

China-Specific and China-Related Legislation in the 110th Congress

(Updated December 9, 2008)

TRADE LEGISLATION	4
<i>Trade – Generalized (China-Related)</i>	4
<i>Trade – Currency Manipulation Bills (China-Related and China-Specific)</i>	5
<i>Trade – Countervailing Duties Applicability to Nonmarket Economies (China-Related and China-Specific)</i>	10
<i>Trade – Additional Currency Manipulation Bills (China-Specific)</i>	11
<i>Trade - U.S. Trade Representative (China-Related)</i>	11
<i>Trade – Special Trade Prosecutor (China-Related)</i>	12
<i>Trade – Auto Tariffs (China-Specific)</i>	12
<i>Trade – Trade Agreements (China-Related)</i>	13
<i>Trade – Deficit Legislation (China-Related)</i>	13
<i>Trade – U.S. Export Promotion to China (China-Specific)</i>	14
<i>Trade – Textile Negotiator (China-Related)</i>	14
<i>Trade – Nonmarket Economy Tariff (China-Specific)</i>	14
<i>Trade – Trade Adjustment Assistance (China-Related)</i>	15
<i>Trade – Restricted Trade with Prison Labor (China-Related)</i>	17
<i>Trade – Withdraw PNTR from China (China-Specific)</i>	17
<i>Trade – China’s Financial Services Obligations (China-Specific)</i>	18
<i>Trade - Food and Product Safety (China-Related)</i>	19
<i>Trade – Committee on Foreign Investment in the U.S. (CFIUS) (China-Related)</i>	24
<i>Trade – Proposed Huawei Investment in the U.S. (China-Specific)</i>	26
<i>Trade – Illegally Harvested Timber (China-Related)</i>	26
U.S. MANUFACTURING AND DEFENSE INDUSTRIAL BASE	28
<i>Manufacturing and Defense Industrial Base (China-Related)</i>	28

CHINA’S MEDIA CONTROL	29
<i>China’s Media Control (China-Specific)</i>	29
TAIWAN	29
<i>Taiwan – Supporting Taiwan’s March 2008 Presidential Election (China-Specific)</i>	29
<i>Taiwan – Supporting Sale of Defense Articles (China-Specific)</i>	30
<i>Taiwan – Normalized Diplomatic Relations (China-Specific)</i>	30
<i>Taiwan – 2008 Olympics (China-Specific)</i>	31
<i>Taiwan – Weapon Transfer Authorization (China-Specific)</i>	31
<i>Taiwan – Free Trade Agreement (China-Specific)</i>	32
TIBET	32
<i>Tibet – Calling on China to End the Crackdown (China-Specific)</i>	32
CHINA’S REGIONAL AND INTERNATIONAL RELATIONSHIPS	33
<i>Burma (Myanmar) Legislation (China-Related and China-Specific)</i>	33
<i>Sudan Legislation (China-Related and China-Specific)</i>	35
<i>2008 Olympics (China-Specific)</i>	37
<i>North Korea Refugees in China (China-Specific)</i>	38
<i>Nonproliferation – Iran (China-Related)</i>	39
NONPROLIFERATION	40
<i>Nonproliferation (China-Related)</i>	40
ENERGY	40
<i>U.S.-China Bilateral Energy Cooperation (China-Specific)</i>	40
<i>International Energy Cooperation (China-Related)</i>	41
<i>Energy Security (China-Related)</i>	43
<i>Clean and Energy Efficient Technology Sharing (China-Specific)</i>	43
SECURITY AND MILITARY	44

PRC Asymmetric Warfare Capability Study (China-Specific)..... 44

Space Security (China-Related and China-Specific)..... 45

CONSULAR SUPPORT AND CHINESE LANGUAGE SUPPORT 46

U.S.-China Diplomatic and Consular Activities (China-Specific)..... 46

Chinese Language Funding (China-Specific)..... 47

CHINA’S PRISONER ABUSE AND LAGOI SYSTEM 47

China’s Prisoner Abuse and Lagoi System (China-Specific) 47

CHINA’S SICHUAN EARTHQUAKE..... 48

Resolutions of Condolences and Praise (China-Specific)..... 48

U.S.-China Economic and Security Review Commission Appropriations (China-Specific) 49

Trade Legislation

Trade – Generalized (China-Related)

S.364

Title: A bill to strengthen United States trade laws and for other purposes.

Sponsor: Sen Rockefeller, John D., IV [WV] (introduced 1/23/2007) Cosponsors (None)

Latest Major Action: 1/23/2007 Referred to Senate Committee on Finance.

CRS Summary:

- Provide for the establishment of the Congressional Advisory Commission on WTO Dispute Settlement to provide objective and impartial advice to the Congress on the operation of the dispute settlement system of the World Trade Organization. The Commission shall be composed of 5 members, all of whom should be judges or former judges in Federal courts.
- Requires the U.S Trade Representative (USTR) to provide information presented or otherwise obtained by the USTR in connection with WTO dispute settlement proceedings to U.S. citizens participating in WTO dispute settlement panels or the Appellate Body.
- Requires the USTR to consult with U.S. citizens involved in WTO dispute settlement.
- Requires the Commission to advise the Congress (in cases of findings against the U.S.) on whether the WTO dispute settlement panel or Appellate Body exceeded its authority; added to the obligations or diminished the rights of the United States; deviated from the procedures or applicable standard of review; and what actions the United States should take in response to the finding.
- Requires Congressional approval of all measures taken by the U.S. government to comply with adverse decisions.
- Requires the USTR to make available to the Commission all submissions and relevant documents from the dispute settlement process.
- Amends the Tariff Act of 1930 to strengthen antidumping and countervailing duty laws and expands the applicability of countervailing duties to nonmarket economies to address China's artificially undervalued currency.
- Extends power to the Congress to approve or disapprove of any country's "non-market economy" status.
- Designates currency exchange rate manipulation as a subsidy that can be addressed by the application of countervailing duties, and encourages the USTR to negotiate the use of countervailing duties as a remedy for international trade rules that allow value-added taxes to most U.S. trade partners.
- Removes Presidential discretion to ignore recommendations of the International Trade Commission in Section 421 safeguard cases.

S.1919

Title: A bill to establish trade enforcement priorities for the United States, to strengthen the provisions relating to trade remedies, and for other purposes.

Sponsor: Sen Baucus, Max [MT] (introduced 8/1/2007) Cosponsors (2)

Latest Major Action: 8/1/2007 Referred to Senate Committee on Finance.

8/1/2007 Senate Committee on Finance held hearing.

CRS Summary on China-related and China-specific section:

-- Trade Enforcement Act of 2007 - Amends the Trade Act of 1974 to revise certain trade provisions to require the United States Trade Representative (USTR) to identify and report to Congress on: (1) U.S. trade enforcement priorities; (2) U.S. trade enforcement actions taken during the previous year and their impact in addressing foreign trade barriers; and (3) priority foreign country trade practices the USTR will focus U.S. trade enforcement efforts.

- Requires the USTR to seek satisfactory resolution of any identified priority foreign country trade practice (including elimination or compensatory trade benefits) with the country concerned under the auspices of the World Trade Organization (WTO), pursuant to a bilateral or regional trade agreement to which the United States is a party, or by any other means.
- Establishes the WTO Dispute Settlement Review Commission.
- Requires a recommendation from the International Trade Commission (ITC) before the President can impose any duty or other import restriction on an imported Chinese product that causes or threatens market disruption to a like U.S. product. Requires an ITC recommendation to take effect upon enactment of a joint resolution by Congress disapproving presidential action where the President takes action that differs from such recommendation or declines to take action because it would have an adverse impact on the U.S. economy.
- Amends the Tariff Act of 1930 to apply countervailing duty provisions to nonmarket economy countries.
- Establishes: (1) the position of Chief Trade Enforcement Officer in the Office of the USTR; (2) an interagency Trade Enforcement Working Group.
- Grants the ITC authority to appoint hearing officers (other than administrative law judges) to preside over intellectual property rights infringement cases before the ITC.
- Defines the role of the interagency trade organization with respect to the performance of the functions of the USTR.

S.3083

Title: A bill to require a review of existing trade agreements and renegotiation of existing trade agreements based on the review, to set terms for future trade agreements, to express the sense of the Senate that the role of Congress in trade policymaking should be strengthened, and for other purposes.

Sponsor: Sen Brown, Sherrod [OH] (introduced 6/4/2008) Cosponsors (4)

Latest Major Action: 6/4/2008 Referred to Senate Committee on Finance.

H.R.6530:

To amend United States trade laws to eliminate foreign barriers to exports of United States goods and services, to restore rights under trade remedy laws, to strengthen enforcement of United States intellectual property rights and health and safety laws at United States borders, and for other purposes.

Sponsor: Rep Rangel, Charles B. [NY-15] (introduced 7/17/2008) Cosponsors (1)

Committees: House Ways and Means; House Rules; House Homeland Security

Latest Major Action: 7/17/2008 Referred to House Committee on Ways and Means, and in addition to the Committees on Rules, and Homeland Security.

Summary of China-specific section:

- Provides alternative calculations of antidumping and countervailing duty methodologies for the purpose of application of the trade remedies to China.

Trade – Currency Manipulation Bills (China-Related and China-Specific)

S.2813

Title: A bill to require the Secretary of the Treasury to take action with respect to currency manipulation by the People's Republic of China, and for other purposes.

Sponsor: Sen Bunning, Jim [KY] (introduced 4/3/2008) Cosponsors (2)

Latest Major Action: 4/3/2008 Referred to Senate Committee on Banking, Housing, and Urban Affairs.

CRS Summary:

China Currency Manipulation Act of 2008 - Directs the Secretary of the Treasury to: (1) make an affirmative determination that the People's Republic of China (PRC) is manipulating the rate of exchange between its currency and the U.S. dollar; (2) establish and report to Congress on a plan of action to remedy such currency manipulation; (3) initiate expeditiously bilateral negotiations with the PRC to ensure that it regularly adjusts the rate of exchange between its currency and the U.S. dollar in order to permit effective balance of payment adjustments and eliminate unfair competitive advantage in trade; and (4) instruct the Executive Director to the International Monetary Fund (IMF) to use the U.S. vote to ensure that the PRC takes such action to achieve such goals.

H.R.2764

Title: Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes.

Sponsor: Rep Lowey, Nita M. [NY-18] (introduced 6/18/2007) Cosponsors (None)

Related Bills: H.RES.498, H.RES.878, H.RES.893

Latest Major Action: 12/26/2007 Signed into law.

House Reports: 110-197; **Senate Reports:** 110-128

Note: On 12/17/2007, the substitute House amendments to the Senate amendment changed this bill to the Consolidated Appropriations Act, 2008 (see the EAH bill version and the joint explanatory statements posted by the House Rules Committee). The bill was further amended with a subsequent Senate amendment to the House amendment to the Senate amendment (see the EAS2 bill version). The Consolidated Appropriations Act, 2008 contains: Division A: Agriculture; Division B: Commerce-Justice-Science; Division C: Energy-Water; Division D: Financial Services; Division E: Homeland Security; Division F: Interior; Division G: Labor-HHS-Education; Division H: Legislative Branch; Division I: Military-Veterans; Division J: State-Foreign Operations; Division K: Transportation-HUD; Division L: Supplemental Appropriations.

