (2) the technologies and products in covered  
6 sectors with respect to which covered activities are  
7 prohibited under section 3(b) or require a notifica-  
8 tion under section 4(b); and

9 (3) a process by which parties can ask ques-  
10 tions and get timely guidance as to whether a cov-  
11 ered activity is prohibited under section 3(b) or re-  
12 quires a notification under section 4(b).

13 (c) REQUIREMENTS FOR CERTAIN REGULATIONS.—  
14 The President shall prescribe regulations further defining  
15 the terms used in this Act, including the terms “covered  
16 activity”, “covered foreign entity”, and “party”, to maxi-  
17 mize the effectiveness of carrying out this Act in accord-  
18 ance with subchapter II of chapter 5 and chapter 7 of  
19 title 5 (commonly known as the “Administrative Proce-  
20 dure Act”).

21 (d) PUBLIC NOTICE AND COMMENT.—Regulations  
22 issued pursuant to subsection (a) shall be subject to public  
23 notice and comment.

1 (e) LOW-BURDEN REGULATIONS.—In prescribing  
2 regulations under this section, the President shall, to the  
3 extent practicable, structure the regulations—

4 (1) to minimize the cost and complexity of com-  
5 pliance for affected parties;

6 (2) to ensure the benefits of the regulations  
7 outweigh their costs;

8 (3) to adopt the least burdensome alternative  
9 that achieves regulatory objectives;

10 (4) to prioritize transparency and stakeholder  
11 involvement in the process of prescribing the regula-  
12 tions; and

13 (5) to regularly review and streamline existing  
14 regulations promulgated pursuant to this Act to re-  
15 duce redundancy and complexity.

16 (f) PENALTIES WITH RESPECT TO UNLAWFUL  
17 ACTS.—Regulations issued under this section shall, con-  
18 sistent with the authority provided by section 2(a), provide  
19 for the imposition of civil penalties for violations of this  
20 section, that involve—

21 (1) engaging in a covered activity prohibited  
22 under section 3(b) pursuant to the regulations  
23 issued under this section;

24 (2) failing to submit a timely notification under  
25 section 4(b) with respect to a covered activity or to

1 submit other information as required by the des-  
2 ignated agency; or

3 (3) submitting a material misstatement or omit-  
4 ting a material fact in any information submitted in  
5 a notification under section 4(b).

6 (g) ENFORCEMENT.—Consistent with the authority  
7 provided by section 2(a), the President may direct the At-  
8 torney General to seek appropriate relief in the district  
9 courts of the United States, in order to implement and  
10 enforce this Act.

11 (h) CONGRESSIONAL NOTIFICATION.—The President  
12 shall submit to the appropriate congressional committees  
13 all regulations prescribed to carry out this Act not later  
14 than 30 days before such regulations are to take effect.

15 **SEC. 7. MULTILATERAL ENGAGEMENT AND COORDINA-**  
16 **TION.**

17 (a) IN GENERAL.—The President shall delegate the  
18 authorities and functions under this section to the Sec-  
19 retary of State.

20 (b) AUTHORITIES.—The Secretary of State, in co-  
21 ordination with the heads or other relevant Federal agen-  
22 cies, should—

23 (1) conduct bilateral and multilateral engage-  
24 ment with the governments of countries that are al-  
25 lies and partners of the United States to promote

1 and increase coordination of protocols and proce-  
2 dures to facilitate the effective implementation of  
3 and appropriate compliance with the prohibitions  
4 and notifications pursuant to this Act;

5 (2) upon adoption of protocols and procedures  
6 described in paragraph (1), work with those govern-  
7 ments to establish mechanisms for sharing informa-  
8 tion, including trends, with respect to such activities;  
9 and

10 (3) work with and encourage the governments  
11 of countries that are allies and partners of the  
12 United States to develop similar mechanisms of their  
13 own.

14 (c) STRATEGY FOR MULTILATERAL ENGAGEMENT  
15 AND COORDINATION.—Not later than 180 days after the  
16 date of the enactment of this Act, the Secretary of State,  
17 in coordination with the heads of other relevant Federal  
18 agencies, should—

19 (1) develop a strategy to work with the govern-  
20 ments of countries that are allies and partners of  
21 the United States to develop mechanisms that are  
22 comparable to the prohibitions and notifications pur-  
23 suant to this Act; and

1           (2) assess opportunities to provide technical as-  
2           sistance to those countries with respect to the devel-  
3           opment of those mechanisms.

4           (d) REPORT.—Not later than one year after the date  
5 of the enactment of this Act, and annually thereafter for  
6 4 years, the Secretary of State shall submit to the appro-  
7 priate congressional committees a report that includes—

8           (1) a discussion of any strategy developed pur-  
9           suant to subsection (c)(1), including key tools and  
10          objectives for the development of comparable mecha-  
11          nisms by the governments of allies and partners of  
12          the United States;

13          (2) a list of partner and allied countries to tar-  
14          get for cooperation in developing their own screening  
15          programs;

16          (3) the status of the strategy's implementation  
17          and outcomes; and

18          (4) a description of impediments to the estab-  
19          lishment of comparable mechanisms by governments  
20          of allies and partners of the United States.

21 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

22          (a) IN GENERAL.—There is authorized to be appro-  
23 priated \$25,000,000, to be derived from amounts other-  
24 wise authorized to be appropriated to the President, for  
25 each of the first two fiscal years beginning on or after

1 the date of the enactment of this Act, to carry out this  
2 Act, including to provide outreach to industry and persons  
3 affected by this Act.

4 (b) **HIRING AUTHORITY.**—

5 (1) **PRESIDENT.**—The President may appoint,  
6 without regard to the provisions of sections 3309  
7 through 3318 of title 5, United States Code, not  
8 more than 15 candidates directly to positions in the  
9 competitive service (as defined in section 2102 of  
10 that title).

11 (2) **AGENCY.**—The head of the Federal depart-  
12 ment or agency designated under section 2(b) to  
13 hold primary responsibility for administering this  
14 Act may appoint, without regard to the provisions of  
15 sections 3309 through 3318 of title 5, United States  
16 Code, not fewer than 25 candidates directly to posi-  
17 tions in the competitive service (as defined in section  
18 2102 of that title) of such department or agency.

19 (3) **PRIMARY RESPONSIBILITY.**—The primary  
20 responsibility of individuals in positions authorized  
21 to be hired under this subsection shall be to admin-  
22 ister this Act.

23 **SEC. 9. RULE OF CONSTRUCTION.**

24 Nothing in this Act may be construed to—



1 (1) restrain or deter United States activities  
2 abroad if such activities do not pose a risk to the na-  
3 tional security of the United States; or

4 (2) alter or negate the authority of the Presi-  
5 dent under any authority, process, regulation, inves-  
6 tigation, enforcement measure, or review provided by  
7 or established under any other provision of Federal  
8 law, or any other authority of the President or the  
9 Congress under the Constitution of the United  
10 States.

11 **SEC. 10. NATIONAL INTEREST WAIVER.**

12 (a) IN GENERAL.—Subject to subsection (b), the  
13 President is authorized to exempt from any applicable pro-  
14 hibition or notification requirement any activity deter-  
15 mined by the President, in consultation with the heads of  
16 relevant Federal agencies, as appropriate, to be in the na-  
17 tional interest of the United States.

18 (b) CONGRESSIONAL NOTIFICATION.—The President  
19 shall—

20 (1) notify the appropriate congressional com-  
21 mittees not later than 48 hours after issuing a waiv-  
22 er under subsection (a); and

23 (2) include in such notification an identification  
24 of the national interest justifying the use of the  
25 waiver.

1 SEC. 11. DEFINITIONS.

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
4 TEES.—The term “appropriate congressional com-  
5 mittees” means—

6 (A) the Committee on Foreign Affairs, the  
7 Committee on Financial Services, the Com-  
8 mittee on Ways and Means, the Committee on  
9 Appropriations, and the Permanent Select Com-  
10 mittee on Intelligence of the House of Rep-  
11 resentatives; and

12 (B) the Committee on Foreign Relations,  
13 the Committee on Banking, Housing, and  
14 Urban Affairs, the Committee on Finance, the  
15 Committee on Appropriations, and the Select  
16 Committee on Intelligence of the Senate.

17 (2) COUNTRY OF CONCERN.—The term “coun-  
18 try of concern”—

19 (A) means—

20 (i) the Democratic People’s Republic  
21 of North Korea;

22 (ii) the People’s Republic of China, in-  
23 cluding the Hong Kong Special Adminis-  
24 trative Region and the Macau Special Ad-  
25 ministrative Region;

26 (iii) the Russian Federation; and

1 (iv) the Islamic Republic of Iran; and  
2 (B) includes any other country the Presi-  
3 dent determines necessary to ensure a country  
4 specified in clause (i), (ii), (iii), or (iv) of sub-  
5 paragraph (A) is unable to circumvent the pro-  
6 visions of this Act and the regulations issued  
7 pursuant to this Act.

8 (3) COVERED ACTIVITY.—

9 (A) IN GENERAL.—Subject to such regula-  
10 tions as may be prescribed in accordance with  
11 section 7, and except as provided in subpara-  
12 graph (B), the term “covered activity” means  
13 any activity engaged in by a United States per-  
14 son that involves—

15 (i) an acquisition by such United  
16 States person of an equity interest or con-  
17 tingent equity interest, or monetary capital  
18 contribution, in a covered foreign entity,  
19 directly or indirectly, by contractual com-  
20 mitment or otherwise, with the goal of gen-  
21 erating income or gain;

22 (ii) an arrangement for an interest  
23 held by such United States person in the  
24 short- or long-term debt obligations of a  
25 covered foreign entity that includes govern-

1           ance rights that are characteristic of an  
2           equity investment, management, or other  
3           important rights;

4           (iii) the establishment of a wholly  
5           owned subsidiary in a country of concern,  
6           such as a greenfield investment, for the  
7           purpose of production, design, testing,  
8           manufacturing, fabrication, or development  
9           related to one or more covered sectors;

10          (iv) the establishment by such United  
11          States person of a joint venture in a coun-  
12          try of concern or with a covered foreign en-  
13          tity for the purpose of production, design,  
14          testing, manufacturing, fabrication, or re-  
15          search, or other contractual or other com-  
16          mitments involving a covered foreign entity  
17          to jointly research and develop new innova-  
18          tion, including through the transfer of cap-  
19          ital or intellectual property or other busi-  
20          ness proprietary information; or

21          (v) the acquisition by a United States  
22          person with a covered foreign entity of—

23               (I) operational cooperation, such  
24               as through supply or support arrange-  
25               ments;

21

20

1 (II) the right to board represen-  
2 tation (as an observer, even if limited,  
3 or as a member) or an executive role  
4 (as may be defined through regula-  
5 tion) in a covered foreign entity;

6 (III) the ability to direct or influ-  
7 ence such operational decisions as  
8 may be defined through such regula-  
9 tions;

10 (IV) formal governance represen-  
11 tation in any operating affiliate, such  
12 as a portfolio company, of a covered  
13 foreign entity; or

14 (V) a new relationship to share  
15 or provide business services, such as  
16 financial services, marketing services,  
17 maintenance, or assembly functions;  
18 or

19 (vi) knowingly directing transactions  
20 by foreign persons that would constitute  
21 covered activity if engaged in by a United  
22 States person.

23 (B) EXCEPTIONS.—The term “covered ac-  
24 tivity” does not include—

1 (i) any transaction the value of which  
2 the President determines is de minimis, as  
3 defined in regulations prescribed in accord-  
4 ance with section 6;

5 (ii) any category of transactions that  
6 the President determines is in the national  
7 interest of the United States, as may be  
8 defined in regulations prescribed in accord-  
9 ance with section 6;

10 (iii) an investment in—

11 (I) a publicly traded security (as  
12 such term is defined in section  
13 3(a)(10) of the Securities Exchange  
14 Act of 1934); or

15 (II) an index fund, mutual fund,  
16 exchange-traded fund, or a similar in-  
17 strument (including associated deriva-  
18 tives) offered by an investment com-  
19 pany (as such term is defined in sec-  
20 tion 3(a)(1) of the Investment Com-  
21 pany Act of 1940), or by a private in-  
22 vestment fund;

23 (III) a venture capital fund, pri-  
24 vate equity fund, fund of funds, or  
25 other pooled investment funds, as the

23

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1 limited partner, in each case in which  
2 the limited partner's contribution is  
3 solely capital in a limited partnership  
4 structure and—

5 (aa) the limited partner can-  
6 not make managerial decisions, is  
7 not responsible for any debts be-  
8 yond its investment, and does not  
9 have the ability (formally or in-  
10 formally) to influence or partici-  
11 pate in the fund's or a covered  
12 foreign entity's decision making  
13 or operations; and

14 (bb) the investment is below  
15 a de minimis threshold to be de-  
16 termined by the President;

17 (iv) the acquisition of the equity or  
18 other interest owned or held by a covered  
19 foreign entity in an entity or assets located  
20 outside of a country of concern in which  
21 the United States person is acquiring all  
22 interests in the entity or assets held by  
23 covered foreign entity;

24

23

1 (v) an intracompany transfer of funds  
2 from a United States parent company to a  
3 subsidiary located in a country of concern;

4 (vi) a transaction made pursuant to a  
5 binding, uncalled capital commitment en-  
6 tered into before the date on which the  
7 regulations prescribed in accordance with  
8 section 6 take effect; or

9 (vii) any ordinary or administrative  
10 business transaction as may be defined in  
11 such regulations.

12 (4) COVERED FOREIGN ENTITY.—Subject to  
13 regulations prescribed in accordance with section 6,  
14 the term “covered foreign entity” means the fol-  
15 lowing:

16 (A) Any entity that is incorporated in, has  
17 a principal place of business in, or is organized  
18 under the laws of a country of concern.

19 (B) Any entity the equity securities of  
20 which are traded in the ordinary course of busi-  
21 ness on one or more exchanges in a country of  
22 concern.

23 (C) Any agency or instrumentality of the  
24 government of a country of concern.



1 (D) Any other entity that is not a United  
2 States person and that meets such criteria as  
3 may be specified by the President in such regu-  
4 lations prescribed in accordance with section 6.

5 (5) COVERED SECTORS.—Subject to regulations  
6 prescribed in accordance with section 6, the term  
7 “covered sectors” includes sectors within the fol-  
8 lowing areas:

9 (A) Semiconductors and microelectronics.

10 (B) Artificial intelligence.

11 (C) Quantum information science and  
12 technology.

13 (D) Hypersonics.

14 (E) High-performance computing and  
15 supercomputing.

16 (6) PARTY.—The term “party”, with respect to  
17 an activity, has the meaning given that term in regu-  
18 lations prescribed in accordance with section 7.

19 (7) UNITED STATES PERSON.—The term  
20 “United States person” means—

21 (A) an individual who is a United States  
22 citizen or an alien lawfully admitted for perma-  
23 nent residence to the United States; or

24 (B) an entity organized under the laws of  
25 the United States or of any jurisdiction within

26

25

1           the United States, including any foreign branch  
2           of such an entity.

Æ

Chairman McCAUL. The bill was circulated in advance and the Clerk shall designate the bill.

The CLERK. H.R. 6349, to prohibit or require notification with respect to certain activities of the United States persons involving countries of concern and for other purposes. Be it enacted by the Senate and House of Representatives—

Chairman McCAUL. Without objection, the first reading is dispensed with. The bill is considered read and open to amendment at any point. I now recognize myself for a statement in support of the bill.

We are facing a generational threat from the Chinese Communist Party. Make no mistake, the Chinese Communist Party is preparing to fight a war over Taiwan. Its navy is illegally claiming the South China Sea and ramming the shipping vessels of our allies. Its security services are using facial recognition, AI, and biometric data to suppress religious and ethnic minorities. I find it troubling that the United States does not currently restrict American investment dollars into sectors that support these activities. But we can. We can restrict China's access to technology through export controls. But we cannot stop an investor from using their know-how, network, and money to build a CCP giant. And this needs to stop.

Today, we will pass the strongest bill to counter the CCP that I have seen in my tenure on this committee and in Congress. And I would like to especially thank the ranking member, Mr. Meeks, for working with me and leading with me on this bill. We built quite a coalition together as one nation with one voice.

In addition to our support, the leads on the Select Committee on China also back this bill. The Administration obviously supports outbound investment restrictions, as reflected in the recent Executive Order that I was pleased to see after working with Director Estevez of BIS and Secretary Raimondo, and so do many conservative groups including Heritage, Hudson, and American Compass. But I know one group that really hates this bill and that is the Chinese Communist Party. And that is because this effort targets specific technology sectors like AI and quantum computing that are empowering China's military development and surveillance state.

The sector based forward looking approach is the path forward. We have seen time and again the shortcomings of targeting companies one by one. They simply change the names of their companies. That backward-looking process has failed and only strengthened the CCP. Our approach, on the other hand, is comprehensive and preventative. We know that in these high-tech, dual-use sectors more U.S. investment only harms national security, whether it is one dollar or one billion dollars. U.S. investors should not be involved in these high-tech areas that will shape and define the future.

What we have here is truly a bipartisan piece of legislation that should be expedited immediately to the House floor. Indeed, this type of forward looking outbound framework is supported by nearly every Senator. My dear friend, Senator Cornyn, has a similar bill which got over 90 votes in the Senate and it may not be allowed to pass on the National Defense Authorization Bill, but we will pass it out of this committee and we will pass it out on the House

floor and we will send it to the Senate and they will pass it and it will be signed into law by the President of the United States.

It seems like nearly the entirety of Congress, Republican and Democrats, agree that U.S. dollars and investment should not be supporting the CCP's development of critical technologies. The time now calls for bold, new ideas instead of old, failed approaches. Today, I urge my colleagues to vote in favor of this measure to take the steps necessary to maintain the global balance of power. With that, the chair now recognizes the ranking member, Mr. Meeks.

Mr. MEEKS. Thank you, Mr. Chairman. And I strongly support this measure and I am proud to co-leading it with Chairman McCaul. Our staff has worked tirelessly together for several weeks to carefully draft and negotiate this bill. And I am so pleased that we were able to reach an agreement on such significant legislation. This has been a completely bipartisan effort. And I again thank Chairman McCaul for his partnership to address a critical challenge.

American dollars should not fund the development of critical technologies that could threaten our national security if acquired by our competitors. To deal with this threat, this past August President Biden for the first time initiated a program to prohibit or require notifications for certain outbound financial investments by the United States persons into the semiconductor, quantum, and artificial intelligence sectors in China. And since President Biden issued his Executive Order, the Administration indicated it could most effectively start and implement such a program if it was codified in law.

Now there have been several bipartisan, bicameral efforts in recent years, for example, by Senators Casey and Cornyn and by Representatives DeLauro and Pascrell, among others, to establish an outbound investment program. But our bill, H.R. 6349, builds on these efforts by codifying the Biden Executive Order and enhancing the program and regulations already being developed by the Administration. What we did, we incorporated Administration feedback to make the bill stronger. Importantly, we have authorized resources and provided hiring authority to ensure that the Administration has the resources and staff needed to get this program running quickly and effectively.

We have also ensured that violations of outbound restrictions can be enforced through currencies and we close loopholes that would prevent U.S. companies from evading restrictions through their subsidiaries abroad.

Finally, we have built upon the Executive Order in two other critical ways. First, we have expanded the outbound restrictions beyond the People's Republic of China, Hong Kong, and Macau to cover Iran, North Korea, and Russia. Second, we have added hypersonics and high-performance computing to the covered sectors to ensure that we are maximizing the protection of our national security which is front and center for us.

And as a member of the Financial Services Committee also, I have long supported U.S. leadership in open, global, financial markets. We need to ensure that Americans are engaging in these markets, but this engagement should be done in such a way that does not harm our national security. H.R. 6349 will safeguard our secu-

rity and sustain U.S. global leadership through limited guardrails and transparency regarding major investment abroad by Americans.

And so I close by saying thank you to the chairman, again, thank you to the majority staff for working in a way that we can speak again with one voice on this serious matter of defense for our country and security for our country. It is a way things ought to be. I strongly support this bill and I urge all of my colleagues to do the same and I yield back.

Chairman McCAUL. The gentleman yields. Let me echo that sentiment that—and I want to thank the staff as well for working so well together. I think this could be the strongest countering China bill ever passed by the Congress.

And with that, is there any further discussion on the bill? Mr. Barr is recognized.

Mr. BARR. I thank the chairman for recognition. I thank him for his patriotic dedication to ensuring that Americans are not unwittingly investing in the Chinese entities that harm our own national security. I want to thank the ranking member also for joining in this very important effort.

As a member of both this committee and the House Financial Services Committee, we have also passed legislation in the financial Services Committee to address this issue. My bill H.R. 760, the Chinese Military Surveillance Companies Sanctions Act is all inclusive. My legislation would impose full blocking sanctions on any defense-sector entity in China including Chinese military and industrial complex companies such as Huawei, Hikvision, SMIC, and Sense Time. It also includes a comprehensive sanctions assessment for Chinese entities listed pursuant to Section 1260H of the Fiscal Year NDAA, a report administered by the Secretary of Defense, as well as companies on the entity list and military and user entity list at the Department of Commerce.

I stand behind my legislation's approach which uses existing authorities and agencies via sanctions and OFAC instead of giving the Administration broad authority to create new government bureaucracy. The bill before us today is well intentioned. The bill before us has a good objective, the same objective that mine has. But it does give the President the ability to delegate the new prohibition authority to the head of any Federal agency the President determines. And we have seen first-hand the Biden Administration overextend their reach into business and the lives of Americans and, respectfully, this authority is not tailored enough to address the issues of U.S. investments in China.

It is a misconception that U.S. investors solely are fueling China's economic growth. There is a problem here and the chairman's bill and the ranking member's bill seeks to get at it and I appreciate that. But under Xi's dictatorship, China has attacked Western investment as a threat to the CCP's hold. As a result, foreign direct investment in China is negative for the first time on record and U.S. venture capital in the country has reached a 10-year low.

Far from craving foreign financing, China is the world's largest exporter of capital which has powered the Belt and Road Initiative and made Beijing the largest official creditor in the world. Its for-

eign exchange reserves may now reach \$6 trillion, double what analysts previously thought.

Untailored, broad prohibitions would have the unintended consequence of limiting Americans' control influence and intelligence gathering in Chinese technology companies. That is not what we want. Think of it this way. The U.S. screens Chinese investments in Silicon Valley startups through the Committee on Foreign Investment in the United States. No one in the CCP is proposing an outbound investment regime that would block Chinese nationals from taking over America's technology innovators.

The CCP is brutal, but it is not moronic. It is therefore unclear why the U.S. would want to prevent Americans from going abroad to pry open the world's most opaque major economy. We want Americans on the boards of Chinese companies spreading Western standards and complying with U.S. laws. And so we have got to be careful here.

Since China is in no way dependent on U.S. capital alone from U.S. investors, the only way to undermine its military companies is by cutting off revenues and technology which is the advantage of sanctions. Moreover, unlike unilateral investment measures, sanctions compliance in coordination with friends in the G7 and beyond amplify their impact. Sanctions had a multi-lateral effect.

Alternatively, if the goal of this legislation is simply to target know-how, then U.S. export controls already prohibit knowledge transfer abroad, often in cooperation with our allies. Anyone who claims there is a gap in government authorities does not know the authorities exist or they find sanctions in export controls too hawkish on China. There is no better example of the effectiveness of sanctions than the Treasury Department's response to H.R. 760. The Treasury Department is concerned that the potential consequences for China from this bill could be quote unquote catastrophic. Instead, it is opting for an investment notification approach through EO 14105, not unlike requirements of an outbound regime.

So the sanctions approach is actually the tough approach. OFAC is the toughest approach and I stand ready to support strong and effective action that strengthens U.S. competitive edge against China. I think the chairman's effort is a noble and good one and this is a very important piece of legislation. I am glad that the chairman and the ranking member are engaging in this. They have been all along and this is a patriotic dedication to getting at a problem that we need to get at. And so I appreciate the chairman's work on this and I encourage all members in all of the committees of jurisdiction, especially Financial Services Committee, and this committee, and the China Select Committee on which I serve as well, to collaborate going forward and to get a solution and get everybody on the same page because we all want the same objective here. With that, I yield back, Mr. Chairman.

Chairman McCAUL. The gentleman yields. Let me express the same sentiment. As we have, I anticipate this will pass out of committee and I would like to continue working with you, sir, to see if there are ways to reconcile the two bills coming out of both this committee and Financial Services. But I do want to State what this bill does not do. It does not create a bureaucracy.

It does not create a CFIUS structure. It simply bars sectors from investing, that being AI, quantum, hypersonics, and semiconductors. All four of those sectors go straight into the Chinese military apparatus. Sanctions, the company can merely change their name and then it is no longer effective. But if we bar wholesale sectors, we are blocking all national security-related investments in China. That is why Heritage Action said House Republicans should be supporting, not blocking, investment curbs on China which your bill does as well. And I look forward to working with you.

This bill has tremendous support on both sides of the aisle, but also from the most conservative groups. And the people I respect most, people like Secretary Pompeo and National Security Advisor O'Brien, who I worked with in the prior Administration, and his Deputy Pottinger, Secretary Wilbur Ross. This is one of the top recommendations in the China Task Force that I chaired.

And I am proud that we finally have brought it to be fruition to be marked up by this committee and we cannot take no action on this. And while this may be pulled down on the NDAA, I do not know. We have a responsibility not only as members of this committee, but as Americans to protect the American people from investments that go straight into the Chinese military apparatus.

I thank you for your statement. You started out very perfectly that we both have the same goal. We have the same desire and intent. We may have a different means to get there, and I look forward to working with you as we look toward a bill that can go to the floor where we have consensus. I will yield.

Mr. BARR. Would the gentleman yield? Just a real additional question because I know the chairman shares this sentiment that this effort is very important because we do need to take defensive actions, whether it is this bill or an OFAC sanctions approach which could have agility to change and adapt to name changes. But I know the chairman agrees with me that it is not just about defensive measures. It is also about being the best version of ourselves. This is an economic competition with the PRC and the CPP which means we have an advantage. The advantage that we have is that we are a free market capitalist economy and they are a closed central planning oriented communist country. That is their Achilles' heel. So let's be the best version of ourselves and let's take advantage of the fact that they are the communists and that is their weakness and our offensive move is to make sure that we remain a country committed to free-market principles. And with that, I yield.

Chairman MCCAUL. The gentleman yields and I would be remiss if I did not say congratulations on the new baby. We are very happy for you.

Is there any further discussion on the bill? There being no further discussion on the bill, the committee will move to consideration of amendments. Does any member wish to offer an amendment?

There being no amendments, I move that the committee report H.R. 6349 to the House with a favorable recommendation.

All those in favor signify by saying aye.

All those opposed signify by saying no.

In the opinion of the chair, the ayes have it and the motion is agreed to. And without objection, the motion to reconsider is laid on the table. Staff is authorized to make any technical and conforming changes.

Pursuant to notice, I now call up H.R. 533, Promoting a Resolution to the Tibet-China Conflict Act.

[The Bill H.R. 533 follows:]



118TH CONGRESS  
1ST SESSION

# H. R. 533

To amend the Tibetan Policy Act of 2002 to modify certain provisions  
of that Act.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2023

Mr. MCGOVERN (for himself and Mr. McCAUL) introduced the following bill;  
which was referred to the Committee on Foreign Affairs

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## A BILL

To amend the Tibetan Policy Act of 2002 to modify certain  
provisions of that Act.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Promoting a Resolu-  
5 tion to the Tibet-China Conflict Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) It has been the long-standing policy of the  
9 United States to encourage meaningful and direct  
10 dialogue between People’s Republic of China au-

1       thorities and the Dalai Lama or his representatives,  
2       without preconditions, to seek a settlement that re-  
3       solves differences.

