

Manager's  
Amendment

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.**

**S. 1838**

To amend the Hong Kong Policy Act of 1992, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. RISCH (for himself and Mr. MENENDEZ)

Viz:

1 Strike all after the enacting clause and insert the following:  
2

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Hong Kong Human Rights and Democracy Act of  
6 2019”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for  
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Statement of policy.
- Sec. 4. Amendments to the United States-Hong Kong Policy Act of 1992.
- Sec. 5. Annual report on violations of United States export control laws and United Nations sanctions occurring in Hong Kong.

Sec. 6. Protecting United States citizens and others from rendition to the People's Republic of China.

Sec. 7. Sanctions relating to undermining fundamental freedoms and autonomy in Hong Kong.

Sec. 8. Sanctions reports.

Sec. 9. Sense of Congress on People's Republic of China state-controlled media.

Sec. 10. Sense of Congress on commercial exports of crowd control equipment to Hong Kong.

1 **SEC. 2. 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 Relations of  
7 the Senate;

8 (B) the Committee on Armed Services of  
9 the Senate;

10 (C) the Committee on Banking, Housing,  
11 and Urban Affairs of the Senate;

12 (D) the Committee on Homeland Security  
13 and Governmental Affairs of the Senate;

14 (E) the Committee on the Judiciary of the  
15 Senate;

16 (F) the Committee on Foreign Affairs of  
17 the House of Representatives;

18 (G) the Committee on Armed Services of  
19 the House of Representatives;

20 (H) the Committee on Financial Services  
21 of the House of Representatives;

1 (I) the Committee on Homeland Security  
2 of the House of Representatives; and

3 (J) the Committee on the Judiciary of the  
4 House of Representatives.

5 (2) SOCIAL CREDIT SYSTEM.—The term “social  
6 credit system” means a system proposed by the Gov-  
7 ernment of the People’s Republic of China and  
8 scheduled for implementation by 2020, which  
9 would—

10 (A) use existing financial credit systems,  
11 public records, online activity, and other tools  
12 of surveillance to aggregate data on every Chi-  
13 nese citizen and business; and

14 (B) use such data to monitor, shape, and  
15 rate certain financial, social, religious, or polit-  
16 ical behaviors.

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

19 (A) a United States citizen;

20 (B) a lawfully admitted permanent resi-  
21 dent of the United States; or

22 (C) an entity organized under the laws  
23 of—

24 (i) the United States; or

1                   (ii) any jurisdiction within the United  
2                   States, including a foreign branch of such  
3                   an entity.

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

5           It is the policy of the United States—

6           (1) to reaffirm the principles and objectives set  
7           forth in the United States-Hong Kong Policy Act of  
8           1992 (Public Law 102–383), namely that—

9                   (A) the United States has “a strong inter-  
10                   est in the continued vitality, prosperity, and  
11                   stability of Hong Kong”;

12                   (B) “[s]upport for democratization is a  
13                   fundamental principle of United States foreign  
14                   policy” and therefore “naturally applies to  
15                   United States policy toward Hong Kong”;

16                   (C) “the human rights of the people of  
17                   Hong Kong are of great importance to the  
18                   United States and are directly relevant to  
19                   United States interests in Hong Kong [and]  
20                   serve as a basis for Hong Kong’s continued eco-  
21                   nomic prosperity”; and

22                   (D) Hong Kong must remain sufficiently  
23                   autonomous from the People’s Republic of  
24                   China to “justify treatment under a particular  
25                   law of the United States, or any provision

1           thereof, different from that accorded the Peo-  
2           ple’s Republic of China”;

3           (2) to support the high degree of autonomy and  
4           fundamental rights and freedoms of the people of  
5           Hong Kong, as enumerated by—

6                   (A) the Joint Declaration of the Govern-  
7                   ment of the United Kingdom of Great Britain  
8                   and Northern Ireland and the Government of  
9                   the People’s Republic of China on the Question  
10                  of Hong Kong, done at Beijing December 19,  
11                  1984 (referred to in this Act as the “Joint Dec-  
12                  laration”);

13                  (B) the International Covenant on Civil  
14                  and Political Rights, done at New York Decem-  
15                  ber 19, 1966; and

16                  (C) the Universal Declaration of Human  
17                  Rights, done at Paris December 10, 1948;