Bill Text:

The Secretary of Treasury is directed to report to the Appropriations Committees not later than 120 days after enactment of this Act on the following: the implementation of the IMF Decision on Bilateral Surveillance Over Members Policies, announced on June 15, 2007, which establishes a new system for IMF bilateral surveillance on exchange rate policies of member countries; and which member countries are in violation of the Decision including those that are manipulating exchange rates for the purpose of securing fundamental exchange rate misalignment in the form of an undervalued exchange rate with the purpose to increase net exports.

S.796

Title: A bill to amend title VII of the Tariff Act of 1930 to provide that exchange-rate misalignment by any foreign nation is a countervailable export subsidy, to amend the Exchange Rates and International Economic Policy Coordination Act of 1988 to clarify the definition of manipulation with respect to currency, and for other purposes.

Sponsor: Sen Bunning, Jim [KY] (introduced 3/7/2007) Cosponsors (8)

Related Bills: H.R.782, H.R.2942

Latest Major Action: 3/7/2007 Referred to Senate Committee on Finance.

CRS Summary:

- Fair Currency Act of 2007 - Amends the Tariff Act of 1930 to expand the authority of the administering authority or the International Trade Commission (ITC) to impose countervailing duties on products from a nonmarket economy country that have been provided a countervailable subsidy. Includes exchange-rate misalignment (undervaluation of a foreign currency) by a country as a countervailable subsidy. Requires the administering authority to use methodologies that measure certain benchmarks outside of a nonmarket economy country where exchange-rate

misalignment exists when measuring the benefit of a countervailable subsidy bestowed on a product by such country in a countervailing duty proceeding.

- Amends the Trade Act of 1974 to include exchange-rate misalignment by the People's Republic of China as a condition in determining market disruption to the domestic producers of a like or directly competitive product from products imported from China.
- Prohibits the Department of Defense from procuring defense articles imported from China if such articles are competitive with domestic industry articles critical to the defense industrial base of the United States.
- Applies provisions of this Act to goods from Canada and Mexico.
- Amends the Exchange Rates and International Economic Policy Coordination Act of 1988 to direct the Secretary of the Treasury to consider in the annual analysis of foreign exchange rate policies whether countries have a currency that is in fundamental misalignment, and if so, to initiate bilateral corrective negotiations.
- Directs the Secretary, prior to U.S. approval of a change in an international financial institution's governance, to determine whether a member who would benefit from such change has a currency that is manipulated or in fundamental misalignment, and if so, oppose such change.
- Amends the Tariff Act of 1930 to require the administering authority in determining whether a country is a nonmarket economy country to consider whether such country's manipulation or fundamental misalignment of its currency adversely affects the U.S. economy.

S.1607

Title: A bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

Sponsor: Sen Baucus, Max [MT] (introduced 6/13/2007) Cosponsors (13)

Related Bills: H.R.2942

Latest Major Actions: 7/31/2007 Reported out of the Senate Finance Committee by Chairman Baucus with an amendment in the nature of a substitute. Placed on Senate Legislative Calendar under General Orders. Calendar No. 293

12/14/2007 Chairman Baucus from Committee on Finance filed written report number 110-248 to accompany S.1607.

CRS Summary:

Currency Exchange Rate Oversight Reform Act of 2007

- (Sec. 3) Directs the Secretary of the Treasury to: (1) report biannually to Congress on international monetary policy and currency exchange rates; and (2) appear, if requested, before certain congressional committees to testify regarding such reports. Prescribes report contents, including: (1) an analysis of currency market developments and the relationship between the U.S. dollar and the currencies of major economies and trading partners of the United States; (2) a review of the economic and monetary policies of major economies and trading partners of the United States and an evaluation of how such policies impact currency exchange rates; and (3) a list of currencies designated as fundamentally misaligned currencies.
- (Sec. 4) Instructs the Secretary to: (1) analyze semiannually the prevailing real effective exchange rates of foreign currencies; (2) determine whether any such currency is in fundamental misalignment; and (3) designate it for priority action if the issuing country engages in specified behavior, including excessive and prolonged official or quasi-official accumulation of foreign assets for balance of payments purposes, and excessive reserve accumulation of foreign assets.
- (Sec. 5) Prescribes procedures for: (1) negotiations and consultations; and (2) actions in response to failure, including persistent failure, to adopt appropriate policies, or take identifiable action to eliminate the fundamental misalignment.
- (Sec. 8) Provides for a joint resolution of congressional disapproval of any determination by the President to waive an action, on the ground that it is in the vital U.S. economic interest to do so,

with respect to a country which has persistently failed to adopt appropriate policies to eliminate a fundamental currency misalignment.

- (Sec. 9) Requires the United States to oppose any proposed change in the governance arrangement of an international financial institution if any of its members would benefit from the proposed change, in the form of increased voting shares or representation, despite having a currency designated for priority action under this Act.

- (Sec. 10) Amends the Tariff Act of 1930 to require an adjustment in the price used to establish export (and constructed export) prices, in the case of a fundamentally misaligned currency designated for priority action, by reducing such price by the percentage by which the domestic currency of the producer or exporter is undervalued in relation to the U.S. dollar.

- (Sec. 11) Adds as a factor the administering authority must take into account in determining whether a foreign country is a nonmarket economy country the question of whether its currency is designated for priority action under this Act.

- (Sec. 12) Applies to Canada and Mexico the requirements of this Act pertaining to: (1) adjustments in export prices for a fundamentally misaligned currency designated for priority action; and (2) determination of nonmarket economy status.

- (Sec. 13) Establishes the Advisory Committee on International Exchange Rate Policy.

- (Sec. 14) Repeals the Exchange Rates and International Economic Policy Coordination Act of 1988.

S.1677

Title: A bill to amend the Exchange Rates and International Economic Coordination Act of 1988 and for other purposes.

Sponsor: Sen Dodd, Christopher J. [CT] (introduced 6/21/2007) Cosponsors (10)

Latest Major Action: 8/1/2007 Senate Committee on Banking, Housing, and Urban Affairs reported favorably with an amendment in the nature of a substitute.

CRS Summary:

- Currency Reform and Financial Markets Access Act of 2007

- Amends the Exchange Rates and International Economic Policy Coordination Act of 1988 to revise U.S. policy provisions by urging: (1) the United States, and other major industrialized countries, to work together to ensure that the exchange rate of the currencies of major trading nations and the U.S. dollar reflect market forces and contribute to the growth and balance of the international economy; and (2) the United States to take appropriate action to ensure that U.S. trading partners are not engaged in hidden or unfair subsidies through management of their currency or international exchange rates.

- Revises a certain annual analysis the Secretary of the Treasury (Secretary) must make with respect to the exchange rate policies of foreign countries to include an analysis of whether any country, regardless of intent, manipulates the exchange rate between its currency and the U.S. dollar in a manner that results in an accumulation of substantial dollar currency reserves. Requires the Secretary, if the Secretary makes specified findings, to make an affirmative determination that a country is manipulating its currency and to take the following actions, including: (1) establishing a plan to remedy the currency manipulation; and (2) initiating bilateral negotiations with such country, and instructing the Executive Director to the International Monetary Fund to use the U.S. vote, in order to ensure that such country adjusts the exchange rate between its currency and the U.S. dollar to permit balance of payment adjustments and to eliminate the unfair competitive advantage.

- Provides procedures for a joint resolution of congressional disapproval when Congress disapproves of the Secretary's findings concerning currency manipulation.

- Promoting Market Access for Financial Services Act - Amends the Financial Reports Act of 1988 to require: (1) the Secretary to report annually (under current law, every four years) to Congress beginning July 1, 2008, on the treatment of U.S. financial institutions by foreign

countries; and (2) such report to include a summary of the results of the most recent U.S.-China Strategic Economic Dialogue (SED) and how such results pertain to promoting foreign market access for U.S. financial institutions.

H.R.782

Title: To amend title VII of the Tariff Act of 1930 to provide that exchange-rate misalignment by any foreign nation is a countervailable export subsidy, to amend the Exchange Rates and International Economic Policy Coordination Act of 1988 to clarify the definition of manipulation with respect to currency, and for other purposes.

Sponsor: Rep Ryan, Tim [OH-17] (introduced 1/31/2007) Cosponsors (116)

Related Bills: Reintroduced as H.R.2942 (See below), S.796 (See above)

Latest Major Action: 4/12/2007 Referred to House Subcommittee on Domestic and International Monetary Policy, Trade, and Technology.

CRS Summary:

Fair Currency Act of 2007

- Amends the Tariff Act of 1930 to expand the authority of the administering authority or the International Trade Commission (ITC) to impose countervailing duties on products from a nonmarket economy country that have been provided a countervailable subsidy. Includes exchange-rate misalignment (undervaluation of a foreign currency) by a country as a countervailable subsidy. Requires the administering authority to use methodologies that measure certain benchmarks outside of a nonmarket economy country where exchange-rate misalignment exists when measuring the benefit of a countervailable subsidy bestowed on a product by such country in a countervailing duty proceeding.
- Amends the Trade Act of 1974 to include exchange-rate misalignment by the People's Republic of China as a condition in determining market disruption to the domestic producers of a like or directly competitive product from products imported from China.
- Prohibits the Department of Defense (DOD) from procuring defense articles imported from China if such articles are competitive with domestic industry articles critical to the defense industrial base of the United States.
- Applies provisions of this Act to goods from Canada and Mexico.
- Amends the Exchange Rates and International Economic Policy Coordination Act of 1988 to direct the Secretary of the Treasury to consider in the annual analysis of foreign exchange rate policies whether countries have a currency that is in fundamental misalignment, and if so, to initiate bilateral corrective negotiations.
- Directs the Secretary, prior to U.S. approval of a change in an international financial institution's governance, to determine whether a member who would benefit from such change has a currency that is manipulated or in fundamental misalignment, and if so, oppose such change.
- Amends the Tariff Act of 1930 to require the administering authority, in determining whether a country is a nonmarket economy country, to consider whether such country's manipulation or fundamental misalignment of its currency adversely affects the U.S. economy.

H.R.2942

Title: To provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

Sponsor: Rep Ryan, Tim [OH-17] (introduced 6/28/2007) Cosponsors (63)

Related Bills: H.R.782 (See above), S.796 (See above)

Latest Major Action: 6/28/2007 Referred to House Committees on Financial Services, and 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.

Note: This bill is the reintroduction of the Fair Currency Bill from the 109th Congress, which was also previously introduced as H.R.792 in the 110th Congress.