4       (2) Ten rounds of dialogue held between 2002  
5       and 2010 between the People's Republic of China  
6       authorities and the 14th Dalai Lama's representa-  
7       tives failed to produce a settlement that resolved dif-  
8       ferences, and the two sides have not met since Janu-  
9       ary 2010.

10       (3) An obstacle to further dialogue is that the  
11       Government of the People's Republic of China con-  
12       tinues to impose conditions on His Holiness the  
13       Dalai Lama for a resumption of dialogue, including  
14       a demand that he say that Tibet has been part of  
15       China since ancient times, which the Dalai Lama  
16       has refused to do because it is false.

17       (4) United States Government statements that  
18       the United States considers Tibet a part of the Peo-  
19       ple's Republic of China have reflected the reality on  
20       the ground that the Government of the People's Re-  
21       public of China has exerted effective control over  
22       Tibet.

23       (5) The United States Government has never  
24       taken the position that Tibet was a part of China  
25       since ancient times or that the means by which the

1 Government of the People's Republic of China came  
2 to exert effective control over Tibet was consistent  
3 with international law or included the free or mean-  
4 ingful consent of the Tibetan people.

5 (6) United States Government documents dated  
6 January 9, 1919, June 1, 1944, June 17, 1949,  
7 April 4, 1951, December 3, 1951, March 23, 1961,  
8 and February 14, 1963, listed Tibet as an entity  
9 separate and distinct from China.

10 (7) Article 1 of the International Covenant on  
11 Civil and Political Rights and Article 1 the Inter-  
12 national Covenant on Economic, Social and Cultural  
13 Rights provide that "All peoples have the right of  
14 self-determination. By virtue of that right they freely  
15 determine their political status and freely pursue  
16 their economic, social and cultural development."

17 (8) Under international law, including United  
18 Nations General Assembly Resolution 2625, the  
19 right to self-determination is the right of a people to  
20 determine its own destiny and the exercise of this  
21 right can result in a variety of outcomes ranging  
22 from independence, federation, protection, some  
23 form of autonomy or full integration within a State.

24 (9) United Nations General Assembly Resolu-  
25 tion 1723, adopted on December 20, 1961, called for

1 the “cessation of practices which deprive the Tibetan  
2 people of their fundamental human rights and free-  
3 doms, including their right to self-determination.”.

4 (10) In a December 30, 1950, note to the Gov-  
5 ernments of the United Kingdom and India, the De-  
6 partment of State wrote that “The United States,  
7 which was one of the early supporters of the prin-  
8 ciple of self-determination of peoples, believes that  
9 the Tibetan people has the same inherent right as  
10 any other to have the determining voice in its polit-  
11 ical destiny. It is believed further that, should devel-  
12 opments warrant, consideration could be given to  
13 recognition of Tibet as an independent State.”.

14 (11) In a June 2, 1951, telegram to the United  
15 States Embassy in New Delhi, the State Depart-  
16 ment wrote that Tibet should not “be compelled by  
17 duress [to] accept [the] violation [of] its autonomy”  
18 and that the Tibetan people should “enjoy certain  
19 rights [of] self-determination, commensurate with  
20 [the] autonomy Tibet has maintained since [the]  
21 Chinese revolution.”.

22 (12) Secretary of State Antony Blinken, in a  
23 May 26, 2022, speech entitled “The Administra-  
24 tion’s Approach to the People’s Republic of China,”  
25 said that the rules-based international order’s

1 “founding documents include the UN Charter and  
2 the Universal Declaration of Human Rights, which  
3 enshrined concepts like self-determination, sov-  
4 ereignty, the peaceful settlement of disputes. These  
5 are not Western constructs. They are reflections of  
6 the world’s shared aspirations.”.

7 (13) The Tibetan Policy Act of 2002 (22  
8 U.S.C. 6901 note), in directing the United States  
9 Government “to promote the human rights and dis-  
10 tinct religious, cultural, linguistic, and historical  
11 identity of the Tibetan people” acknowledges that  
12 the Tibetan people possess a distinct religious, cul-  
13 tural, linguistic, and historical identity.

14 (14) Department of State reports on human  
15 rights and religious freedom have consistently docu-  
16 mented repression by the People’s Republic of China  
17 authorities against Tibetans as well as acts of defi-  
18 ance and resistance by Tibetan people against the  
19 People’s Republic of China policies.

20 (15) Section 355 of the Foreign Relations Au-  
21 thorization Act, Fiscal Years 1992 and 1993 (Public  
22 Law 102–138; 105 Stat. 713) stated that it is the  
23 sense of Congress that—

24 (A) “Tibet, including those areas incor-  
25 porated into the Chinese provinces of Sichuan,

1 Yunnan, Gansu, and Qinghai, is an occupied  
2 country under the established principles of  
3 international law”;

4 (B) “Tibet’s true representatives are the  
5 Dalai Lama and the Tibetan Government in  
6 exile as recognized by the Tibetan people”;

7 (C) “Tibet has maintained throughout its  
8 history a distinctive and sovereign national, cul-  
9 tural, and religious identity separate from that  
10 of China and, except during periods of illegal  
11 Chinese occupation, has maintained a separate  
12 and sovereign political and territorial identity”;

13 (D) “historical evidence of this separate  
14 identity may be found in Chinese archival docu-  
15 ments and traditional dynastic histories, in  
16 United States recognition of Tibetan neutrality  
17 during World War II, and in the fact that a  
18 number of countries including the United  
19 States, Mongolia, Bhutan, Sikkim, Nepal,  
20 India, Japan, Great Britain, and Russia recog-  
21 nized Tibet as an independent nation or dealt  
22 with Tibet independently of any Chinese gov-  
23 ernment”;

1 (E) “1949–1950, China launched an  
2 armed invasion of Tibet in contravention of  
3 international law”;

4 (F) “it is the policy of the United States  
5 to oppose aggression and other illegal uses of  
6 force by one country against the sovereignty of  
7 another as a manner of acquiring territory, and  
8 to condemn violations of international law, in-  
9 cluding the illegal occupation of one country by  
10 another”; and

11 (G) “numerous United States declarations  
12 since the Chinese invasion have recognized Ti-  
13 bet’s right to self-determination and the ille-  
14 gality of China’s occupation of Tibet.”.

15 (16) The joint explanatory statement to accom-  
16 pany division K of the Consolidated Appropriations  
17 Act, 2023 (Public Law 117–328) states that “Funds  
18 appropriated by the Act shall not be used to produce  
19 or disseminate documents, maps, or other materials  
20 that recognize or identify Tibet, including the Tibet  
21 Autonomous Region and other Tibetan autonomous  
22 counties and prefectures, as part of the PRC until  
23 the Secretary of State reports to the appropriate  
24 congressional committees that the Government of  
25 the PRC has reached a final negotiated agreement

1 on Tibet with the Dalai Lama or his representatives  
2 or with democratically elected leaders of the Tibetan  
3 people.”.

4 **SEC. 3. STATEMENT OF POLICY.**

5 It is the policy of the United States that—

6 (1) the Tibetan people are a people entitled to  
7 the right of self-determination under international  
8 law, including the International Covenant on Civil  
9 and Political Rights and the International Covenant  
10 on Economic, Social and Cultural Rights and that  
11 their ability to exercise this right is precluded by the  
12 current policies of the People’s Republic of China;  
13 and

14 (2) the conflict between Tibet and the People’s  
15 Republic of China is unresolved, and that the legal  
16 status of Tibet remains to be determined in accord-  
17 ance with international law.

18 **SEC. 4. SENSE OF CONGRESS.**

19 It is the sense of Congress that—

20 (1) claims made by officials of the People’s Re-  
21 public of China and the Chinese Communist Party  
22 that Tibet has been a part of China since ancient  
23 times are historically false;

24 (2) the Government of the People’s Republic of  
25 China has failed to meet the expectations of the



1 United States to engage in meaningful dialogue with  
2 the Dalai Lama or his representatives toward a  
3 peaceful settlement of the unresolved conflict be-  
4 tween Tibet and the People’s Republic of China; and

5 (3) United States public diplomacy efforts  
6 should counter disinformation about Tibet from the  
7 Government of the People’s Republic of China and  
8 the Chinese Communist Party, including  
9 disinformation about the history of Tibet, the Ti-  
10 betan people, and Tibetan institutions including that  
11 of the Dalai Lama.

12 **SEC. 5. MODIFICATIONS TO THE TIBETAN POLICY ACT OF**  
13 **2002.**

14 (a) TIBET NEGOTIATIONS.—Section 613(b) of the  
15 Tibetan Policy Act of 2002 (22 U.S.C. 6901 note) is  
16 amended—

17 (1) in paragraph (1), by striking “and” at the  
18 end;

19 (2) in paragraph (2), by striking the period at  
20 the end and inserting “; and”; and

21 (3) by adding at the end the following:

22 “(3) efforts to counter disinformation about  
23 Tibet from the Government of the People’s Republic  
24 of China and the Chinese Communist Party, includ-  
25 ing disinformation about the history of Tibet, the

1 Tibetan people, and Tibetan institutions including  
2 that of the Dalai Lama.”.

3 (b) UNITED STATES SPECIAL COORDINATOR FOR TI-  
4 BETAN ISSUES.—Section 621(d) of the Tibetan Policy Act  
5 of 2002 (22 U.S.C. 6901 note) is amended—

6 (1) by redesignating paragraphs (6), (7), and  
7 (8) as paragraphs (7), (8), and (9), respectively; and

8 (2) by inserting after paragraph (5) the fol-  
9 lowing:

10 “(6) work to ensure that United States Govern-  
11 ment statements and documents counter, as appro-  
12 priate, disinformation about Tibet from the Govern-  
13 ment of the People’s Republic of China and the Chi-  
14 nese Communist Party, including disinformation  
15 about the history of Tibet, the Tibetan people, and  
16 Tibetan institutions including that of the Dalai  
17 Lama;”.

18 (c) GEOGRAPHIC DEFINITION OF TIBET.—The Ti-  
19 betan Policy Act of 2002 (22 U.S.C. 6901 note) is amend-  
20 ed by adding at the end the following:

21 “SEC. 622. GEOGRAPHIC DEFINITION OF TIBET.

22 “In this Act and in implementing policies relating to  
23 the Tibetan people under other provisions of law, the term  
24 ‘Tibet’, unless otherwise specified, means—

25 “(1) the Tibet Autonomous Region; and

1           “(2) the Tibetan areas of Qinghai, Sichuan,  
2           Gansu, and Yunnan provinces.”.

3   **SEC. 6. AVAILABILITY OF AMOUNTS TO COUNTER**  
4           **DISINFORMATION ABOUT TIBET.**

5           Amounts authorized to be appropriated or otherwise  
6   made available to carry out section 201(c) of the Asia Re-  
7   assurance Initiative Act of 2018 (22 U.S.C. 2292 et seq.)  
8   are authorized to be made available to counter  
9   disinformation about Tibet from the Government of the  
10   People’s Republic of China and the Chinese Communist  
11   Party, including disinformation about the history of Tibet,  
12   the Tibetan people, and Tibetan institutions including that  
13   of the Dalai Lama.

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AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R.  
533 OFFERED BY MR. MEEKS

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AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 533  
OFFERED BY MR. MEEKS OF NEW YORK

Strike all after the enacting clause and insert the  
following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Promoting a Resolu-  
3 tion to the Tibet-China Dispute Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) It has been the long-standing policy of the  
7 United States to encourage meaningful and direct  
8 dialogue between representatives of the People’s Re-  
9 public of China and the Dalai Lama, his or her rep-  
10 resentatives, or democratically elected leaders of the  
11 Tibetan community, without preconditions, to seek a  
12 settlement that resolves differences.

13 (2) Nine rounds of dialogue held between 2002  
14 and 2010 between the People’s Republic of China  
15 authorities and the 14th Dalai Lama’s representa-  
16 tives failed to produce a settlement that resolved dif-  
17 ferences, and the two sides have held no formal dia-  
18 logue since January 2010.

1           (3) An obstacle to further dialogue is that the  
2           Government of the People's Republic of China con-  
3           tinues to impose conditions on substantive dialogue  
4           with the Dalai Lama, including a demand that he  
5           say that Tibet has been part of China since ancient  
6           times, which the Dalai Lama has refused to do be-  
7           cause it is inaccurate.

8           (4) Article 1 of the International Covenant on  
9           Civil and Political Rights and Article 1 of the Inter-  
10          national Covenant on Economic, Social and Cultural  
11          Rights provide that "All peoples have the right of  
12          self-determination. By virtue of that right they freely  
13          determine their political status and freely pursue  
14          their economic, social and cultural development."

15          (5) The United States Government has never  
16          taken the position that Tibet was a part of China  
17          since ancient times.

18          (6) China signed the International Covenant on  
19          Civil and Political Rights on October 5, 1998, and  
20          ratified the International Covenant on Economic,  
21          Social and Cultural Rights on March 27, 2001.

22          (7) Under international law, including United  
23          Nations General Assembly Resolution 2625, the  
24          right to self-determination is the right of a people to  
25          determine its own destiny and the exercise of this

1 right can result in a variety of outcomes ranging  
2 from independence, federation, protection, some  
3 form of autonomy or full integration within a State.

4 (8) United Nations General Assembly Resolu-  
5 tion 1723, adopted on December 20, 1961, called for  
6 the “cessation of practices which deprive the Tibetan  
7 people of their fundamental human rights and free-  
8 doms, including their right to self-determination.”.

9 (9) Secretary of State Antony Blinken, in a  
10 May 26, 2022, speech entitled “The Administra-  
11 tion’s Approach to the People’s Republic of China,”  
12 said that the rules-based international order’s  
13 “founding documents include the UN Charter and  
14 the Universal Declaration of Human Rights, which  
15 enshrined concepts like self-determination, sov-  
16 ereignty, the peaceful settlement of disputes. These  
17 are not Western constructs. They are reflections of  
18 the world’s shared aspirations.”.

19 (10) The Tibetan Policy Act of 2002 (22  
20 U.S.C. 6901 note), as amended by the Tibetan Pol-  
21 icy and Support Act of 2020, in directing the United  
22 States Government “to promote the human rights  
23 and distinct religious, cultural, linguistic, and histor-  
24 ical identity of the Tibetan people” acknowledges

1       that the Tibetan people possess a distinct religious,  
2       cultural, linguistic, and historical identity.

3       (11) Department of State reports on human  
4       rights and religious freedom have consistently docu-  
5       mented systematic repression by the authorities of  
6       the People's Republic of China against Tibetans as  
7       well as acts of defiance and resistance by Tibetan  
8       people against the People's Republic of China poli-  
9       cies.

10       (12) The Tibetan Policy Act of 2002 (22  
11       U.S.C. 6901 note), as amended by the Tibetan Pol-  
12       icy and Support Act of 2020, specifies that the cen-  
13       tral objective of the United States Special Coordi-  
14       nator for Tibetan Issues is to promote substantive  
15       dialogue between the Government of the People's  
16       Republic of China and the Dalai Lama, his or her  
17       representatives, or democratically elected leaders of  
18       the Tibetan community.

19   **SEC. 3. STATEMENT OF POLICY.**

20       It is the policy of the United States—

21       (1) that the Tibetan people are a people with a  
22       distinct religious, cultural, linguistic and historical  
23       identity;

24       (2) that the dispute between Tibet and the Peo-  
25       ple's Republic of China must be resolved in accord-

1       ance with international law, including the United  
2       Nations Charter, by peaceful means, through dia-  
3       logue without preconditions;

4       (3) that the People's Republic of China should  
5       cease its propagation of disinformation about the  
6       history of Tibet, the Tibetan people, and Tibetan in-  
7       stitutions, including that of the Dalai Lama;

8       (4) to encourage the People's Republic of China  
9       to uphold all its commitments under the Inter-  
10      national Covenant on Civil and Political Rights and  
11      the International Covenant on Economic, Social, and  
12      Cultural Rights; and

13      (5) in accordance with the Tibetan Policy and  
14      Support Act of 2020—

15      (A) to promote substantive dialogue with-  
16      out pre-conditions, between the Government of  
17      the People's Republic of China and the Dalai  
18      Lama, his or her representatives, or democrat-  
19      ically elected leaders of the Tibetan community,  
20      or explore activities to improve prospects for  
21      dialogue, that leads to a negotiated agreement  
22      on Tibet;

23      (B) to coordinate with other governments  
24      in multilateral efforts towards the goal of a ne-  
25      gotiated agreement on Tibet; and



1 (C) to encourage the Government of the  
2 People's Republic of China to address the aspi-  
3 rations of the Tibetan people with regard to  
4 their distinct historical, cultural, religious, and  
5 linguistic identity.

6 **SEC. 4. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) claims made by officials of the People's Re-  
9 public of China and the Chinese Communist Party  
10 that Tibet has been a part of China since ancient  
11 times are historically inaccurate;

12 (2) the current policies of the People's Republic  
13 of China are systematically suppressing the ability of  
14 the Tibetan people to preserve their religion, culture,  
15 language, history, way of life and environment;

16 (3) the Government of the People's Republic of  
17 China is failing to meet the expectations of the  
18 United States to engage in meaningful dialogue with  
19 the Dalai Lama or his representatives or to reach a  
20 negotiated resolution that includes the aspirations of  
21 the Tibetan people; and

22 (4) United States public diplomacy efforts  
23 should counter disinformation about Tibet from the  
24 Government of the People's Republic of China and  
25 the Chinese Communist Party, including

1       disinformation about the history of Tibet, the Ti-  
2       betan people, and Tibetan institutions including that  
3       of the Dalai Lama.

4 **SEC. 5. MODIFICATIONS TO THE TIBETAN POLICY ACT OF**  
5 **2002.**

6       (a) TIBET NEGOTIATIONS.—Section 613(b) of the  
7 Tibetan Policy Act of 2002 (22 U.S.C. 6901 note) is  
8 amended—

9           (1) in paragraph (2), by striking “and” at the  
10       end;

11          (2) in paragraph (3), by striking the period at  
12       the end and inserting “; and”; and

13          (3) by adding at the end the following:

14           “(4) efforts to counter disinformation about  
15       Tibet from the Government of the People’s Republic  
16       of China and the Chinese Communist Party, includ-  
17       ing disinformation about the history of Tibet, the  
18       Tibetan people, and Tibetan institutions including  
19       that of the Dalai Lama.”.

20       (b) UNITED STATES SPECIAL COORDINATOR FOR TI-  
21 BETAN ISSUES.—Section 621(d) of the Tibetan Policy Act  
22 of 2002 (22 U.S.C. 6901 note) is amended—

23           (1) by redesignating paragraphs (6), (7), and  
24       (8) as paragraphs (7), (8), and (9), respectively; and

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1 (2) by inserting after paragraph (5) the fol-  
2 lowing:

3 “(6) work with relevant bureaus of the Depart-  
4 ment of State and the United States Agency for  
5 International Development to ensure that United  
6 States Government statements and documents  
7 counter, as appropriate, disinformation about Tibet  
8 from the Government of the People’s Republic of  
9 China and the Chinese Communist Party, including  
10 disinformation about the history of Tibet, the Ti-  
11 betan people, and Tibetan institutions including that  
12 of the Dalai Lama;”.

13 (c) DEFINITION.—The Tibetan Policy Act of 2002  
14 (22 U.S.C. 6901 note) is amended by adding at the end  
15 the following:

16 **“SEC. 622. DEFINITION.**

17 “For purposes of this Act, the term ‘Tibet’ refers to  
18 the following areas:

19 “(1) The Tibet Autonomous Region.

20 “(2) The areas that the Government of the Peo-  
21 ple’s Republic of China designated as Tibetan Au-  
22 tonomous, as of 2018, as follows:

23 “(A) Kanlho (Gannan) Tibetan Autono-  
24 mous Prefecture, and Pari (Tianzhu) Tibetan  
25 Autonomous County located in Gansu Province.

1 “(B) Golog (Guoluo) Tibetan Autonomous  
 2 Prefecture, Malho (Huangnan) Tibetan Autono-  
 3 mous Prefecture, Tsojiang (Haibei) Tibetan Au-  
 4 tonomous Prefecture, Tsolho (Hainan) Tibetan  
 5 Autonomous Prefecture, Tsonub (Haixi) Mon-  
 6 golian and Tibetan Autonomous Prefecture, and  
 7 Yulshul (Yushu) Tibetan Autonomous Prefec-  
 8 ture, located in Qinghai Province.

9 “(C) Garze (Ganzi) Tibetan Autonomous  
 10 Prefecture, Ngawa (Aba) Tibetan and Qiang  
 11 Autonomous Prefecture, and Muli (Mili) Ti-  
 12 betan Autonomous County, located in Sichuan  
 13 Province.

14 “(D) Dechen (Diqing) Tibetan Autono-  
 15 mous Prefecture, located in Yunnan Province.”.

16 **SEC. 6. AVAILABILITY OF AMOUNTS TO COUNTER**  
 17 **DISINFORMATION ABOUT TIBET.**

18 Amounts authorized to be appropriated or otherwise  
 19 made available to carry out section 201(c) of the Asia Re-  
 20 assurance Initiative Act of 2018 (22 U.S.C. 2292 et seq.)  
 21 are authorized to be made available to counter  
 22 disinformation about Tibet from the Government of the  
 23 People’s Republic of China and the Chinese Communist  
 24 Party, including disinformation about the history of Tibet,

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1 the Tibetan people, and Tibetan institutions including that  
2 of the Dalai Lama.



Chairman MCCAUL. The bill was circulated in advance and the Clerk shall designate the bill.

The CLERK. H.R. 533, to Amend the Tibetan Policy Act of 2002 to modify certain provisions of that act. Be it enacted by the Senate and the House of Representatives of the United States of America in Congress, assembled Section 1 short title. This act may be cited as the promoting of resolution to the Tibetan-China Conflict Act, Section 2 findings. Congress—

Chairman MCCAUL. Without objection, the first reading is dispensed with, the bill is considered read and open to amendment at any point. Without objection, the Meeks Amendment No. 15 in the nature of a substitute was circulated to members in advance shall be considered as read and will be treated as original text for purposes of the amendment.

I now recognize myself in support of this bill. First of all, I want to thank those who have attended—that represent the great Tibet people, Tibetan people, the Nation that has been oppressed for so many years by the Chinese Communist Party. We welcome you and we are so glad that we have come to this great day where this committee will pass and move out of this committee this Tibetan resolution that will get to the House floor, pass, and I predict will pass the Senate and be signed into law. Thank you so much for being here.

The world is no stranger to the CCP's aggression and excessive claims and nobody knows that more than the Tibetan people. From ramming Philippines' boats to killing Australian servicemen, to claiming ownership over Taiwan, the CCP seeks to dominate the entire Indo-Pacific. The CCP has a long and violent record of oppression against the people of Tibet.

In October 1950, Chinese communist troops annexed Tibet, killing tens of thousands of Tibetans and monks. The CCP's on-going oppression of the people of Tibet ultimately forced the Dalai Lama to flee to India. This persecution has continued to this day. Just last week, the CCP released a White Paper on its policies in Tibet. In this document, the party doubles down on its oppression and crackdown on the religious and economic freedom of Tibetan people. Some of the actions taken by the CCP include setting up boarding schools to quote re-educate Tibetan children, clamping down on the use of Tibetan language, restricting movement of Tibetans, and even attempting to insert themselves into the succession of the Dalai Lama. Well, thank God, the Dalai Lama said that the new Dalai Lama, it will be reborn, will not be born in China. This White Paper demonstrates the need for this bill and I am proud to have co-introduced it with Representative McGovern.

The promoting a resolution to the Tibetan-China Dispute Act helps Tibetans in two major ways. First, it pushes back against CCP propaganda about the history of Tibet. The United States has never accepted that "Tibet was part of China since ancient times" as the CCP falsely claims. This legislation clarifies U.S. policy, highlights the unique language, religion, and culture of the Tibetan people and directs U.S. diplomacy to push back against CCP propaganda.

Additionally, it ensures Tibetans have a say in their own future, not the CCP. This bill stresses the need for a dialog between the

CCP and the democratically elected leaders of Tibet. Any resolution must include the wishes and the voice of the Tibetan people.

Tibetans are a democracy-loving people who wish to practice their own religion, freely, and have their own wishes and desires acknowledged as we do in the United States of America. The freedoms that we enjoy we want to be enjoyed by the people of Tibet.

So I am proud to have played a very small role and part in supporting this dream for the Tibetan people. I want to thank you for being here today. I hope you can be here when it passes on the House floor. I encourage you to relay my best wishes to the Dalai Lama and I encourage all my colleagues to push back against the crackdown of religious and ethnic minorities like the Tibetan people and vote in favor of this bill.

I also want to thank my good friend again, Mr. Meeks, for working with me to get to this point where we are today. And with that, I recognize the ranking member, Mr. Meeks.

Mr. MEEKS. Thank you, Mr. Chairman. And before I get started on my remarks, I just want to welcome a new member to our committee. Gabe Amo from Rhode Island, won a special election and has been here. This is his first full committee meeting. He is an individual that is going to add a lot to our committee in the same spirit of what we work in a bipartisan way. He comes well equipped. He will sit on all the subcommittees of which David Cicilline, his predecessor, sat on previously. And I think that you will find that he will be a huge addition to our committee and working together. And so, Dave, welcome to the House Foreign Affairs Committee.

I want to also, as Chairman McCaul, welcome the Tibetan people for being here for this long-awaited bill to pass. And like the chairman has said, who has been working on this for a long time, along with Mr. McGovern, that we want to make sure that the message is clear when we talk about freeing people from oppression. And so welcome to the House Foreign Affairs Committee and welcome to the U.S. House of Representatives. And, please, send our greetings back to the Dalai Lama.

Now I support this bill that Representative Jim McGovern and Chairman McCaul have put forward because for far too long Beijing repressed the Tibetan people and choked its commitments to work with the Dalai Lama and his representatives to resolve the Tibet question through dialog.

I am deeply concerned by the on-going effort by Beijing to dilute the distinct religious, cultural, linguistic, and historical identity of the Tibetan people. For example, Beijing is shutting down local schools in Tibetan areas and replacing them with centralized Chinese boarding schools that separate children from their families and communities. Multiple U.N. Special Rapporteurs have raised concerns about this forced assimilation, warning that the residential school system appears to, and I quote "appears to act as a mandatory, large-scale program intended to assimilate Tibetans and the majority Han culture contrary to international human rights standards."

And while Beijing is engaged in these tactics to suppress Tibetan culture, it has propagated a disinformation campaign about Tibet and its history. And contrary to its commitments, the People's Re-

public of China has not engaged in a formal dialog on the Tibet question with the Dalai Lama since 2010.

H.R. 533 calls Beijing out on its campaign of repression and its neglect of the aspirations of the Tibetan people. It aims to raise awareness about the suppression of Tibetan identity, language and culture and counter the PRC's disinformation efforts aimed at undermining the Tibetan people's aspirations. It reinforces U.S. support for the Tibetan people and calls for a meaningful dialog between the PRC and Tibetan representatives to reach a negotiated solution on the question of Tibet.