18           (3) to support the democratic aspirations of the  
19           people of Hong Kong, including the “ultimate aim”  
20           of the selection of the Chief Executive and all mem-  
21           bers of the Legislative Council by universal suffrage,  
22           as articulated in the Basic Law of the Hong Kong  
23           Special Administrative Region of the People’s Re-  
24           public of China (referred to in this Act as the  
25           “Basic Law”);

1           (4) to urge the Government of the People's Re-  
2           public of China to uphold its commitments to Hong  
3           Kong, including allowing the people of Hong Kong  
4           to govern Hong Kong with a high degree of auton-  
5           omy and without undue interference, and ensuring  
6           that Hong Kong voters freely enjoy the right to elect  
7           the Chief Executive and all members of the Hong  
8           Kong Legislative Council by universal suffrage;

9           (5) to support the establishment of a genuine  
10          democratic option to freely and fairly nominate and  
11          elect the Chief Executive of Hong Kong, and the es-  
12          tablishment by 2020 of open and direct democratic  
13          elections for all members of the Hong Kong Legisla-  
14          tive Council;

15          (6) to support the robust exercise by residents  
16          of Hong Kong of the rights to free speech, the press,  
17          and other fundamental freedoms, as provided by the  
18          Basic Law, the Joint Declaration, and the Inter-  
19          national Covenant on Civil and Political Rights;

20          (7) to support freedom from arbitrary or unlaw-  
21          ful arrest, detention, or imprisonment for all Hong  
22          Kong residents, as provided by the Basic Law, the  
23          Joint Declaration, and the International Covenant  
24          on Civil and Political Rights;

1           (8) to draw international attention to any viola-  
2           tions by the Government of the People’s Republic of  
3           China of the fundamental rights of the people of  
4           Hong Kong, as provided by the International Cov-  
5           enant on Civil and Political Rights, and any en-  
6           croachment upon the autonomy guaranteed to Hong  
7           Kong by the Basic Law and the Joint Declaration;

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

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

15          (11) to coordinate with allies, including the  
16          United Kingdom, Australia, Canada, Japan, and the  
17          Republic of Korea, to promote democracy and  
18          human rights in Hong Kong.

19 **SEC. 4. AMENDMENTS TO THE UNITED STATES-HONG KONG**  
20 **POLICY ACT OF 1992.**

21          (a) REPORT.—Title II of the United States-Hong  
22          Kong Policy Act of 1992 (22 U.S.C. 5721 et seq.) is  
23          amended—

24                 (1) in section 201(b), by striking “such date”  
25                 each place such term appears and inserting “the

1 date of the enactment of the Hong Kong Human  
2 Rights and Democracy Act of 2019”; and

3 (2) adding at the end the following:

4 **“SEC. 205. SECRETARY OF STATE REPORT REGARDING THE**  
5 **AUTONOMY OF HONG KONG.**

6 “(a) CERTIFICATION.—

7 “(1) IN GENERAL.—Except as provided in sub-  
8 section (b), the Secretary of State, on at least an an-  
9 nual basis, and in conjunction with the report re-  
10 quired under section 301, shall issue a certification  
11 to Congress that—

12 “(A) indicates whether Hong Kong con-  
13 tinues to warrant treatment under United  
14 States law in the same manner as United  
15 States laws were applied to Hong Kong before  
16 July 1, 1997;

17 “(B) addresses—

18 “(i) commercial agreements;

19 “(ii) law enforcement cooperation, in-  
20 cluding extradition requests;

21 “(iii) sanctions enforcement;

22 “(iv) export controls, and any other  
23 agreements and forms of exchange involv-  
24 ing dual use, critical, or other sensitive  
25 technologies;





1 of the People's Republic of China, or theft  
2 of state secrets;

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

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

7 “(xv) other rights enumerated in the  
8 Universal Declaration of Human Rights,  
9 done at Paris December 10, 1948, and the  
10 International Covenant on Civil and Polit-  
11 ical Rights, done at New York December  
12 19, 1966; and

13 “(C) includes—

14 “(i) an assessment of the degree of  
15 any erosions to Hong Kong's autonomy in  
16 each category listed in subparagraph (B)  
17 resulting from actions by the Government  
18 of the People's Republic of China that are  
19 inconsistent with its commitments under  
20 the Basic Law or the Joint Declaration;