CRS Summary:

- Currency Reform for Fair Trade Act of 2007 - Amends the Tariff Act of 1930 to expand the authority of the administering authority or the International Trade Commission (ITC) to impose countervailing duties on products from a nonmarket economy country that have been provided a countervailable subsidy. Requires, when measuring subsidy benefits, the use of benchmarks outside of a nonmarket economy country when benchmarks in such a country are not available or are inappropriate.
- Includes fundamental and actionable misalignment of a currency (undervaluation of a foreign currency) by a foreign country as a countervailable subsidy.
- Directs the Secretary of the Treasury (Secretary) to: (1) report annually to Congress on international monetary policy and currency exchange rates (including fundamentally misaligned currencies); (2) analyze semiannually the prevailing real exchange rates between the U.S. dollar and foreign currencies and to designate fundamentally misaligned foreign currencies for priority action; and (3) seek bilateral consultations with fundamentally misaligned currency countries designated for priority action to eliminate such misalignment.
- Requires the United States to inform the Managing Director of the International Monetary Fund (IMF) of countries that fail to eliminate fundamentally misaligned currencies designated for priority action and to request the IMF Managing Director to consult with such countries regarding their observance of the IMF Articles of Agreement and to report the results of such consultations to the IMF Executive Board. Prohibits the Overseas Private Investment Corporation (OPIC) from, and instructs multilateral banks to oppose, financing projects in countries that issue fundamentally misaligned currencies designated for priority action.
- Requires: (1) the Secretary to take certain actions with respect to countries that fail to eliminate fundamentally misaligned currencies designated for priority action; and (2) the United States Trade Representative (USTR) to request consultations in the World Trade Organization (WTO) with such countries regarding the consistency of their actions with regard the WTO Agreement.
- Establishes an Advisory Committee on International Exchange Rate Policy.
- Repeals the Exchange Rates and International Economic Policy Coordination Act of 1988.

Trade – Countervailing Duties Applicability to Nonmarket Economies (China-Related and China-Specific)

H.R.1229

Title: To amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries, and for other purposes.

Sponsor: Rep Davis, Artur [AL-7] (introduced 2/28/2007) Cosponsors (53)

Related Bills: S.974 (See below)

Latest Major Action: 3/15/2007 House committee/subcommittee hearings held.

CRS Summary:

- Nonmarket Economy Trade Remedy Act of 2007 - Amends the Tariff Act of 1930 to apply countervailing duties to nonmarket economies.
- Authorizes the use of alternative methodologies in determining whether a subsidy is countervailable with respect to the People's Republic of China (PRC).
- Requires congressional approval for revocation of nonmarket economy country determinations made by the administering authority.
- Requires a United States International Trade Commission study of how the PRC uses government intervention to promote investment, employment, and exports.

S.974

Title: A bill to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries, and for other purposes.

Sponsor: Sen Collins, Susan M. [ME] (introduced 3/22/2007) Cosponsors (16)

Related Bills: H.R.1229 (see above)

Latest Major Action: 3/22/2007 Referred to Senate Committee on Finance.

CRS Summary:

- Stopping Overseas Subsidies Act - Amends the Tariff Act of 1930 to apply countervailing duties to nonmarket economies.
- Authorizes the use of alternative methodologies in determining whether a subsidy is countervailable with respect to the People's Republic of China (PRC).
- Requires congressional approval for revocation of nonmarket economy country determinations made by the administering authority.
- Requires a United States International Trade Commission study of how the PRC uses government intervention to promote investment, employment, and exports.

Trade – Additional Currency Manipulation Bills (China-Specific)

H.R.321

Title: To require the Secretary of the Treasury to analyze and report on the exchange rate policies of the People's Republic of China, and to require that additional tariffs be imposed on products of that country on the basis of the rate of manipulation by that country of the rate of exchange between the currency of that country and the United States dollar.

Sponsor: Rep English, Phil [PA-3] (introduced 1/9/2007) Cosponsors (17)

Latest Major Action: 1/18/2007 Referred to House Subcommittee on Trade.

CRS Summary:

- Directs the Secretary of the Treasury to analyze annually the exchange rate policies of the People's Republic of China, and to impose additional tariffs, if necessary, to equalize any currency manipulations.

H.R.1002

Title: To authorize appropriate action if the negotiations with the People's Republic of China regarding China's undervalued currency and currency manipulation are not successful.

Sponsor: Rep Spratt, John M., Jr. [SC-5] (introduced 2/12/2007) Cosponsors (2)

Latest Major Action: 2/20/2007 Referred to House Subcommittee on Trade.

CRS Summary:

- Imposes an additional duty rate of 27.5 % ad valorem on any article imported into the United States that is the growth, product, or manufacture of the People's Republic of China (PRC) unless the President certifies to Congress that: (1) the PRC is no longer manipulating the exchange rate between its currency and the U.S. dollar in order to prevent an effective balance of payments and gain an unfair international trade advantage; and (2) the PRC's currency is valued in accordance with accepted market-based trading policies.
- Directs the Secretary of the Treasury to begin negotiations with the PRC for adoption of a market-based currency valuation.

Trade - U.S. Trade Representative (China-Related)

S.460

Title: A bill to make determinations by the United States Trade Representative under title III of the Trade Act of 1974 reviewable by the Court of International Trade and to ensure that the United States Trade Representative considers petitions to enforce United States Trade rights, and for other purposes.

Sponsor: Sen Snowe, Olympia J. [ME] (introduced 1/31/2007) Cosponsors (2)

Latest Major Action: 1/31/2007 Referred to Senate Committee on Finance.

CRS Summary:

Trade Complaint and Litigation Accountability Improvement Measures Act or the Trade CLAIM Act - Amends the federal judicial code to grant the Court of International Trade exclusive jurisdiction of any civil action commenced by a petitioner requesting de novo review of a U.S. Trade Representative (Trade Representative) decision concerning the enforcement of U.S. trade rights.

Trade – Special Trade Prosecutor (China-Related)

H.R.1278

Title: To establish the position of Trade Enforcement Officer and a Trade Enforcement Division in the Office of the United States Trade Representative, to require identification of trade enforcement priorities, and for other purposes.

Sponsor: Rep Camp, Dave [MI-4] (introduced 3/1/2007) Cosponsors (6)

Related Bills: S.445 (See below)

Latest Major Action: 3/7/2007 Referred to House Subcommittee on Trade.

CRS Summary:

Trade Prosecutor Act

- Amends the Trade Act of 1974 to establish in the Office of the U.S. Trade Representative (USTR) a Trade Enforcement Division, headed by a Trade Enforcement Officer, to ensure that U.S. trading partners comply with trade agreements to which the United States is a party. Establishes within the Division the Office of Trade Assistance for Small Businesses.
- Requires the USTR, after submission of a specified report, to annually identify (and report to Congress on): (1) U.S. trade enforcement priorities; (2) enforcement actions and their impact on foreign trade barriers; and (3) priority foreign country trade practices on which the USTR will focus enforcement efforts.

S.445

Title: A bill to establish the position of Trade Enforcement Officer and a Trade Enforcement Division in the Office of the United States Trade Representative, to require identification of trade enforcement priorities, and for other purposes.

Sponsor: Sen Stabenow, Debbie [MI] (introduced 1/31/2007) Cosponsors (3)

Related Bills: H.R.1278

Latest Major Action: 1/31/2007 Referred to Senate Committee on Finance.

CRS Summary:

Trade Prosecutor Act

- Amends the Trade Act of 1974 to establish in the Office of the U.S. Trade Representative (USTR) a Trade Enforcement Division, headed by a Trade Enforcement Officer, to ensure that U.S. trading partners comply with trade agreements to which the United States is a party. Establishes within the Division the Office of Trade Assistance for Small Businesses.
- Requires the USTR, after submission of a specified report, to annually identify (and report to Congress on): (1) U.S. trade enforcement priorities; (2) enforcement actions and their impact on foreign trade barriers; and (3) priority foreign country trade practices on which the USTR will focus enforcement efforts.

Trade – Auto Tariffs (China-Specific)

H.R.388

Title: To prohibit the importation of motor vehicles of the People's Republic of China until the tariff rates that China imposes on motor vehicles of the United States are equal to the rates of duty applicable to motor vehicles of the People's Republic of China under the Harmonized Tariff

Schedule of the United States.

Sponsor: Rep Kildee, Dale E. [MI-5] (introduced 1/10/2007) Cosponsors (2)

Latest Major Action: 1/18/2007 Referred to House Subcommittee on Trade.

CRS Summary:

- Unfair Chinese Automotive Tariff Equalization Act - Prohibits the importation into the United States of any motor vehicle that is the product of the People's Republic of China (PRC).
- Extends such prohibition until the President certifies in writing to Congress that the tariff rates imposed by the PRC on motor vehicles that are U.S. products are equal to the rates of duty applicable to similar motor vehicles that are PRC products.

Trade – Trade Agreements (China-Related)

H.R.294

Title: To prohibit the entry into any bilateral or regional trade agreement, and to prohibit negotiations to enter into any such agreement, for a period of 2 years.

Sponsor: Rep Kildee, Dale E. [MI-5] (introduced 1/5/2007) Cosponsors (3)

Latest Major Action: 1/18/2007 Referred to Subcommittee on Trade.

CRS Summary:

- Prohibits the President for two years from entering into any bilateral or regional trade agreement or engaging in any negotiations to enter into such agreements. Requires the President to terminate any such negotiations that are ongoing at the time this Act is enacted.

S.CON.RES.11

Title: A concurrent resolution providing that any agreement relating to trade and investment that is negotiated by the executive branch with another country comply with certain minimum standards.

Sponsor: Sen Feingold, Russell D. [WI] (introduced 2/13/2007) Cosponsors (None)

Latest Major Action: 2/13/2007 Referred to Senate committee. Status: Referred to the Committee on Finance.

CRS Summary:

Urges that any trade and investment agreement that is negotiated by the executive branch with foreign countries should comply with: (1) specified requirements applying to all countries; (2) specified requirements applying to only the United States; and (3) provisions providing special treatment for developing countries.

Trade – Deficit Legislation (China-Related)

H.R.169

Title: To require that, in cases in which the annual trade deficit between the United States and another country is \$10,000,000,000 or more for 3 consecutive years, the President take the necessary steps to create a more balanced trading relationship with that country.

Sponsor: Rep Kaptur, Marcy [OH-9] (introduced 1/4/2007) Cosponsors (11)

Latest Major Action: 1/18/2007 Referred to House Subcommittee on Trade.

CRS Summary:

- Balancing Trade Act of 2007 - Requires the President, if in three consecutive calendar years the United States has a trade deficit with another country of \$10 billion or more, to take the necessary steps to create a trading relationship that would eliminate or substantially reduce that trade deficit by entering into an agreement with that country.

Trade – U.S. Export Promotion to China (China-Specific)

H.R.3273

Title: To authorize assistance to small- and medium-sized businesses to promote exports to the People's Republic of China, and for other purposes. **Sponsor:** Rep Larsen, Rick [WA-2] (introduced 8/1/2007) Cosponsors (5)

Latest Major Action: 8/1/2007 Referred to House Committee on Foreign Affairs, and in addition to the Committee on Small Business, 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.

Trade – Textile Negotiator (China-Related)

H.R.504

Title: To redesignate the Special Textile Negotiator of the United States Trade Representative as the Chief Textiles Negotiator and confer the rank of Ambassador upon that position, and for other purposes.

Sponsor: Rep Hayes, Robin [NC-8] (introduced 1/17/2007) Cosponsors (9)

Related Bills: S.318 (See below)

Latest Major Action: 1/18/2007 Referred to Subcommittee on Trade.

