

**Congress of the United States**  
Washington, DC 20515

April 28, 2020

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

Dear Secretary Pompeo:

We write with deep concern over recent developments in Hong Kong, where the Chinese government and Communist Party (CCP) continue to accelerate efforts to undermine Hong Kong's autonomy and the rule of law.

The *Hong Kong Human Rights and Democracy Act* (P.L. 116–76), signed into law by President Donald Trump on November 27, 2019, provides the Department of State with new authorities to assess the actions of the Chinese government and Communist Party that continue to erode Hong Kong's autonomy. As co-sponsors of that legislation, we urge you to ensure that the Department of State's forthcoming report and certification to Congress pursuant to P.L. 116–76 fully considers and reflects the most recent troubling developments and provides a list of specific actions taken by the United States in response to this deteriorating situation.

As you know, the situation in Hong Kong has continued to decline over recent months even as COVID-19 has stymied the pro-democracy protests that garnered the world's attention. Earlier this month, the Hong Kong government arrested 15 pro-democracy figures, allegedly for their involvement in organizing or participating in unauthorized assemblies. The arrests included 81 year-old Martin Lee, a pillar of the pro-democracy movement in Hong Kong and staunch advocate of the rule of law and peaceful protest. CCP officials are advocating for Article 23 legislation, which would further restrict freedom and autonomy in service of Beijing's definition of national security. Chinese government officials have also suggested that pan-democrat Legislative Council members exercising their legislative prerogatives are in violation of their oaths, a tool Beijing has previously used to remove pan-democratic lawmakers from office.

Additionally, the Chinese government's Hong Kong Liaison Office and Hong Kong and Macau Affairs Office have both declared they are not bound by Article 22 in Hong Kong's Basic Law. This constitutes a significant departure from previous statements about the role of these two offices in Hong Kong affairs and risks further diminishing Hong Kong's autonomy. Article 22 states that "no department of the Central People's Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region administers on its own in accordance with this Law."

Hong Kong's future is of great importance to the United States and to the international community. Failing to address Beijing's efforts to erode Hong Kong's autonomy will undermine

the freedom and human rights of its people, its valuable role as a partner to the United States, and its unique role in the international economy.

The United States must take a leadership role in addressing Beijing's threats to Hong Kong's autonomy. We expect the forthcoming report due to Congress under Section 4 of the *Hong Kong Human Rights and Democracy Act* to contain a comprehensive, clear, and accurate assessment of Hong Kong's autonomy.

The Chinese government made legally binding commitments when it agreed to the Sino-British Declaration. However, as in many other areas, the Chinese government is failing to honor its commitments. It is critical that the United States use the available tools under the *Hong Kong Human Rights and Democracy Act*, and other authorities, to make clear to Beijing that its violations of its international commitments and its commitments to the people of Hong Kong will have consequences.

Thank you for your attention to this important matter.

Sincerely,



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Marco Rubio  
U.S. Senator



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James P. McGovern  
Member of Congress



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Benjamin L. Cardin  
U.S. Senator



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Christopher H. Smith  
Member of Congress



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James E. Risch  
U.S. Senator



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Eliot T. Engel  
Member of Congress



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Robert Menendez  
U.S. Senator



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Michael T. McCaul  
Member of Congress