21 “(ii) an evaluation of the specific im-  
22 pacts to any areas of cooperation between  
23 the United States and Hong Kong result-  
24 ing from erosions of autonomy in Hong  
25 Kong or failures of the Government of

1 Hong Kong to fulfill obligations to the  
2 United States under international agree-  
3 ments within the categories listed in sub-  
4 paragraph (B); and

5 “(iii) a list of any specific actions  
6 taken by the United States Government in  
7 response to any erosion of autonomy or  
8 failures to fulfill obligations to the United  
9 States under international agreements  
10 identified in this certification and the re-  
11 port required under section 301.

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

17 “(3) ADDITIONAL CERTIFICATIONS.—The cer-  
18 tification under section (1) shall be issued annually,  
19 but the Secretary may issue additional certifications  
20 at any time if the Secretary determines it is war-  
21 ranted by circumstances in Hong Kong.

22 “(b) WAIVER AUTHORITY.—

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



1 applications for visas to enter, study, or work in the  
2 United States, which are submitted by otherwise qualified  
3 applicants who resided in Hong Kong in 2014 and later,  
4 may not be denied primarily on the basis of the applicant's  
5 subsection to politically-motivated arrest, detention, or  
6 other adverse government action.

7       “(b) IMPLEMENTATION.—The Secretary of State  
8 shall take such steps as may be necessary to ensure that  
9 consular officers are aware of the policy described in sub-  
10 section (a) and receive appropriate training and support  
11 to ensure that the policy is carried out so that affected  
12 individuals do not face discrimination or unnecessary  
13 delay in the processing of their visa applications, includ-  
14 ing—

15               “(1) providing specialized training for all con-  
16 sular officers posted to the United States Embassy  
17 in Beijing or to any United States consulate in the  
18 People's Republic of China, the Hong Kong Special  
19 Administrative Region, or the Macau Special Admin-  
20 istrative Region;

21               “(2) instructing the United States Consulate in  
22 Hong Kong to maintain an active list of individuals  
23 who are known to have been formally charged, de-  
24 tained, or convicted by the Government of Hong  
25 Kong Special Administrative Region or by the Gov-

1       ernment of the People’s Republic of China, or inter-  
2       mediaries of such governments, based on politically-  
3       motivated considerations related to their exercise of  
4       rights enumerated in the Universal Declaration of  
5       Human Rights, done at Paris December 10, 1948,  
6       or the International Covenant on Civil and Political  
7       Rights, done at New York December 19, 1966, to  
8       facilitate the cross-checking of visa applications for  
9       Hong Kong residents; and

10               “(3) updating any relevant United States Gov-  
11       ernment websites with information on the policy de-  
12       scribed in subsection (a).

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

18               “(1) to inform them of the United States policy  
19       regarding arrests for participation in nonviolent pro-  
20       tests in Hong Kong; and

21               “(2) to encourage them to take similar steps to  
22       ensure the rights of nonviolent protesters are pro-  
23       tected from discrimination due to the actions of the  
24       Government of Hong Kong and of the Government  
25       of the People’s Republic of China.”.

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

5 (a) IN GENERAL.—Not later than 180 days after the  
6 date of the enactment of this Act, and annually thereafter  
7 until the date that is 7 years after the date of the enact-  
8 ment of this Act, the Secretary of Commerce, in consulta-  
9 tion with the Secretary of the Treasury and the Secretary  
10 of State, shall submit a report to the committees specified  
11 in subsection (b) that includes—

12 (1) an assessment of the nature and extent of  
13 violations of United States export control and sanc-  
14 tions laws occurring in Hong Kong;

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

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

20 (B) the countries and persons to which the  
21 items referred to in subparagraph (A) were re-  
22 exported; and

23 (C) how such items were used;