CRS Summary:

- Textile Negotiator Promotion Act - Amends the Trade Act of 1974 to redesignate the Special Textile Negotiator of the United States Trade Representative (USTR) as the Chief Textiles Negotiator who shall be appointed by the President, by and with the advice and consent of the Senate. Makes it a function of the Chief Textiles Negotiator to conduct trade negotiations and enforce trade agreements regarding U.S. textile and apparel products and services.

S.318

Title: A bill to redesignate the Special Textile Negotiator of the United States Trade Representative as the Chief Textile Negotiator and confer the rank of Ambassador upon that position, and for other purposes.

Sponsor: Sen Dole, Elizabeth [NC] (introduced 1/17/2007) Cosponsors (None)

Related Bills: H.R.504 (See above)

Latest Major Action: 1/17/2007 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

CRS Summary:

- Textile Negotiator Promotion Act - Amends the Trade Act of 1974 to redesignate the Special Textile Negotiator of the United States Trade Representative (USTR) as the Chief Textile Negotiator who shall be appointed by the President, by and with the advice and consent of the Senate. Makes it a function of the Chief Textile Negotiator to conduct trade negotiations and enforce trade agreements regarding U.S. textile and apparel products and services.

Trade – Nonmarket Economy Tariff (China-Specific)

H.R.571

Title: To require additional tariffs be imposed on products of any nonmarket economy country until the President certifies to the Congress that the country is a market economy country, and to direct the Secretary of the Treasury to deposit the amounts generated from those tariffs into the Social Security trust funds.

Sponsor: Rep Tancredo, Thomas G. [CO-6] (introduced 1/18/2007) Cosponsors (None)

Latest Major Action: 1/24/2007 Referred to House subcommittee. Status: Referred to the Subcommittee on Trade.

CRS Summary:

- Requires additional tariffs to be imposed on products of any nonmarket economy country (Albania, Armenia, Azerbaijan, Belarus, Cambodia, Georgia, Kyrgyzstan, Laos, Moldova, the People's Republic of China, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Vietnam and, to the extent that any of their products enter U.S. customs territory, Cuba and North Korea), as well as any other country determined to be a nonmarket economy country until the President certifies to Congress that such country is a market economy country (operating on market principles of cost and pricing structures so that sales of merchandise in such country reflect their fair value).
- Directs the Secretary of the Treasury to deposit the amounts generated from such additional tariffs into the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund created by the Social Security Act.

Trade – Trade Adjustment Assistance (China-Related)

H.R.4341

Title: To extend the trade adjustment assistance program under the Trade Act of 1974 for 3 months.

Sponsor: Rep Levin, Sander M. [MI-12] (introduced 12/10/2007) Cosponsors (None)
Related Bills: H.R.3375

Latest Major Actions: 12/11/2007 Passed in House by voice vote.
1/22/2008 Referred to Senate Committee on Finance.

S.122

Title: A bill to amend the Trade Act of 1974 to extend benefits to service sector workers and firms, enhance certain trade adjustment assistance authorities, and for other purposes.

Sponsor: Sen Baucus, Max [MT] (introduced 1/4/2007) Cosponsors (7)

Latest Major Action: 1/4/2007 Referred to Senate Committee on Finance.

Summary:

- Extends TAA to service sector firms and industries whose job losses are displaced by international trade.
- Requires data collection and reporting by the Secretary of Labor and the Secretary of Commerce

S.1848

Title: A bill to amend the Trade Act of 1974 to address the impact of globalization, to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers, communities, firms, and farmers, and for other purposes.

Sponsor: Sen Baucus, Max [MT] (introduced 7/23/2007) Cosponsors (21)

Latest Major Action: 7/23/2007 Referred to Senate Committee on Finance.

H.R.3801

Title: To amend the Trade Act of 1974 to address the impact of globalization, to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers, communities, firms, and farmers, and for other purposes.

Sponsor: Rep Smith, Adam [WA-9] (introduced 10/10/2007) Cosponsors (19)

Latest Major Action: 10/10/2007 Referred to House committee. Status: Referred to the Committee on Ways and Means, and in addition to the Committees on Education and Labor, Energy and Commerce, and Oversight and Government Reform, 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.

H.R.3920

Title: To amend the Trade Act of 1974 to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers and firms, and for other purposes.

Sponsor: Rep Rangel, Charles B. [NY-15] (introduced 10/22/2007) Cosponsors (39)

Latest Major Actions: 11/5/2007 Passed the House by a vote of 264 Yeas to 157 Nays (Roll no. 1025).

11/5/2007 Referred to Senate Committee on Finance.

House Reports: 110-414 Part 1

CRS Summary:

Trade and Globalization Act of 2007

- Amends the Trade Act of 1974 to allow the filing of a petition with the Secretary of Labor for certification of eligibility to apply for trade adjustment assistance (TAA) by adversely affected workers in a service sector firm, a public agency, or subdivision.

Revises group eligibility requirements for TAA to cover: (1) a shift, by such workers' firm or subdivision to a foreign country, of production of articles or in provision of services, like or directly competitive with articles which are produced, or services that are provided by the workers' firm or subdivision; or (2) instances where the workers' firm or subdivision obtains or is likely to obtain such articles or services from a foreign country.

- Provides for the certification for TAA of: (1) adversely affected workers in a public agency, its subdivision, or in a domestic industry; and (2) adversely affected secondary workers in a service sector firm or its subdivision.

- Prohibits TAA program benefits from being provided to an alien worker unless such worker is a lawful permanent resident living in the United States.

- Revises certain qualifying requirements for TAA for adversely affected workers. Increases: (1) the amount of payments for training of adversely affected workers; and (2) the maximum allowance to cover costs of such workers for job search expenses and relocation expenses.

- Amends the Internal Revenue Code to increase the credit for health insurance costs of certain TAA and Pension Benefit Guaranty Corporation (PBGC) pension recipients.

- Sets forth requirements to prevent a lapse of health care coverage for TAA workers and their families.

- Establishes eligibility requirements for reemployment TAA for adversely affected older workers.

- Establishes the Office of Trade Adjustment Assistance.

- Extends through FY2012 the TAA program for workers and farmers.

- Allows the filing of a petition with the Secretary of Commerce for certification of eligibility to apply for TAA by a service sector firm. Extends the TAA program for firms through FY2012.

- Unemployment Insurance Modernization Act - Amends the Social Security Act to require the Secretary of Labor to make unemployment compensation modernization incentive payments in FY2008-FY2012 by certain transfers from the federal unemployment account to the accounts of the states in the Unemployment Trust Fund.

Provides for the issuance of manufacturing redevelopment bonds (qualified tax credit bonds) and tax-exempt facility bonds and require the proceeds to be used for environmental remediation and public infrastructure improvements in manufacturing redevelopment zones. Increases the state low-income housing credit for buildings located in such zones. Allows a credit to holders of such qualified tax credit bonds.

Trade – Restricted Trade with Prison Labor (China-Related)

S.367

Title: A bill to amend the Tariff Act of 1930 to prohibit the import, export, and sale of goods made with sweatshop labor, and for other purposes.

Sponsor: Sen Dorgan, Byron L. [ND] (introduced 1/23/2007) Cosponsors (13)

Related Bills: H.R.1910, H.R.1992

Latest Major Action: 1/23/2007 Referred to Senate Committee on Finance.
10/25/2007 Hearings held in Commerce Committee Subcommittee on Interstate Commerce, Trade, and Tourism.

CRS Summary:

- Decent Working Conditions and Fair Competition Act - Amends the Tariff Act of 1930 to revise the prohibition on importing convict-made goods into the United States to make it unlawful to: (1) import into, or export from, the United States any sweatshop good; or (2) introduce into commerce, sell, trade, or advertise in commerce, offer to sell, or transport or distribute in U.S. commerce, any sweatshop good.
- Grants the President, for reasons of national interest, authority to recommend waiver of the applications set forth in this Act in connection with the goods of any country with respect to one or more of the principles and rights defined in this Act as a core labor standard.
- Sets forth procedures for consideration of such a waiver.
- Makes it unlawful for persons to introduce into commerce, sell, trade, or advertise in commerce, offer to sell or transport or distribute in commerce any sweatshop good.
- Requires the Federal Trade Commission (FTC) to enforce this prohibition as if it were an unfair or deceptive act or practice proscribed under the Federal Trade Commission Act.
- Allows specified persons with standing to bring a civil action in U.S. district courts against sellers of goods, wares, articles, or merchandise on grounds of a violation of such prohibition.
- Prohibits executive agencies and the Armed Forces from entering into procurement contracts for sweatshop goods.
- Prohibits anything in this Act from being construed to preempt a state from regulating labor standards required in the mining, production, or manufacture of merchandise purchased by the state.

Trade – Withdraw PNTR from China (China-Specific)

S.571

Title: A bill to withdraw normal trade relations treatment from, and apply certain provisions of title IV of the Trade Act of 1974 to, the products of the People's Republic of China.

Sponsor: Sen Dorgan, Byron L. [ND] (introduced 2/13/2007) Cosponsors (3)

Related Bills: H.R.1958 (See below)

Latest Major Action: 2/13/2007 Referred to Senate Committee on Finance.

CRS Summary:

- Withdraws the extension of nondiscriminatory treatment (normal trade relations) from the products of the People's Republic of China (PRC).
- Allows the extension of such treatment to the products of that country, subsequently, only in accordance with the provisions of the Trade Act of 1974 as in effect with respect to such products on the day before the effective date of PRC accession to the World Trade Organization (WTO).
- Deems the extension of waiver authority in effect before such date not to have expired, and to continue in effect until 90 days after enactment of this Act.

H.R.1958

Title: To withdraw normal trade relations treatment from, and apply certain provisions of title IV of the Trade Act of 1974 to, the products of the People's Republic of China.

Sponsor: Rep Kaptur, Marcy [OH-9] (introduced 4/19/2007) Cosponsors (None)

Related Bills: S.571 (See above)

Latest Major Action: 4/25/2007 Referred to House Subcommittee on Trade.

CRS Summary:

- Withdraws the extension of nondiscriminatory treatment (normal trade relations) from the products of the People's Republic of China (PRC).
- Allows the extension of such treatment to the products of that country, subsequently, only in accordance with the provisions of the Trade Act of 1974 as in effect with respect to such products on the day before the effective date of PRC accession to the World Trade Organization (WTO).
- Deems the extension of waiver authority in effect before such date not to have expired, and to continue in effect until 90 days after enactment of this Act.

H.R.5777

Title: To impose certain restrictions on trade with and investment in the People's Republic of China, and for other purposes.

Sponsor: Rep Tancredo, Thomas G. [CO-6] (introduced 4/10/2008)

Latest Major Action: 4/10/2008 Referred to House Committees on Foreign Affairs, the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker.