Importantly, the bill also amends the Tibetan Policy Act of 2002 by strengthening U.S. public diplomacy efforts, countering PRC's disinformation about Tibet. This is an important and very timely measure and I want to thank Representative McGovern and Chairman McCaul for introducing it and for being a long-term champion of the Tibetan people.

I also want to thank Speaker Emerita Nancy Pelosi for her support of this bill and for her long principled conviction to hold the PRC accountable for its human rights violations.

So, with that, Mr. Chairman, I urge all of my colleagues to join me in supporting this measure and I yield back the balance of my time.

Chairman MCCAUL. The gentleman yields.

Is there any further discussion?

Mr. Perry? Oh, I'm sorry. Mr. Smith is recognized.

Mr. SMITH. Thank you, Mr. Chairman. I do rise in strong support of H.R. 588—533, I should say. And I want to thank Jim McGovern, who is a good friend, for sponsoring it, and Mr. Meeks for the amendment in the nature of a substitute. And I'm very proud to be one of the cosponsors of the bill.

Tibet and Tibetan people today face new and worsening challenges from the Chinese Communist Party and their repressive rule. Threats to Tibet's linguistic, religious, and cultural heritage have expanded exponentially in recent years. And now, an estimated 80 percent of all children in the Tibet Autonomous Region are separated from their families and educated in a massive system of colonial boarding schools—a deeply troubling fact about the Chinese Communist Party's efforts to forcibly assimilate non-Han ethnic and religious groups. They are trying to change radically how those young children think about their lives and about their culture and about their faith.

In recent years, Chinese police in Tibet have conducted mass DNA collection and iris-scanning programs in wide swathes of Tibetan society, including in monasteries and primary schools—a sinister endeavor to harvest biometric data, and one which implicates an American company, Thermo Fisher Scientific.

Amid these threats to Tibetans in Tibet, the Chinese Communist Party also seeks to extend its repressive reach abroad, targeting for surveillance and harassment Tibetan diaspora communities in the United States, India, and in Nepal.

The Chinese Communist Party has long engaged in crimes against humanity in Tibet and against Tibetans. I have chaired multiple hearings with my good friend McGovern and on my subcommittee, and also, on the China Commission. We held one last



March and the focus, the title was: "Preserving Tibet: Combating Cultural Erasure, Forced Assimilation, and Transnational Repression," which featured the Sikyong, the head of the Tibetan government in exile, as well as Richard Gere. And just let me tell you, there is no one more passionate and articulate anywhere in the world than Richard Gere for many, many, many years.

Countering disinformation and addressing intimidation of Tibetans and transnational repression, thankfully, is a priority of this committee. And thank you for that, Mr. Chairman.

This bill authorizes the State Department to take actions to counter Chinese Communist propaganda directed against Tibet, including about Tibet's history and institutions. And for that reason alone, it should be supported.

During a month when the atheist communist party claims that the Dalai Lama cannot recognize a successor without their approval, this bill is timely and sends the right message that this Congress stands with the Tibetan people in their struggle for freedom and fundamental human rights.

And again, I want to thank those who are here today on behalf of the community for their leadership as well.

I yield back.

Chairman MCCAUL. Is there any further discussion on the bill? Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Mr. Chairman.

I just want to join in thanking the authors of this bill for bringing it forward.

I led the first congressional STAFFDEL to Tibet in 1986, and we could witness—and did—the systematic destruction of Tibetan culture, even though we were under the watchful eyes of handlers from Beijing. Monks at monasteries would come up to us, once they knew we weren't Russian, and would tell us about the suppression, about the torture, about imprisonment, about the destruction of cultural treasures in Tibet—all designed to impose the Han culture on Tibet.

There was also, and has been, a systematic attempt by the Chinese to repopulate Tibet, so that it loses its Tibetan heritage, culture, and distinct identity.

A few years ago, I had the privilege of meeting with the Dalai Lama in Dharamshala and to see the conditions the Tibetan leadership is sort of forced to live with in exile because the Han forcibly moved them out.

And Tibet is a distinct culture. It has a distinct identity. And I hope someday they will be able to achieve that distinction with their own independence and autonomy.

But I think this bill is an important statement by the Congress, and I'm so pleased to want to vote for it. So, thank you, Mr. Chairman, and thank you to my colleagues for bringing it forward.

I yield back.

Chairman MCCAUL. The gentleman yields.

I thank you as well.

Is there any further discussion on the bill?

Mr. Perry is recognized.

Mr. PERRY. I thank the chairman and thank—will miracles never cease—me and Chairman McGovern on the same side of an issue,

it's awesome when that bipartisanship can happen, as the former chairman of this committee also knows.

I would say this: I am supportive of this bill and I appreciate the constant pressure against the Communist Party of China, but I would also say that I would like to see it be much stronger. I think that we ought to open an embassy in Lhasa. I think we ought to recognize the government, the legitimate Tibetan government in exile, and let the Chinese Communist Party know where America truly stands and that we do not accept what they're doing in Tibet and to the Tibetan people; and not only do we not accept it, we're willing to do something about it.

The tough rhetoric is nice and it is helpful, but it is not enough. And so, I hope this is just the beginning and not nearly the end of what we do in regard to supporting the people of Tibet and being opposed to the oppression and the dictatorial measures of the Communist Party of China.

And with that, I yield the balance, Mr. Chairman.

Chairman McCAUL. The gentleman yields.

Any further discussion on the bill?

Yes, the gentleman is recognized from South Carolina.

Mr. WILSON. Thank you, Mr. Chairman. And Chairman Mike McCaul and Ranking Member Greg Meeks, thank you for bringing these important bipartisan measures that are coming up today before the Foreign Affairs Committee.

And I want to especially welcome Congressman Gabe Amo of Rhode Island with his Liberian heritage, and I am grateful with Ranking Member Greg Meeks. We all share a South Carolina heritage.

All of the legislation before the committee today covers important policy that has a direct impact on American citizens. And I'm grateful to be a cosponsor with Chairman Jim McGovern and Chairman Mike McCaul for promoting a resolution on the Tibet-China Conflict Act. This bill pushes for a conversation and resolution to the decades-long illegal occupation of Tibet by the Chinese Communist Party.

The Chinese Communist Party dictatorship oppresses the people of China. I personally appreciate the people of China, as my father, First Lieutenant Hugh Wilson, served in the 14th Air Force Flying Tigers, U.S. Army Air Corps, in World War II to liberate the people of China, as he served in Xi'an, Chengdu, and Kunming.

The Dalai Lama has pushed for peace since the 1950 illegal invasion of the sovereign nation of Tibet by Dictator Mao Zedong. China proved their intent for not only territorial annexation, but for the greater genocide of Tibetans with the kidnapping of the Panchen Lama at 6 years old, just 3 days after being named to the role in 1995. China has continued their cultural genocide, announcing Tibet does not exist and pushing for the false name of Xizang.

I agree very much with my colleague Congressman Scott Perry that this should be the beginning of passage of legislation to stand up for the people of Tibet and stand against the Chinese Communist Party genocide in Tibet. This is, again, just as false as what the Chinese Communist Party is doing today, that Tibet does not exist, as we hear that the 24 million people of Taiwan do not exist,

either. We should be working together as we face the threats of the dictatorial Chinese Communist Party.

I yield back.

Chairman MCCAUL. The gentleman yields.

Any further discussion on the bill?

There being no further discussion, the committee will move to consideration of amendments.

Does any member wish to offer an amendment?

There being no amendments, I move the committee report H.R. 533, as amended, to the House with a favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the motion is agreed to.

Without objection, the motion to reconsider is laid on the table.

The staff is authorized to make any technical and conforming changes.

Pursuant to notice, I now call up H.R. 2766, the Uyghur Policy Act of 2023.

The bill was circulated in advance.

The clerk shall designate the bill.

The CLERK. "H.R. 2766, To support the human rights of Uyghurs and members of the minority groups residing primarily in the Xinjiang Uyghur Autonomous"——

Chairman MCCAUL. Without objection, the first reading is dispensed with.

The bill is considered read and open to amendment at any point.

[The bill H.R. 2766 follows:]

118TH CONGRESS  
1ST SESSION

# H. R. 2766

To support the human rights of Uyghurs and members of other minority groups residing primarily in the Xinjiang Uyghur Autonomous Region and safeguard their distinct identity, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2023

Mrs. KIM of California (for herself, Mr. BERA, Mrs. RADEWAGEN, Mr. SHERMAN, Mr. HILL, Ms. TENNEY, Mr. JOHNSON of Ohio, Mr. PHILLIPS, Mr. FITZPATRICK, Mr. PETERS, Ms. TITUS, Ms. NORTON, Mr. ARMSTRONG, Mr. KEATING, Mr. COSTA, Ms. WILD, Ms. TOKUDA, and Ms. WEXTON) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To support the human rights of Uyghurs and members of other minority groups residing primarily in the Xinjiang Uyghur Autonomous Region and safeguard their distinct identity, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Uyghur Policy Act of  
5 2023”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The People's Republic of China (PRC) con-  
4 tinues to repress the distinct Islamic, Turkic identity  
5 of Uyghurs and members of other minority groups  
6 of the Xinjiang Uyghur Autonomous Region  
7 (XUAR) in northwestern China and other areas of  
8 their habitual residence.

9 (2) Uyghurs, and other predominantly Muslim  
10 ethnic minorities historically making up the majority  
11 of the XUAR population, have maintained through-  
12 out their history a distinct religious and cultural  
13 identity.

14 (3) Human rights, including freedom of religion  
15 or belief, and respect for the Uyghurs' unique Mus-  
16 lim identity are legitimate interests of the inter-  
17 national community.

18 (4) The People's Republic of China has ratified  
19 the International Covenant on Economic, Social, and  
20 Cultural Rights and is thereby bound by its provi-  
21 sions. The PRC has also signed the International  
22 Covenant on Civil and Political Rights. Article One  
23 of both covenants state that all peoples have the  
24 right to self-determination.

25 (5) An official campaign to encourage Han Chi-  
26 nese migration into the XUAR has placed immense

1 pressure on those who seek to preserve the ethnic,  
2 cultural, religious, and linguistic traditions of the  
3 Uyghur people. Chinese authorities have supported  
4 an influx of Han Chinese economic immigrants into  
5 the XUAR, implemented discrimination against  
6 Uyghurs in hiring practices, and provided unequal  
7 access to healthcare services.

8 (6) The authorities of the People's Republic of  
9 China have manipulated the strategic objectives of  
10 the international war on terror to mask their in-  
11 creasing cultural and religious oppression of the  
12 Muslim population residing in the XUAR.

13 (7) Following unrest in the region, in 2014,  
14 Chinese authorities launched their “Strike Hard  
15 against Violent Extremism” campaign, in which du-  
16 bious allegations of widespread extremist activity  
17 were used as justification for gross human rights  
18 violations committed against members of the Uyghur  
19 community in the XUAR.

20 (8) PRC authorities have made use of the legal  
21 system as a tool of repression, including for the im-  
22 position of arbitrary detentions and for torture  
23 against members of the Uyghur community and  
24 other populations.

1           (9) Uyghurs and Kazakhs who have secured  
2           citizenship or permanent residency outside of the  
3           PRC have attested to repeated threats, harassment,  
4           and surveillance by PRC officials.

5           (10) Reporting from international news organi-  
6           zations has found that over the past decade, family  
7           members of Uyghurs living outside of the PRC have  
8           gone missing or been detained to force Uyghur expa-  
9           triates to return to the PRC or silence their dissent.

10          (11) Credible evidence from human rights orga-  
11          nizations, think tanks, and journalists confirms that  
12          more than 1,000,000 Uyghurs and members of other  
13          Muslim ethnic minority groups have been imprisoned  
14          in “political reeducation” centers.

15          (12) Independent accounts from former detain-  
16          ees of “political reeducation” centers describe inhu-  
17          mane conditions and treatment including forced po-  
18          litical indoctrination, torture, beatings, rape, forced  
19          sterilization, and food deprivation. Former detainees  
20          also confirmed that they were told by guards the  
21          only way to secure release was to demonstrate suffi-  
22          cient political loyalty to the PRC Government and  
23          the Chinese Communist Party.

24          (13) Popular discourse surrounding the ongoing  
25          atrocities in the XUAR and advocacy efforts to as-

1        sist Uyghurs remains muted in most Muslim major-  
2        ity nations around the world.

3            (14) Both Secretary of State Antony Blinken  
4        and Former Secretary of State Michael Pompeo  
5        have stated that the PRC Government has com-  
6        mitted genocide and crimes against humanity  
7        against Uyghurs and other ethnic and religious mi-  
8        norities in the XUAR.

9            (15) Government bodies of multiple nations  
10       have also declared that PRC Government atrocities  
11       against such populations in the XUAR constitute  
12       genocide, including the parliaments of the United  
13       Kingdom, Belgium, Czechia, Lithuania, the Nether-  
14       lands, and Canada.

15    **SEC. 3. DECLARATIONS OF POLICY.**

16       Congress—

17            (1) calls upon the Government of the People’s  
18       Republic of China to open the XUAR to regular,  
19       transparent, and unmanipulated visits by members  
20       of the press, Members of Congress, congressional  
21       staff delegations, the United States Special Coordi-  
22       nator for Uyghur Issues under section 4, and mem-  
23       bers and staff of the Congressional-Executive Com-  
24       mission on the People’s Republic of China;



1           (2) calls upon the Government of the People's  
2     Republic of China to recognize, and seek to ensure  
3     the preservation of, the distinct ethnic, cultural, reli-  
4     gious, and linguistic identity of Uyghurs and mem-  
5     bers of other ethnic and religious minority groups in  
6     the XUAR;

7           (3) calls upon the Government of the People's  
8     Republic of China to cease all government-sponsored  
9     crackdowns, imprisonments, and detentions of people  
10    throughout the XUAR aimed at those involved in  
11    the peaceful expression of their ethnic, cultural, po-  
12    litical, or religious identity;

13          (4) commends countries that have provided  
14    shelter and hospitality to Uyghurs in exile, including  
15    Turkey, Albania, and Germany; and

16          (5) urges countries with sizeable Muslim popu-  
17    lations, given commonalities in their religious and  
18    cultural identities, to demonstrate concern over the  
19    plight of Uyghurs.

20 **SEC. 4. UNITED STATES SPECIAL COORDINATOR FOR**  
21 **UYGHUR ISSUES.**

22          (a) **IN GENERAL.**—There is authorized to be within  
23 the Department of State a United States Special Coordi-  
24 nator for Uyghur Issues (in this section referred to as the

1 “Special Coordinator”), to be designated by the Secretary  
2 of State in accordance with subsection (b).

3 (b) CONSULTATION.—The Secretary of State shall  
4 consult with the Chairs and Ranking Members of the  
5 Committee on Foreign Relations of the Senate and the  
6 Committee on Foreign Affairs of the House of Representa-  
7 tives prior to the designation of the Special Coordinator.

8 (c) CENTRAL OBJECTIVE.—The Special Coordinator  
9 should seek to promote the protection and preservation of  
10 the distinct ethnic, cultural, religious, and linguistic iden-  
11 tities of the Uyghurs.

12 (d) DUTIES AND RESPONSIBILITIES.—The Special  
13 Coordinator should, as appropriate—

14 (1) coordinate United States Government poli-  
15 cies, programs, and projects concerning the  
16 Uyghurs;

17 (2) vigorously promote the policy of seeking to  
18 protect the distinct ethnic, religious, cultural, and  
19 linguistic identity of the Uyghurs and seek improved  
20 respect for human rights in the Xinjiang Uyghur  
21 Autonomous Region (XUAR);

22 (3) maintain close contact with Uyghur reli-  
23 gious, cultural, and political leaders, including seek-  
24 ing regular travel to the XUAR and to Uyghur pop-

1       ulations in Central Asia, Turkey, Albania, Germany,  
2       and other parts of Europe;

3           (4) lead coordination efforts for the release of  
4       political prisoners in the XUAR who are being de-  
5       tained for exercising their human rights;

6           (5) consult with the United States Congress on  
7       policies relevant to the XUAR and the Uyghurs;

8           (6) coordinate with relevant Federal agencies to  
9       administer aid to Uyghur rights advocates; and

10          (7) make efforts to establish contacts with for-  
11       eign ministries of other countries, especially in Eu-  
12       rope, Central Asia, and members of the Organisation  
13       of Islamic Cooperation, to pursue a policy of pro-  
14       moting greater respect for human rights and reli-  
15       gious freedom for Uyghurs and other ethnic and re-  
16       ligious minority groups persecuted in the PRC.

17       (e) SUPPORT.—The Secretary of State shall ensure  
18       the Special Coordinator has adequate resources, staff, and  
19       administrative support to carry out this section.

20       (f) DEADLINE.—If the Secretary of State has not  
21       designated the Special Coordinator by the date that is 180  
22       days after the date of the enactment of this Act, the Sec-  
23       retary shall submit to the Committee on Foreign Affairs  
24       of the House of Representatives and the Committee on

1 Foreign Relations of the Senate a report detailing the rea-  
2 sons for the delay.

3 (g) TERMINATION.—This section shall terminate on  
4 the date that is five years after the designation of the Spe-  
5 cial Coordinator.

6 **SEC. 5. PUBLIC DIPLOMACY IN THE ISLAMIC WORLD ON**  
7 **THE UYGHUR SITUATION.**

8 (a) FUNDING FOR HUMAN RIGHTS ADVOCATES.—Of  
9 the amounts authorized to be appropriated for the U.S.  
10 Speaker Program in the Bureau of Educational and Cul-  
11 tural Affairs of the Department of State, \$250,000 for  
12 each of fiscal years 2024, 2025, and 2026 is authorized  
13 to be available for human rights advocates on behalf of  
14 the Uyghurs and members of other ethnic and religious  
15 minority groups persecuted in the PRC, whose names may  
16 be provided by the Department of State and the United  
17 States Special Coordinator for Uyghur Issues in consulta-  
18 tion with representatives of the global Uyghur community,  
19 to speak at public diplomacy forums in Organisation of  
20 Islamic Cooperation countries and other regions on issues  
21 regarding the human rights and religious freedom of  
22 Uyghurs and members of other ethnic and religious minor-  
23 ity groups persecuted in the PRC.

24 (b) UNITED STATES AGENCY FOR GLOBAL MEDIA.—  
25 It is the sense of Congress that the United States Agency

1 for Global Media should facilitate the unhindered dissemi-  
2 nation of information to Organisation of Islamic Coopera-  
3 tion countries on issues regarding the human rights and  
4 religious freedom of Uyghurs and members of other mi-  
5 nority groups in the XUAR.

6 **SEC. 6. ACCESS TO DETENTION FACILITIES AND PRISONS**  
7 **AND THE RELEASE OF PRISONERS.**

8 (a) **SENSE OF CONGRESS ON POLITICAL REEDUCA-**  
9 **TION AND DETENTION FACILITIES.**—It is the sense of  
10 Congress that the United States Government should, in  
11 cooperation with other like-minded countries, develop a  
12 strategy to—

13 (1) pressure the People’s Republic of China to  
14 immediately close all detention facilities and “polit-  
15 ical reeducation” camps housing Uyghurs and mem-  
16 bers of other ethnic minority groups in the Xinjiang  
17 Uyghur Autonomous Region (XUAR); and

18 (2) support the United Nations Commissioner  
19 for Human Rights and numerous United Nations  
20 Special Rapporteurs’ urgent calls for immediate and  
21 unhindered access to detention facilities and “polit-  
22 ical reeducation” camps in the XUAR by inde-  
23 pendent international organizations and the Office of  
24 the United Nations High Commissioner for Human

1 Rights for a comprehensive assessment of the  
2 human rights situation.

3 (b) SENSE OF CONGRESS ON PRISON ACCESS AND  
4 PRISONER RELEASE.—It is the sense of Congress that the  
5 President and Secretary of State, in meetings with rep-  
6 resentatives of the Government of the People’s Republic  
7 of China, should—

8 (1) request the immediate and unconditional re-  
9 lease of all prisoners detained for their ethnic, cul-  
10 tural, religious, and linguistic identities, or for ex-  
11 pressing their political or religious beliefs in the  
12 XUAR;

13 (2) seek access for international humanitarian  
14 organizations, including the International Federation  
15 of Red Cross and Red Crescent Societies, to pris-  
16 oners in the XUAR to ensure such prisoners are not  
17 being mistreated and are receiving necessary medical  
18 care; and

19 (3) seek the immediate release of all prisoners  
20 who have been arbitrarily detained and sentenced  
21 without due process, including Ekpar Asat, who par-  
22 ticipated in the Department of State’s International  
23 Visitors Leadership Program in 2016, was incarcer-  
24 ated after returning to the XUAR, and is now serv-

1 ing a 15 year prison sentence on charges of “inciting  
2 ethnic hatred and ethnic discrimination”.

3 **SEC. 7. REQUIREMENT FOR UYGHUR LANGUAGE TRAINING.**

4 The Secretary of State shall ensure that Uyghur lan-  
5 guage training is available to Foreign Service officers as  
6 appropriate, and that every effort is made to ensure that  
7 a Uyghur-speaking member of the Foreign Service (as  
8 such term is described in section 103 of the Foreign Serv-  
9 ice Act of 1980 (22 U.S.C. 3903)) is assigned to United  
10 States diplomatic and consular missions in China.

11 **SEC. 8. UYGHUR CONSIDERATIONS AT THE UNITED NA-**  
12 **TIONS.**

13 It is the sense of Congress that—

14 (1) the United States Government should op-  
15 pose any efforts to prevent consideration of the  
16 issues related to the Xinjiang Uyghur Autonomous  
17 Region (XUAR) in any body of the United Nations;

18 (2) the United States Government should op-  
19 pose any efforts to prevent the participation of any  
20 Uyghur human rights advocates in nongovernmental  
21 fora hosted by or otherwise organized under the aus-  
22 pices of any body of the United Nations; and

23 (3) the Secretary of State should instruct the  
24 United States Permanent Representative to the  
25 United Nations to support the appointment of a spe-

1      cial rapporteur or working group for the XUAR for  
2      the purposes of monitoring human rights violations  
3      and abuses in the XUAR, and for making reports  
4      available to the High Commissioner for Refugees,  
5      the High Commissioner for Human Rights, the  
6      Human Rights Commission, the General Assembly,  
7      and other United Nations bodies.

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Chairman McCAUL. Without objection, the Kim Amendment No. 47 in the nature of a substitute, circulated to members in advance, shall be considered as read. It will be treated as original text for purposes of amendments.

[The Amendment No. 47 in the nature of a substitute offered by Mrs. Kim of California follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 2766  
OFFERED BY MRS. KIM OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Uyghur Policy Act of  
3 2023”.

**4 SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) The People’s Republic of China (PRC) con-  
7 tinues to repress the distinct Islamic, Turkic identity  
8 of Uyghurs and members of other ethnic and reli-  
9 gious minority groups in the Xinjiang Uyghur Au-  
10 tonomous Region (XUAR) in northwestern China  
11 and other areas of their habitual residence.

12 (2) Uyghurs, and other predominantly Muslim  
13 ethnic minorities historically making up the majority  
14 of the XUAR population, have maintained through-  
15 out their history a distinct religious and cultural  
16 identity.

17 (3) Human rights, including freedom of religion  
18 or belief, and respect for the Uyghurs’ unique Mus-

1       lim identity are legitimate interests of the inter-  
2       national community.

3       (4) The People's Republic of China has ratified  
4       the International Covenant on Economic, Social, and  
5       Cultural Rights and has also signed the Inter-  
6       national Covenant on Civil and Political Rights.

7       (5) An official campaign to encourage Han Chi-  
8       nese migration into the XUAR has placed immense  
9       pressure on those who seek to preserve the ethnic,  
10      cultural, religious, and linguistic traditions of the  
11      Uyghurs and other ethnic and religious minority  
12      groups.

13      (6) PRC authorities have supported an influx of  
14      Han Chinese economic immigrants into the XUAR,  
15      implemented discrimination against Uyghurs and  
16      other minorities in hiring practices, and provided un-  
17      equal access to healthcare services.

18      (7) The authorities of the People's Republic of  
19      China have manipulated the strategic objectives of  
20      the international war on terror to mask their in-  
21      creasing cultural and religious oppression of the  
22      Muslim population residing in the XUAR.

23      (8) Following unrest in the region, in 2014,  
24      Chinese authorities launched their "Strike Hard  
25      against Violent Extremism" campaign, in which du-

1        bious allegations of widespread extremist activity  
2        were used as justification for gross human rights  
3        violations committed against Uyghurs and members  
4        of other minority communities in the XUAR.

5        (9) PRC authorities have made use of the legal  
6        system as a tool of repression, including for the im-  
7        position of arbitrary detentions and for torture  
8        against members of the Uyghur community and  
9        other minority populations.

10       (10) Uyghurs and Kazakhs who have secured  
11       citizenship or permanent residency outside of the  
12       PRC have attested to repeated threats, harassment,  
13       and surveillance by PRC officials.

14       (11) Reporting from international news organi-  
15       zations has found that over the past decade, family  
16       members of Uyghurs and other minority groups liv-  
17       ing outside of the PRC have gone missing or been  
18       detained to force Uyghur expatriates to return to  
19       the PRC or silence their dissent.

20       (12) Credible evidence from human rights orga-  
21       nizations, think tanks, and journalists confirms that  
22       more than 1,000,000 Uyghurs and members of other  
23       Muslim ethnic minority groups have been imprisoned  
24       in “political reeducation” centers.

1 (13) Independent accounts from former detain-  
2 ees of “political reeducation” centers describe inhu-  
3 mane conditions and treatment including forced po-  
4 litical indoctrination, torture, beatings, rape, forced  
5 sterilization, and food deprivation.

6 (14) Former detainees of PRC so-called “polit-  
7 ical reeducation” centers also confirmed that they  
8 were told by guards the only way to secure release  
9 was to demonstrate sufficient political loyalty to the  
10 PRC Government and the Chinese Communist  
11 Party.

12 (15) Popular discourse surrounding the ongoing  
13 atrocities in the XUAR and advocacy efforts to as-  
14 sist Uyghurs remains muted in much of the world,  
15 including in most Muslim majority nations.

16 (16) Both Secretary of State Antony Blinken  
17 and Former Secretary of State Michael Pompeo  
18 have stated that the PRC government has com-  
19 mitted genocide and crimes against humanity  
20 against Uyghurs and other ethnic and religious mi-  
21 norities in the XUAR.