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

- 1 (A) transshipped through Hong Kong; and  
2 (B) used to develop—  
3 (i) the Sharp Eyes, Skynet, Inte-  
4 grated Joint Operations Platform, or other  
5 systems of mass surveillance and predictive  
6 policing; or  
7 (ii) the “social credit system” of the  
8 People’s Republic of China;  
9 (4) an assessment of the efforts by the Govern-  
10 ment of the People’s Republic of China to use the  
11 status of Hong Kong as a separate customs territory  
12 to import items into the People’s Republic of China  
13 from Hong Kong in violation of the export control  
14 laws of the United States, whether as part of the  
15 Greater Bay Area plan, through the assignment by  
16 Beijing of Hong Kong as a national technology and  
17 innovation center, or through other programs that  
18 may exploit Hong Kong as a conduit for controlled  
19 sensitive technology;  
20 (5) an assessment of whether the Government  
21 of Hong Kong has adequately enforced sanctions im-  
22 posed by the United Nations;  
23 (6) a description of the types of goods and serv-  
24 ices transshipped or reexported through Hong Kong  
25 in violation of such sanctions to—



1 (A) North Korea or Iran; or

2 (B) other countries, regimes, or persons  
3 subject to such sanctions for engaging in activi-  
4 ties—

5 (i) relating to international terrorism,  
6 international narcotics trafficking, or the  
7 proliferation of weapons of mass destruc-  
8 tion; or

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

12 (7) an assessment of whether shortcomings in  
13 the enforcement of export controls or sanctions by  
14 the Government of Hong Kong necessitates the as-  
15 signment of additional Department of the Treasury,  
16 Department of Commerce, or Department of State  
17 personnel to the United States Consulate in Hong  
18 Kong.

19 (b) COMMITTEES SPECIFIED.—The committees spec-  
20 ified in this subsection are—

21 (1) the Committee on Foreign Relations of the  
22 Senate;

23 (2) the Committee on Banking, Housing, and  
24 Urban Affairs of the Senate;

1 (3) the Committee on Commerce, Science, and  
2 Transportation of the Senate;

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

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

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

10 **SEC. 6. PROTECTING UNITED STATES CITIZENS AND OTH-**  
11 **ERS FROM RENDITION TO THE PEOPLE'S RE-**  
12 **PUBLIC OF CHINA.**

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

15 (1) to safeguard United States citizens from ex-  
16 tradition, rendition, or abduction to the People's Re-  
17 public of China from Hong Kong for trial, detention,  
18 or any other purpose;

19 (2) to safeguard United States businesses in  
20 Hong Kong from economic coercion and intellectual  
21 property theft;

22 (3) pursuant to section 103(7) of the United  
23 States-Hong Kong Policy Act of 1992 (22 U.S.C.  
24 5713(7)), to encourage United States businesses “to  
25 continue to operate in Hong Kong, in accordance

1 with applicable United States and Hong Kong law”;  
2 and

3 (4) pursuant to section 201(b) of such Act (22  
4 U.S.C. 5721(b)), to evaluate, not less frequently  
5 than annually and as circumstances, dictate whether  
6 the Government of Hong Kong is “legally competent  
7 to carry out its obligations” under treaties and  
8 international agreements established between the  
9 United States and Hong Kong.

10 (b) RESPONSE TO THREAT OF RENDITION.—Not  
11 later than 30 days after the President determines that leg-  
12 islation proposed or enacted by the Government of Hong  
13 Kong would put United States citizens at risk of extra-  
14 dition or rendition to the People’s Republic of China or  
15 to other countries that lack protections for the rights of  
16 defendants, the President shall submit a report to the ap-  
17 propriate congressional committees that—

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

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

23 (3) determines whether—

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

4 (B) the Government of Hong Kong is “le-  
5 gally competent” to administer the United  
6 States-Hong Kong Agreement for the Sur-  
7 render of Fugitive Offenders, done at Hong  
8 Kong December 20, 1996, or other relevant law  
9 enforcement agreements between the United  
10 States and Hong Kong.

11 **SEC. 7. SANCTIONS RELATING TO UNDERMINING FUNDA-**  
12 **MENTAL FREEDOMS AND AUTONOMY IN**  
13 **HONG KONG.**

14 (a) IDENTIFICATION OF PERSONS RESPONSIBLE FOR  
15 UNDERMINING FUNDAMENTAL FREEDOMS AND AUTON-  
16 OMY IN HONG KONG.—

17 (1) IN GENERAL.—The President shall submit  
18 a report to the appropriate congressional commit-  
19 tees, in accordance with paragraph (2), that identi-  
20 fies each foreign person that the President deter-  
21 mines, based on credible information, is responsible  
22 for—

23 (A) the extrajudicial rendition, arbitrary  
24 detention, torture, or forced confession of any  
25 person in Hong Kong; or