CRS Summary:

- China Democracy Act - Prohibits, with specified exceptions, the import of products from the People's Republic of China (PRC) into the United States or the export of goods or technology from the United States to the PRC.
- Prohibits persons from the United States from: (1) making investments in PRC enterprises or enterprises owned or controlled by the PRC government, entities controlled by the PRC government, or by PRC nationals; or (2) engaging in any transaction to secure an investment by a Chinese national in any U.S. person or any enterprise owned or controlled by a U.S. person.
- Prohibits entry into the United States for a specified period, of vessels engaged in trade with the PRC.
- Subjects violators of this Act to certain penalties.
- Prohibits the issuance of visas to PRC nationals. Suspends visas issued to PRC nationals before the effective date of this Act.
- Requires the President to take the necessary steps to downgrade diplomatic relations with the PRC.
- Terminates this Act upon certification by the President that the PRC has: (1) met certain democratic, civil liberties, and human rights principles; and (2) established a market-oriented economic system.

Trade – China's Financial Services Obligations (China-Specific)

S.12

Title: A bill to promote home ownership, manufacturing, and economic growth.

Sponsor: Sen McConnell, Mitch [KY] (introduced 2/29/2008) Cosponsors (16)

Latest Major Action: 3/3/2008 Placed on Senate Legislative Calendar as Calendar No. 587. Section 209 of the bill contains a provision to promote financial services market access, particularly in China. Section 209 requires Treasury to report to Congress on results of financial services market access discussion after each U.S.-China Strategic Economic Dialogue (SED).

H.RES.552

Title: Calling on the Government of the People's Republic of China to remove barriers to United States financial services firms doing business in China.

Sponsor: Rep Marshall, Jim [GA-8] (introduced 7/17/2007) Cosponsors (3)

Latest Major Action: 9/5/2007 Passed in House by a vote of 401 Yeas to 4 Nays (Roll no. 850).

CRS Summary:

- Declares the sense of the House of Representatives that: (1) the government of the People's Republic of China should immediately implement all of its World Trade Organization (WTO) commitments to date in financial services; and (2) it should immediately implement all of its commitments to date made under the auspices of the Strategic Economic Dialogue (SED) initiated by the Secretary of the Treasury.
- States that U.S. goals for the next SED meeting should be to achieve Chinese commitments toward: (1) removal of all foreign investment ownership caps on banking, life insurance, asset management, and securities; and (2) nondiscriminatory treatment of U.S. financial services firms with regard to licensing, corporate form, and permitted products and services, as well as regulation and supervision.
- Urges U.S. financial service regulators, in assessing whether applications from Chinese financial institutions meet comprehensive consolidated supervision standards, to consider: (1) whether such applications are for operations and activities in the United States that are currently prohibited for U.S. financial institutions in China; and (2) the extent to which such prohibitions reflect problems with the quality of home country supervision.

H.RES.1179

Title: Expressing the sense of the House of Representatives that the People's Republic of China and all enterprises owned or controlled by the People's Republic of China should make proper disclosures with the Securities and Exchange Commission regarding the selective default status of certain bonds.

Sponsor: Rep Gallegly, Elton [CA-24] (introduced 5/7/2008) Cosponsors (4)

Related Bills: S.Con.Res.78 (See directly below)

Latest Major Action: 5/7/2008 Referred to House Committee on Financial Services.

S.CON.RES.78

Title: A concurrent resolution expressing the sense of Congress that the People's Republic of China and all enterprises owned or controlled by the People's Republic of China should make proper disclosures with the Securities and Exchange Commission regarding the selective default status of certain bonds.

Sponsor: Sen Inhofe, James M. [OK] (introduced 4/28/2008)

Related Bills: H.Res.1179 (See directly above)

Latest Major Action: 4/28/2008 Referred to Committee on Foreign Relations.

Trade - Food and Product Safety (China-Related)

H.RES.925

Title: Condemning the People's Republic of China for its socially unacceptable business practices, including the manufacturing and exportation of unsafe products, casual disregard for the environment, and exploitative employment practices.

Sponsor: Rep Poe, Ted [TX-2] (introduced 1/16/2008) Cosponsors (None)

Latest Major Action: 1/16/2008 Referred to House Committee on Foreign Affairs.

S.2663

Title: A bill to reform the Consumer Product Safety Commission to provide greater protection for

children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

Sponsor: Sen Pryor, Mark L. [AR] (introduced 2/25/2008) Cosponsors (10)

Latest Major Action: 3/6/2008 Senate passed the bill as amended by a vote of 79 yeas to 13 nays.

The entire text of S.2663, as amended by the Senate, was inserted in lieu of the House version (H.R. 4040, see directly below) of the bill. The differences in the new Senate version and the old House version of H.R.4040 need to be reconciled.

H.R.4040

Title: To establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission.

Sponsor: Rep Rush, Bobby L. [IL-1] (introduced 11/1/2007) Cosponsors (84)

Latest Major Action: 08/14/2008 Became Public Law No: 110-314

House Reports: 110-501

Summary:

The bill:

- Bans on children's products containing lead; lead paint rule.
- Makes Mandatory third-party testing for certain children's products.
- Tracks labels for children's products.
- Creates standards and consumer registration of durable nursery products.
- Requires proper labeling for certain internet and catalogue advertising of toys and games.
- Restructures the Consumer Product Safety Commission
- Increases civil penalties for noncompliance
- Includes asset forfeiture in criminal penalties
- Requires information sharing with Federal, State, local, and foreign government agencies.

S.2045

Title: A bill to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

Sponsor: Sen Pryor, Mark L. [AR] (introduced 9/12/2007) Cosponsors (9)

Latest Major Actions: 12/5/2007 Reported by the Senate Commerce Committee with an Inouye amendment in the nature of a substitute. Without written report. Placed on Senate Legislative Calendar under General Orders. Calendar No. 523.

Latest Major Action: 2/25/2008 Chairman Inouye from Committee on Commerce filed written report number 110-265.

Note: For further action, see H.R.4040 (directly above), which became Public Law 110-314 on 8/14/2008.

CRS Summary:

CPSC Reform Act of 2007

- Amends the Consumer Product Safety Act to reauthorize the Act and provide for research relating to nanotechnology in consumer products.
- Establishes or modifies requirements regarding: (1) procedures regarding the public disclosure of information regarding a consumer product; (2) promulgation of Consumer Product Safety Act rules and Federal Hazardous Substances Act regulations; (3) product stockpiling; (4) third-party testing of children's products, prohibiting importation of children's products lacking testing certification; (5) marking on products or packaging indicating source, date, and cohort; (6) notification to the CPSC of substantial product hazards in any product or substance over which the CPSC has jurisdiction under any Act; (7) corrective actions; (8) disclosure to the CPSC of the

manufacturer, retailer, distributor, and contractor involved with a product or substance; (9) termination of import licenses of repeat offenders; (10) manufacture, sale, distribution, or importation of recalled products; (11) exportation of nonconforming consumer products or banned hazardous substances; (12) sale, distribution, or importation of a product bearing a false certification by a nationally recognized laboratory; (13) misrepresentations to the CPSC; (14) certificates of compliance with mandatory standards; (15) preemption of state product safety standards; (16) CPSC disclosure of information to federal, state, local, or foreign government agencies; (17) requiring manufacturers or distributors to post a bond to cover recall costs or, for imported products or substances, holding costs; (18) enforcement by state attorneys general; (19) whistleblower protection for employees of manufacturers, private labelers, distributors, and retailers; and (20) the treatment of children's products containing lead.

- Amends the Poison Prevention Packaging Act of 1970 to prohibit construing that Act to require a cost-benefit analysis in establishing special packaging standards.

S.1776

Title: A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a user fee program to ensure food safety, and for other purposes.

Sponsor: Sen Durbin, Richard [IL] (introduced 7/12/2007) Cosponsors (3)

Latest Major Action: 7/12/2007 Referred to Senate committee. Status: Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.

CRS Summary:

Imported Food Security Act of 2007

- Amends the Federal Food, Drug, and Cosmetic Act to direct the Secretary of Health and Human Services to: (1) assess and collect fees on food imported into the United States; (2) provide for research on the development of tests of imported food and sampling methodologies; (3) give priority to tests that are suitable for inspections of food at U.S. ports of entry; (4) establish goals of developing certain tests for specified pathogens or substances; and (5) establish a certification system for a foreign government or foreign food establishment seeking to import food to the United States.

- Authorizes the Secretary to withdraw such certification of any food if: (1) such food is linked to an outbreak of human illness; (2) the food safety programs or procedures are no longer equivalent to U.S. programs and procedures; or (3) there is a refusal to allow U.S. officials to conduct audits and investigations as may be necessary.

- Directs the Secretary to routinely inspect food and food animals before it enters the United States.

- Authorizes the Secretary to deny importation of food from: (1) any foreign government that does not permit U.S. audits and inspections; and (2) any foreign government or foreign firm that does not consent to an investigation by the Secretary when food from that country or firm is linked to a food-borne illness outbreak or is otherwise found to be adulterated or mislabeled.

- Provides that any food imported for consumption in the United States may be detained, seized, or condemned.

- Directs the Secretary to establish a transitional food safety import review program.

S.2282

Title: A bill to increase the number of full-time personnel of the Consumer Product Safety Commission assigned to duty stations at United States ports of entry or to inspect overseas production facilities, and for other purposes.

Sponsor: Sen Snowe, Olympia J. [ME] (introduced 11/1/2007)

Latest Major Action: 11/1/2007 Referred to Senate Committee on Commerce, Science, and Transportation.

Pertinent text of legislation:

Subject to the availability of appropriations, the Consumer Product Safety Commission shall increase the number of full-time personnel assigned to duty stations at United States ports of entry or to inspect overseas production facilities to not less than 50.

H.R.2474

Title: To provide for an increased maximum civil penalty for violations under the Consumer Product Safety Act.

Sponsor: Rep Rush, Bobby L. [IL-1] (introduced 5/24/2007) Cosponsors (None)

Latest Major Action: 10/9/2007 Passed in the House, as amended, by voice vote. 10/15/2007 Referred to Senate Committee on Commerce, Science, and Transportation.

CRS Summary:

Amends the Consumer Product Safety Act to increase the maximum civil penalty for violations of the Act from \$1.25 million to \$20 million.

H.R.3100

Title: To amend the Federal Food, Drug, and Cosmetic Act and the Consumer Product Safety Act to increase the safety of food, toothpaste, and toys.

Sponsor: Rep Kirk, Mark Steven [IL-10] (introduced 7/19/2007) Cosponsors (3)

Latest Major Action: 7/19/2007 Referred to House Committee on Energy and Commerce.

CRS Summary:

Import Safety Act of 2007

- Amends the Federal Food, Drug, and Cosmetic Act to increase civil monetary penalties for introducing into interstate commerce or delivering for introduction into interstate commerce food that is adulterated.
- Authorizes additional appropriations for the examination by the Secretary of Health and Human Services of processed food and toothpaste which is being imported or offered for import into the United States.
- Amends the Consumer Product Safety Act to: (1) increase fines for knowing and willful violations of prohibited acts related to consumer product safety standards; and (2) establish separate fines for offenses that result in death.
- Authorizes additional appropriations for inspection of toys imported or offered for import into the United States.

H.R.3580

Title: To amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and for medical devices, to enhance the postmarket authorities of the Food and Drug Administration with respect to the safety of drugs, and for other purposes.

