

116TH CONGRESS  
1ST SESSION

# H. R. 4551

To amend the United States-Hong Kong Policy Act of 1992 to require a report on how the People’s Republic of China exploits Hong Kong to circumvent the laws of the United States.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2019

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

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## A BILL

To amend the United States-Hong Kong Policy Act of 1992 to require a report on how the People’s Republic of China exploits Hong Kong to circumvent the laws of the United States.

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 Policy Re-  
5 evaluation Act of 2019”.

1 **SEC. 2. REPORT ON HOW PEOPLE’S REPUBLIC OF CHINA**  
2 **EXPLOITS HONG KONG TO CIRCUMVENT**  
3 **UNITED STATES LAWS.**

4 Title III of the United States-Hong Kong Policy Act  
5 of 1992 (22 U.S.C. 5731 et seq.) is amended by adding  
6 at the end the following:

7 **“SEC. 303. REPORT ON THE MANNER AND EXTENT TO**  
8 **WHICH PEOPLE’S REPUBLIC OF CHINA EX-**  
9 **PLOITS HONG KONG TO CIRCUMVENT**  
10 **UNITED STATES LAWS AND PROTECTIONS.**

11 “(a) IN GENERAL.—Not later than 180 days after  
12 the date of the enactment of the Hong Kong Policy Re-  
13 evaluation Act of 2019, the Secretary of State shall submit  
14 to the appropriate congressional committees a report on  
15 the manner and extent to which the Government of the  
16 People’s Republic of China uses the status of Hong Kong  
17 to circumvent the laws and protections of the United  
18 States.

19 “(b) ELEMENTS.—The report required by subsection  
20 (a) shall include the following:

21 “(1) In consultation with the Secretary of Com-  
22 merce, the Secretary of Homeland Security, and the  
23 Director of National Intelligence—

24 “(A) an assessment of how the Govern-  
25 ment of the People’s Republic of China uses

1 Hong Kong to circumvent United States export  
2 controls;

3 “(B) a list of all significant incidents in  
4 which the Government of the People’s Republic  
5 of China used Hong Kong to circumvent such  
6 controls during the reporting period; and

7 “(C) a list of each official of the Govern-  
8 ment of the People’s Republic of China that en-  
9 gaged in activities described in subparagraphs  
10 (A) and (B).

11 “(2) In consultation with the Secretary of the  
12 Treasury and the Secretary of Commerce—

13 “(A) an assessment of how the Govern-  
14 ment of the People’s Republic of China uses  
15 Hong Kong to circumvent duties on merchan-  
16 dise exported to the United States from the  
17 People’s Republic of China;

18 “(B) a list of all significant incidents in  
19 which the Government of the People’s Republic  
20 of China used Hong Kong to circumvent such  
21 duties during the reporting period; and

22 “(C) a list of each official of the Govern-  
23 ment of the People’s Republic of China that en-  
24 gaged in activities described in subparagraphs  
25 (A) and (B).

1           “(3) In consultation with the Secretary of the  
2       Treasury, the Secretary of Homeland Security, and  
3       the Director of National Intelligence—

4           “(A) an assessment of how the Govern-  
5       ment of the People’s Republic of China uses  
6       Hong Kong to circumvent sanctions imposed by  
7       the United States or pursuant to multilateral  
8       regimes;

9           “(B) a list of all significant incidents in  
10      which the Government of the People’s Republic  
11      of China used Hong Kong to circumvent such  
12      sanctions during the reporting period; and

13          “(C) a list of each official of the Govern-  
14      ment of the People’s Republic of China that en-  
15      gaged in activities described in subparagraphs  
16      (A) and (B).

17          “(4) In consultation with the Secretary of  
18      Homeland Security and the Director of National In-  
19      telligence—

20          “(A) an assessment of how the Govern-  
21      ment of the People’s Republic of China uses  
22      formal or informal means to extradite or coer-  
23      cively move foreign nationals, including United  
24      States persons, from Hong Kong to the Peo-  
25      ple’s Republic of China;

1           “(B) a list of foreign nationals, including  
2           United States persons, who have been formally  
3           or informally extradited or coercively moved  
4           from Hong Kong to the People’s Republic of  
5           China during the reporting period; and

6           “(C) a list of each official of the Govern-  
7           ment of the People’s Republic of China that en-  
8           gaged in activities described in subparagraphs  
9           (A) and (B).

10          “(5) In consultation with the Secretary of De-  
11          fense, the Director of National Intelligence, and the  
12          Director of Homeland Security—

13               “(A) an assessment of how the intelligence,  
14               security, and law enforcement agencies of the  
15               Government of the People’s Republic of China,  
16               including the Ministry of State Security, the  
17               Ministry of Public Security, and the People’s  
18               Armed Police, use the Hong Kong Security Bu-  
19               reau and other security agencies in Hong Kong  
20               to conduct espionage on foreign nationals in-  
21               cluding United States persons, conduct influ-  
22               ence operations, or violate civil liberties guaran-  
23               teed under the laws of Hong Kong;

24               “(B) a list of all significant incidents of  
25               such espionage, influence operations, or viola-

1           tions of civil liberties during the reporting pe-  
2           riod; and

3                 “(C) a list of each official of the Govern-  
4           ment of the People’s Republic of China that en-  
5           gaged in activities described in subparagraphs  
6           (A) and (B).

7           “(c) FORM OF REPORT; AVAILABILITY.—

8                 “(1) FORM.—The report required by subsection  
9           (a) shall be submitted in unclassified form, but may  
10          include a classified index.

11                “(2) AVAILABILITY.—The unclassified portion  
12          of the report required by subsection (a) shall be  
13          posted on a publicly available internet website of the  
14          Department of State.

15           “(d) DEFINITIONS.—In this section:

16                 “(1) APPROPRIATE CONGRESSIONAL COMMIT-  
17          TEES.—The term ‘appropriate congressional com-  
18          mittees’ means the Committee on Foreign Relations  
19          of the Senate and the Committee on Foreign Affairs  
20          of the House of Representatives.

21                 “(2) FOREIGN NATIONAL.—The term ‘foreign  
22          national’ means a person that is neither—

23                         “(A) an individual who is a citizen or na-  
24                  tional of China; or

1                   “(B) an entity organized under the laws of  
2                   China or of any jurisdiction within China.

3                   “(3) REPORTING PERIOD.—The term ‘reporting  
4                   period’ means the 5-year period preceding submis-  
5                   sion of the report.

6                   “(4) UNITED STATES PERSON.—The term  
7                   ‘United States person’ means—

8                   “(A) a United States citizen or an alien  
9                   lawfully admitted for permanent residence to  
10                  the United States; or

11                  “(B) an entity organized under the laws of  
12                  the United States or of any jurisdiction within  
13                  the United States, including a foreign branch of  
14                  such an entity.”.

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