

S. 178, Uighur Intervention and Global Humanitarian Unified Response Act of 2019

As ordered reported by the House Committee on Foreign Affairs on October 30, 2019

By Fiscal Year, Millions of Dollars	2020	2020-2024	2020-2029
Direct Spending (Outlays)	*	*	*
Revenues	*	*	*
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	Yes, Under Threshold

* = between -\$500,000 and \$500,000.

Direct Spending and Revenues

S. 178 would require the Administration to sanction senior officials of the Chinese government who are responsible for violating human rights in China and to transmit a list of those individuals to the Congress.

The President has the authority to impose similar sanctions under the Global Magnitsky Human Rights Accountability Act (Public Law 114-328). By requiring such sanctions, CBO estimates that enacting S. 178 would increase the number of people who would be denied visas by the Department of State and the number who would be subject to civil or criminal penalties. Most visa fees are retained by the department and spent without further appropriation, but some fees are deposited in the Treasury as revenues. Penalties also are recorded as revenues, and a portion of those penalties can be spent without further appropriation. Because CBO expects that very few additional people would be affected, CBO estimates that enacting S. 178 would have insignificant effects on both revenues and direct spending.

Spending Subject to Appropriation

The act would require entities to obtain licenses from the Bureau of Industry and Security (BIS) of the Department of Commerce to export surveillance products (such as facial recognition devices and software) to China. CBO estimates that the BIS would spend an insignificant amount to update the Commerce Control List (CCL) that comprises those items, to process any new export licenses, and to identify unlicensed exporters of surveillance products. S. 178 also would require the Department of State to report to the Congress on the human rights abuses in the Xinjiang region of China. CBO estimates that implementing those provisions of S. 178 would cost less than \$500,000 over the 2020-2024 period; such spending would be subject to the availability of appropriated funds.

Mandates

S. 178 would impose sanctions on individuals who are responsible for, or who have knowingly engaged in, serious human rights abuses against Turkic Muslims in China's Xinjiang Uighur Autonomous region and elsewhere in China. In doing so, the act could prohibit individuals or entities in the United States from engaging in activities that would otherwise be permitted under current law, such as accessing property that would be frozen by the sanctions. Such a prohibition would be a mandate under the Unfunded Mandates Reform Act (UMRA). The cost of the mandate would be any income that U.S. entities lose because they no longer have access to the property in question or because they may no longer engage in transactions prohibited by the act.

Because the sanctions focus only on individuals who are responsible for serious human rights abuses against Turkic Muslims in China, CBO expects that the number of individuals or entities in the United States that could be affected by the legislation would be small. Furthermore, CBO expects that the loss of income from any incremental restrictions imposed by the act would be small.

By expanding the list of items placed on the CCL, S. 178 also would require businesses wishing to export those controlled items to China to obtain a federal export license from the BIS. That requirement would impose a mandate on private entities. Because a BIS export license is free, there would be no cost to comply with that duty.

CBO estimates that the aggregate cost of the mandates would fall well below the annual threshold established in UMRA for private-sector mandates (\$164 million in 2019, adjusted annually for inflation).

S. 178 contains no intergovernmental mandates as defined in UMRA.

Previous CBO Estimate

On June 5, 2019, CBO transmitted a [cost estimate for S. 178](#), the Uyghur Human Rights Policy Act of 2019, as reported by the Senate Committee on Foreign Relations on June 3, 2019. The two versions of the legislation are similar, however S. 178 as ordered reported by the House committee would require the President to impose sanctions related to human rights abuses and would require fewer reports; CBO's estimate of the costs of implementing that version reflect those differences.

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