



UPDATE // NOVEMBER 25, 2019

## Congress Passes Hong Kong-Related Sanctions, But President Might Veto

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**The U.S. House of Representatives on November 20, 2019, passed the Senate version of a bill targeting Hong Kong and Chinese officials responsible for the violent crackdown on protesters in Hong Kong.**<sup>1</sup> The bill passed the Senate unanimously, and the House passed the bill 417-1,<sup>2</sup> but President Trump suggested that he might veto the bill.<sup>3</sup>

- ▶ The bill requires the President to block the assets of any non-U.S. person who the President determines is responsible for the “extrajudicial rendition, arbitrary detention, or torture of any person in Hong Kong.”<sup>4</sup> The bill also requires the President to block the assets of any non-U.S. person who the President determines is responsible for other gross violations of human rights in Hong Kong.<sup>5</sup>
- ▶ The President must make an initial round of determinations within 180 days of the law’s enactment.<sup>6</sup> The President may terminate sanctions targeting individuals if there is credible evidence that the sanctions were imposed in error, or the person has been prosecuted for the conduct for which sanctions were imposed.<sup>7</sup> The President may also terminate sanctions if the person targeted has significantly changed his or her behavior, paid an “appropriate consequence” for the activity, and “credibly committed” not to engage in the same behavior again.<sup>8</sup>
- ▶ President Trump on November 22, 2019, suggested that he was balancing responding to the crackdown in Hong Kong with preserving U.S.-China trade talks.<sup>9</sup> “We have to stand with Hong Kong, but I’m also standing with President Xi,” the President said.<sup>10</sup> If the president vetoes the bill, Congress can override the veto if two thirds of the House and two thirds of the Senate vote to do so. The overwhelming support for the bill suggests that there is enough support to override a veto.<sup>11</sup> President Trump has vetoed six bills since his inauguration in January 2017, and Congress has not overridden any of these vetoes.<sup>12</sup>



## Endnotes

- 1 S.1838, Nov. 19, 2019, (Presented to President), <https://www.congress.gov/bill/116th-congress/senate-bill/1838/text>.
- 2 S.1838, Nov. 19, 2019, (Presented to President), <https://www.congress.gov/bill/116th-congress/senate-bill/1838/text>.
- 3 S.1838, Nov. 19, 2019, (Presented to President), <https://www.congress.gov/bill/116th-congress/senate-bill/1838/text>.
- 4 S.1838, §7(a)(1)(A), Nov. 19, 2019 (Engrossed in Senate), <https://www.congress.gov/bill/116th-congress/senate-bill/1838/text>; HR.3289, §7(a)(1)(A), Oct. 15, 2019, (Engrossed in House), <https://www.congress.gov/bill/116th-congress/house-bill/3289/text>.
- 5 S.1838, §7(a)(1)(B), Nov. 19, 2019 (Engrossed in Senate), <https://www.congress.gov/bill/116th-congress/senate-bill/1838/text>; HR.3289, §7(a)(1)(C), Oct. 15, 2019, (Engrossed in House), <https://www.congress.gov/bill/116th-congress/house-bill/3289/text>.
- 6 S.1838, §7(a)(2)(A), Nov. 19, 2019 (Engrossed in Senate), <https://www.congress.gov/bill/116th-congress/senate-bill/1838/text>; HR.3289, §7(a)(2)(A), Oct. 15, 2019, (Engrossed in House), <https://www.congress.gov/bill/116th-congress/house-bill/3289/text>.
- 7 S.1838, §7(g), Nov. 19, 2019 (Engrossed in Senate), <https://www.congress.gov/bill/116th-congress/senate-bill/1838/text>; HR.3289, §7(f), Oct. 15, 2019, (Engrossed in House), <https://www.congress.gov/bill/116th-congress/house-bill/3289/text>.
- 8 S.1838, §7(g)(3), Nov. 19, 2019 (Engrossed in Senate), <https://www.congress.gov/bill/116th-congress/senate-bill/1838/text>; HR.3289, §7(f)(3), Oct. 15, 2019, (Engrossed in House), <https://www.congress.gov/bill/116th-congress/house-bill/3289/text>.
- 9 Washington Post, "Trump says he might veto legislation that aims to protect human rights in Hong Kong because bill could affect China trade talks," Nov. 22, 2019, <https://www.washingtonpost.com/business/2019/11/22/trump-says-he-might-veto-legislation-that-aims-protect-human-rights-hong-kong-be-cause-bill-would-impact-china-trade-talks/>.
- 10 Washington Post, "Trump says he might veto legislation that aims to protect human rights in Hong Kong because bill could affect China trade talks," Nov. 22, 2019, <https://www.washingtonpost.com/business/2019/11/22/trump-says-he-might-veto-legislation-that-aims-protect-human-rights-hong-kong-be-cause-bill-would-impact-china-trade-talks/>.
- 11 S.1838, Nov. 19, 2019, (Presented to President), <https://www.congress.gov/bill/116th-congress/senate-bill/1838/text>.
- 12 U.S. Senate, "Legislation and Records," undated, <https://www.senate.gov/legislative/vetoes/TrumpDJ.htm>.