22 (17) Government bodies of multiple nations  
23 have also declared that PRC government atrocities  
24 against such populations in the XUAR constitute  
25 genocide, including the parliaments of the United

1 Kingdom, Belgium, Czechia, Lithuania, the Nether-  
2 lands, and Canada.

3 **SEC. 3. SENSE OF CONGRESS.**

4 It is the sense of Congress that—

5 (1) the Government of the People's Republic of  
6 China should immediately open the Xinjiang Uyghur  
7 Autonomous Region (XUAR) to regular, trans-  
8 parent, and unmanipulated visits by members of the  
9 press, international organizations including the Of-  
10 fice of the United Nations High Commissioner for  
11 Human Rights, academic and human rights research  
12 institutions, as well as foreign delegations including  
13 from the United States Congress;

14 (2) Government of the People's Republic of  
15 China should recognize, and take tangible steps to  
16 protect and preserve, the distinct ethnic, cultural, re-  
17 ligious, and linguistic identity of Uyghurs and mem-  
18 bers of other ethnic and religious minority groups in  
19 the XUAR;

20 (3) the Government of the People's Republic of  
21 China should cease all government-sponsored crack-  
22 downs, imprisonments, and detentions of people  
23 throughout the XUAR aimed at repressing their eth-  
24 nic, cultural, political, or religious identities;

1 (4) it is commendable for countries to provide  
2 shelter and hospitality to Uyghurs and other minor-  
3 ity group members in exile, as Turkey, Albania, and  
4 Germany have done;

5 (5) urges all countries, especially fellow democ-  
6 racies and those with sizeable Muslim populations,  
7 to condemn and address the plight of Uyghurs and  
8 other minority communities in the XUAR;

9 (6) the Government of the PRC should imme-  
10 diately and unconditionally release all prisoners de-  
11 tained for their ethnic, cultural, religious, and lin-  
12 guistic identities, or for expressing their political or  
13 religious beliefs in the XUAR, including Ekpar Asat,  
14 who participated in the Department of State's Inter-  
15 national Visitors Leadership Program in 2016, was  
16 incarcerated after returning to the XUAR, and is  
17 now serving a 15 year prison sentence on charges of  
18 "inciting ethnic hatred and ethnic discrimination";

19 (7) the Government of the PRC should facili-  
20 tate access for international humanitarian organiza-  
21 tions, including the International Federation of Red  
22 Cross and Red Crescent Societies, to the "political  
23 reeducation" centers in the XUAR to ensure pris-  
24 oners are not being mistreated and are receiving  
25 necessary medical care; and

1 (8) the United States Agency for Global Media  
2 should continue to facilitate the unhindered dissemi-  
3 nation of information to the international commu-  
4 nity on issues regarding the human rights and reli-  
5 gious freedom of Uyghurs and members of other mi-  
6 nority groups in the XUAR.

7 **SEC. 4. UNITED STATES SPECIAL COORDINATOR FOR**  
8 **UYGHUR ISSUES.**

9 (a) IN GENERAL.—There is authorized to be within  
10 the Department of State a United States Special Coordi-  
11 nator for Uyghur Issues (in this section referred to as the  
12 “Special Coordinator”), to be designated by the Secretary  
13 of State in accordance with subsection (b).

14 (b) CONSULTATION.—The Secretary of State shall  
15 consult with the Chairs and Ranking Members of the  
16 Committee on Foreign Relations of the Senate and the  
17 Committee on Foreign Affairs of the House of Representa-  
18 tives prior to the designation of the Special Coordinator.

19 (c) CENTRAL OBJECTIVE.—The Special Coordinator  
20 should seek to promote the protection and preservation of  
21 the distinct ethnic, cultural, religious, and linguistic iden-  
22 tities of the Uyghurs and other ethnic and religious minor-  
23 ity groups in the Xinjiang Uyghur Autonomous Region (in  
24 this Act referred to as the “XUAR”).



1 (d) DUTIES AND RESPONSIBILITIES.—The Special  
2 Coordinator should, as appropriate—

3 (1) coordinate United State Government poli-  
4 cies, programs, and projects concerning the Uyghurs  
5 and members of other ethnic and religious minority  
6 groups in the XUAR;

7 (2) vigorously promote the policy of seeking to  
8 protect the distinct ethnic, religious, cultural, and  
9 linguistic identity of the Uyghurs and other minority  
10 groups and seek improved protection of human  
11 rights in the XUAR;

12 (3) maintain close contact with Uyghur reli-  
13 gious, cultural, and political leaders, including seek-  
14 ing regular travel to the XUAR and to Uyghur pop-  
15 ulations in Central Asia, Turkey, Albania, Germany,  
16 and other parts of Europe;

17 (4) lead coordination efforts for the release of  
18 political prisoners in the XUAR who are being de-  
19 tained for exercising their human rights;

20 (5) consult with the United States Congress on  
21 policies relevant to the XUAR and the Uyghurs;

22 (6) coordinate with relevant Federal agencies to  
23 administer aid to Uyghur rights advocates; and

24 (7) make efforts to establish contacts with for-  
25 eign ministries of other countries, especially in Eu-

1 rope, Central Asia, and members of the Organisation  
 2 of Islamic Cooperation, to pursue a policy of pro-  
 3 moting greater respect for human rights and reli-  
 4 gious freedom for Uyghurs and other ethnic and re-  
 5 ligious minority groups from the XUAR.

6 (e) SUPPORT.—The Secretary of State shall ensure  
 7 the Special Coordinator has adequate resources, staff, and  
 8 administrative support to carry out this section.

9 (f) DEADLINE.—If the Secretary of State has not  
 10 designated the Special Coordinator by the date that is 180  
 11 days after the date of the enactment of this Act, the Sec-  
 12 retary shall submit to the Committee on Foreign Affairs  
 13 of the House of Representatives and the Committee on  
 14 Foreign Relations of the Senate a report detailing the rea-  
 15 sons for the delay.

16 (g) TERMINATION.—This section shall terminate on  
 17 the date that is 5 years after the date of the designation  
 18 of the Special Coordinator.

19 **SEC. 5. FUNDING FOR HUMAN RIGHTS ADVOCATES TO CON-**  
 20 **DUCT PUBLIC DIPLOMACY IN THE ISLAMIC**  
 21 **WORLD ON THE UYGHUR SITUATION.**

22 Of the amounts authorized to be appropriated for the  
 23 U.S. Speaker program of the Bureau of Educational and  
 24 Cultural Affairs of the Department of State, \$250,000 for  
 25 each of fiscal years 2024, 2025, and 2026 is authorized

1 to be made available to support human rights advocates  
2 working on behalf of the Uyghurs and members of other  
3 ethnic and religious minority groups from the XUAR that  
4 are persecuted in the PRC, whose names may be provided  
5 by the Department of State and the United States Special  
6 Coordinator for Uyghur Issues in consultation with rep-  
7 resentatives of the global Uyghur community, to speak at  
8 global public diplomacy forums, particularly those in  
9 which Organisation of Islamic Cooperation countries and  
10 other Muslim-majority countries are present, on issues re-  
11 garding the human rights and religious freedom of  
12 Uyghurs and members of other ethnic and religious minor-  
13 ity groups persecuted in the PRC.

14 **SEC. 6. ACCESS TO DETENTION FACILITIES AND PRISONS**  
15 **AND THE RELEASE OF PRISONERS.**

16 (a) STRATEGY ON POLITICAL REEDUCATION AND  
17 DETENTION FACILITIES.—Not later than 180 days after  
18 the date of the enactment of this Act, the Secretary of  
19 State should, in consultation with the heads of other rel-  
20 evant Federal departments and agencies, develop a strat-  
21 egy to cooperate with like-minded partners to pressure the  
22 People’s Republic of China to—

23 (1) close all detention facilities and “political  
24 reeducation” camps housing Uyghurs and members  
25 of other ethnic minority groups in the XUAR;

1           (2) allow unhindered access to detention facilities and “political reeducation” camps in the XUAR  
2           by independent media, researchers, international organizations and the Office of the United Nations  
3           High Commissioner for Human Rights for a comprehensive assessment of the human rights situation;  
4           and  
5           and

6           (3) protect human rights and preserve the distinct religious and cultural identity of the Uyghurs  
7           and the other religious and ethnic minority communities in the XUAR.  
8           

9           (b) REPORT ON STRATEGY AND IMPLEMENTATION.—  
10          Not later than 1 year after the date of the enactment of  
11          this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives  
12          and the Committee on Foreign Relations of the Senate  
13          a report that includes—

14          (1) the strategy developed pursuant to subsection (a); and  
15          

16          (2) all the steps taken pursuant to the objectives described in paragraphs (1) through (3) of  
17          such subsection.  
18

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1 **SEC. 7. REQUIREMENT FOR UYGHUR LANGUAGE TRAINING.**

2 (a) UYGHUR LANGUAGE TRAINING AND STAFFING.—

3 The Secretary of State shall take such steps as may be  
4 necessary to ensure that—

5 (1) Uyghur language training is available to  
6 Foreign Service officers as appropriate; and

7 (2) every effort is made to ensure that at least  
8 one Uyghur-speaking member of the Foreign Service  
9 (as such term is defined by section 103 of the For-  
10 eign Service Act of 1980 (22 U.S.C. 3903)) is as-  
11 signed to each United States diplomatic or consular  
12 post in China.

13 (b) REPORT.—No later than 1 year after the date  
14 of the enactment of this Act, and annually thereafter for  
15 2 years, the Foreign Service Institute shall submit to the  
16 Committee on Foreign Affairs of the House of Representa-  
17 tives and the Committee on Foreign Relations of the Sen-  
18 ate a report that outlines all the steps taken to implement  
19 subsection (a).

20 **SEC. 8. UYGHUR CONSIDERATIONS AT THE UNITED NA-**  
21 **TIONS.**

22 The President should direct the United States Per-  
23 manent Representative to the United Nations to use the  
24 voice, vote, and influence of the United States to—

25 (1) oppose any efforts to prevent consideration  
26 of the gross violation of internationally recognized

1 human rights in the XUAR in any body of the  
2 United Nations;

3 (2) oppose any efforts to prevent the participa-  
4 tion of any Uyghur human rights advocates in non-  
5 governmental fora hosted by or otherwise organized  
6 under the auspices of any body of the United Na-  
7 tions; and

8 (3) support the appointment of a special  
9 rapporteur or working group for the XUAR for the  
10 purposes of monitoring human rights violations and  
11 abuses in the XUAR, and for making reports avail-  
12 able to the High Commissioner for Refugees, the  
13 High Commissioner for Human Rights, the Human  
14 Rights Commission, the General Assembly, and  
15 other United Nations bodies.



Chairman McCAUL. Is there any discussion on the bill?

I'll recognize the author, Mrs. Kim. I'm sorry. I recognize the ranking member, Mr. Meeks.

Mr. MEEKS. Thank you. Mr. Chairman, thank you.

I strongly support this bill and I'm a proud cosponsor with Mrs. Kim, and thank her for her work on this.

Congress cannot be silent and we must act when faced with terrible human rights atrocities around the world. We must come together in a bipartisan fashion to support the Uyghurs and other religious and ethnic minority communities suffering in Xinjiang.

As chairman of this committee in the 117th Congress, I was proud to hold a hearing featuring an Uyghur survivor, and I can say her heartbreaking testimony stays with me until this very day.

And I was proud to work with Chairman McCaul to introduce and pass on the House floor a resolution condemning the PRC's genocide in Xinjiang, and I was also proud to pass the Uyghur Forced Labor Prevention Act, which President Biden signed into law.

We must build on that work in this Congress. So, I again want to thank Representative Young Kim and Ami Bera for their leadership on this bill.

Beijing's atrocities must be taken seriously and we should do everything we can to address its horrible policies. Given the genocide taking place, H.R. 2766 calls for the creation of a Special Coordinator for Uyghur issues to promote, protect, and preserve the distinct ethnic, cultural, religious, and linguistic identities of the Uyghurs and other minority groups in Xinjiang.

It also aims to ensure that the State Department and our diplomats have the tools they need to enhance our diplomatic efforts and programs in support of those suffering under Beijing's repression in Xinjiang.

So, as I conclude, Mr. Chairman, I support this measure and urge all of my colleagues to do the same. And I yield back the balance of my time.

Chairman McCAUL. The gentleman yields.

Any further discussion on the bill?

Mrs. Kim is recognized.

Mrs. KIM OF CALIFORNIA. Thank you, Chairman McCaul and Ranking Member Meeks, for holding today's markup and for bringing up my legislation, H.R. 2766, the Uyghur Policy Act, for consideration today.

I also want to thank the ranking member of the Indo-Pacific Subcommittee, Ami Bera, for partnering with me on this bipartisan legislation once again. This bill passed with overwhelming bipartisan support last Congress.

The People's Republic of China continues to deny carrying on genocide against the Uyghurs and other Muslim minorities in the Xinjiang Uyghur Autonomous Region, despite widely verified reports of forced sterilization, forced labor, brainwashing, and gang rape in detention camps.

Unfortunately, this is not an issue that we can solve in the short time. Xi Jinping has shown no interest in working with the United States on human rights issues. Instead, the CCP cracks down on

dissidents who draw attention to this genocide, even dissidents and Uyghurs living in the United States.

The Uyghur Policy Act addresses several shortcomings in our existing policy regarding this genocide happening in Xinjiang. It authorizes the State Department to appoint a Special Coordinator on Uyghur Policy Issues, which will consolidate the State Department's diplomatic strategy, so department-wide resources are better coordinated to respond to the Uyghur genocide.

H.R. 2766 also directs the State Department to provide Uyghur language instruction at the Foreign Service Institute and station an Uyghur-fluent officer at Mission China locations. This will enable our missions to show up and respond more effectively.

This bill also authorizes support for Uyghur human rights activists and directs the U.S. Agency for Global Media to disseminate news and information regarding Uyghur genocide. We must leverage soft power to combat the CCP's massive misinformation campaign about the crimes against humanity it is carrying out in Xinjiang and garner international support for Uyghurs and other ethnic minorities.

Time is not on our side. Every day the CCP gets closer to achieving its goal of wiping out Uyghur people and its culture. The time to act is now.

So, I want to thank the more than 100 cosponsors of this bill on both sides of the aisle and the many advocacy organizations that helped to raise awareness about this legislation.

I also want to thank Ranking Member Meeks for working with me to ensure that we bring up an agreeable text.

Thank you, and I urge my colleagues to support the ANS, and I yield the balance of my time.

Chairman MCCAUL. The gentlelady yields.

Any further discussion on the bill?

Ms. Wild is recognized.

Ms. WILD. Thank you, Mr. Chairman.

I rise in strong support of H.R. 2766 and I'm proud to be a cosponsor.

Ensuring that our country stands for fundamental rights and dignity around the world really should not be a partisan issue, and I am proud that Republicans and Democrats have been so united in standing up for the Uyghur people in the face of the horrific persecution that they continue to face.

Under Democratic and Republican chairs alike, this committee has worked with both the previous Administration and the current Administration to articulate the need for a clear and consistent position on this issue.

As the Representative of a district which counts constituents whose families have been directly affected by the barbaric tactics employed by the Chinese State to oppress communities in Xinjiang based on their faith and ethnic origin, I understand that this is not an issue that is just some bargaining chip in the global competition between the United States and China. It is deeply personal, and the lives of 1 million innocent people are hanging in the balance.

Despite our best efforts in this chamber, much of the international community remains unwilling to stand up to the PRC and to speak out forcefully with actions, not just words, in opposition



to these crimes against humanity. And while the previous and current Administrations have both taken strong actions in defense of the Uyghur people, a great deal of work remains to be done.

This past August, on the 1-year anniversary of the report by the U.N. Office of the High Commissioner for Human Rights that documented many of the violations committed against the Uyghur people, and which the PRC attempted to censor, Amnesty International's Deputy Regional Director for China spoke out against much of the international community's inaction. She said, "Rather than urgently acting on the report's findings of serious violations of international law in China, the international community, including important components of the U.N. itself, has shied away from the kind of resolute steps needed to advance justice, truth, and reparation for victims." I echo that statement.

The world cannot remain silent when faced with the suffering of so many. I urge my colleagues to join me in supporting this legislation, so that we can pass it on the floor of the House of Representatives and send an unequivocal message to the world that we will stand, and will continue to stand, in solidarity with the Uyghur people and all of those who are being persecuted by the PRC.

Thank you, Mr. Chairman. I yield back.

Chairman MCCAUL. The gentlelady yields.

Any further discussion on the bill?

Mr. Smith is recognized.

Mr. SMITH. Thank you, Mr. Chairman.

First, let me thank Chairwoman Young Kim for authoring this very, very important bill, the Uyghur Policy Act of 2023. Thank you for your leadership on this. It's very, very much needed.

The bill supplements, as I think many of us know, both the Uyghur Human Rights Policy Act, passed in the last Congress, and the Uyghur Forced Labor Prevention Act, for which I was the lead Republican cosponsor.

I would say, parenthetically, on April 18th, I chaired an oversight hearing of the China Commission looking at the Uyghur Forced Labor Act. And the Administration I think is trying to do its level best, but there are many, many challenges because, even with the rebuttable presumption provision of that law, the Chinese Communist Party is finding ways to circumvent it using the *de minimis* language in the law and other ways to get goods here that are being made in the concentration camps by Uyghurs and others in Xinjiang.

It is important that we call on the government of the People's Republic of China and to call this for what it is—it is a genocide—and Mrs. Kim's bill does just that.

It also would create a Special Coordinator for Uyghurs Issues at the State Department, something that I have long advocated for and even tried to pass when I sponsored an amendment to Chairman Meeks' bill, the EAGLE Act. I had an amendment that would have established a Special Envoy. Sadly, that bill did not become law, but I appreciate his efforts on that bill in the previous Congresses. So, thank you, Mr. Chairman.

Xi Jinping, as we all know, the other night in San Francisco met with business leaders who paid \$2,000 a plate for the opportunity

to eat with someone responsible for a past, ongoing—and it looks like it's not going to in any time soon end—genocide.

We know there is a recording of him saying—and I've used it on the floor—when he said, “Show no mercy to the Uyghurs. Kill them, coopt them, force them into labor camps, but show no mercy.”

Forced abortion, forced sterilization, and a whole host of other human rights abuses are being committed right up until this very moment. And yet, these business leaders are paying mega-dollars to—they gave him two standing ovations. He ought to be at The Hague for crimes against humanity and for genocide being prosecuted, not being feted the way he was. We cannot allow U.S. businesses to continue doing that.

But this bill, again, will accelerate our efforts as a Congress, as a government, to try to mitigate the harm that's being suffered each and every day by these wonderful people in Xinjiang.

I yield back.

Chairman MCCAUL. The gentleman yields.

Any further discussion on the bill?

There being no further discussion of the bill, the committee will move to consideration of amendments.

Does any member wish to offer an amendment?

Mr. Waltz is recognized.

Mr. WALTZ. Mr. Chairman, I have an amendment at the desk.

Chairman MCCAUL. The clerk shall distribute the amendment.

The clerk shall report the amendment.

The clerk shall report the amendment.

The CLERK. “Amendment to the amendment in the nature of a substitute to H.R. 2766 offered by Mr. Waltz of Florida.

Page 6, line 13, strike ‘including’ and insert ‘including—’.

Page 6, line 13, strike ‘Ekpar Asat’ and all that follows through the end of the paragraph and insert the following:

Ekpar Asat, who participated in the Department of State's International Visitors Leadership Program in 2016, was incarcerated after returning to the XUAR, and is now serving a 15 year prison sentence on charges of ‘inciting ethnic hatred and ethnic discrimination’;”——

Chairman MCCAUL. Without objection, further reading of the amendment is dispensed with.

[The amendment offered by Mr. Waltz follows:]

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 2766  
OFFERED BY MR. WALTZ OF FLORIDA**

Page 6, line 13, strike “including” and insert “including—”.

Page 6, line 13, strike “Ekper Asat” and all that follows through the end of the paragraph and insert the following:

- 1           (A) Ekper Asat, who participated in the  
2           Department of State’s International Visitors  
3           Leadership Program in 2016, was incarcerated  
4           after returning to the XUAR, and is now serv-  
5           ing a 15 year prison sentence on charges of “in-  
6           citing ethnic hatred and ethnic discrimination”;  
7           (B) Dr. Gulshan Abbas, a retired medical  
8           doctor and Uyghur, who was wrongfully de-  
9           tained in the XUAR on September 11, 2018,  
10          and unjustly sentenced to 20 years in prison in  
11          retaliation for her sister’s advocacy for Uyghur  
12          human rights issues; and  
13          (C) Kamile Wayit, a university student  
14          and Uyghur, who was wrongfully detained on

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2

- 1 December 12, 2022, after returning to the
- 2 XUAR while on break from studying during the
- 3 winter holiday;



The gentleman is recognized for 5 minutes on his amendment.

Mr. WALTZ. Thank you, Chairman McCaul, for the opportunity to speak on my amendment.

I strongly support the underlying bill introduced by Representative Kim and I thank her for her leadership, both of you for your leadership on this important issue.

And I certainly second Representative Smith's comments on the shameful and, frankly, discussing behavior by our business leaders, literally bowing at the feet of a genocidal dictator and paying to do it.

As a country that values human rights, it is our collective responsibility to ensure the Chinese Communist Party is held accountable for the human rights atrocities it is, as we speak today, committing against the Uyghur population. The world must understand that millions of Uyghurs and other Muslim minorities in Xinjiang are being wrongfully detained, sent to concentration camps, forced into labor, gang raped, tortured, sterilized, and brainwashed as part of the Chinese Communist Party's attempts to ethnically cleanse their country.

As we craft our foreign policy to hold the Chinese Communist Party accountable for these inhumane actions and seek to end this genocide, it is imperative that we, as U.S. leaders, continue to speak the names of those wrongfully detained. We must highlight their cases. We must put a spotlight on them and call for their expedited release. And my amendment does just that.

This amendment is a simple, yet important, one, in that, in addition to specifically calling for the release of Ekpar Asat, as written in the underlying bill, this amendment would include the names of two additional Uyghurs wrongfully detained in Xinjiang: Dr. Gulshan Abbas and Kamile Wayit.

Dr. Abbas is a retired medical doctor and an Uyghur who was wrongfully detained in Xinjiang on September 11th, 2018, and unjustly sentenced to 20 years in prison for no other reason than in retaliation for her sister's advocacy for Uyghur human rights. Dr. Abbas has more than two dozen U.S. citizens as relatives currently living in the United States, including her daughters, Ziba Murat and Zamira Murat, who my office has personally worked with to advocate for their mother's release.

Kamile Wayit is a university student and Uyghur who was wrongfully detained on December 12th, 2022, after returning to Xinjiang while on break from studying in other parts of China. Kamile's brother, Kewser Wayit, is an Uyghur American currently living in the United States, and he, too, is a staunch Uyghur human rights advocate.

This is a simple amendment that will put even more pressure on the CCP, again, by naming these individual cases and putting a spotlight in their wrongful detention, especially those who are family members of U.S. citizens.

I urge my colleagues to support the amendment, and I yield back, Mr. Chairman.

Mr. CONNOLLY. Would my friend yield? Would my friend yield?

Chairman MCCAUL. Is there any further discussion on the amendment?

The chair recognizes Mr. Connolly.

Mr. CONNOLLY. Okay. I do not need that much time, but I just want to thank my friend for his amendment. I happily support it.

And I'm so glad he included the case of Dr. Abbas. Dr. Abbas has relatives in Virginia, including in my district. We have a robust Uyghur community and we're very concerned about this.

Senator Kaine of Virginia and myself wrote Secretary Blinken back in July about this case and about the number of Uyghurs who are detained, as my friend described. And I would ask unanimous consent, Mr. Chairman, that that letter of July 19th be entered into the record.

Chairman MCCAUL. Without objection, so ordered.

[The information referred to follows:]

## CONNOLLY MATERIAL

GERALD E. CONNOLLY  
11TH DISTRICT, VIRGINIA  
2205 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-1492

FAIRFAX OFFICE:  
10680 MAIN ST  
SUITE 140  
FAIRFAX, VA 22030

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-4611**

HOUSE COMMITTEE ON OVERSIGHT  
AND ACCOUNTABILITY

SUBCOMMITTEES:  
RANKING MEMBER, CYBERSECURITY,  
INFORMATION TECHNOLOGY, AND

GOVERNMENT INNOVATION ACCOUNTABILITY  
HOUSE COMMITTEE ON FOREIGN AFFAIRS

July 19, 2023

The Honorable Antony Blinken  
Secretary of State  
U.S. Department of State  
2201 C Street NW  
Washington, D.C. 20520

Dear Secretary Blinken,


Following your visit to the People's Republic of China (PRC) last month to hold constructive diplomatic meetings with government officials, we write to urge the Department of State to continue to raise the plight of Uyghurs unjustly detained in China, a number of whom have family members residing in Virginia, including the case of Dr. Gulshan Abbas. We are grateful that the Biden Administration has continued to make the release of wrongfully detained individuals a priority. Dr. Abbas, a retired medical doctor and ethnic Uyghur, has been wrongfully detained by authorities in Xinjiang since September 11, 2018, six days after her sister, Rushan Abbas, spoke on a panel at The Hudson Institute.


Dr. Abbas has more than two dozen relatives in the United States, many of which are U.S. citizens and constituents of ours in Virginia. After years of being unable to contact Dr. Abbas, her family learned that she had been sentenced to 20 years in prison on false terrorism-related charges in retaliation for her sister speaking against human rights abuses.

Virginia is home to one of the largest Uyghur American diasporas in the United States, and it remains a priority of ours to continue to shine a light on the plight of Uyghurs and other ethnic minorities in the PRC. We appreciate the Department's continued engagement with our constituents on their respective cases and hope that a sustained diplomatic push will finally reunite our constituents with their family members.

We look forward to your prompt response.

Sincerely,

  
Gerald E. Connolly  
Member of Congress  
11<sup>th</sup> District, Virginia

  
Tim Kaine  
United States Senator  
Virginia

Mr. CONNOLLY. I thank my friend, and I thank my friend for getting ready to yield.

Chairman MCCAUL. So, the gentleman yields.

Any further discussion on the amendment? Mrs. Kim is recognized.

Mrs. KIM OF CALIFORNIA. Thank you, Mr. Chairman. I support Mr. Waltz' amendment naming and sharing those stories of two additional individuals who are victims of the Uyghur genocide. And I wish that we could name all of the individuals who have suffered in Xinjiang at the hands of CCP, but I am afraid that the list would be too long to fit into this one bill. But I would like to use this opportunity though to draw attention to the persecution of the families of reporters that Radio Free Asia face for reporting on the Uyghur genocide.

As you know, RFA's work is critical to sharing the truth of what is happening in Xinjiang. And according to RFA six U.S.-based Uyghur journalists have family members in the PRC who are missing, jailed, or detained, and this number of individuals is estimated to be more than 50.

Shohret Hoshur has worked at RFA for 15 years. He has two brothers who were sent to a reeducation camp along with their wives and children and a number of extended family members.

Mamatjan Juma has reported for RFA's Uyghur Service for 12 years. His two brothers were thrown in prison after being questioned by authorities about their connection to Mr. Juma. Gulchehra Hoja has reported for RFA for 18 years. She estimates that up to two dozen of her family members are being held in reeducation camps. Ms. Hoja has also been the target of a CCP smear campaign against Uyghurs involved and abroad.

Jilil Kashgary has reported for RFA for 20 years. His sister-in-law and his brother were taken into custody along with his cousins and nephews in 2017, and some of his family members have been released, but he still has brothers jailed.

Eset Sulaiman has worked at RFA for 6 years. His two brothers, mother-in-law, and father-in-law were sent to a reeducation camp. All of the previously mentioned reporters are U.S. citizens.

In addition to these reporters Kurban Niyaz is currently in the United States as an asylum seeker and has worked at RFA for 8 years. He has a brother who was arrested in 2017 and his 5-year sentence was extended to 15 years after he was supposed to be released in 2022.

These cases of transnational repression show that these crimes against humanity are not confined to China's borders. The CCP targets American citizens who are brave enough to call out the CCP for this genocide. We must continue to raise awareness about this issue and garner international support for Uyghurs and other ethnic minorities in Xinjiang and abroad who are targeted by the CCP. Thank you and I yield back.

Chairman MCCAUL. The gentlelady yields.

Any further discussion?

Mr. Meeks is recognized.

Mr. MEEKS. Yes, let me just say that I strongly support this amendment also. The number of people who have suffered under the PRC's repression is staggering, but the scale of the tragedy in



Xinjiang demands that we remember the individual human lives that have been oppressed, detained, separated from their loved ones, tortured, and made to suffer in many other ways.