Sponsor: Rep Dingell, John D. [MI-15] (introduced 9/19/2007) Cosponsors (2)

Related Bills: H.R.2900

Latest Major Action: Became Public Law No: 110-85

CRS Summary of Public Law:

Amendments Act of 2007

- Prescription Drug User Fee Amendments of 2007 - Amends the Federal Food, Drug, and Cosmetic Act to reauthorize the collection of prescription drug user fees for FY2008-FY2012.
- Requires the Secretary of Health and Human Services to assess and collect fees for advisory review of direct-to-consumer television advertisements of prescription drugs.
- Medical Device User Fee Amendments of 2007 - Reauthorizes the collection of medical device user fees for FY2008-FY2012. Sets forth provisions governing the inspection of medical device establishments by accredited persons.
- Pediatric Medical Device Safety and Improvement Act of 2007 - Requires a person that submits an application for approval of a medical device to provide information on pediatric

subpopulations that suffer from the disease or condition that the device is intended to treat, diagnose, or cure.

- Pediatric Research Equity Act of 2007 - Sets forth conditions under which the Secretary may grant waivers or deferrals of requirements that applicants submit a pediatric assessment for new drugs and biological products.
- Best Pharmaceuticals for Children Act of 2007 - Makes changes to provisions regarding market exclusivity for conducting pediatric drug studies on new or already approved drugs.
- Establishes the Reagan-Udall Foundation for the Food and Drug Administration as a nonprofit corporation to advance the mission of the Food and Drug Administration (FDA) to modernize medical, veterinary, food, food ingredient, and cosmetic product development, accelerate innovation, and enhance product safety.
- Provides for recruitment of potential members of FDA advisory committees.
- Requires the Secretary, acting through the Director of the National Institutes of Health (NIH), to expand the clinical trials registry data bank.
- Authorizes the Secretary to require a responsible person for a drug to conduct a postapproval study on the basis of appropriate scientific data.
- Requires the Secretary to: (1) develop ingredient, processing, and labeling standards for pet foods; and (2) establish a Reportable Food Registry.
- Requires the Secretary, acting through the Commissioner of Food and Drugs, to identify and make public clinically susceptible concentrations of antimicrobials.

H.RES.925

Title: Condemning the People's Republic of China for its socially unacceptable business practices, including the manufacturing and exportation of unsafe products, casual disregard for the environment, and exploitative employment practices.

Sponsor: Rep Poe, Ted [TX-2] (introduced 1/16/2008) Cosponsors (None)

Latest Major Action: 1/16/2008 Referred to House Committee on Foreign Affairs.

H.R.3610

Title: To amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of food and drugs imported into the United States, and for other purposes.

Sponsor: Rep Dingell, John D. [MI-15] (introduced 9/20/2007) Cosponsors (4)

Latest Major Action: 9/20/2007 Referred to House Committee on Energy and Commerce.

CRS Summary:

Food and Drug Import Safety Act of 2007

- Amends the Federal Food, Drug, and Cosmetic Act to require the Secretary of Health and Human Services to provide for research on the development of tests and sampling methodologies for use on imported food.
- Requires the Secretary to assess and collect fees on imported food and drugs.
- Directs the Secretary to restrict the importation of all food to metropolitan ports of entry with a Food and Drug Administration (FDA) laboratory for testing such food.
- Deems a food, drug, or device to be misbranded if its labeling fails to identify its country of origin.
- Requires the Secretary to establish a program under which: (1) persons importing food voluntarily agree to abide by specified food and security guidelines; and (2) the Secretary agrees to expedite the movement of such food through the inspection process.
- Increases civil penalties for the manufacturer or importer of adulterated food.
- Sets forth provisions governing the reorganization of FDA field laboratories and district offices.
- Requires the Secretary to issue an order requiring an immediate cease in the distribution of food that may cause serious, adverse health consequences or death.

- Subjects all imported food to U.S. food safety standards. Sets forth a certification system for a foreign facility seeking to import food.
- Requires the Secretary to require, as good manufacturing practices, that processed food undergo testing to detect substances that may render the food adulterated.
- Defines the term "color additive" to include carbon monoxide that may affect the color of fresh meat, poultry products, or seafood, unless the label bears a specified statement.

Trade – Committee on Foreign Investment in the U.S. (CFIUS) (China-Related)

H.R.556

Title: To ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes.

Sponsor: Rep Maloney, Carolyn B. [NY-14] (introduced 1/18/2007) Cosponsors (58)

Latest Major Action: Became Public Law No: 110-49

CRS Summary:

Foreign Investment and National Security Act of 2007

- (Sec. 2) Amends the Defense Production Act of 1950 to revise provisions concerning presidential authority to review certain mergers, acquisitions, and takeovers to direct the President, acting through the Committee on Foreign Investment in the United States (CFIUS), and upon receiving written notification from any parties to a possible merger, acquisition or takeover proposed or pending after August 23, 1988, which could result in foreign control of any person engaged in interstate commerce (covered transaction), to review such covered transaction to determine its effects on national security. Requires CFIUS to investigate a covered transaction which it determines is a foreign government-controlled transaction. Permits any party to a covered transaction to initiate a review by submitting a written notice of the transaction to CFIUS. Authorizes the President or CFIUS to initiate a review of: (1) any covered transaction; (2) any covered transaction that has been previously reviewed or investigated, if any party submitted false or misleading material information; or (3) any covered transaction that has been previously reviewed or investigated, if any party intentionally materially breaches a mitigation agreement or condition imposed on the transaction.
- Requires CFIUS to immediately conduct an investigation of the effects of certain covered transactions on national security and to take necessary actions to protect the national security, if a review results in a determination that: (1) the transaction threatens to impair national security and that threat has not been mitigated, or the transaction is a foreign government-controlled transaction; (2) the transaction would result in control of any U.S. critical infrastructure by a foreign person, if CFIUS determines that the transaction could impair national security and that impairment has not been properly mitigated; or (3) the lead agency for each covered transaction recommends, and CFIUS concurs, that an investigation be undertaken. Requires such investigations to be completed within 45 days. Provides that an investigation of a foreign government-controlled transaction or one involving a critical infrastructure will not be required if the Secretary of the Treasury and the head of the lead agency jointly determine that the transaction will not impair national security.
- Requires the chairperson of CFIUS: (1) to publish in the Federal Register guidance on the types of transactions that CFIUS has reviewed and that have presented national security considerations; and (2) and head of the lead agency to transmit to specified Members of Congress a certified notice and written report concerning each investigation of a covered transaction.
- Requires the Director of National Intelligence to conduct an analysis of any threat to national security posed by a covered transaction.

- (Sec. 3) Establishes: (1) CFIUS as a multi-agency statutory committee and revises its membership; and (2) an additional Assistant Secretary of the Treasury to perform CFIUS-related duties. Requires the Secretary to designate a CFIUS member(s) to act as the lead agency or agencies with respect to a covered transaction.
- (Sec. 4) Adds several factors to be considered by the President in evaluating a covered transaction, including whether the proposed transaction: (1) has national security-related effects on U.S. critical technologies; and (2) is a foreign government-controlled transaction.
- (Sec. 5) Authorizes CFIUS or a lead agency to enter into agreements with parties to a covered transaction to mitigate any threat to national security. Requires the lead agency to negotiate, modify, monitor, and enforce such agreements. Requires designated agencies to provide periodic reports to CFIUS on the implementation of any agreements or conditions.
- (Sec. 6) Authorizes the President to suspend or prohibit any covered transaction that threatens to impair national security. (Current law authorizes the President to suspend or prohibit a transaction by or with foreign persons so that their control will not threaten to impair national security.) Requires (under current law, authorizes) the President to consider specified factors (including those added in this Act) when determining whether to suspend or prohibit a covered transaction.
- (Sec. 7) Requires: (1) upon request, CFIUS to brief certain Members of Congress of covered transactions for which action has concluded; and (2) CFIUS annual reports to Congress after completed investigations. Requires specific report information with respect to possible foreign acquisition of U.S. companies involved in the research, development, or production of critical technologies, as well as possible industrial espionage activities.
- Requires the Secretary to: (1) annually study foreign direct investments in the United States, especially investments in critical infrastructure and industries affecting national security by foreign governments (or their agents) which comply with any boycott of Israel or do not ban terrorist organizations; and (2) report each study's results to Congress. Directs the Inspector General of the Treasury to: (1) conduct an investigation of each failure of the Department of the Treasury to make any report required by CFIUS; and (2) report to the appropriate congressional committees on investigation results.
- (Sec. 8) Requires the certification of information submitted by a party to a covered transaction.

S.1404

Title: A bill to provide for Congressional authority with respect to certain acquisitions, mergers, and takeovers under the Defense Production Act of 1950.

Sponsor: Sen Inhofe, James M. [OK] (introduced 5/15/2007) Cosponsors (None)

Latest Major Action: 5/15/2007 Referred to Senate Committee on Banking, Housing, and Urban Affairs.

CRS Summary:

Foreign Investment Security Act of 2007

- Amends the Defense Production Act of 1950 relating to authorized investigations of the effects on national security of a proposed acquisition, merger, or takeover (transaction) by or with foreign persons which could result in foreign control of persons engaged in U.S. commerce to: (1) extend the time to commence such investigation; (2) require the findings and recommendations of any investigation to be sent immediately to the President and specified congressional committees for review; (3) require certain factors to be considered as part of such investigation, including the effect on domestic production and long-term projections of U.S. requirements for sources of energy and other critical resources; (4) direct the Secretary of the Treasury to report quarterly to such committees a detailed summary and analysis of each transaction being, or likely to be, reviewed; and (5) subject the President's decision not to suspend or prohibit a transaction to a congressional approval process.

Trade – Proposed Huawei Investment in the U.S. (China-Specific)

H.RES.730

Title: Expressing the sense of the House of Representatives regarding the planned acquisition of a minority interest in 3Com by affiliates of Huawei.

Sponsor: Rep Ros-Lehtinen, Ileana [FL-18] (introduced 10/10/2007) Cosponsors (12)

Latest Major Action: 11/8/2007 Referred to House Subcommittee on Commerce, Trade and Consumer Protection.

Summary:

- Expresses the sense of the House of Representatives that (1) the planned acquisition of a minority interest in 3Com by affiliates of Huawei triggers a number of statutory factors to be considered by the President and members of the CFIUS Committee, and (2) the preponderance of publicly available evidence clearly suggests that as currently structured, the proposed transaction involving Huawei threatens the national security of the United States and should not be approved by the Committee on Foreign Investment in the United States.

Trade – Illegally Harvested Timber (China-Related)

H.R.1497

Title: To amend the Lacey Act Amendments of 1981 to extend its protections to plants illegally harvested outside of the United States, and for other purposes.

Sponsor: Rep Blumenauer, Earl [OR-3] (introduced 3/13/2007) Cosponsors (49)

Latest Major Action: 11/7/2007 House Committee on Agriculture, Nutrition, and Forestry ordered to be Reported (Amended by language of S.1930) by Voice Vote.

