



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

Purpose: To require the Secretary of State to determine whether Hong Kong should be treated differently than the rest of China in any bilateral agreement.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**S.** \_\_\_\_\_

To authorize appropriations for the Department of State for fiscal year 2016, 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 intended to be proposed by Mr. RUBIO

Viz:

- 1 At the end of section 203, add the following:
- 2 (c) TREATMENT OF HONG KONG UNDER UNITED
- 3 STATES LAW.—
- 4 (1) SECRETARY OF STATE CERTIFICATION RE-
- 5 QUIREMENT.—
- 6 (A) IN GENERAL.—Not later than 90 days
- 7 after the date of the enactment of this Act, and
- 8 annually thereafter, the Secretary shall certify
- 9 to Congress whether Hong Kong Special Ad-
- 10 ministrative Region is sufficiently autonomous
- 11 to justify different treatment for its citizens

1 from the treatment accorded to other citizens of  
2 the People's Republic of China in any new laws,  
3 agreements, treaties, or arrangements entered  
4 into between the United States and Hong Kong  
5 after the date of the enactment of this Act.

6 (B) FACTOR FOR CONSIDERATION.—In  
7 making a certification under subparagraph (A),  
8 the Secretary should consider the terms, obliga-  
9 tions, and expectations expressed in the Joint  
10 Declaration with respect to Hong Kong.

11 (C) EXCEPTION.—A certification shall not  
12 be required under this subsection with respect  
13 to any new laws, agreements, treaties, or ar-  
14 rangements that support human rights, rule of  
15 law, or democracy in the Hong Kong Special  
16 Administrative Region.

17 (2) WAIVER AUTHORITY.—The Secretary of  
18 State may waive the application of paragraph (1) if  
19 the Secretary—

20 (A) determines that such a waiver is in the  
21 national interests of the United States; and

22 (B) on or before the date on which such  
23 waiver would take effect, submits a notice of,  
24 and justification for, the waiver to the Com-  
25 mittee on Foreign Relations of the Senate and

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