These individuals are too many to name in this one bill, as indicated by other members, but I wholeheartedly support this amendment by Representative Waltz as a way to highlight a few more of the innocent individuals who have been wrongfully detained and held captive by the PRC. And with that I yield back.

Chairman McCAUL. The gentleman yields.

Any further discussion on the amendment?

I too support this amendment. There being no further discussion, the question now occurs on the amendment offered by Representative Waltz No. 112.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the amendment is—

Mrs. KIM OF CALIFORNIA. Chairman, may I ask on the recorded vote on this one, please?

Chairman McCAUL. On the amendment?

Mrs. KIM OF CALIFORNIA. No, no, not on the amendment; on the bill.

Chairman McCAUL. Okay. The ayes have it and the amendment is agreed to.

Are there any further amendments?

There being no further amendments, I move that the committee report H.R. 2766 as amended to the House with a favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the motion is agreed to.

Ms. Kim?

Mrs. KIM OF CALIFORNIA. Yes, I would like to ask for a recorded vote on this one.

Chairman McCAUL. A roll call vote has been requested. Pursuant to the chair's previous announcement this vote will be postponed.

Pursuant to notice I now call up H.R. 5375, Strengthening the Quad Act.

[The Bill H.R. 5375 follows:]

118TH CONGRESS  
1ST SESSION

# H. R. 5375

To require a strategy for bolstering engagement and cooperation between the United States, Australia, India, and Japan and to seek to establish a Quad Intra-Parliamentary Working Group to facilitate closer cooperation on shared interests and values.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2023

Mr. MEEKS introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To require a strategy for bolstering engagement and cooperation between the United States, Australia, India, and Japan and to seek to establish a Quad Intra-Parliamentary Working Group to facilitate closer cooperation on shared interests and values.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening the  
5 Quad Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1           (1) as a Pacific power, the United States should  
2           continue to strengthen joint cooperation between the  
3           United States, Australia, India, and Japan (com-  
4           monly referred to as the “Quadrilateral Dialogue” or  
5           “Quad” and referred to as such in this Act) to en-  
6           hance and implement a shared vision to meet re-  
7           gional challenges and to promote a free, open, inclu-  
8           sive, resilient, and healthy Indo-Pacific, that is char-  
9           acterized by respect for democratic norms, rule of  
10          law, and market-driven economic growth, and is free  
11          from undue influence and coercion;

12          (2) the United States should expand dialogue  
13          and cooperation through the Quad with a range of  
14          partners to support peace and prosperity, the rule of  
15          law, freedom of navigation and overflight, the peace-  
16          ful resolution of disputes, and democratic resilience  
17          in the Indo-Pacific;

18          (3) the pledge from the first-ever Quad leaders  
19          meeting on March 12, 2021, to respond to the eco-  
20          nomic and health impacts of COVID–19, and to ad-  
21          dress shared challenges, including in cyberspace,  
22          critical technologies, counterterrorism, quality infra-  
23          structure investment, and humanitarian assistance  
24          and disaster relief, as well as maritime domains, laid

1 the foundation for critical cooperation among Quad  
2 countries;

3 (4) the Quad countries, working through insti-  
4 tutions, including the United States International  
5 Development Finance Corporation, the Japan Inter-  
6 national Cooperation Agency, and the Japan Bank  
7 for International Cooperation, and through partner-  
8 ships with multilateral development banks such as  
9 the World Bank and the Asian Development Bank,  
10 should finance development and infrastructure  
11 projects in the Indo-Pacific region that are competi-  
12 tive, transparent, and sustainable;

13 (5) President Biden’s decision to elevate the  
14 Quad to the leaders level was critical to bolstering  
15 cooperation, and all four countries should work to  
16 ensure that the Quad Leaders’ Summit continues to  
17 take place regularly;

18 (6) the ambitious framework for ongoing co-  
19 operation laid out by the four leaders at the fifth  
20 convening of the Quad Leaders’ Summit in Hiro-  
21 shima on May 20, 2023, should continue; and

22 (7) the formation of a Quad Intra-Parliamen-  
23 tary Working Group will—

1 (A) sustain and deepen engagement be-  
2 tween senior officials of the Quad countries on  
3 a full spectrum of issues; and

4 (B) be modeled on the successful and long-  
5 standing bilateral intra-parliamentary groups  
6 between the United States and Mexico, Canada,  
7 and the United Kingdom, as well as other for-  
8 mal and informal parliamentary exchanges.

9 **SEC. 3. STRATEGY.**

10 (a) **IN GENERAL.**—Not later than 180 days after the  
11 date of the enactment of this Act, the Secretary of State  
12 shall submit to the appropriate congressional committees  
13 a strategy for bolstering engagement and cooperation with  
14 the Quad.

15 (b) **MATTERS TO BE INCLUDED.**—The strategy re-  
16 quired by subsection (a) shall include the following:

17 (1) A description of how the United States in-  
18 tends to demonstrate democratic leadership in the  
19 Indo-Pacific through quadrilateral engagement with  
20 India, Japan, and Australia on shared interests and  
21 common challenges.

22 (2) A summary of—

23 (A) current and past Quad initiatives  
24 across the whole of the United States Govern-  
25 ment, including to promote broad based and in-

1       clusive economic growth and investment, and to  
2       advance technology cooperation, energy innova-  
3       tion, climate mitigation and adaptation, phys-  
4       ical and digital infrastructure development, edu-  
5       cation, disaster management, and global health  
6       security;

7               (B) proposals agreed to by all Quad coun-  
8       tries since January 2021 to deepen existing se-  
9       curity cooperation, intelligence sharing, eco-  
10      nomic partnerships, and multilateral coordina-  
11      tion; and

12             (C) initiatives and agreements undertaken  
13      jointly with Quad countries, in addition to other  
14      like-minded partners in the Indo-Pacific, on  
15      areas of shared interest since January 2021.

16      (3) A description of efforts, since January  
17      2021, to jointly—

18             (A) expand ongoing COVID–19 coopera-  
19      tion to prepare for the next pandemic by focus-  
20      ing on medium-term vaccine and medical supply  
21      production and building a broader dialogue on  
22      global public health;

23             (B) develop international technology stand-  
24      ards and share or co-develop new innovative  
25      technologies of the future;

- 1 (C) combat economic coercion and develop  
2 a framework for ensuring supply chain security  
3 and resilience;
- 4 (D) deepen regional economic engagement  
5 and integration, and strengthen regional rules  
6 and standards around investment;
- 7 (E) strengthen climate actions on mitiga-  
8 tion, adaptation, resilience, technology, capac-  
9 ity-building, and climate finance;
- 10 (F) facilitate the development of quality in-  
11 frastructure in the Indo-Pacific through joint fi-  
12 nancing, investment, technical assistance, and  
13 standards setting;
- 14 (G) enhance joint maritime security and  
15 maritime domain awareness initiatives to pro-  
16 tect the maritime commons and support inter-  
17 national law and freedom of navigation in the  
18 Indo-Pacific;
- 19 (H) enhance regional capacity and resil-  
20 ience to cyber incidents and threats;
- 21 (I) work to strengthen capability to pre-  
22 vent, detect and respond to threats posed by  
23 terrorism and violent extremism;
- 24 (J) co-develop space-related technologies to  
25 address shared challenges, share expertise and

1           experience in space situational awareness, and  
2           enhance consultation to facilitate the peaceful,  
3           safe and sustainable use of outer space; and  
4           (K) any additional major streams of co-  
5           operation.

6           (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
7   FINED.—In this section, the term “appropriate congres-  
8   sional committees” means—

9           (1) the Committee on Foreign Affairs and the  
10          Permanent Select Committee on Intelligence of the  
11          House of Representatives; and

12          (2) the Committee on Foreign Relations and  
13          the Select Committee on Intelligence of the Senate.

14   **SEC. 4. ESTABLISHMENT OF QUAD INTRA-PARLIAMENTARY**  
15                                   **WORKING GROUP.**

16          (a) ESTABLISHMENT.—Not later than 60 days after  
17   the date of the enactment of this Act, the Secretary of  
18   State shall seek to enter into negotiations with the Gov-  
19   ernments of Japan, Australia, and India (collectively, with  
20   the United States, known as the “Quad”) with the goal  
21   of reaching a written agreement to establish a Quad Intra-  
22   Parliamentary Working Group to facilitate closer coopera-  
23   tion on shared interests and values.

24          (b) UNITED STATES GROUP.—



1 (1) IN GENERAL.—At such time as the govern-  
2 ments of the Quad countries enter into a written  
3 agreement described in subsection (a) to establish a  
4 Quad Intra-Parliamentary Working Group, there  
5 shall be established a United States Group, which  
6 shall represent the United States at the Quad Intra-  
7 Parliamentary Working Group.

8 (2) MEMBERSHIP.—

9 (A) IN GENERAL.—The United States  
10 Group shall be comprised of not more than 24  
11 Members of Congress.

12 (B) APPOINTMENT.—Of the Members of  
13 Congress appointed to the United States Group  
14 under subparagraph (A)—

15 (i) half shall be appointed by the  
16 Speaker of the House of Representatives,  
17 based on recommendations from the minor-  
18 ity leader, from among Members of the  
19 House, not fewer than four of whom shall  
20 be members of the Committee on Foreign  
21 Affairs; and

22 (ii) half shall be appointed by the  
23 President Pro Tempore of the Senate,  
24 based on recommendations of the majority  
25 leader and minority leader of the Senate,

1 from among Members of the Senate, not  
2 fewer than four of whom shall be members  
3 of the Committee on Foreign Relations  
4 (unless the majority leader and minority  
5 leader determine otherwise).

6 (3) MEETINGS.—

7 (A) IN GENERAL.—The United States  
8 Group shall seek to meet not less frequently  
9 than annually with representatives and appro-  
10 priate staff of the legislatures of Japan, Aus-  
11 tralia, and India, and any other country invited  
12 by mutual agreement of the Quad countries.

13 (B) LIMITATION.—A meeting described in  
14 subparagraph (A) may be held—

- 15 (i) in the United States;
- 16 (ii) in another Quad country during
- 17 periods when Congress is not in session; or
- 18 (iii) virtually.

19 (4) CHAIRPERSON AND VICE CHAIRPERSON.—

20 (A) HOUSE DELEGATION.—The Speaker of  
21 the House of Representatives shall designate  
22 the chairperson or vice chairperson of the dele-  
23 gation of the United States Group from the  
24 House from among members of the Committee  
25 on Foreign Affairs.

1 (B) SENATE DELEGATION.—The President  
2 Pro Tempore of the Senate shall designate the  
3 chairperson or vice chairperson of the delega-  
4 tion of the United States Group from the Sen-  
5 ate from among members of the Committee on  
6 Foreign Relations.

7 (5) AUTHORIZATION OF APPROPRIATIONS.—

8 (A) IN GENERAL.—There is authorized to  
9 be appropriated \$1,000,000 for each fiscal  
10 years 2024 through 2028 for the United States  
11 Group.

12 (B) DISTRIBUTION OF APPROPRIATIONS.—

13 (i) IN GENERAL.—For each fiscal year  
14 for which an appropriation is made for the  
15 United States Group, half of the amount  
16 appropriated shall be available to the dele-  
17 gation from the House of Representatives  
18 and half of the amount appropriated shall  
19 be available to the delegation from the  
20 Senate.

21 (ii) METHOD OF DISTRIBUTION.—The  
22 amounts available to the delegations of the  
23 House of Representatives and the Senate  
24 under clause (i) shall be disbursed on  
25 vouchers to be approved by the chairperson

1 of the delegation from the House of Rep-  
2 resentatives and the chairperson of the del-  
3 egation from the Senate, respectively.

4 (6) PRIVATE SOURCES.—The United States  
5 Group may accept gifts or donations of services or  
6 property, subject to the review and approval, as ap-  
7 propriate, of the Committee on Ethics of the House  
8 of Representatives and the Committee on Ethics of  
9 the Senate.

10 (7) CERTIFICATION OF EXPENDITURES.—The  
11 certificate of the chairperson of the delegation from  
12 the House of Representatives or the delegation of  
13 the Senate of the United States Group shall be final  
14 and conclusive upon the accounting officers in the  
15 auditing of the accounts of the United States Group.

16 (8) ANNUAL REPORT.—The United States  
17 Group shall submit to the Committee on Foreign Af-  
18 fairs of the House of Representatives and the Com-  
19 mittee on Foreign Relations of the Senate a report  
20 for each fiscal year for which an appropriation is  
21 made for the United States Group, including a de-  
22 scription of its expenditures under such appropria-  
23 tion.

*E*

Chairman MCCAUL. The bill was circulated in advance. The clerk shall designate the bill.

The CLERK. HR. 5375, to require a strategy for bolstering engagement and cooperation between the United States, Australia, India, and Japan to seek to establish a quad intra-parliamentary and working group——

Chairman MCCAUL. Without objection, the first reading is dispensed with. The bill is considered read and open to amendment at any point.

Without objection, the Meeks amendment No. 51 in the nature of a substitute circulated to members in advance shall be considered as read and will be treated as original text for purposes of the amendment.

[The amendment offered by Mr. Meeks follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5375  
OFFERED BY MR. MEEKS OF NEW YORK**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Strengthening the  
3 Quad Act”.

**4 SEC. 2. SENSE OF CONGRESS.**

5 It is the sense of Congress that—

6 (1) as a Pacific power, the United States should  
7 continue to strengthen joint cooperation between the  
8 United States, Australia, India, and Japan (com-  
9 monly referred to as the “Quadrilateral Dialogue” or  
10 “Quad” and referred to as such in this Act) to en-  
11 hance and implement a shared vision to meet re-  
12 gional challenges and to promote a free, open, inclu-  
13 sive, resilient, and healthy Indo-Pacific, that is char-  
14 acterized by respect for democratic norms, rule of  
15 law, and market-driven economic growth, and is free  
16 from undue influence and coercion;

17 (2) the United States should expand dialogue  
18 and cooperation through the Quad with a range of

1 partners to support peace and prosperity, the rule of  
2 law, freedom of navigation and overflight, the peace-  
3 ful resolution of disputes, and democratic resilience  
4 in the Indo-Pacific;

5 (3) the pledge from the first-ever Quad leaders  
6 meeting on March 12, 2021, to address shared chal-  
7 lenges, including in public health, cyberspace, critical  
8 technologies, counterterrorism, quality infrastructure  
9 investment, and humanitarian assistance and dis-  
10 aster relief, as well as maritime domains, laid the  
11 foundation for critical cooperation among Quad  
12 countries;

13 (4) the Quad countries, working through insti-  
14 tutions, including the United States International  
15 Development Finance Corporation, the Japan Inter-  
16 national Cooperation Agency, and the Japan Bank  
17 for International Cooperation, and through partner-  
18 ships with multilateral development banks such as  
19 the World Bank and the Asian Development Bank,  
20 should finance development and infrastructure  
21 projects in the Indo-Pacific region that are competi-  
22 tive, transparent, and sustainable;

23 (5) President Biden's decision to elevate the  
24 Quad to the leaders level was critical to bolstering  
25 cooperation, and all four countries should work to

1 ensure that the Quad Leaders' Summit continues to  
2 take place regularly;

3 (6) the ambitious framework for ongoing co-  
4 operation laid out by the four leaders at the fifth  
5 convening of the Quad Leaders' Summit in Hiro-  
6 shima on May 20, 2023, should continue; and

7 (7) the formation of a Quad Intra-Parliamen-  
8 tary Working Group will—

9 (A) sustain and deepen engagement be-  
10 tween senior officials of the Quad countries on  
11 a full spectrum of issues; and

12 (B) be modeled on the successful and long-  
13 standing bilateral intra-parliamentary groups  
14 between the United States and Mexico, Canada,  
15 and the United Kingdom, as well as other for-  
16 mal and informal parliamentary exchanges.

17 **SEC. 3. STRATEGY.**

18 (a) IN GENERAL.—Not later than 180 days after the  
19 date of the enactment of this Act, the Secretary of State  
20 shall submit to the appropriate congressional committees  
21 a strategy for bolstering engagement and cooperation with  
22 the Quad.

23 (b) MATTERS TO BE INCLUDED.—The strategy re-  
24 quired by subsection (a) shall include the following:



1 (1) A description of how the United States in-  
2 tends to demonstrate democratic leadership in the  
3 Indo-Pacific through quadrilateral engagement with  
4 India, Japan, and Australia on shared interests and  
5 common challenges.

6 (2) A summary of—

7 (A) current and past Quad initiatives  
8 across the whole of the United States Govern-  
9 ment, including to promote broad based and in-  
10 clusive economic growth and investment, and to  
11 advance technology cooperation, energy innova-  
12 tion, climate mitigation and adaptation, phys-  
13 ical and digital infrastructure development, edu-  
14 cation, disaster management, resilient supply  
15 chains including in critical minerals, and global  
16 health security;

17 (B) proposals agreed to by all Quad coun-  
18 tries since January 2021 to deepen existing se-  
19 curity cooperation, intelligence sharing, eco-  
20 nomic partnerships, and multilateral coordina-  
21 tion; and

22 (C) initiatives and agreements undertaken  
23 jointly with Quad countries, in addition to other  
24 like-minded partners in the Indo-Pacific, on  
25 areas of shared interest since January 2021.

1 (3) A description of the diplomatic and bureau-  
2 eratic barriers and obstacles to implementing and  
3 expanding existing streams of Quad cooperation.

4 (4) A list of recommendations on how Congress  
5 could assist in addressing the barriers described in  
6 paragraph (3), as well as—

7 (A) any new authorities needed to  
8 strengthen United States leadership in and con-  
9 tribution to existing and proposed Quad initia-  
10 tives and programs; and

11 (B) additional resources needed to scale up  
12 and expand successful Quad initiatives and pro-  
13 grams.

14 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
15 FINED.—In this section, the term “appropriate congres-  
16 sional committees” means—

17 (1) the Committee on Foreign Affairs and the  
18 Permanent Select Committee on Intelligence of the  
19 House of Representatives; and

20 (2) the Committee on Foreign Relations and  
21 the Select Committee on Intelligence of the Senate.

22 **SEC. 4. ESTABLISHMENT OF QUAD INTRA-PARLIAMENTARY**  
23 **WORKING GROUP.**

24 (a) ESTABLISHMENT.—Not later than 60 days after  
25 the date of the enactment of this Act, the Secretary of

1 State shall seek to enter into negotiations with the Gov-  
2 ernments of Japan, Australia, and India (collectively, with  
3 the United States, known as the “Quad”) with the goal  
4 of reaching a written agreement to establish a Quad Intra-  
5 Parliamentary Working Group to facilitate closer coopera-  
6 tion on shared interests and values.

7 (b) UNITED STATES GROUP.—

8 (1) IN GENERAL.—At such time as the govern-  
9 ments of the Quad countries enter into a written  
10 agreement described in subsection (a) to establish a  
11 Quad Intra-Parliamentary Working Group, there  
12 shall be established a United States Group, which  
13 shall represent the United States at the Quad Intra-  
14 Parliamentary Working Group.

15 (2) MEMBERSHIP.—

16 (A) IN GENERAL.—The United States  
17 Group shall be comprised of not more than 24  
18 Members of Congress.

19 (B) APPOINTMENT.—Of the Members of  
20 Congress appointed to the United States Group  
21 under subparagraph (A)—

22 (i) half shall be appointed by the  
23 Speaker of the House of Representatives,  
24 based on recommendations from the minor-  
25 ity leader, from among Members of the

1 House, not fewer than four of whom shall  
2 be members of the Committee on Foreign  
3 Affairs; and

4 (ii) half shall be appointed by the  
5 President Pro Tempore of the Senate,  
6 based on recommendations of the majority  
7 leader and minority leader of the Senate,  
8 from among Members of the Senate, not  
9 fewer than four of whom shall be members  
10 of the Committee on Foreign Relations  
11 (unless the majority leader and minority  
12 leader determine otherwise).

13 (3) MEETINGS.—

14 (A) IN GENERAL.—The United States  
15 Group shall seek to meet not less frequently  
16 than annually with representatives and appro-  
17 priate staff of the legislatures of Japan, Aus-  
18 tralia, and India, and any other country invited  
19 by mutual agreement of the Quad countries.

20 (B) LIMITATION.—A meeting described in  
21 subparagraph (A) may be held—

22 (i) in the United States;

23 (ii) in another Quad country during  
24 periods when Congress is not in session; or

25 (iii) virtually.

1 (4) CHAIRPERSON AND VICE CHAIRPERSON.—

2 (A) HOUSE DELEGATION.—The Speaker of  
3 the House of Representatives shall designate  
4 the chairperson or vice chairperson of the dele-  
5 gation of the United States Group from the  
6 House from among members of the Committee  
7 on Foreign Affairs.

8 (B) SENATE DELEGATION.—The President  
9 Pro Tempore of the Senate shall designate the  
10 chairperson or vice chairperson of the delega-  
11 tion of the United States Group from the Sen-  
12 ate from among members of the Committee on  
13 Foreign Relations.

14 (5) PRIVATE SOURCES.—The United States  
15 Group may accept gifts or donations of services or  
16 property, subject to the review and approval, as ap-  
17 propriate, of the Committee on Ethics of the House  
18 of Representatives and the Committee on Ethics of  
19 the Senate.

20 (6) CERTIFICATION OF EXPENDITURES.—The  
21 certificate of the chairperson of the delegation from  
22 the House of Representatives or the delegation of  
23 the Senate of the United States Group shall be final  
24 and conclusive upon the accounting officers in the  
25 auditing of the accounts of the United States Group.

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1           (7) ANNUAL REPORT.—The United States  
2       Group shall submit to the Committee on Foreign Af-  
3       fairs of the House of Representatives and the Com-  
4       mittee on Foreign Relations of the Senate a report  
5       for each fiscal year for which an appropriation is  
6       made for the United States Group, including a de-  
7       scription of its expenditures under such appropria-  
8       tion.

9           (8) ENGAGEMENT WITH US OFFICIALS ON THE  
10      QUAD.—Senior United States officials shall provide  
11      regular updates and briefings to the United States  
12      Group, including leading up to and after major  
13      Quadrilateral dialogues, to ensure close coordination  
14      with Congress.



Chairman MCCAUL. Is there discussion on the bill?

The ranking member, Mr. Meeks, is recognized.

Mr. MEEKS. Thank you, Mr. Chairman. Thank you for your work and working collectively on this also as I strongly support H.R. 5375, the Strengthening the Quad Act. And I have always said that we are stronger when we lead with diplomacy and work with our partners and our allies.

This is especially true in the Indo-Pacific region where America's presence, engagement, and alliance systems has maintained peace and stability for decades. Today as the world and the region undergo rapid strategic and economic changes, it is critical that the United States upgrade our diplomatic and development efforts to showcase the United States' leadership and deliver for the region.

And that is why I am thankful to President Joe Biden for elevating the quad to the leaders' level and supercharging quad diplomacy. In less than 3 years the leaders of the United States, Japan, Australia, and India have held five Quad Leaders' Summits to chart cooperation, to support the region's development, stability, and prosperity.

As the quad has evolved it has expanded to new areas of cooperation. At the May 2023 Quad Leaders' Summit at Hiroshima the quad nations agreed to enhance cooperation on infrastructure, investment, critical and emergent technologies, maritime issues, climate and energy, as well as other issues. And the quad does so in ways that complement other multilateral groupings in the region including ASEAN. The quad is integral for a free and open Indo-Pacific, but it will only be successful if it has a clear long-term strategy as well as political and institutional support in all four capitals.

And this is why my bill calls for a quad strategy that focuses on building democratic leadership in the region for the long term, but we need to maximize the quad's effectiveness by making longer term investments, engaging in sustained cooperation, and adapting our approach over time based on results. The strategy and report to Congress would allow successive Administrations to chart long-term objectives and partner with Congress to best meet them.

H.R. 5375 also calls for the creation of a quad intra-parliamentary working group to facilitate engagement and cooperation among the legislative bodies of the four quad democracies. Intra-parliamentary engagement would enhance legislative input and oversight and will help enhance the quad's focus and effectiveness. It would also ensure that there is sustained support for the quad in all four countries across political lines. Moreover, legislative input will also make it easier to adequately resource the quad and equip it to deliver for the region.

With an increasingly precarious and unstable Indo-Pacific region the quad is more important now than ever for upholding regional rules and helping maintain stability. This bill will ensure that the quad is putting forward a positive and practical agenda for the region.

And again, in talking about having the parliamentary engagement it gives us the opportunity—and I know, Mr. Chairman, you and I have sat in on some of the dinners where we have had conversations and working together in that regards, and in also meet-

ing and working with some of our colleagues in the parliaments of these other countries. It enhances us working together. It makes sure that no matter what Administration has changed or who the legislative branch is engaged also. So I thank you for your cooperation and working together.

So I support this measure and urge all my colleagues to do the same, and I yield back.

Chairman MCCAUL. The gentleman yields.

And I fully support this measure. I believe it is important not only for the executive branch to communicate with the respective parliaments and the Congress.

Any further discussion on the bill?

Mr. CONNOLLY. Mr. Chairman?

Chairman MCCAUL. Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you. I also am grateful for Mr. Meeks and bringing this forward. And I think it is about time Congress in fact take specific action with respect to the quad, and I welcome this measure and gladly support it.

I would note that for the quad to be effective we need partners who are making the serious investments in their own militaries to be a partner in the region. The quad will not be effective if China has nothing to fear from it. And maybe the word respect is better than fear. And we had a hearing a few months ago where some of the weaknesses in Australia's military really were highlighted. And so some of our partners need to be making investments, just like we have been making investments, in their region and in our military. They need to reciprocate. They need to do it, too, because this has to be the partnership. That is the whole point of the quad. It is not a unilateral American actin.

So I would hope that when this bill becomes law we can use this platform, on the parliamentary level anyhow, in encouraging our colleagues in the other members of the quad to make those investments, to support those investments so that China understands what it has wrought. I thank my friend and I yield back.

Chairman MCCAUL. The gentleman yields.

And let me just add it appears that the—our AUKUS measure will like pass in the National Defense Authorization Bill. I want to thank the ranking member for working with me to get to this point. And I think that—of course as you know is the U.K. and Australia, but the quad really complements that effort in a strong way. And so that is why I strongly support this bill.

Any further discussion on the bill?

There being no further discussion on the bill the committee will move to consideration of amendments. Does any member wish to offer an amendment?

Mr. MEEKS. Can we get a roll call vote?

Chairman MCCAUL. Oh.

Mr. MEEKS. Oh, we have not done it?

Chairman MCCAUL. Oh, we are on amendments.

Mr. MEEKS. Yes.

Chairman MCCAUL. Yes. Any amendments?

There being no amendments, I move that the committee report H.R. 5375 as amended to the House with a favorable recommendation.



All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the motion is agreed to.

Mr. MEEKS. Ask for a roll call vote.

Chairman MCCAUL. A roll call vote has been requested. Pursuant to the chair's previous announcement this vote will be postponed.

Pursuant to notice I now call up H.R. 1103, the Hong Kong Economic and Trade Office Certification Act.