CRS Summary of S.1930 (Amendment Language of H.R.1497):

Combat Illegal Logging Act of 2007

- Amends the Lacey Act Amendments of 1981 to redefine the term "plant" to include products of plants and to exclude any common food crop or cultivar that is a species not listed: (1) in the Convention on International Trade in Endangered Species of Wild Fauna and Flora; or (2) as an endangered or threatened species under the Endangered Species Act of 1973. Redefines the term "take" to include harvesting, cutting, logging, or removing a plant.

- Makes it unlawful to import, export, transport, sell, receive, acquire, possess, or purchase in interstate or foreign commerce plants: (1) taken, transported, possessed, or sold in violation of specified foreign or state law; (2) taken, transported, or exported without the payment of royalties, taxes, or stumpage fees required by foreign or state law; or (3) exported or transshipped in violation of any limitation under foreign or state law.

- Makes it unlawful to import plants unless the importer files, when clearance is requested, a declaration that contains: (1) the scientific name of any plant contained in the importation; and (2) a description of the value of the importation, the quantity of the plant, and the name of the country from which the plant was taken. Sets forth requirements concerning the contents of a declaration. Authorizes the Secretary of the Interior to promulgate regulations to limit the applicability of, or to modify, declaration requirements.

S.1930

Title: A bill to amend the Lacey Act Amendments of 1981 to prevent illegal logging practices, and for other purposes.

Sponsor: Sen Wyden, Ron [OR] (introduced 8/1/2007) Cosponsors (23)

Latest Major Action: 8/1/2007 Referred to Senate Committee on Agriculture, Nutrition, and Forestry.

Note – the text of this bill has been incorporated by amendment into H.R.1497. For summary of this bill please see the CRS of H.R.1497 which can be found above.

Trade – Intellectual Property Rights (China-Related)

H.R.4279

Title: To enhance remedies for violations of intellectual property laws, and for other purposes.

Sponsor: Rep Conyers, John, Jr. [MI-14] (introduced 12/5/2007) Cosponsors (11)

Latest Major Actions: 12/13/2007 House Subcommittee on Courts, the Internet, and Intellectual Property Hearings Held.

5/5/2008 Reported (Amended) by the Committee on Judiciary. H. Rept. 110-617.

5/8/2008 Passed in House, as amended, by a vote of 410 yeas to 11 nays. (Roll no. 300).

5/12/2008 Referred to Senate Committee on the Judiciary.

Text of China-relevant sections:

SEC. 521. INTERNATIONAL INTELLECTUAL PROPERTY LAW ENFORCEMENT COORDINATORS.

(a) Deployment of Additional Coordination- The Attorney General shall, within 180 days after the date of the enactment of this Act, deploy 5 Intellectual Property Law Enforcement Coordinators, in addition to those serving in such capacity on such date of enactment. Such deployments shall be made to those countries and regions where the activities of such a coordinator can be carried out most effectively and with the greatest benefit to reducing counterfeit and pirated products in the United States market, to protecting the intellectual property rights of United States persons and their licensees, and to protecting the interests of United States persons otherwise harmed by violations of intellectual property rights in those countries. The mission of all International Intellectual Property Law Enforcement Coordinators shall include the following:

- (1) Acting as liaison with foreign law enforcement agencies and other foreign officials in criminal matters involving intellectual property rights.
- (2) Performing outreach and training to build the enforcement capacity of foreign governments against intellectual property-related crime in the regions in which the coordinators serve.
- (3) Coordinating United States law enforcement activities against intellectual property-related crimes in the regions in which the coordinators serve.
- (4) Coordinating with the activities of the intellectual property attaches appointed under title IV in the countries or regions to which the coordinators are deployed.
- (5) Coordinating the activities of the coordinators with the IP Officer.

(b) Authorization of Appropriations- There are authorized to be appropriated for each fiscal year such sums as may be necessary for the deployment and support of all International Intellectual Property Enforcement Coordinators of the Department of Justice, including those deployed under subsection (a).

SEC. 522. INTERNATIONAL TRAINING ACTIVITIES OF THE COMPUTER CRIME AND INTELLECTUAL PROPERTY SECTION.

(a) Increased Training and Technical Assistance to Foreign Governments- The Attorney General shall increase the efforts of the Department of Justice to provide training and technical assistance to foreign governments, including foreign law enforcement agencies and foreign courts, to more effectively combat counterfeiting and piracy activities falling within the jurisdiction of such governments.

(b) Conduct of Programs- The increased training and technical assistance programs under subsection (a) shall be carried out by the Intellectual Property Enforcement Division established

by section 501, as well as through such other divisions, sections, or agencies of the Department of Justice as the Attorney General may direct.

(c) Priority Countries- The Attorney General, in providing increased training and technical assistance programs under this section, shall give priority to those countries where such programs can be carried out most effectively and with the greatest likelihood of reducing counterfeit and pirated products in the United States market, of protecting the intellectual property rights of United States persons, and of protecting the interests of United States persons otherwise harmed by violations of intellectual property rights in those countries.

U.S. Manufacturing and Defense Industrial Base

Manufacturing and Defense Industrial Base (China-Related)

H.R.1585

Title: To authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Sponsor: Rep Skelton, Ike [MO-4] (by request) (introduced 3/20/2007) Cosponsors (1)

Latest Major Action: 1/15/2008 Agreed to by voice vote a motion to refer the bill and the accompanying veto message to the Committee on Armed Services..

House Reports: 110-146, 110-146 Part 2; Latest Conference Report: 110-477

Note: On 12/28/2007, the President announced that he was withholding approval of this bill.

- Apparently, the provision establishing the Defense Production Board regarding U.S. domestic manufacturing capabilities was omitted prior to the conference report. However, the provision requiring a report on China's asymmetric military capabilities was included. Text of that provision is below on page 43.

H.R.255

Title: To establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers, and for other purposes.

Sponsor: Rep Ehlers, Vernon J. [MI-3] (introduced 1/5/2007) Cosponsors (11)

Latest Major Action: 1/31/2007 Referred to House subcommittee. Status: Referred to the Subcommittee on Technology and Innovation.

CRS Summary:

- Manufacturing Technology Competitiveness Act of 2007 - Directs the President to establish or designate an Interagency Committee to plan and coordinate Federal efforts in manufacturing research and development, with an Advisory Committee from the non-Federal sector.

- Amends the National Institute of Standards and Technology Act (NIST Act) to establish: (1) a pilot program of collaborative manufacturing research grants; (2) manufacturing sciences research fellowships; (3) manufacturing extension center competitive grants; and (4) standards education grants to develop higher education curricula on the role of standards in engineering, business, science, and economics.

- Revises requirements under the NIST Manufacturing Extension Partnership program.

- Authorizes appropriations to the Secretary of Commerce for the following NIST programs: (1) scientific and technical research and services laboratory activities; (2) the Malcolm Baldrige National Quality Award (under the Stevenson-Wydler Technology Innovation Act of 1980); (3) construction and maintenance of facilities; (4) Teacher Science and Technology Enhancement

Institute; (5) Manufacturing Extension Partnership (through the Secretary or other appropriate Federal agencies); (6) Collaborative Manufacturing Research Pilot Grants; and (7) Manufacturing Fellowships.

China's Media Control

China's Media Control (China-Specific)

H.R.275

Title: To promote freedom of expression on the Internet, to protect United States businesses from coercion to participate in repression by authoritarian foreign governments, and for other purposes.

Sponsor: Rep Smith, Christopher H. [NJ-4] (introduced 1/5/2007) Cosponsors (4)

Latest Major Actions: 12/10/2007 Reported by the Committee on Foreign Affairs, as amended. 2/22/2008 Placed on the Union Calendar, Calendar No. 320.

Report: 110-481, Part I.

CRS Summary:

- Global Online Freedom Act of 2007 - Declares that it is U.S. policy to: (1) promote the freedom to seek, receive, and impart information and ideas through any media; (2) use all appropriate instruments of U.S. influence to support the free flow of information; and (3) deter U.S. businesses from cooperating with Internet-restricting countries in effecting online censorship.
- Expresses the sense of Congress that: (1) the President should seek international agreements to protect Internet freedom; and (2) some U.S. businesses, in assisting foreign governments to restrict online access to U.S.-supported websites and government reports, are working contrary to U.S. foreign policy interests.
- Amends the Foreign Assistance Act of 1961 to require assessments of electronic information freedom in each foreign country.
- Establishes in the Department of State the Office of Global Internet Freedom (OGIF).
- Directs the President to annually designate Internet-restricting countries. Prohibits U.S. businesses from locating, within such countries, any electronic communication that contains any personally identifiable information.
- Prohibits U.S. businesses that collect or obtain personally identifiable information through the Internet from providing that information to Internet-restricting countries, except for legitimate foreign law enforcement purposes.
- Requires U.S. businesses to report certain Internet censorship information involving Internet-restricting countries to the OGIF.
- Prohibits U.S. businesses that maintain Internet content hosting services from jamming of U.S.-supported websites or U.S.-supported content in Internet-restricting countries.
- Requires a feasibility study regarding the development of controls on exporting items facilitating Internet freedom reductions to Internet-restricting countries.

Taiwan

Taiwan – Supporting Taiwan's March 2008 Presidential Election (China-Specific)

H.CON.RES.278

Title: Supporting Taiwan's fourth direct and democratic presidential elections in March 2008.

Sponsor: Rep Ros-Lehtinen, Ileana [FL-18] (introduced 12/19/2007) Cosponsors (42)

Latest Major Actions: 3/5/2008 Passed in House, as amended, by a vote of 409 Yeas to 1 Nay,

and 1 voted Present: (2/3 required) (Roll no. 92). (Congressman Paul (R-TX) vote nay and Congressman Davis, Geoff (R-KT) voted present)
3/6/2008 Referred to Senate Committee on Foreign Relations.

CRS Summary:

Expresses the sense of Congress that: (1) the U.S. government should reaffirm its commitment to Taiwan's democracy and security; and (2) international delegations should be encouraged to visit Taiwan to witness the March 2008 presidential elections.

Taiwan – Supporting Sale of Defense Articles (China-Specific)

H.R.6646

Title: To require the Secretary of State, in consultation with the Secretary of Defense, to provide detailed briefings to Congress on any recent discussions conducted between United States Government and the Government of Taiwan and any potential transfer of defense articles or defense services to the Government of Taiwan.

Sponsor: Rep Ros-Lehtinen, Ileana [FL-18] (introduced 7/29/2008) Cosponsors (5)

Committees: House Foreign Affairs

Latest Major Action: 7/29/2008 Referred to Committee on Foreign Affairs.

H.RES.676

Title: Declaring that it shall continue to be the policy of the United States, consistent with the Taiwan Relations Act, to make available to Taiwan such defense articles and services as may be necessary for Taiwan to maintain a sufficient self-defense capability.

Sponsor: Rep Ros-Lehtinen, Ileana [FL-18] (introduced 9/25/2007) Cosponsors (14)

Latest Major Action: 10/2/2007 Passed in House by voice vote.

