

HR 8428

Hong Kong People's Freedom and Choice Act of 2020

Congress: 116 (2019–2021, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Sep 29, 2020

Current Status: Received in the Senate and Read twice and referred to the Committee on the Judiciary.

Latest Action: Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Dec 8, 2020)

Official Text: <https://www.congress.gov/bill/116th-congress/house-bill/8428>

Sponsor

Name: Rep. Malinowski, Tom [D-NJ-7]

Party: Democratic • **State:** NJ • **Chamber:** House

Cosponsors (23 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Kinzinger, Adam [R-IL-16]	R · IL		Sep 29, 2020
Rep. Phillips, Dean [D-MN-3]	D · MN		Sep 29, 2020
Rep. Taylor, Van [R-TX-3]	R · TX		Sep 29, 2020
Rep. Bera, Ami [D-CA-7]	D · CA		Sep 30, 2020
Rep. Castro, Joaquin [D-TX-20]	D · TX		Sep 30, 2020
Rep. Cicilline, David N. [D-RI-1]	D · RI		Sep 30, 2020
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Sep 30, 2020
Rep. Davis, Rodney [R-IL-13]	R · IL		Sep 30, 2020
Rep. Deutch, Theodore E. [D-FL-22]	D · FL		Sep 30, 2020
Rep. Fitzpatrick, Brian K. [R-PA-1]	R · PA		Sep 30, 2020
Rep. Lowenthal, Alan S. [D-CA-47]	D · CA		Sep 30, 2020
Rep. Raskin, Jamie [D-MD-8]	D · MD		Sep 30, 2020
Rep. Sherman, Brad [D-CA-30]	D · CA		Sep 30, 2020
Rep. Sires, Albio [D-NJ-8]	D · NJ		Sep 30, 2020
Rep. Suozzi, Thomas R. [D-NY-3]	D · NY		Sep 30, 2020
Rep. Wilson, Joe [R-SC-2]	R · SC		Sep 30, 2020
Rep. Yoho, Ted S. [R-FL-3]	R · FL		Sep 30, 2020
Rep. McGovern, James P. [D-MA-2]	D · MA		Oct 1, 2020
Rep. Porter, Katie [D-CA-45]	D · CA		Oct 1, 2020
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Oct 1, 2020
Rep. Cohen, Steve [D-TN-9]	D · TN		Oct 16, 2020
Rep. Khanna, Ro [D-CA-17]	D · CA		Oct 16, 2020
Rep. Lee, Barbara [D-CA-13]	D · CA		Oct 27, 2020

Committee Activity

Committee	Chamber	Activity	Date
Foreign Affairs Committee	House	Markup By	Oct 1, 2020
Judiciary Committee	House	Referred To	Sep 29, 2020
Judiciary Committee	Senate	Referred To	Dec 8, 2020

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Summary (as of Dec 7, 2020)

Hong Kong People's Freedom and Choice Act of 2020

This bill provides for temporary protected status (TPS) and refugee status for qualifying Hong Kong residents and contains other immigration-related provisions.

Hong Kong shall be treated as a TPS-designated country for 18 months starting from this bill's enactment. (Qualifying nationals of a TPS-designated country may not be removed from the United States and shall have employment authorization while the designation is in effect.)

Furthermore, Hong Kong shall be treated as separate from China for the purposes of various numerical limitations on immigrant visas. (Hong Kong is part of China but has a largely separate legal and economic system.)

The bill also establishes Priority Hong Kong Resident status for qualified individuals. To obtain such status, an individual must meet certain requirements, such as having resided in Hong Kong for at least ten years as of the day of this bill's enactment and not having citizenship in any jurisdiction other than China, Hong Kong, or Macau.

For the purposes of seeking refugee status or asylum, a Priority Hong Kong Resident (and certain family members of such an individual) may establish that the individual has a well-founded fear of persecution if the individual asserts such fear and (1) had a significant role in an organization that supported the 2019 or 2020 protests related to China's encroachment into Hong Kong's autonomy or the Hong Kong National Security Law enacted in 2020; or (2) was arrested, charged, detained, or convicted for participating in the nonviolent exercise of certain rights.

Actions Timeline

- **Dec 8, 2020:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Dec 7, 2020:** Mr. Engel moved to suspend the rules and pass the bill, as amended.
- **Dec 7, 2020:** Considered under suspension of the rules. (consideration: CR H6872-6877)
- **Dec 7, 2020:** DEBATE - The House proceeded with forty minutes of debate on H.R. 8428.
- **Dec 7, 2020:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H6872-6874)
- **Dec 7, 2020:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H6872-6874)
- **Dec 7, 2020:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 1, 2020:** Committee Consideration and Mark-up Session Held.
- **Oct 1, 2020:** Ordered to be Reported by Voice Vote.
- **Sep 29, 2020:** Introduced in House
- **Sep 29, 2020:** Referred to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.