[The Bill H.R. 1103 follows:]

118TH CONGRESS  
1ST SESSION

# H. R. 1103

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.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2023

Mr. SMITH of New Jersey (for himself and Mr. McGOVERN) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To 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,*

3 **SECTION 1. SHORT TITLE.**

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

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

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

12 (1) the Hong Kong Economic and Trade Of-  
13 fices—

14 (A) merit extension and application of the  
15 privileges, exemptions, and immunities specified  
16 in subsection (b); or

17 (B) no longer merit extension and applica-  
18 tion of the privileges, exemptions, and immuni-  
19 ties specified in subsection (b); and

20 (2) a detailed report justifying that certifi-  
21 cation.

22 (b) PRIVILEGES, EXEMPTIONS, AND IMMUNITIES  
23 SPECIFIED.—The privileges, exemptions, and immunities  
24 specified in this subsection are the privileges, exemptions,  
25 and immunities extended and applied to the Hong Kong  
26 Economic and Trade Offices under section 1 of the Act

1 entitled “An Act to extend certain privileges, exemptions,  
2 and immunities to Hong Kong Economic and Trade Of-  
3 fices”, approved June 27, 1997 (22 U.S.C. 288k).

4 (c) EFFECT OF CERTIFICATION.—

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

14 (2) CONTINUED OPERATIONS.—If the President  
15 certifies under subsection (a)(1)(A) that the Hong  
16 Kong Economic and Trade Offices merit extension  
17 and application of the privileges, exemptions, and  
18 immunities specified in subsection (b), the Hong  
19 Kong Economic and Trade Offices may continue op-  
20 erations for the one-year period following the date of  
21 that certification or until the next certification re-  
22 quired under section 205(a)(1)(A) of the United  
23 States-Hong Kong Policy Act of 1992 (22 U.S.C.  
24 5725(a)(1)(A)) is submitted, whichever occurs first,

1 unless a disapproval resolution is enacted under sub-  
2 section (f).

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

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

14 (f) CONGRESSIONAL REVIEW.—

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

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

24 (B) the sole matter after the resolving  
25 clause of which is the following: “Congress dis-

1 approves of the certification by the President  
2 under section 2(a)(1)(A) of the Hong Kong  
3 Economic and Trade Office (HKETO) Certifi-  
4 cation Act that the Hong Kong Economic and  
5 Trade Offices merit extension and application  
6 of certain privileges, exemptions, and immuni-  
7 ties, on ■ ■ ■.”, with the blank space being  
8 filled with the appropriate date.

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

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

13 (B) in the Senate, by the majority leader  
14 (or the majority leader’s designee) or the mi-  
15 nority leader (or the minority leader’s des-  
16 ignee).

17 (3) FLOOR CONSIDERATION IN HOUSE OF REP-  
18 RESENTATIVES.—If a committee of the House of  
19 Representatives to which a disapproval resolution  
20 has been referred has not reported the resolution  
21 within 10 legislative days after the date of referral,  
22 that committee shall be discharged from further con-  
23 sideration of the resolution.

24 (4) CONSIDERATION IN SENATE.—

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

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

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

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

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

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

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

20              (A) TREATMENT OF SENATE RESOLUTION  
21       IN HOUSE.—In the House of Representatives,  
22       the following procedures shall apply to a dis-  
23       approval resolution received from the Senate  
24       (unless the House has already passed a resolu-  
25       tion relating to the same proposed action):



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

3 (ii) If a committee to which a resolu-  
4 tion has been referred has not reported the  
5 resolution within 10 legislative days after  
6 the date of referral, that committee shall  
7 be discharged from further consideration  
8 of the resolution.

9 (iii) Beginning on the third legislative  
10 day after each committee to which a reso-  
11 lution has been referred reports the resolu-  
12 tion to the House or has been discharged  
13 from further consideration thereof, it shall  
14 be in order to move to proceed to consider  
15 the resolution in the House. All points of  
16 order against the motion are waived. Such  
17 a motion shall not be in order after the  
18 House has disposed of a motion to proceed  
19 on the resolution. The previous question  
20 shall be considered as ordered on the mo-  
21 tion to its adoption without intervening  
22 motion. The motion shall not be debatable.  
23 A motion to reconsider the vote by which  
24 the motion is disposed of shall not be in  
25 order.

1 (iv) The resolution shall be considered  
2 as read. All points of order against the res-  
3 olution and against its consideration are  
4 waived. The previous question shall be con-  
5 sidered as ordered on the resolution to  
6 final passage without intervening motion  
7 except 2 hours of debate equally divided  
8 and controlled by the offeror of the motion  
9 to proceed (or a designee) and an oppo-  
10 nent. A motion to reconsider the vote on  
11 passage of the resolution shall not be in  
12 order.

13 (B) TREATMENT OF HOUSE RESOLUTION  
14 IN SENATE.—

15 (i) RECEIVED BEFORE PASSAGE OF  
16 SENATE RESOLUTION.—If, before the pas-  
17 sage by the Senate of a disapproval resolu-  
18 tion, the Senate receives an identical reso-  
19 lution from the House of Representatives,  
20 the following procedures shall apply:

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

23 (II) With respect to that resolu-  
24 tion—

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

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

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

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

23 (C) APPLICATION TO REVENUE MEAS-  
24 URES.—The provisions of this subparagraph  
25 shall not apply in the House of Representatives

1 to a disapproval resolution that is a revenue  
2 measure.

3 (6) RULES OF HOUSE OF REPRESENTATIVES  
4 AND SENATE.—This paragraph is enacted by Con-  
5 gress—

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

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

18 (g) DEFINITIONS.—In this section:

19 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
20 TEES.—The term “appropriate congressional com-  
21 mittees” means the Committee on Foreign Relations  
22 of the Senate and the Committee on Foreign Affairs  
23 of the House of Representatives.

24 (2) HONG KONG ECONOMIC AND TRADE OF-  
25 FICES.—The term “Hong Kong Economic and

1 Trade Offices” has the meaning given that term in  
2 section 1(c) of the Act entitled “An Act to extend  
3 certain privileges, exemptions, and immunities to  
4 Hong Kong Economic and Trade Offices”, approved  
5 June 27, 1997 (22 U.S.C. 288k).

6 **SEC. 3. LIMITATION ON CONTRACTING RELATING TO HONG**  
7 **KONG ECONOMIC AND TRADE OFFICES.**

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

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

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

24 (b) CERTIFICATION.—

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

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

22           (3) CERTIFICATION DESCRIBED.—With respect  
23 to an agreement or partnership with the Hong Kong  
24 Economic and Trade Offices, a certification de-  
25 scribed in this paragraph is a certification that the

1 agreement or partnership does not promote efforts  
2 by the Government of the Hong Kong Special Ad-  
3 ministrative Region and the Government of the Peo-  
4 ple's Republic of China—

5 (A) to justify the dismantling of the auton-  
6 omy of Hong Kong and the freedoms and rule  
7 of law guaranteed by the Sino-British Joint  
8 Declaration of 1984; or

9 (B) to portray within the United States  
10 the Government of the Hong Kong Special Ad-  
11 ministrative Region or the Government of the  
12 People's Republic of China as protecting the  
13 rule of law or the human rights and civil lib-  
14 erties of the people of Hong Kong.

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

22 **SEC. 4. POLICY OF UNITED STATES ON PROMOTION OF AU-**  
23 **TONOMY OF GOVERNMENT OF THE HONG**  
24 **KONG SPECIAL ADMINISTRATIVE REGION.**

25 It is the policy of the United States—

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

17           (2) to recognize that promotion of Hong Kong  
18       as described in paragraph (1) should be considered  
19       propaganda for the efforts of the People's Republic  
20       of China to dismantle rights and freedom guaran-  
21       teed to the residents of Hong Kong by the Inter-  
22       national Covenant on Civil and Political Rights and  
23       the Sino-British Joint Declaration of 1984;

24           (3) to ensure that entities of the United States  
25       Government do not engage in or assist with propa-



1       ganda of the People's Republic of China regarding  
2       Hong Kong; and  
3       (4) to engage with the Government of the Hong  
4       Kong Special Administrative Region, through all rel-  
5       evant entities of the United States Government,  
6       seeking the release of political prisoners, the end of  
7       arbitrary detentions, the resumption of a free press  
8       and fair and free elections open to all candidates,  
9       and the restoration of an independent judiciary.

Æ

Chairman MCCAUL. The bill was circulated in advance. The clerk shall designate the bill.

The CLERK. H.R. 1103, 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——

Chairman MCCAUL. Without objection, the first reading is dispenses with. The bill is considered read and open to amendment at any point.

Any discussion on the bill?

Mr. Smith is recognized.

Mr. SMITH. I do have an amendment in the nature of a substitute.

Chairman MCCAUL. Yes.

Mr. SMITH. Thank you. Thank you very much, Mr. Chairman. I do want to thank you for including the bill in today's markup and for your strong support of it as well as for Ranking Member Meeks'.

Hong Kong today is not the Hong Kong many of us knew, respected, and supported. We cherish the people, but is it the government that has become the severe oppressor of the people. The promise of one country, two systems, by whereby Hong Kong would keep its distinct social and legal system for 50 years following the 1997 hand over from Great Britain has proven to be a fiction. The basic law has been trashed. And I would remind members that the basic law reads like our Bill of Rights. The rights enumerated there are amazing and the people of Hong Kong enjoy those rights. Sometimes they are abrogated, but they did enjoy them to a large extent until now.

Also the Sino-U.K. Treaty has been abrogated with impunity. That was a treaty that is binding. And so that international law has been violated by Xi Jinping and the Hong Kong authorities. Again, it has all been done in plain sight, and some of the best and the brightest and the bravest are now languishing in prison, including people like Joshua Wong.

Jimmy Lai. Jimmy Lai, what an amazing man. He could have left. He was a publisher, as we all know, was a newspaper man and now he is in prison and he will probably spend the rest of his life there.

We had a hearing in April and we heard from Sebastian Lai, his son. Articulate, strong, powerful, courageous. And he made the case like no other on behalf of the people of Hong Kong and of course for his father.

And we have a situation where people just look askance and say well, maybe we could do business again in Hong Kong. It has changed radically and people who do business there who happen to be Americans or corporate types, they had better take notice because in a twinkling of an eye they could find themselves in a very, very bad situation. About 1,000 political prisoners—there is more than that, but these are people who are absolutely committed to non-violence who are being tortured by the Hong Kong police and of course being—all this being promoted by Xi Jinping.

The Hong Kong Economic and trade Offices, or shortly—or for short HKETOs, were given the status akin to an embassy and with privileges and immunities on the assumption that Hong Kong would retain—I say again retain a degree of autonomy from Communist China. They have now however become three additional hostile Chinese outposts in the United States. From these HKETOs located in Washington, New York, and San Francisco we have seen an extension of the PRC's long arm transactional repression including harassment of Hong Kong democracy advocates living in exile here in the United States.

Anna Kwok, who is here with us today—and thank you for your extraordinary bravery. She is the executive director of the Hong Kong Democracy Council. She testified at our hearing of the China Commission and she told us how her team was questioned by the Chinese officials. HKETO officials questioned her team and there was one of the eight democracy advocates of whom the Hong Kong government placed; she is one of them, a million dollar bounty for their return to face political persecution in Hong Kong. I mean in the light of day here they are operating in the United States. It is time that their doors be shuttered.

We just saw the Asia-Pacific Economic Cooperation, or APEC meeting conclude in San Francisco the week before last where China had two votes. Not one, two; its own and Hong Kong's. Hong Kong's financial minister Paul Chan was present at APEC though thankfully Chief Executive John Lee, who has been sanctioned by the United States for his dismantling of democracy in Hong Kong, did not show up.

But regardless of who was the front man the reality is that Xi Jinping is calling the shots and the notion that Hong Kong was an independent actor at this gathering is about as credible as the days of the Soviet Union when it had three votes at the United Nations General Assembly; its own plus that of Ukraine and Belarus Soviet Socialist Republics.

Thus, the timeliness of moving this bill at this junction is that Congress is sending a message. We see through the charade. The bill will authorize the President to end the privileges and immunities HKETOs now enjoy and force them to enter—either fold or reconstitute themselves as an NGO thereby taking away the diplomatic shield they now hide behind when they are harassing Hong Kong democracy activists living in the U.S.

It would further prevent the U.S. Government entities from contracting with HKETOs, putting a stop to debacles such as the one that took place in September of last year whereby the Smithsonian Institute hosted a gala called Classy, Sassy, Jazzy Hong Kong Night, effectively enabling HKETO propaganda to—a ploy aimed at showing the world that business had returned to normal in Hong Kong, when in reality press freedom and democracy activists, like I said, Jimmy Lai and Joshua Wong, were languishing in prison.

Finally, the bill would update and reState our policy vis—vis Hong Kong.

I would like to thank the committee staff, both Democrat and Republican, particularly Ann Kowalewski, Chris White, who kept—who worked on this ANS with us. And let me just remind members, this is a—not only a bipartisan bill; Jim McGovern is the

chief cosponsor of it, it is also bicameral. Senator Merkley and others have also joined on the Senate side. So it is an effort that is totally bipartisan/bicameral. And again I want to thank Scott Flipse, Andy Wong, Piero Tozzi, who is right behind me who is our general counsel for—and chief of the staff for the China Commission. This is an idea whose time has come and let's empower the President to be able to do this. I yield back.

Chairman MCCAUL. The gentleman yields.

Let me thank you, Mr. Smith, for bringing this bill forward. I was astounded to learn that these offices were still in existence in the United States and they are a mouth—a propaganda piece for the CCP. So thank you for calling this excellent bill to our attention.

Any further discussion on the bill?

Mr. Connolly is recognized.

Mr. CONNOLLY. Mr. Chairman, just briefly, I absolutely join in the sentiments expressed by my friend from New Jersey and I thank him for bringing the bill forward.

I mean, Hong Kong was one of the most vibrant, exciting, successful places on the planet. It merged cultures, it fostered entrepreneurship, it was an entrepot for the whole of Asia, and a beautiful place to see physically. And it took the Chinese Communist Party to squelch all that, to suppress it, to turn back the clock. And in doing so abrogating and violating a treaty it agreed to in 1997 with the hand over.

And China has no one to blame but itself with respect to Taiwanese alienation from the One China, Two Systems policy espoused previously that has been abrogated and abandoned today. Taiwan looks at what happened in Hong Kong as the exemplar, and it is not reassuring. And China has, as I said, no one to blame for itself for its own behavior.

And I think we have to respond and we have to keep Hong Kong in the spotlight because it is such a special place and there are—we know from protests, we know from the courage my friend described of men and women who are in prison simply because they defend the freedom promised in the 1997 agreement.

So I think this is an important step and I hope this committee and I hope Congress will continue to keep Hong Kong in the forefront. Thank you.

Chairman MCCAUL. The gentleman yields.

Any further discussion on the bill?

There being no further discussion, are there any amendments? The committee will move to consideration of amendments. Does any member wish to offer an amendment?

Mr. Smith is recognized.

Mr. SMITH. Mr. Chairman, I have an amendment in the nature of a substitute.

[The amendment of Mr. Smith follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 1103  
OFFERED BY MR. SMITH OF NEW JERSEY**

Strike all after the enacting clause and insert the following:

**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. DETERMINATION ON WHETHER TO EXTEND CER-  
5 TAIN PRIVILEGES, EXEMPTIONS, AND IMMU-  
6 NITIES TO THE HONG KONG ECONOMIC AND  
7 TRADE OFFICES IN THE UNITED STATES.**

8       (a) DETERMINATION 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 Secretary of State shall, as part of  
14 such certification, include a separate determination that—

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

1 (A) merit extension and application of the  
2 privileges, exemptions, and immunities specified  
3 in subsection (b); or

4 (B) no longer merit extension and applica-  
5 tion of the privileges, exemptions, and immuni-  
6 ties specified in subsection (b); and

7 (2) a detailed report justifying that determina-  
8 tion, which may include considerations related to  
9 United States national security interests.

10 (b) PRIVILEGES, EXEMPTIONS, AND IMMUNITIES  
11 SPECIFIED.—The privileges, exemptions, and immunities  
12 specified in this subsection are the privileges, exemptions,  
13 and immunities extended and applied to the Hong Kong  
14 Economic and Trade Offices under section 1 of the Act  
15 entitled “An Act to extend certain privileges, exemptions,  
16 and immunities to Hong Kong Economic and Trade Of-  
17 fices”, approved June 27, 1997 (22 U.S.C. 288k).

18 (c) EFFECT OF DETERMINATION.—

19 (1) TERMINATION.—If the Secretary of State  
20 determines under subsection (a)(1)(B) that the  
21 Hong Kong Economic and Trade Offices no longer  
22 merit extension and application of the privileges, ex-  
23 emptions, and immunities specified in subsection (b),  
24 the Hong Kong Economic and Trade Offices shall  
25 terminate operations not later than 180 days after

1 the date on which that determination is delivered to  
2 the appropriate congressional committees, as part of  
3 the certification required under section 205(a)(1)(A)  
4 of the United States-Hong Kong Policy Act of 1992  
5 (22 U.S.C. 5725(a)(1)(A)).

6 (2) CONTINUED OPERATIONS.—If the Secretary  
7 of State determines under subsection (a)(1)(A) that  
8 the Hong Kong Economic and Trade Offices merit  
9 extension and application of the privileges, exemp-  
10 tions, and immunities specified in subsection (b), the  
11 Hong Kong Economic and Trade Offices may con-  
12 tinue operations for the one-year period following  
13 the date of the certification that includes that deter-  
14 mination or until the next certification required  
15 under section 205(a)(1)(A) of the United States-  
16 Hong Kong Policy Act of 1992 (22 U.S.C.  
17 5725(a)(1)(A)) is submitted, whichever occurs first,  
18 unless a disapproval resolution is enacted under sub-  
19 section (d).

20 (d) CONGRESSIONAL REVIEW.—

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

24 (A) the title of which is the following: “A  
25 joint resolution disapproving the certification by

1 the President that the Hong Kong Economic  
2 and Trade Offices continue to merit extension  
3 and application of certain privileges, exemp-  
4 tions, and immunities.”; and

5 (B) the sole matter after the resolving  
6 clause of which is the following: “Congress dis-  
7 approves of the certification by the President  
8 under section 2(a)(1)(A) of the Hong Kong  
9 Economic and Trade Office (HKETO) Certifi-  
10 cation Act that the Hong Kong Economic and  
11 Trade Offices merit extension and application  
12 of certain privileges, exemptions, and immuni-  
13 ties, on \_\_\_\_\_”, with the blank space being  
14 filled with the appropriate date.

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

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

19 (B) in the Senate, by the majority leader  
20 (or the majority leader’s designee) or the mi-  
21 nority leader (or the minority leader’s des-  
22 ignee).

23 (3) FLOOR CONSIDERATION IN HOUSE OF REP-  
24 RESENTATIVES.—If a committee of the House of  
25 Representatives to which a disapproval resolution



1 has been referred has not reported the resolution  
2 within 10 legislative days after the date of referral,  
3 that committee shall be discharged from further con-  
4 sideration of the resolution.

5 (4) CONSIDERATION IN SENATE.—

6 (A) COMMITTEE REFERRAL.—A dis-  
7 approval resolution introduced in the Senate  
8 shall be referred to the Committee on Foreign  
9 Relations.

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

18 (C) PROCEEDING TO CONSIDERATION.—  
19 Notwithstanding Rule XXII of the Standing  
20 Rules of the Senate, it is in order at any time  
21 after the Committee on Foreign Relations re-  
22 ports a disapproval resolution to the Senate or  
23 has been discharged from consideration of such  
24 a resolution (even though a previous motion to  
25 the same effect has been disagreed to) to move

1 to proceed to the consideration of the resolu-  
 2 tion, and all points of order against the resolu-  
 3 tion (and against consideration of the resolu-  
 4 tion) are waived. The motion to proceed is not  
 5 debatable. The motion is not subject to a mo-  
 6 tion to postpone. A motion to reconsider the  
 7 vote by which the motion is agreed to or dis-  
 8 agreed to shall not be in order.

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

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

23 (5) RULES RELATING TO SENATE AND HOUSE  
 24 OF REPRESENTATIVES.—

1 (A) TREATMENT OF SENATE RESOLUTION  
2 IN HOUSE.—In the House of Representatives,  
3 the following procedures shall apply to a dis-  
4 approval resolution received from the Senate  
5 (unless the House has already passed a resolu-  
6 tion relating to the same proposed action):

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

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

15 (iii) Beginning on the third legislative  
16 day after each committee to which a reso-  
17 lution has been referred reports the resolu-  
18 tion to the House or has been discharged  
19 from further consideration thereof, it shall  
20 be in order to move to proceed to consider  
21 the resolution in the House. All points of  
22 order against the motion are waived. Such  
23 a motion shall not be in order after the  
24 House has disposed of a motion to proceed  
25 on the resolution. The previous question

1 shall be considered as ordered on the mo-  
 2 tion to its adoption without intervening  
 3 motion. The motion shall not be debatable.  
 4 A motion to reconsider the vote by which  
 5 the motion is disposed of shall not be in  
 6 order.

7 (iv) The resolution shall be considered  
 8 as read. All points of order against the res-  
 9 olution and against its consideration are  
 10 waived. The previous question shall be con-  
 11 sidered as ordered on the resolution to  
 12 final passage without intervening motion  
 13 except 2 hours of debate equally divided  
 14 and controlled by the offeror of the motion  
 15 to proceed (or a designee) and an oppo-  
 16 nent. A motion to reconsider the vote on  
 17 passage of the resolution shall not be in  
 18 order.

19 (B) TREATMENT OF HOUSE RESOLUTION  
 20 IN SENATE.—

21 (i) RECEIVED BEFORE PASSAGE OF  
 22 SENATE RESOLUTION.—If, before the pas-  
 23 sage by the Senate of a disapproval resolu-  
 24 tion, the Senate receives an identical reso-

1 lution from the House of Representatives,  
 2 the following procedures shall apply:

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

5 (II) With respect to that resolu-  
 6 tion—

7 (aa) the procedure in the  
 8 Senate shall be the same as if no  
 9 resolution had been received from  
 10 the House of Representatives;  
 11 but

12 (bb) the vote on passage  
 13 shall be on the resolution from  
 14 the House of Representatives.

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

22 (iii) NO SENATE COMPANION.—If a  
 23 disapproval resolution is received from the  
 24 House of Representatives, and no com-  
 25 panion resolution has been introduced in

1 the Senate, the Senate procedures under  
 2 this subsection shall apply to the resolution  
 3 from the House of Representatives.

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

9 (6) RULES OF HOUSE OF REPRESENTATIVES  
 10 AND SENATE.—This paragraph is enacted by Con-  
 11 gress—

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

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

24 (e) DEFINITIONS.—In this section:

1           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
2       TEES.—The term “appropriate congressional com-  
3       mittees” means the Committee on Foreign Relations  
4       of the Senate and the Committee on Foreign Affairs  
5       of the House of Representatives.

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

13   **SEC. 3. LIMITATION ON CONTRACTING RELATING TO HONG**  
14                   **KONG ECONOMIC AND TRADE OFFICES.**

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

21           (1) the Secretary of State has submitted to the  
22      Committee on Foreign Relations of the Senate and  
23      the Committee on Foreign Affairs of the House of  
24      Representatives a determination under section  
25      2(a)(1)(A) that the Hong Kong Economic and

1 Trade Offices merit extension and application of cer-  
2 tain privileges, exemptions, and immunities;

3 (2) a disapproval resolution under section 2(d)  
4 is not enacted during the 90-day period following the  
5 submission of that determination; and

6 (3) the agreement or partnership does not pro-  
7 mote efforts by the Government of the Hong Kong  
8 Special Administrative Region and the Government  
9 of the People's Republic of China—

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

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

20 (b) HONG KONG ECONOMIC AND TRADE OFFICES  
21 DEFINED.—In this section, the term “Hong Kong Eco-  
22 nomic and Trade Offices” has the meaning given that  
23 term in section 1(e) of the Act entitled “An Act to extend  
24 certain privileges, exemptions, and immunities to Hong



1 Kong Economic and Trade Offices”, approved June 27,  
2 1997 (22 U.S.C. 288k).

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

6 It is the policy of the United States—

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

23 (2) to recognize that promotion of Hong Kong  
24 as described in paragraph (1) should be considered  
25 propaganda for the efforts of the People’s Republic

1 of China to dismantle rights and freedom guaran-  
2 teed to the residents of Hong Kong by the Inter-  
3 national Covenant on Civil and Political Rights and  
4 the Sino-British Joint Declaration of 1984;

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

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



Chairman MCCAUL. The clerk shall distribute the amendment.

Mr. SMITH. And would just say to my colleagues I want to thank both the Democrat and the Republican side. We worked very cooperatively on this and I think there is no remaining issues whatsoever. So this amendment I think should hopefully garner the support of everyone.

I would ask that, Mr. Chairman, a letter signed by 30 Hong Kong human rights and democracy organizations in support of this bill be made a part of the record.

[The information referred to follows:]



**Committee for Freedom in Hong Kong Foundation**  
 1100 13<sup>th</sup> Street NW, Suite 800  
 Washington, DC 20005  
[www.theCFHK.org](http://www.theCFHK.org)

May 10, 2023

The Honorable Michael McCaul  
 Chairman  
 Foreign Affairs Committee  
 U.S. House of Representatives  
 2170 Rayburn House Office Bldg.  
 Washington, DC 20515

The Honorable Gregory Meeks  
 Ranking Member  
 Foreign Affairs Committee  
 U.S. House of Representatives  
 2471 Rayburn House Office Bldg.  
 Washington, DC 20515

The Honorable Bob Menendez  
 Chairman  
 Foreign Relations Committee  
 United States Senate  
 423 Dirksen Senate Office Bldg.  
 Washington, DC 20510

The Honorable James Risch  
 Ranking Member  
 Foreign Relations Committee  
 United States Senate  
 423 Dirksen Senate Office Bldg.  
 Washington, DC 20510

Dear Chairmen McCaul and Menendez, and Ranking Members Meeks and Risch,

We represent a coalition of 30 organizations committed to the freedom of Hong Kong, the rights of its people, and the support of the Hong Kong diaspora. We write to request that your respective committees schedule business meetings to markup the bipartisan *The Hong Kong Economic and Trade Office Certification Act* (S. 490; H.R. 1103). This bipartisan legislation would force a review of the preferential treatment that Hong Kong Economic and Trade Offices (HKETOs) currently receive under U.S. law. These organizations may have deserved special treatment when they represented a relatively autonomous Hong Kong; they now operate as little more than propaganda machines for the Chinese Communist Party. We believe this charade must come to an end.

As you know, HKETOs are official representative offices of the Hong Kong Special Administrative Region. They were founded after the British handover of Hong Kong to the People's Republic of China (PRC) in 1997, and intended to deepen economic, trade, investment, and cultural ties between Hong Kong and the U.S. HKETOs currently operate in New York, San Francisco, and Washington, DC. They serve no consular functions, but U.S. law gives the offices and their employees diplomatic privileges, exemptions, and immunities.

In the treaty governing the handover, the PRC committed to affording Hong Kong a "high degree of autonomy." Permission to operate HKETOs in the United States was predicated on the understanding that the PRC would honor that commitment. Over the last several years, the PRC has instead thoroughly abrogated this commitment. In June 2020, the PRC tightened its grip on the city with the passage of the draconian National Security Law, which targets the basic freedoms and independence once enjoyed by the people of Hong Kong. The sad fact is that Hong Kong can no longer claim autonomous status—as the U.S. recognized following the enactment of the *Hong Kong Human Rights and Democracy Act* of 2019. Allowing the PRC to operate a separate diplomatic office in the U.S. now confers a privilege on that it does not deserve.