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

3 (2) TIMING OF REPORTS.—The President shall  
4 submit to the appropriate congressional commit-  
5 tees—

6 (A) the report required under paragraph  
7 (1)—

8 (i) not later than 180 days after the  
9 date of the enactment of this Act; and

10 (ii) not less frequently than annually  
11 thereafter in conjunction with the publica-  
12 tion of the report required under section  
13 301 of the United States-Hong Kong Pol-  
14 icy Act of 1992 (22 U.S.C. 5731); and

15 (B) an update to the report not later than  
16 15 days after any new action is taken under  
17 subsection (b) based on the discovery of new  
18 credible information described in paragraph (1).

19 (3) CONSIDERATION OF CERTAIN INFORMA-  
20 TION.—In preparing the report required under para-  
21 graph (1), the President shall consider—

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

1 (B) credible information obtained by other  
2 countries or reputable nongovernmental organi-  
3 zations that monitor violations of human rights  
4 abuses.

5 (4) FORM.—The report required under para-  
6 graph (1) shall be submitted in unclassified form,  
7 but may include a classified annex.

8 (b) IMPOSITION OF SANCTIONS.—The President shall  
9 impose the sanctions described in subsection (c) with re-  
10 spect to each foreign person identified in the report re-  
11 quired under subsection (a)(1).

12 (c) SANCTIONS DESCRIBED.—The sanctions de-  
13 scribed in this subsection are the following:

14 (1) ASSET BLOCKING.—The President shall ex-  
15 ercise all of the powers granted to the President  
16 under the International Emergency Economic Pow-  
17 ers Act (50 U.S.C. 1701 et seq.) to the extent nec-  
18 essary to block and prohibit all transactions in prop-  
19 erty and interests in property of a foreign person  
20 identified in the report required under subsection  
21 (a)(1) if such property and interests in property are  
22 in the United States, come within the United States,  
23 or come within the possession or control of a United  
24 States person.

1           (2) INELIGIBILITY FOR VISAS, ADMISSION, OR  
2 PAROLE.—

3           (A) VISAS, ADMISSION, OR PAROLE.—An  
4 alien described in subsection (a)(1) is—

5           (i) inadmissible to the United States;

6           (ii) ineligible to receive a visa or other  
7 documentation to enter the United States;

8 and

9           (iii) otherwise ineligible to be admitted  
10 or paroled into the United States or to re-  
11 ceive any other benefit under the Immigra-  
12 tion and Nationality Act (8 U.S.C. 1101 et  
13 seq.).

14          (B) CURRENT VISAS REVOKED.—

15           (i) IN GENERAL.—An alien described  
16 in subsection (a)(1) is subject to revocation  
17 of any visa or other entry documentation  
18 regardless of when the visa or other entry  
19 documentation is or was issued.

20           (ii) IMMEDIATE EFFECT.—A revoca-  
21 tion under clause (i) shall—

22           (I) take effect immediately; and

23           (II) automatically cancel any  
24 other valid visa or entry documenta-  
25 tion that is in the alien's possession.

1           (C) EXCEPTION TO COMPLY WITH INTER-  
2           NATIONAL OBLIGATIONS.—Sanctions under this  
3           paragraph shall not apply with respect to an  
4           alien if admitting or paroling the alien into the  
5           United States is necessary to permit the United  
6           States to comply with the Agreement regarding  
7           the Headquarters of the United Nations, signed  
8           at Lake Success June 26, 1947, and entered  
9           into force November 21, 1947, between the  
10          United Nations and the United States, or other  
11          applicable international obligations.

12          (3) PENALTIES.—The penalties provided for in  
13          subsections (b) and (c) of section 206 of the Inter-  
14          national Emergency Economic Powers Act (50  
15          U.S.C. 1705) shall apply to a foreign person that  
16          violates, attempts to violate, conspires to violate, or  
17          causes a violation of paragraph (1) to the same ex-  
18          tent that such penalties apply to a person that com-  
19          mits an unlawful act described in subsection (a) of  
20          such section 206.

21          (d) IMPLEMENTATION.—The President may exercise  
22          all authorities provided under sections 203 and 205 of the  
23          International Emergency Economic Powers Act (50  
24          U.S.C. 1702 and 1704) to carry out this section.