The *Hong Kong Economic and Trade Office Certification Act* would require the President to make an annual certification that HKETOs merit the extension of the privileges and immunities they currently

receive. It also stipulates that if Congress adopts a resolution disapproving that certification, the administration would have to revoke their status.

As you carefully consider your committees' priorities, we ask that you include among them a markup of this important legislation. The people of Hong Kong deserve proper representation, not CCP propaganda.

Sincerely,

Committee for Freedom in Hong Kong Foundation - on behalf of a coalition of 30 organizations.

**U.S.-based Hong Kong Community and Advocacy Groups:**

1. Cornell Society for the Promotion of East Asian Liberty (SPEAL)
2. DC4HK (Washingtonians supporting Hong Kong)
3. Fight for Freedom. Stand with Hong Kong.
4. Hong Kong Affairs Association of Berkeley
5. Hong Kong Democracy Council
6. Hong Kong Forum, Los Angeles
7. Hong Kong Liberty Silver Hair Group
8. Hong Kong Professional Network
9. Hong Kong Student Advocacy Group at NYU (NYU-HKSAG)
10. Hong Kong Watch
11. Hong Kongers in San Diego
12. Hong Kongers in San Francisco Bay Area
13. Lion Rock Cafe
14. LV4HK - Las Vegas Stands with Hong Kong
15. Northern California Hong Kong Club
16. NY4HK - New Yorkers Supporting Hong Kong
17. Penn State Students For Hong Kong
18. Philly4HK
19. SD4HK - San Diegans Supporting Hong Kong
20. Students For Hong Kong (Students4HK)
21. TX4HK - Texans Supporting Hong Kong
22. US Hongkongers Club
23. We The Hongkongers

**Supporting Groups of Ally:**

24. China Aid Association
25. Citizen Power Initiatives for China
26. Humanitarian China
27. Human Rights in China
28. Tibet Action Institute
29. Uyghur Human Rights Project

cc: Senators Marco Rubio, Jeff Merkley  
Representatives Christopher Smith, Jim McGovern

Chairman McCAUL. Without objection, so ordered.

Mr. SMITH. I yield back.

Chairman McCAUL. And the clerk shall report the amendment.

The CLERK. Amendment in the nature of a substitute to H.R. 1103 offered by Mr. Smith of New Jersey. Strike all after the enacting clause and insert the following: Section 1, short title. This act may be—

Chairman McCAUL. Without objection, further reading of the amendment is dispensed with.

The gentleman from New Jersey is recognized for 5 minutes.

Mr. SMITH. Chairman, I have Stated I think the case. I yield back and I just ask for support.

Chairman McCAUL. The gentleman yields back.

Any other members seek recognition?

Mr. Meeks is recognized.

Mr. MEEKS. Thank you, Mr. Chairman. I strongly support the ANS to the Hong Kong Economic and Trade Office Certification Act. The whole world has watched as Beijing undid the one country, two systems framework that guaranteed autonomy to Hong Kong. In doing so Beijing failed to live up to its commitments under the Sino-British Joint Declaration and to the people of Hong Kong.

Since June 2022 China, through its draconian national security law, as essentially revoked Hong Kong's autonomy. We have seen authorities crack down on free speech, free press, and free association. Hong Kong courts are no longer independent. Some judicial cases are now tried in Mainland China while some trials are held behind closed doors.

We have also seen intimidation and rampant digital surveillance of journalists and activists and the arrest of anyone who dares to express their opposition to Beijing's repressive policies. According to the Hong Kong Democracy Council as of last week there were 1,732 political prisoners in the city. Under these circumstances it is very hard to see Hong Kong as autonomous in any credible way.

Currently Hong Kong Economic and Trade Offices operate as official representative offices of the Hong Kong Special Administrative Region enjoying a series of privileges, exemptions, and immunities. The United States granted Hong Kong these privileges based on Hong Kong's distinct autonomous status. Given the rampant repression we have seen under the national security law it makes sense to revisit whether Hong Kong officials should continue to retain such privileges.

This bill calls on the President to determine whether such privileges should be extended or revoked. Hong Kong should only benefit from having a status distinct from China internationally if it is truly autonomous from the PRC at home.

And so while I am generally supportive of this measure I am concerned that we could inadvertently be playing into Beijing's hand by helping shut the door on Hong Kong's return to autonomy. It is my hope that the majority would have accepted more of our suggested edits to address these concerns. If the Hong Kong Economic and Trade Offices are eventually shut down, I hope this can be done in a way that does not help Beijing consolidate control over

the political and economic governance and international relations of Hong Kong.

But given the terrible state of human rights in Hong Kong and the blatant disregard for Hong Kong's autonomy by Beijing I do support the ANS. And with that I yield back the balance of my time.

Mr. SMITH. Thank you.

Anybody else like to be heard?

If not, there being no further discussion, do any members wish to offer an amendment to the amendment in the nature of a substitute?

If not, Okay. There being no further amendments, the question now occurs on the amendment in the nature of a substitute offered by myself.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

The ayes have it and the amendment is agreed to.

There being no further amendments, I move that the committee report H.R. 1103 as amended to the House with a favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

The legislation is agreed to.

Mr. SMITH. Now in the opinion of the chair, the ayes have it and it is agreed to. And I would ask for a roll call.

Subject to the chair's previous announcement this vote will be postponed.

Pursuant to notice I now call up H.R. 5532, the Russia-North Korea Cooperation Sanctions Act.

[The Bill H.R. 5532 follows:]

118TH CONGRESS  
1ST SESSION

# H. R. 5532

To provide for the imposition of sanctions with respect to North Korea's support for Russia's illegal war in Ukraine.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2023

Mr. CONNOLLY (for himself and Mr. WILSON of South Carolina) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Ways and Means, Financial Services, and Oversight and Accountability, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for the imposition of sanctions with respect to North Korea's support for Russia's illegal war in Ukraine.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Russia-North Korea  
5 Cooperation Sanctions Act”.

6 **SEC. 4. FINDINGS.**

7 Congress makes the following findings:



1           (1) On February 24, 2022, the Government of  
2           the Russian Federation, led by Vladimir Putin,  
3           launched an unprovoked, full-scale invasion of  
4           Ukraine.

5           (2) On September 13, 2023, the Supreme  
6           Leader of the Democratic People's Republic of  
7           Korea (North Korea), Kim Jong Un, met with Rus-  
8           sian Federation President Vladimir Putin to discuss  
9           the transfer or sale of conventional arms to Russia  
10          to be used in invasion of Ukraine's sovereign terri-  
11          tory in exchange for economic assistance and sup-  
12          port for North Korea's space, nuclear, and missile  
13          programs.

14          (3) Kim Jong Un's trip to Russia will be his  
15          first known travel outside North Korea since the  
16          Covid-19 pandemic and subsequent lockdown of  
17          North Korea in early 2020.

18          (4) North Korea maintains an arsenal of artil-  
19          lery shells, rockets, and other conventional military  
20          equipment that it may provide to Russia.

21          (5) If Russia or Russian State-backed entities  
22          are acquiring arms and related materiel from North  
23          Korea, such actions would violate United Nations  
24          Security Council resolutions, which were supported

1 by Russia to prohibit North Korea from exporting  
2 such items.

3 (6) On August 16, 2023, the Department of the  
4 Treasury imposed sanctions on three entities tied to  
5 a sanctions evasion network attempting to support  
6 arms deals between Russia and North Korea.

7 **SEC. 5. SANCTIONS.**

8 (a) IN GENERAL.—The President shall impose sanc-  
9 tions described in subsection (b) with respect to the fol-  
10 lowing:

11 (1) Any foreign person that is responsible for or  
12 facilitates the transfer or sale of arms or material  
13 support from North Korea to be used in Russia’s il-  
14 legal war in Ukraine.

15 (2) Any foreign person that knowingly, directly  
16 or indirectly, imports, exports, or reexports to, into,  
17 or from North Korea any goods services or tech-  
18 nology for weapons that may be used by Russian  
19 forces or their proxies in Russia’s illegal war in  
20 Ukraine.

21 (3) Any foreign financial institution that know-  
22 ingly facilitates a significant transaction or provides  
23 significant financial services for a foreign person de-  
24 scribed in paragraph (1) or (2).

1           (4) Any foreign person that engages in a sig-  
2           nificant transaction related to the transfer or sale of  
3           arms or material support with a foreign person de-  
4           scribed in paragraph (1) or (2) or foreign financial  
5           institution described in paragraph (3).

6           (5) Any foreign person assisting in the logistical  
7           supply and movement of North Korean arms or ma-  
8           terial support to be used in Russia’s illegal war in  
9           Ukraine.

10          (b) SANCTIONS DESCRIBED.—The sanctions de-  
11       scribed in this subsection are the following:

12           (1) BLOCKING OF PROPERTY.—Notwith-  
13       standing the requirements of section 202 of the  
14       International Emergency Economic Powers Act (50  
15       U.S.C. 1701), the President may exercise of all pow-  
16       ers granted to the President by that Act to the ex-  
17       tent necessary to block and prohibit all transactions  
18       in all property and interests in property of the for-  
19       eign person if such property and interests in prop-  
20       erty are in the United States, come within the  
21       United States, or are or come within the possession  
22       or control of a United States person.

23           (2) VISAS, ADMISSION, OR PAROLE.—

24           (A) IN GENERAL.—An alien who the Sec-  
25       retary of State or the Secretary of Homeland

1 Security (or a designee of one of such Secre-  
2 taries) knows, or has reason to believe, is de-  
3 scribed in subsection (a) is—

4 (i) inadmissible to the United States;

5 (ii) ineligible for a visa or other docu-  
6 mentation to enter the United States; and

7 (iii) otherwise ineligible to be admitted  
8 or paroled into the United States or to re-  
9 ceive any other benefit under the Immigra-  
10 tion and Nationality Act (8 U.S.C. 1101 et  
11 seq.).

12 (B) CURRENT VISAS REVOKED.—

13 (i) IN GENERAL.—The issuing con-  
14 sular officer, the Secretary of State, or the  
15 Secretary of Homeland Security (or a des-  
16 ignee of one of such Secretaries) shall, in  
17 accordance with section 221(i) of the Im-  
18 migration and Nationality Act (8 U.S.C.  
19 1201(i)), revoke any visa or other entry  
20 documentation issued to an alien described  
21 in subparagraph (A) regardless of when  
22 the visa or other entry documentation is  
23 issued.

24 (ii) EFFECT OF REVOCATION.—A rev-  
25 ocation under clause (i)—

1 (I) shall take effect immediately;  
2 and

3 (II) shall automatically cancel  
4 any other valid visa or entry docu-  
5 mentation that is in the alien's pos-  
6 session.

7 (c) IMPLEMENTATION; PENALTIES.—

8 (1) IMPLEMENTATION.—The President may ex-  
9 ercise all authorities provided to the President under  
10 sections 203 and 205 of the International Emer-  
11 gency Economic Powers Act (50 U.S.C. 1702 and  
12 1704) to carry out this section.

13 (2) PENALTIES.—The penalties provided for in  
14 subsections (b) and (c) of section 206 of the Inter-  
15 national Emergency Economic Powers Act (50  
16 U.S.C. 1705) shall apply to a person that violates,  
17 attempts to violate, conspires to violate, or causes a  
18 violation of regulations promulgated to carry out  
19 this section to the same extent that such penalties  
20 apply to a person that commits an unlawful act de-  
21 scribed in section 206(a) of that Act.

22 (d) WAIVER.—The President may waive the applica-  
23 tion of sanctions imposed with respect to a foreign person  
24 or foreign financial institution under this section if the  
25 President certifies to the appropriate congressional com-

1 mittees not later than 15 days before such waiver is to  
2 take effect that the waiver is vital to the national security  
3 interests of the United States.

4 (e) EXCEPTION FOR HUMANITARIAN ASSISTANCE.—  
5 An internationally recognized humanitarian organization  
6 shall not be subject to sanctions under this section with  
7 respect to—

8 (1) engaging in a financial transaction relating  
9 to humanitarian assistance or for humanitarian pur-  
10 poses pursuant to a waiver issued under subsection  
11 (d);

12 (2) transporting goods or services that are nec-  
13 essary to carry out operations relating to humani-  
14 tarian assistance or humanitarian purposes pursuant  
15 to such a waiver issued under subsection (d); or

16 (3) having merely incidental contact, in the  
17 course of providing humanitarian assistance or aid  
18 for humanitarian purposes pursuant to a waiver  
19 issued under subsection (d) with individuals who are  
20 under the control of a foreign person subject to  
21 sanctions under this section.

22 **SEC. 6. EXPANSION OF NORTH KOREA SANCTIONS AND**  
23 **POLICY ENHANCEMENT ACT OF 2016.**

24 The North Korea Sanctions and Policy Enhancement  
25 Act of 2016 is amended as follows:

1 (1) In section 401(a) (22 U.S.C. 9251(a))—

2 (A) in paragraph (5), by striking “and” at  
3 the end;

4 (B) in paragraph (6), by striking the pe-  
5 riod at the end and inserting “; and”; and

6 (C) by adding at the end the following:

7 “(7) halting material support (as such term is  
8 defined in section 6 of the Stopping the Transfer of  
9 Pyongyang’s Proliferation to Enhance Russia Act)  
10 for Russia’s illegal war in Ukraine.”.

11 (2) In section 402(2) (22 U.S.C. 9252(2))—

12 (A) in subparagraph (D), by striking  
13 “and” at the end;

14 (B) in subparagraph (E)(ii), by striking  
15 the period at the end and inserting “; and”;  
16 and

17 (C) by adding at the end the following:

18 “(F) halting material support (as such  
19 term is defined in section 6 of the Stopping the  
20 Transfer of Pyongyang’s Proliferation to En-  
21 hance Russia Act) for Russia’s illegal war in  
22 Ukraine.”.

23 **SEC. 7. REPORT.**

24 (a) IN GENERAL.—Not later than 90 days after the  
25 date of the enactment of this Act, and every 180 days

1 thereafter, the President shall submit to the appropriate  
2 congressional committees a report that describes signifi-  
3 cant activities by the Democratic People's Republic of  
4 Korea to support the Russian Federation and its proxies  
5 in Russia's illegal war in Ukraine.

6 (b) MATTERS TO BE INCLUDED.—The report re-  
7 quired by this section shall include the following:

8 (1) The identity and nationality of foreign per-  
9 sons and foreign financial institutions that are sub-  
10 ject to sanctions under section 3.

11 (2) A description of the conduct engaged in by  
12 such persons and institutions.

13 (3) An assessment of the extent to which a for-  
14 eign government has provided material support to  
15 the Government of North Korea or any person act-  
16 ing for or on behalf of that Government to conduct  
17 significant activities to materially support Russia's  
18 illegal war in Ukraine.

19 (4) A United States strategy to counter North  
20 Korea's efforts to conduct significant activities to  
21 support Russia's war in Ukraine, that includes ef-  
22 forts to engage foreign governments to halt the ca-  
23 pability of the Government of North Korea and per-  
24 sons acting for or on behalf of that Government to



1       conduct significant activities supporting Russia’s il-  
2       legal war in Ukraine.

3       (c) FORM.—The report required by this section shall  
4       be submitted in unclassified form, but may include a clas-  
5       sified annex.

6       **SEC. 8. DEFINITIONS.**

7       In this Act:

8               (1) APPROPRIATE CONGRESSIONAL COMMIT-  
9       TEES.—The term “appropriate congressional com-  
10       mittees” means the Committee on Foreign Affairs of  
11       the House of Representatives and the Committee on  
12       Foreign Relations of the Senate.

13              (2) FOREIGN FINANCIAL INSTITUTION.—The  
14       term “foreign financial institution”—

15                      (A) has the meaning given that term in  
16                      section 1010.605 of title 31, Code of Federal  
17                      Regulations; and

18                      (B) includes a foreign central bank.

19              (3) MATERIAL SUPPORT.—The term “material  
20       support” has the meaning given the term “material  
21       support or resources” in section 2339A of title 18,  
22       United States Code.

Æ

Mr. SMITH. The bill was circulated in advance. The clerk will designate the bill.

The CLERK. H.R. 5532, to provide for the imposition of sanctions with respect to North Korea's support for Russian—Russia's illegal war in Ukraine. Be it enacted by the Senate and House of Representatives for the—of the United States of America—

Mr. SMITH. Without objection, the first reading is dispensed with and the bill is considered as read and open to amendment at any point.

Is there any discussion on the bill?

Mr. CONNOLLY. Mr. Chairman?

Mr. SMITH. Yes.

Mr. CONNOLLY. Would you like me to move the amendment, the ANS now?

Mr. SMITH. Well, if we could just hold off.

Mr. CONNOLLY. Of course.

Mr. SMITH. Mr. Wilson wanted—he is very late for a 1-minute on the floor, so—then I will go right to you.

The chair recognizes—

Mr. WILSON. Okay. Thank you, Mr. Chairman. I am especially grateful to serve as co-lead on the NATO Parliamentary Assembly President Gerry Connolly's Russia-North Korea Cooperation Sanctions Act.

This bill expands sanctions on North Korea and war criminal Putin as they reveal the new axis of evil. Putin's invasion of Ukraine is murderous and North Korea should not provide munitions to war criminal Putin without consequences. Reports are of train convoys from North Korean dictatorship to the oppressive Russian dictatorship of a 155 millimeter artillery rounds to murder Ukrainian citizens. Dictator Kim has produced the world's largest inventory of artillery to intimidate Seoul and the people of South Korea as the North Korean people actually starve themselves.

Ukrainian victory will show how rule of law democracies prevail over dictators which preserve their rule by rule of gun oppressing the people of Russia. North Korea dictator Kim Jong Un aspires to join Putin, the Iranian regime, and the Chinese Communist Party axis of evil working to destroy freedom and democracy around the world. Kim is developing intercontinental ballistic missiles to attack Japan and America.

As the only Member of Congress today serving who has visited Pyongyang I saw firsthand the brutal dictatorship oppressing the people of North Korea, threatening the thriving democracy of South Korea. IN fact the dictatorship in North Korea has reduced the per capita income of the citizens of North Korea to \$967 as South Korea has a per capita income of over \$30,000.

Evil working to have—must be addressed. This bill ensures that the aspiring dictator Kim can neither profit nor aid and abet war criminal Putin's mass murder of innocent Ukrainians. Before he ever joins as a supplicant puppet in the axis of evil I urge my colleagues to support this legislation and hold North Korea responsible for conspiring with war criminal Putin. I yield back.

Mr. SMITH. The gentle yields back.

There being no further discussion of the bill, the committee will move to consideration of amendments. Does any member wish to offer an amendment?

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk in the nature of a substitute.

[The amendment offered by Mr. Connolly follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5532  
OFFERED BY MR. CONNOLLY OF VIRGINIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Russia-North Korea  
3 Cooperation Sanctions Act”.

**4 SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) On February 24, 2022, the Government of  
7 the Russian Federation, led by Vladimir Putin,  
8 launched an unprovoked, full-scale invasion of  
9 Ukraine.

10 (2) On September 13, 2023, the Supreme  
11 Leader of the Democratic People’s Republic of  
12 Korea (North Korea), Kim Jong Un, met with Rus-  
13 sian Federation President Vladimir Putin to discuss  
14 the transfer or sale of conventional arms to Russia  
15 to be used in invasion of Ukraine’s sovereign terri-  
16 tory in exchange for economic assistance and sup-  
17 port for North Korea’s space, nuclear, and missile  
18 programs.

1           (3) Kim Jong Un's trip to Russia will be his  
2 first known travel outside North Korea since the  
3 Covid-19 pandemic and subsequent lockdown of  
4 North Korea in early 2020.

5           (4) North Korea maintains an arsenal of artil-  
6 lery shells, rockets, and other conventional military  
7 equipment that it may provide to Russia.

8           (5) If Russia or Russian State-backed entities  
9 are acquiring arms and related materiel from North  
10 Korea, such actions would violate United Nations  
11 Security Council resolutions, which were supported  
12 by Russia to prohibit North Korea from exporting  
13 such items.

14          (6) On August 16, 2023, the Department of the  
15 Treasury imposed sanctions on three entities tied to  
16 a sanctions evasion network attempting to support  
17 arms deals between Russia and North Korea.

18          (7) In October 2023, the Administration stated  
19 that North Korea has sent over 1,000 containers of  
20 military equipment to Russia.

21          (8) In November 2023, North Korea launched  
22 a spy satellite for the first time and public reports  
23 indicate the Kim regime likely received help from  
24 Russia in doing so.

1 **SEC. 3. SANCTIONS.**

2 (a) IN GENERAL.—The President shall impose sanc-  
3 tions described in subsection (b) with respect to the fol-  
4 lowing:

5 (1) Any foreign person that is responsible for or  
6 facilitates the transfer or sale of arms or material  
7 support from North Korea to be used in Russia’s il-  
8 legal war in Ukraine.

9 (2) Any foreign person that knowingly imports,  
10 exports, or reexports to, into, or from North Korea  
11 any goods services or technology for weapons that  
12 may be used by Russian forces or their proxies in  
13 Russia’s illegal war in Ukraine.

14 (3) Any foreign financial institution that know-  
15 ingly facilitates a significant transaction or provides  
16 significant financial services for a foreign person de-  
17 scribed in paragraph (1) or (2).

18 (4) Any foreign person that engages in a sig-  
19 nificant transaction related to the transfer or sale of  
20 arms or material support with a foreign person de-  
21 scribed in paragraph (1) or (2) or foreign financial  
22 institution described in paragraph (3).

23 (5) Any foreign person assisting in the logistical  
24 supply and movement of North Korean arms or ma-  
25 terial support to be used in Russia’s illegal war in  
26 Ukraine.

1 (6) Any foreign person or entity that is respon-  
2 sible for or facilitates the provision of economic as-  
3 sistance and technical support to North Korea's  
4 space, nuclear, or ballistic missile programs.

5 (b) SANCTIONS DESCRIBED.—The sanctions de-  
6 scribed in this subsection are the following:

7 (1) BLOCKING OF PROPERTY.—Notwith-  
8 standing the requirements of section 202 of the  
9 International Emergency Economic Powers Act (50  
10 U.S.C. 1701), the President may exercise of all pow-  
11 ers granted to the President by that Act to the ex-  
12 tent necessary to block and prohibit all transactions  
13 in all property and interests in property of the for-  
14 eign person if such property and interests in prop-  
15 erty are in the United States, come within the  
16 United States, or are or come within the possession  
17 or control of a United States person.

18 (2) VISAS, ADMISSION, OR PAROLE.—

19 (A) IN GENERAL.—An alien who the Sec-  
20 retary of State or the Secretary of Homeland  
21 Security (or a designee of one of such Secre-  
22 taries) knows, or has reason to believe, is de-  
23 scribed in subsection (a) is—

24 (i) inadmissible to the United States;

1 (ii) ineligible for a visa or other docu-  
2 mentation to enter the United States; and

3 (iii) otherwise ineligible to be admitted  
4 or paroled into the United States or to re-  
5 ceive any other benefit under the Immigra-  
6 tion and Nationality Act (8 U.S.C. 1101 et  
7 seq.).

8 (B) CURRENT VISAS REVOKED.—

9 (i) IN GENERAL.—The issuing con-  
10 sular officer, the Secretary of State, or the  
11 Secretary of Homeland Security (or a des-  
12 ignee of one of such Secretaries) shall, in  
13 accordance with section 221(i) of the Im-  
14 migration and Nationality Act (8 U.S.C.  
15 1201(i)), revoke any visa or other entry  
16 documentation issued to an alien described  
17 in subparagraph (A) regardless of when  
18 the visa or other entry documentation is  
19 issued.

20 (ii) EFFECT OF REVOCATION.—A rev-  
21 ocation under clause (i)—

22 (I) shall take effect immediately;

23 and

24 (II) shall automatically cancel  
25 any other valid visa or entry docu-



1                   mentation that is in the alien's pos-  
2                   session.

3       (c) IMPLEMENTATION; PENALTIES.—

4           (1) IMPLEMENTATION.—The President may ex-  
5       ercise all authorities provided to the President under  
6       sections 203 and 205 of the International Emer-  
7       gency Economic Powers Act (50 U.S.C. 1702 and  
8       1704) to carry out this section.

9           (2) PENALTIES.—The penalties provided for in  
10      subsections (b) and (c) of section 206 of the Inter-  
11      national Emergency Economic Powers Act (50  
12      U.S.C. 1705) shall apply to a person that violates,  
13      attempts to violate, conspires to violate, or causes a  
14      violation of regulations promulgated to carry out  
15      this section to the same extent that such penalties  
16      apply to a person that commits an unlawful act de-  
17      scribed in section 206(a) of that Act.

18      (d) WAIVER.—The President may waive the applica-  
19      tion of sanctions imposed with respect to a foreign person  
20      or foreign financial institution under this section if the  
21      President certifies to the appropriate congressional com-  
22      mittees not later than 15 days before such waiver is to  
23      take effect that the waiver is vital to the national security  
24      interests of the United States.

1 (e) EXCEPTION FOR HUMANITARIAN ASSISTANCE.—

2 An internationally recognized humanitarian organization  
3 shall not be subject to sanctions under this section with  
4 respect to—

5 (1) engaging in a financial transaction relating  
6 to humanitarian assistance or for humanitarian pur-  
7 poses pursuant to a waiver issued under subsection  
8 (d);

9 (2) transporting goods or services that are nec-  
10 essary to carry out operations relating to humani-  
11 tarian assistance or humanitarian purposes pursuant  
12 to such a waiver issued under subsection (d); or

13 (3) having merely incidental contact, in the  
14 course of providing humanitarian assistance or aid  
15 for humanitarian purposes pursuant to a waiver  
16 issued under subsection (d) with individuals who are  
17 under the control of a foreign person subject to  
18 sanctions under this section.

19 **SEC. 4. EXPANSION OF NORTH KOREA SANCTIONS AND**  
20 **POLICY ENHANCEMENT ACT OF 2016.**

21 The North Korea Sanctions and Policy Enhancement  
22 Act of 2016 is amended as follows:

23 (1) In section 401(a) (22 U.S.C. 9251(a))—

24 (A) in paragraph (5), by striking “and” at  
25 the end;

1 (B) in paragraph (6), by striking the pe-  
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(7) halting material support (as such term is  
5 defined in section 6 of the Russia-North Korea Co-  
6 operation Sanctions Act) for Russia’s illegal war in  
7 Ukraine.”.

8 (2) In section 402(2) (22 U.S.C. 9252(2))—

9 (A) in subparagraph (D), by striking  
10 “and” at the end;

11 (B) in subparagraph (E)(ii), by striking  
12 the period at the end and inserting “; and”;  
13 and

14 (C) by adding at the end the following:

15 “(F) halting material support (as such  
16 term is defined in section 6 of the Russia-North  
17 Korea Cooperation Sanctions Act) for Russia’s  
18 illegal war in Ukraine.”.

19 **SEC. 5. REPORT.**

20 (a) IN GENERAL.—Not later than 90 days after the  
21 date of the enactment of this Act, and every 180 days  
22 thereafter, the President shall submit to the appropriate  
23 congressional committees a report that describes signifi-  
24 cant activities by the Democratic People’s Republic of

1 Korea to support the Russian Federation and its proxies  
2 in Russia's illegal war in Ukraine.

3 (b) MATTERS TO BE INCLUDED.—The report re-  
4 quired by this section shall include the following:

5 (1) The identity and nationality of foreign per-  
6 sons and foreign financial institutions that are sub-  
7 ject to sanctions under section 3.