1           (e) WAIVER.—The President may waive the applica-  
2 tion of sanctions under this section with respect to a per-  
3 son identified in the report required under subsection  
4 (a)(1) if the President determines and certifies to the ap-  
5 propriate congressional committees that such a waiver is  
6 in the national interest of the United States.

7           (f) EXCEPTION RELATING TO IMPORTATION OF  
8 GOODS.—

9           (1) IN GENERAL.—The authorities and require-  
10 ments to impose sanctions authorized under this sec-  
11 tion shall not include the authority or a requirement  
12 to impose sanctions on the importation of goods.

13           (2) GOOD DEFINED.—In this subsection, the  
14 term “good” means any article, natural or manmade  
15 substance, material, supply, or manufactured prod-  
16 uct, including inspection and test equipment, and ex-  
17 cluding technical data.

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

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

4           (2) the person has been prosecuted appro-  
5 priately for the activity for which sanctions were im-  
6 posed;

7           (3) the person has credibly demonstrated a sig-  
8 nificant change in behavior, has paid an appropriate  
9 consequence for the activity for which sanctions were  
10 imposed, and has credibly committed to not engage  
11 in an activity described in subsection (a)(1) in the  
12 future; or

13           (4) the termination of the sanctions is in the  
14 national security interests of the United States.

15 (h) DEFINITIONS.—In this section:

16           (1) ADMISSION; ADMITTED; ALIEN.—The terms  
17 “admission”, “admitted”, and “alien” have the  
18 meanings given those terms in section 101 of the  
19 Immigration and Nationality Act (8 U.S.C. 1101).

20           (2) FOREIGN PERSON.—The term “foreign per-  
21 son” means a person that is not a United States  
22 person.

1 **SEC. 8. SANCTIONS REPORTS.**

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

5 (1) a list of each foreign person with respect to  
6 which the President imposed sanctions during the  
7 year preceding the submission of the report;

8 (2) a description of the type of sanctions im-  
9 posed with respect to each such person;

10 (3) the number of foreign persons with respect  
11 to which the President terminated sanctions under  
12 section 7 during that year;

13 (4) the dates on which such sanctions were im-  
14 posed or terminated, as applicable;

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

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

21 (b) PUBLIC AVAILABILITY.—The unclassified portion  
22 of the report required under subsection (a) shall be made  
23 available to the public, including through publication in  
24 the Federal Register.

25 (c) NONAPPLICABILITY OF CONFIDENTIALITY RE-  
26 QUIREMENT WITH RESPECT TO VISA RECORDS.—The

1 President shall publish the report required under sub-  
2 section (a) without regard to the requirements of section  
3 222(f) of the Immigration and Nationality Act (8 U.S.C.  
4 1202(f)) with respect to confidentiality of records per-  
5 taining to the issuance or refusal of visas or permits to  
6 enter the United States.

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

9 It is the sense of Congress that—

10 (1) the United States condemns the deliberate  
11 targeting and harassment of democracy activists,  
12 diplomatic personnel of the United States and other  
13 nations, and their families by media organizations  
14 controlled by the Government of the People's Repub-  
15 lic of China, including Wen Wei Po and Ta Kung  
16 Po;

17 (2) the Secretary of State should clearly inform  
18 the Government of the People's Republic of China  
19 that the use of media outlets to spread  
20 disinformation or to intimidate and threaten its per-  
21 ceived enemies in Hong Kong or in other countries  
22 is unacceptable; and

23 (3) the Secretary of State should take any ac-  
24 tivities described in paragraph (1) or (2) into consid-  
25 eration when granting visas for travel and work in

1 the United States to journalists from the People's  
2 Republic of China who are affiliated with any such  
3 media organizations.

4 **SEC. 10. SENSE OF CONGRESS ON COMMERCIAL EXPORTS**  
5 **OF CROWD CONTROL EQUIPMENT TO HONG**  
6 **KONG.**

7 It is sense of Congress that the Department of Com-  
8 merce, in conjunction with other relevant Federal depart-  
9 ments and agencies, should consider appropriate adjust-  
10 ments to the current United States export controls with  
11 respect to Hong Kong to prevent the supply of crowd con-  
12 trol and surveillance equipment that could be used inap-  
13 propriately in Hong Kong.