8 (2) A description of the conduct engaged in by  
9 such persons and institutions.

10 (3) An assessment of the extent to which a for-  
11 eign government has provided material support to  
12 the Government of North Korea or any person act-  
13 ing for or on behalf of that Government to conduct  
14 significant activities to materially support Russia's  
15 illegal war in Ukraine.

16 (4) A United States strategy to counter North  
17 Korea's efforts to conduct significant activities to  
18 support Russia's war in Ukraine, that includes ef-  
19 forts to engage foreign governments to halt the ca-  
20 pability of the Government of North Korea and per-  
21 sons acting for or on behalf of that Government to  
22 conduct significant activities supporting Russia's il-  
23 legal war in Ukraine.

1 (c) FORM.—The report required by this section shall  
2 be submitted in unclassified form, but may include a clas-  
3 sified annex.

4 **SEC. 6. DEFINITIONS.**

5 In this Act:

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

11 (2) FOREIGN FINANCIAL INSTITUTION.—The  
12 term “foreign financial institution”—

13 (A) has the meaning given that term in  
14 section 1010.605 of title 31, Code of Federal  
15 Regulations; and

16 (B) includes a foreign central bank.

17 (3) MATERIAL SUPPORT.—The term “material  
18 support” has the meaning given the term “material  
19 support or resources” in section 2339A of title 18,  
20 United States Code.



Mr. SMITH. The chair will distribute the Connolly amendment in the nature of a substitute.

Mr. CONNOLLY. Mr. Chairman, while we are waiting for distribution I just want to clarify this amendment in the nature of a substitute will ensure that assistance Russia provides North Korea for its space, nuclear, or ballistic missiles programs is included in the sanctions covered by this bill. Thank you.

Mr. SMITH. The clerk will report the amendment.

The CLERK. Amendment in the nature of a substitute to H.R. 5532 offered by Mr. Connolly of Virginia. Strike all after the enacting clause and insert the following: Section 1, short title. This act may be cited as the Russia-North Korea Cooperation Sanctions Act. Section 2—

Mr. SMITH. Without objection, further reading of the amendment is dispensed with.

The gentleman is recognized for 5 minutes on behalf of his amendment.

Mr. CONNOLLY. Thank you, Mr. Chairman. And I want to thank Chairman McCaul and Ranking Member Meeks for bringing forward this important legislation. And I want to thank my friend Joe Wilson for his friendship and cooperation and collaboration on this bill.

On September 13 Kim Jong On traveled to meet with Vladimir Putin in the far-eastern Russian region of Amur. As Kim and Putin lauded each other with accolades of comrade they reportedly discussed the war in Ukraine and possible Russian technical assistance for launching a North Korean spy satellite. Kim Jong Un's support during the summit of totalitarian autocrats was unvarnished. Raising a glass Kim remarked, quote, "The Russian army and people will certainly win a victory in the sacred struggle for the punishment of a great evil that claims hegemony and thieves and expansionists to loosen."

This delusion shared by the two delusional repressive depraved authoritarians aims to punish Ukraine for the sin of simply seeking to be a free people. That cannot be a sin here, nor in Ukraine, nor in anywhere else in the world.

Some pundits and far-right politicians have dis-ingenuously argued that the conflict in Ukraine is just a simple territorial dispute from which the United States must abstain. That is wrong. The stakes are truly about the future of democratic values, ways of life that infuse the human spirit with freedom versus the alternative, the absolute suppression of those same freedoms.

Just months after the summit reports confirmed our suspicions about that meeting. North Korea delivered more than 1,000 containers of military equipment and munitions to resupply Russia. It estimated that North Korea sent up to 1 million rounds of ammunition and shells to Russia to rain down on Ukrainian people. South Korea's military has publicly confirmed that the DPRK has also likely supplied several types of missiles to Russia for its use against the Iranian people.

While unsurprising that Kim Jong On would find common cause with a fellow sociopath in Vladimir Putin, the United States must immediately create real costs for this unseemly material support. That is why I authored the North Korea-Russia Cooperation Sanc-

tions Act, legislation that will require targeted economic and visa-blocking sanctions to be implemented on any foreign person or entity that is responsible for or facilitates the transfer of sale of arms or material support from North Korea to be used in Russia's depraved and illegal war in Ukraine.

Not only do these arms shipments undermine peace and security in Europe on the footsteps of our NATO allies, they countervene the United Nations Security Council Resolution 1874 which prohibits such arms trading with North Korea.

The Biden Administration has taken swift action to sanction three entities tied to the sanctions evasion network attempting to support arms deals between Russia and the Democratic People's Republic of Korea. The legislation would support those efforts and ensure the Departments of Treasury and State have the requisite authority, statutory authority to do all we can to stymie such shipment of arms. Our efforts, if they are successful, could mean Ukrainian lives are saved on the battlefield.

This bill expands the North Korea Sanctions and Policy Enhancement Act of 2016 to ensure that along with releasing all political prisoners, ceasing its censorship of peaceful political activity, and dismantling the nuclear, chemical, biological, and radiological weapon systems North Korea must also halt material support for Russia's war in Ukraine.

Of course I was proud to support a humanitarian exception in the North Korea Sanctions and Policy Enhancement Act of 2016. And our legislation includes such an exception as well to ensure that the United States can continue to support the North Korean people and their aspirations for democracy, human rights, and basic dignity.

On November 21 with the help of Russia North Korea launched its first spy satellite, its third attempt after two failed previous tries. North Korea's State media has already claimed Kim Jong On has received satellite images of the White House and the Pentagon. The Russian-North Korean Cooperation Sanctions Act imposes sanctions on any individual who is responsible for or facilitates the provision of economic assistance and technical support to the North Korean's space, nuclear, or ballistic missile programs.

There must be no equivocation in the response from the United States. People are dying in Ukraine as we speak for daring to embrace the democratic ideal we propound, we hold dear. We must not allow authoritarianism to extinguish the flame of that hope and that democracy in Ukraine or anywhere else.

I urge my colleagues to support this legislation and I yield back.

Chairman McCAUL. The gentleman yields.

Any other members seek recognition?

Mr. Bera is recognized.

Mr. BERA. Thank you, Mr. Chairman. I want to thank my colleague and good friend from Virginia for his leadership on H.R. 5532, the Russian-North Korea Cooperation Sanctions Act. This bill is critical to ensuring that Russia and the DPRK's leadership does—or partnership does not go unchecked. And I urge all my colleagues to vote for this.

I would also like to briefly speak on two bills that were brought up earlier.

H.R. 5375, the Strengthening the Quad Act. I want to thank the ranking member Mr. Meeks for his leadership on this incredibly important bill. When we think about our Indo-Pacific strategy, when we think about maritime security, freedom of navigation, and the rule of law, strengthening the quad will empower the Secretary of State to develop a quad strategy really to build the leadership in the Indo-Pacific on the shared interests and challenges that we have. And again, I want to thank the ranking member Mr. Meeks for his leadership on that bill.

I also would like to thank the chairwoman on the Indo-Pacific subcommittee, Chairwoman Kim, for her leadership on H.R. 2766, the Uyghur Policy Act of 2023. This is incredibly important legislation to make sure we uphold our values, to make sure we have a special coordinator for Uyghur issues within the State Department and understand the importance of continuing to keep this issue on the front plate. I also want to thank the ranking member Mr. Meeks and Chairman McCaul for their support of this important bill which I was proud to be a co-lead on. So with that I yield back.

Chairman MCCAUL. The gentleman yields.

Is there any further discussion?

Mr. Meeks is recognized.

Mr. MEEKS. Thank you, Mr. Chairman. I support this bipartisan bill and ANS and thank Representative Connolly for his leadership on this issue and his continued work to support the people of Ukraine against Russia's brutal war.

Russia's renewed invasion has caused reverberations across the world, affecting the world's energy and grain markets, and making crystal clear the Kremlin's intentions. In response the United States has led through its revitalized alliances and partnerships to impose severe costs on Russia and strengthen those relationships with friends of freedom and democracy. And as a result, and thanks to Ukrainian resilience and bravery, the Russia war machine had been degraded. Russia can no longer count on its dwindling number of partners to fulfill its war demand to find spare parts and has been forced to look to other sources, notably North Korea.

This timely bill seeks to close that spigot as well. Importantly it requires the Administration to impose sanctions on any foreign person or institution supporting the concealing military pathway from North Korea to Russia's war in Ukraine. And as the war evolves so should our economic strategy to help Ukraine win. Knowing that Russia is scrambling to find parts and other sources of military material, this is an important bipartisan step in that direction.

And finally, I look forward to the ability to vote for the next Ukraine supplemental that is so desperately needed. They are about out of resources now so I hope that happens very, very soon. Our partners and allies are watching. The Ukrainians who have showed us all that freedom and democracy is worth protecting will continue to fight, but are watching. And finally, the Kremlin and others that doubt American leadership are also watching. So we must act and we must act now. It is urgent. The urgency is now. And with that I yield back the balance of my time.

Chairman MCCAUL. The gentleman yields.

Any further discussion?



Let me say I agree 100 percent with the ranking member's comments. And when I got the reports that Mr. Putin was going to North Korea hat in hand to beg him for weapons, because he is running out, and yet we cannot make that decision in the Congress to fully arm and fund and back Ukraine, a democracy, against Putin's aggression in light of his embracement of Hamas in the Kremlin—what more evidence do we need? It is Russia, China, Iran, North Korea all together in this against the free world and the West. It is very simple to me.

What is at stake here? I think the free world is at stake. And the United States needs to lead. And I do not know about the two of you, but Reagan—I grew up as a Reaganite and what would Reagan do? The guy who defeated the Soviet Union. Would he stand down? And if we abandon our NATO allies, what then? What message does that send to our enemies? It only emboldens and empowers our enemies.

And as Mr. Putin has said, within 1 week he will take over Ukraine. And then what? Then he advances his aggression. And then they see the United States withdrawing from our commitments, our responsibilities, and that we are weak. As a super power we are no longer leading the free world, but shrinking from that very responsibility that many of our great presidents have stood for both on the Democrat and Republican side. I remember John F. Kennedy talking about this to President Reagan. There should be no partisanship to this issue. It should be American. And I really thank the gentleman for bringing this measure forward.

And with that, is there any further discussion?

Mr. CONNOLLY. Mr. Chairman, if you would just yield for 1 second?

Chairman MCCAUL. I yield.

Mr. CONNOLLY. I cannot thank you enough and Mr. Meeks enough for the sentiments you have expressed. I had the privilege of joining you and Mr. Meeks when he was chairman a few days after the invasion and we saw collectively the human cost.

Chairman MCCAUL. Absolutely.

Mr. CONNOLLY. There were 22,000 people who crossed that border that day we were there and there were six such border crossings. And we saw women when an airplane went over crouch because they thought it was going to bomb them. That is the trauma they had just been through. And that was the beginning of this war.

And the chairman couldn't be more correct. Ronald Reagan must be turning over in his grave when he hears some of his fellow colleagues who express misgivings or doubts or downright opposition to America standing tall with a country that is a former Soviet satellite seeking to join the West in the democratic freedoms we espouse.

And so I thank the chairman for his leadership particularly on his side of the aisle. He has been forthright, he has been consistent. And we have the privilege of being there at the very beginning and understanding I think that you have got to translate policy into human terms. And there are real human beings paying a terrible price and we cannot be sidelined in that enterprise. We just cannot. So I thank my friend.

Chairman McCAUL. I thank the gentleman. I also recall this man saying how can one man do this? And that echoed with me. And at the end of the day we are on the right side of history.

Mr. MEEKS. No question.

Chairman McCAUL. And Poland—I remember the Poles saying this reminds you of 1939 all over again. And the parallels to my father's war, World War II, are absolutely there. And if we fail to act now, we will see that aggression take place as my father's generation saw it.

So thank you for those kind words.

And is there any further discussion?

There being no further discussion, do any members wish to offer an amendment to the Connolly amendment in the nature of a substitute?

There being no further amendments, the question now occurs on the amendment in the nature of a substitute offered by Mr. Connolly.

All those in favor signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the amendment is agreed to.

I move the committee report H.R. 5532 as amended to the House with a favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair—

Mr. CONNOLLY. Mr. Chairman?

Chairman McCAUL [continuing]. The ayes have it; the motion is agreed to.

Chairman McCAUL. The gentleman from Virginia is recognized.

Mr. CONNOLLY. Mr. Chairman, on that I would also ask for a recorded vote.

Chairman McCAUL. Roll call vote has been requested.

Mr. CONNOLLY. I thank the chair.

Chairman McCAUL. Pursuant to the chair's previous announcement this vote will be postponed.

This committee will stand in recess. We will reconvene following votes on the House floor at approximately 2 p.m.

[Recess.]

Chairman McCAUL. The committee postponed further proceedings on reporting H.R. 2766, the Uyghur Policy Act of 2023, as amended, favorably to the House, on which the ayes prevailed by voice vote.

The question now occurs on reporting the measure to the House with a favorable recommendation.

Members will use the electronic voting system.

The clerk will open the vote.

Have all members voted?

You do not know? Oh, can we put the screen back up?

Okay. Schneider. Have you got it?

Okay. Have all members voted?

Does any member wish to record or change his vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 40; the nos are zero.

Chairman McCAUL. The ayes have it. The motion is agreed to. Without objection, the motion to reconsider is laid on the table.

The staff is authorized to make any technical and conforming changes.

The committee postponed further proceedings on reporting H.R. 5375, Strengthening the Quad Act, as amended, favorably to the House, on which the ayes prevailed by voice vote.

The question now occurs on reporting the measure to the House with a favorable recommendation.

Members will vote using the electronic voting system.

The clerk will open the vote.

Have all members voted?

Does any member wish to record or change his vote or her vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 39; the nos are zero.

Chairman McCAUL. The ayes have it. The motion is agreed to.

Without objection, the motion to reconsider is laid on the table.

The staff is authorized to make any technical and conforming changes.

The committee postponed further proceedings on reporting H.R. 1103, the Hong Kong Economic and Trade Office Certification Act, as amended, favorably to the House, on which the ayes prevailed by voice vote.

The question now occurs on reporting the measure to the House with a favorable recommendation.

Members will use the electronic voting system.

The clerk will open the vote.

Have all members voted?

Does any member wish to record or change his or her vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 39; the nos are zero.

Chairman McCAUL. The ayes have it. The motion is agreed to.

Without objection, the motion to reconsider is laid on the table.

The staff is authorized to make any technical and conforming changes.

The committee postponed further proceedings on reporting H.R. 5532, the Russia-North Korea Cooperation Sanctions Act, as amended, favorably to the House, on which the ayes prevailed by voice vote.

The question now occurs on reporting the measure to the House with a favorable recommendation.

Members will use the electronic voting system.

The clerk will open the vote.

Have all members voted?

Does any member wish to record or change their vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 40; the nos are zero.

Chairman McCAUL. The ayes have it. The motion is agreed to. Without objection, the motion to reconsider is laid on the table. The staff is authorized to make any technical and conforming changes.

This concludes consideration of the measures noticed by the committee for today. I want to thank all members.

There being no further business, the committee stands adjourned.

[Whereupon, at 2:28 p.m., the committee was adjourned.]

## APPENDIX



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

**Michael T. McCaul (R-TX), Chairman**

November 22, 2023

*Rescheduled*

**TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS**

You are respectfully requested to attend an OPEN markup of the Committee on Foreign Affairs to be held at 10:00 a.m. in room 210 of the House Visitor Center. The markup is available by live webcast on the Committee website at <https://foreignaffairs.house.gov/>.

**DATE:** ~~Thursday, November 16, 2023~~  
Wednesday, November 29, 2023

**TIME:** 10:00 a.m.

**LOCATION:** HVC-210

H.R. 6349, To prohibit or require notification with respect to certain activities of United States persons involving countries of concern, and for other purposes;

H.R. 533, To amend the Tibetan Policy Act of 2002 to modify certain provisions of that Act;

H.R. 2766, To support the human rights of Uyghurs and members of other minority groups residing primarily in the Xinjiang Uyghur Autonomous Region and safeguard their distinct identity, and for other purposes;

**\*\*** H.R. 5375, To require a strategy for bolstering engagement and cooperation between the United States, Australia, India, and Japan and to seek to establish a Quad Intra-Parliamentary Working Group to facilitate closer cooperation on shared interests and values;

**\*\*** *H.R. 1103, 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; and*

**\*\* H.R. 5532, To provide for the imposition of sanctions with respect to North Korea's support for Russia's illegal war in Ukraine.**

**\*\*NOTE: Measures added/changed**

**\*NOTE: Measures may be added**

**By Direction of the Chair**

*The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-226-8467 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.*

**COMMITTEE ON FOREIGN AFFAIRS**  
MINUTES OF FULL COMMITTEE MARKUP

Day 29 Date November Room HVC-210

Starting Time 10:16 Ending Time 14:28

Recesses      (      to      ) (      to      ) (      to      ) (      to      ) (      to      ) (      to      )

Presiding Member(s)

*Chairman McCaul*

*Check all of the following that apply:*

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

**BILLS FOR MARKUP:** *(Include bill number(s) and title(s) of legislation.)*

*Attached*

**COMMITTEE MEMBERS PRESENT:**

*Attached*

**NON-COMMITTEE MEMBERS PRESENT:**

*NA*

**STATEMENTS FOR THE RECORD:** *(List any statements submitted for the record.)*

*Attached*

**ACTIONS TAKEN DURING THE MARKUP:** *(Attach copies of legislation and amendments.)*

*Attached*

**RECORDED VOTES TAKEN (FOR MARKUP):** *(Attach final vote tally sheet listing each member.)*

<u>Subject</u>	<u>Yeas</u>	<u>Nays</u>	<u>Present</u>	<u>Not Voting</u>
<i>Attached</i>				

TIME SCHEDULED TO RECONVENE \_\_\_\_\_

or

TIME ADJOURNED 14:28

*Meg Wagner*  
Full Committee Hearing Coordinator

## Committee on Foreign Affairs

118<sup>th</sup> Congress

## ATTENDANCE

Meeting on: Markup

Date: November 29, 2023

Representative	Present	Absent	Representative	Present	Absent
Mr. McCaul	X		Mr. Meeks	X	
Mr. Smith	X		Mr. Sherman	X	
Mr. Wilson	X		Mr. Connolly	X	
Mr. Perry	X		Mr. Keating	X	
Mr. Issa		X	Mr. Bera	X	
Mrs. Wagner	X		Mr. Castro	X	
Mr. Mast		X	Ms. Titus	X	
Mr. Buck	X		Mr. Lieu	X	
Mr. Burchett		X	Ms. Wild	X	
Mr. Green	X		Mr. Phillips		X
Mr. Barr	X		Mr. Allred	X	
Mr. Jackson	X		Mr. Kim	X	
Mrs. Kim	X		Ms. Jacobs	X	
Mrs. Salazar	X		Ms. Manning	X	
Mr. Huizenga	X		Mrs. Cherfilus-McCormick	X	
Mrs. Radewagen		X	Mr. Stanton	X	
Mr. Hill	X		Ms. Dean		X
Mr. Davidson	X		Mr. Moskowitz	X	
Mr. Baird	X		Mr. Jackson	X	
Mr. Waltz	X		Mrs. Kamlager-Dove	X	
Mr. Kean	X		Mr. Costa	X	
Mr. Lawler		X	Mr. Crow	X	
Mr. Mills	X		Mr. Amo	X	
Mr. McCormick	X		Mr. Schneider	X	
Mr. Moran	X				
Mr. James	X				
Mr. Self	X				



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VOTES



**COMMITTEE ON FOREIGN AFFAIRS**  
**FULL COMMITTEE MARKUP**  
 118<sup>th</sup> CONGRESS  
 VOTES OF THE COMMITTEE

Vote: Report H.R. 2766 as amended

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul	X		Ranking Member Meeks	X	
Representative Smith	X		Representative Sherman	X	
Representative Wilson	X		Representative Connolly	X	
Representative Perry			Representative Keating	X	
Representative Issa			Representative Bera	X	
Representative Wagner	X		Representative Castro	X	
Representative Mast			Representative Titus	X	
Representative Buck	X		Representative Lieu		
Representative Burchett			Representative Wild	X	
Representative Green	X		Representative Phillips		
Representative Barr	X		Representative Allred	X	
Representative Ronny Jackson	X		Representative Andy Kim	X	
Representative Young Kim	X		Representative Jacobs		
Representative Salazar	X		Representative Manning	X	
Representative Huizenga	X		Representative Cherfilus-McCormick	X	
Representative Radewagen			Representative Stanton	X	
Representative Hill	X		Representative Dean		
Representative Davidson	X		Representative Moskowitz	X	
Representative Baird	X		Representative Jonathan Jackson		
Representative Waltz	X		Representative Kamlager-Dove	X	
Representative Kean	X		Representative Costa	X	
Representative Lawler			Representative Crow	X	
Representative Mills	X		Representative Amo	X	
Representative McCormick	X		Representative Schneider	X	
Representative Moran	X				
Representative James	X				
Representative Self	X				

Yeas [40] Nays [0]



**COMMITTEE ON FOREIGN AFFAIRS**  
**FULL COMMITTEE MARKUP**  
 118<sup>th</sup> CONGRESS  
 VOTES OF THE COMMITTEE

Vote: Report H.R. 5375 as amended

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul	X		Ranking Member Meeks	X	
Representative Smith	X		Representative Sherman	X	
Representative Wilson	X		Representative Connolly	X	
Representative Perry			Representative Keating	X	
Representative Issa			Representative Bera	X	
Representative Wagner	X		Representative Castro	X	
Representative Mast			Representative Titus	X	
Representative Buck	X		Representative Lieu		
Representative Burchett			Representative Wild	X	
Representative Green	X		Representative Phillips		
Representative Barr	X		Representative Allred	X	
Representative Ronny Jackson	X		Representative Andy Kim	X	
Representative Young Kim	X		Representative Jacobs		
Representative Salazar	X		Representative Manning	X	
Representative Huizenga	X		Representative Cherfilus-McCormick	X	
Representative Radewagen			Representative Stanton	X	
Representative Hill	X		Representative Dean		
Representative Davidson	X		Representative Moskowitz	X	
Representative Baird	X		Representative Jonathan Jackson		
Representative Waltz			Representative Kamlager-Dove	X	
Representative Kean	X		Representative Costa	X	
Representative Lawler			Representative Crow	X	
Representative Mills	X		Representative Amo	X	
Representative McCormick	X		Representative Schneider	X	
Representative Moran	X				
Representative James	X				
Representative Self	X				

Yeas [39] Nays [0]



**COMMITTEE ON FOREIGN AFFAIRS**  
**FULL COMMITTEE MARKUP**  
 118<sup>th</sup> CONGRESS  
 VOTES OF THE COMMITTEE

Vote: Report H.R. 1103 as amended

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul	X		Ranking Member Meeks	X	
Representative Smith	X		Representative Sherman	X	
Representative Wilson	X		Representative Connolly	X	
Representative Perry			Representative Keating	X	
Representative Issa			Representative Bera	X	
Representative Wagner	X		Representative Castro	X	
Representative Mast			Representative Titus	X	
Representative Buck	X		Representative Lieu		
Representative Burchett			Representative Wild	X	
Representative Green	X		Representative Phillips		
Representative Barr	X		Representative Allred	X	
Representative Ronny Jackson	X		Representative Andy Kim	X	
Representative Young Kim	X		Representative Jacobs		
Representative Salazar	X		Representative Manning	X	
Representative Huizenga	X		Representative Cherfilus-McCormick	X	
Representative Radewagen			Representative Stanton	X	
Representative Hill	X		Representative Dean		
Representative Davidson	X		Representative Moskowitz	X	
Representative Baird	X		Representative Jonathan Jackson		
Representative Waltz			Representative Kamlager-Dove	X	
Representative Kean	X		Representative Costa	X	
Representative Lawler			Representative Crow	X	
Representative Mills	X		Representative Amo	X	
Representative McCormick	X		Representative Schneider	X	
Representative Moran	X				
Representative James	X				
Representative Self	X				

Yeas [39] Nays [0]



**COMMITTEE ON FOREIGN AFFAIRS**  
**FULL COMMITTEE MARKUP**  
 118<sup>th</sup> CONGRESS  
 VOTES OF THE COMMITTEE

Vote: Report H.R. 5532 as amended

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul	X		Ranking Member Meeks	X	
Representative Smith	X		Representative Sherman	X	
Representative Wilson	X		Representative Connolly	X	
Representative Perry			Representative Keating	X	
Representative Issa			Representative Bera	X	
Representative Wagner	X		Representative Castro	X	
Representative Mast			Representative Titus	X	
Representative Buck	X		Representative Lieu		
Representative Burchett			Representative Wild	X	
Representative Green	X		Representative Phillips		
Representative Barr	X		Representative Allred	X	
Representative Ronny Jackson	X		Representative Andy Kim	X	
Representative Young Kim	X		Representative Jacobs		
Representative Salazar	X		Representative Manning	X	
Representative Huizenga	X		Representative Cherfilus-McCormick	X	
Representative Radewagen			Representative Stanton	X	
Representative Hill	X		Representative Dean		
Representative Davidson	X		Representative Moskowitz	X	
Representative Baird	X		Representative Jonathan Jackson	X	
Representative Waltz			Representative Kamlager-Dove	X	
Representative Kean	X		Representative Costa	X	
Representative Lawler			Representative Crow	X	
Representative Mills	X		Representative Amo	X	
Representative McCormick	X		Representative Schneider	X	
Representative Moran	X				
Representative James	X				
Representative Self	X				

Yeas [40] Nays [0]

## MARKUP SUMMARY

11/29/2023 Foreign Affairs Markup Summary

The Chair called up the following measures separately:

1. [H.R. 6349](#), To prohibit or require notification with respect to certain activities of United States persons involving countries of concern, and for other purposes. (McCaul) (ordered favorably reported to the House, voice vote)
3. H.R. 533, To amend the Tibetan Policy Act of 2002 to modify certain provisions of that Act. (McGovern) (ordered favorably reported to the House, as amended, voice vote)
  - [Meeks Amendment in the Nature of a Substitute](#) (considered as base text by UC)
3. H.R. 2766, To support the human rights of Uyghurs and members of other minority groups residing primarily in the Xinjiang Uyghur Autonomous Region and safeguard their distinct identity, and for other purposes. (Kim) (ordered favorably reported to the House, as amended, 40Y - 0N)
  - [Kim Amendment in the Nature of a Substitute](#) (considered as base text by UC)
  - [Waltz Amendment #112](#) (adopted, voice vote)
3. H.R. 5375, To require a strategy for bolstering engagement and cooperation between the United States, Australia, India, and Japan and to seek to establish a Quad Intra-Parliamentary Working Group to facilitate closer cooperation on shared interests and values. (Meeks) (ordered favorably reported to the House, as amended, 39Y - 0N)
  - [Meeks Amendment in the Nature of a Substitute](#) (considered as base text by UC)
3. H.R. 1103, 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. (Smith) (ordered favorably reported to the House, as amended, 39Y - 0N)
  - [Smith Amendment in the Nature of a Substitute #83](#) (adopted, voice vote)
6. H.R. 5532, To provide for the imposition of sanctions with respect to North Korea's support for Russia's illegal war in Ukraine. (Connolly) (ordered favorably reported to the House, as amended, 40Y - 0N)
  - [Connolly Amendment in the Nature of a Substitute #82](#) (adopted, voice vote)