Summary:

- Recognizes that the relations between the United States and Taiwan are governed by the Taiwan Relations Act (22 U.S.C. 3301 et seq.; Public Law 96-8), three joint communiques, and the Six Assurances.
- States section 3(b) of the Taiwan Relations Act stipulates that both the President and the Congress shall determine the nature and quantity of such defense articles and services `based solely' upon their judgment of the needs of Taiwan.
- Declares that (1) it shall continue to be the policy of the United States, consistent with the Taiwan Relations Act, to make available to Taiwan such defense articles and services as may be necessary for Taiwan to maintain a sufficient self-defense capability; and (2) the United States should determine the nature and quantity of such defense articles and services `based solely' upon the legitimate defense needs of Taiwan.

Taiwan – Normalized Diplomatic Relations (China-Specific)

H.CON.RES.73

Title: Expressing the sense of Congress that the United States should resume normal diplomatic relations with Taiwan (the Republic of China), and for other purposes.

Sponsor: Rep Tancredo, Thomas G. [CO-6] (introduced 2/16/2007) Cosponsors (10)

Latest Major Action: 2/16/2007 Referred to House Committee on Foreign Affairs. The text of this legislation was incorporated into H.R.2674, the Foreign Operations, State Department Appropriations Bills.

Summary:

Commends the people of Taiwan for establishing a multi-party democracy that respects human rights.

Expresses the sense of Congress that: (1) the President should abandon the "One China Policy" in favor of a "One China, One Taiwan Policy" that recognizes Taiwan as a sovereign government; (2) the President should begin the process of resuming normal diplomatic relations with Taiwan; and (3) the President and other U.S. officials should support Taiwan's full participation in international organizations for which statehood is a membership requirement.

H.CON.RES.136

Title: Expressing the sense of Congress regarding high level visits to the United States by democratically-elected officials of Taiwan.

Sponsor: Rep Chabot, Steve [OH-1] (introduced 5/1/2007) Cosponsors (46)

Latest Major Actions: 7/30/2007 The House agreed to the resolution, as amended, by voice vote.

8/3/2007 Referred to Senate Committee on Foreign Relations.

Summary:

- Expresses the sense of Congress that: (1) restrictions on U.S. visits by high-level elected and appointed officials of Taiwan, including the President of Taiwan, should be lifted; (2) the United States should allow direct Cabinet level exchanges in order to strengthen a policy dialogue with Taiwan; and (3) it is in the U.S. national interest to strengthen links with the democratically-elected government of Taiwan and demonstrate stronger support for democracy in the Asia-Pacific region.

H.R.1390

Title: To require Senate confirmation of an individual appointed to serve as the Director of the American Institute in Taiwan.

Sponsor: Rep Tancredo, Thomas G. [CO-6] (introduced 3/7/2007) Cosponsors (10)

Latest Major Action: 3/7/2007 Referred to House Committee on Foreign Affairs.

Summary:

States that the President shall appoint, by and with the advice and consent of the Senate, an individual to serve as the Director of the American Institute in Taiwan.

Taiwan – 2008 Olympics (China-Specific)

H.CON.RES.170

Title: Expressing the sense of Congress that the International Olympic Committee should allow Taiwan (Republic of China) to participate in the 2008 Summer Olympics under the national name, flag, and anthem of its own choosing.

Sponsor: Rep Tancredo, Thomas G. [CO-6] (introduced 6/15/2007) Cosponsors (3)

Latest Major Action: 6/15/2007 Referred to House Committee on Foreign Affairs.

Summary:

Expresses the sense of Congress that: (1) discriminatory treatment of Taiwan (Republic of China) by the International Olympic Committee contradicts the spirit of both the Olympic Charter and the Olympic Movement; and (2) the International Olympic Committee should allow Taiwan to compete under the national name, flag, and anthem of its own choosing.

Taiwan – Weapon Transfer Authorization (China-Specific)

S.1565

Title: A bill to provide for the transfer of naval vessels to certain foreign recipients.

Sponsor: Sen Biden, Joseph R., Jr. [DE] (introduced 6/7/2007) Cosponsors (2)

Latest Major Action: 6/27/2007 Committee on Foreign Relations reported without amendment favorably. Senate Reports: 110-139

7/31/2007 Placed on Senate Legislative Calendar under General Orders. Calendar No. 292.

Summary:

Naval Vessels Transfer Act of 2007 - Authorizes the President to transfer on a grant basis to: (1) Turkey, the OLIVER HAZARD PERRY class guided missile frigates GEORGE PHILIP and SIDES; and (2) Lithuania, the OSPREY class minehunter coastal ships CORMORANT and KINGFISHER.

Authorizes the President to transfer on a sale basis to: (1) Taiwan, the OSPREY class minehunter coastal ships ORIOLE and FALCON; and (2) Turkey, the OSPREY class minehunter coastal ship SHRIKE.

States that: (1) the value of such vessels transferred on a grant basis shall not be counted against the aggregate value of excess defense articles transferred to countries in any fiscal year under the Foreign Assistance Act of 1961; (2) transfer costs shall be charged to the recipient; and (3) to the maximum extent practicable, the country to which a vessel is transferred shall have necessary vessel repair and refurbishment carried out at U.S. shipyards (including U.S. Navy shipyards). Terminates transfer authority two years after enactment of this Act.

Taiwan – Free Trade Agreement (China-Specific)

H.CON.RES.137

Title: Expressing the sense of Congress relating to a free trade agreement between the United States and Taiwan.

Sponsor: Rep Berkley, Shelley [NV-1] (introduced 5/1/2007) Cosponsors (26)

Latest Major Action: 5/15/2007 Introduced and referred to the House Subcommittee on Trade.

Summary:

Expresses the sense of Congress that the United States should increase trade opportunities with Taiwan by launching negotiations to enter into a free trade agreement with Taiwan.

Tibet

Tibet – Calling on China to End the Crackdown (China-Specific)

H.RES.1370

Title: Calling on the Government of the People's Republic of China to immediately end abuses of the human rights of its citizens, to cease repression of Tibetan and Uighur citizens, and to end its support for the Governments of Sudan and Burma to ensure that the Beijing 2008 Olympic Games take place in an atmosphere that honors the Olympic traditions of freedom and openness.

Sponsor: Rep Berman, Howard L. [CA-28] (introduced 7/23/2008)

Latest Major Action: 7/24/2008 Passed in House, as amended, by a vote of 413 yeas to 1 nay (Rep. Paul): (2/3 required) Roll no. 166.

H.RES.1077

Title: Calling on the Government of the People's Republic of China to end its crackdown in Tibet and enter into a substantive dialogue with His Holiness the Dalai Lama to find a negotiated solution that respects the distinctive language, culture, religious identity, and fundamental freedoms of all Tibetans, and for other purposes.

Sponsor: Rep Pelosi, Nancy [CA-8] (introduced 4/3/2008) Cosponsors (18)

Latest Major Action: 4/9/2008 Passed in House by a vote of 413 yeas to 1 nay (Rep. Paul): (2/3 required) Roll no. 166.

CRS Summary:

-- Calls on the government of the People's Republic of China (PRC) to: (1) end its crackdown on nonviolent Tibetan protesters and its continuing cultural, religious, economic, and linguistic repression inside Tibet; (2) begin a dialogue with His Holiness the Dalai Lama to address the legitimate grievances of the Tibetan people and provide for a long-term solution in Tibet; and (3) release all Tibetans who are imprisoned for nonviolently opposing Chinese government policies in Tibet.

-- Calls on the U.S. Department of State to: (1) reconsider its decision not to include the PRC among the group of countries described as "the world's most systematic human rights violators"; and (2) implement the Tibetan Policy Act of 2002.

S.RES.504

Title: A resolution condemning the violence in Tibet and calling for restraint by the Government of the People's Republic of China and the people of Tibet.

Sponsor: Sen Feinstein, Dianne [CA] (introduced 4/7/2008) Cosponsors (23)

Latest Major Action: 4/9/2008 Agreed to in Senate by Unanimous Consent.

CRS Summary:

-- Condemns the violence in Tibet and calls for restraint by the government of the People's Republic of China (PRC) and the people of Tibet.

-- Calls for: (1) a dialogue between the government of China and His Holiness the Dalai Lama on religious and cultural autonomy for Tibet within China; and (2) release of peaceful protesters.

-- Calls on the PRC to: (1) respect the right of the people of Tibet to speak of the Dalai Lama and possess his photograph; (2) respect basic human rights; (3) allow international journalists free access to China; and (4) provide a full accounting of the March 2008 protests in Tibet.

-- Calls on the U.S. Department of State to fully implement the Tibetan Policy Act of 2002.

-- Urges that the agreement permitting the PRC to open further diplomatic missions in the United States should be contingent upon establishment of a U.S. government office in Lhasa, Tibet.

China's Regional and International Relationships

Burma (Myanmar) Legislation (China-Related and China-Specific)

H.J.RES.44

Title: Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

Sponsor: Rep Lantos, Tom [CA-12] (introduced 5/24/2007) Cosponsors (29)

Related Bills: S.J.RES.16

Latest Major Action: Became Public Law No: 110-52

CRS Summary of Public Law:

- Approves the renewal of certain import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

- Amends the Consolidated Omnibus Budget Reconciliation Act of 1985 to extend certain customs fees for the processing of merchandise entered into the United States through October 21, 2014.

- Amends the Tax Increase Prevention and Reconciliation Act of 2005 to increase the amount of any corporate estimated tax installment otherwise due by a corporation with assets of not less than \$1 billion for the third quarter of 2012 to 114.75% of such amount.

- Deems this resolution a renewal resolution which shall take effect upon its enactment or July 26, 2007, whichever occurs first.

S.J.RES.16

Title: A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

Sponsor: Sen McConnell, Mitch [KY] (introduced 6/14/2007) Cosponsors (60)

Related Bills: H.J.RES.44

Latest Major Action: 8/29/2007 By Senator Baucus from Committee on Finance filed written Report No. 110-146.

Senate Reports: 110-146

Note: For further action, see H.J.RES.44, which became Public Law 110-52 on 8/1/2007.

CRS Summary:

Approves the renewal of certain import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S.2257

Title: A bill to impose sanctions on officials of the State Peace and Development Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to prohibit the importation of gemstones and hardwoods from Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes.

Sponsor: Sen Biden, Joseph R., Jr. [DE] (introduced 10/29/2007) Cosponsors (18)

Related Bills: S.2172

Latest Major Action: 10/29/2007 Referred to Senate Committee on Foreign Relations.

CRS Summary - Portions of the bill which may affect China are listed:

Burma Democracy Promotion Act of 2007

- States that it is U.S. policy to: (1) condemn the repression carried out by the State Peace and Development Council (SPDC); (2) support a peaceful transition to constitutional democracy in Burma; and (3) hold accountable individuals responsible for the repression of peaceful political activity in Burma.
- Directs the President to submit to the appropriate congressional committees a list of: (1) SPDC officials who play or have played a substantial role in political repression in Burma or in the commission of human rights abuses; and (2) other Burmese SPDC supporters.
- Subjects persons so identified to U.S. entry prohibition and financial sanctions (blocked property, financial transaction prohibitions, and banking sanctions). Exempts medical and humanitarian assistance from such restrictions. Authorizes additional waivers for diplomatic and travel purposes.
- Directs the Secretary of State to report to the appropriate committees respecting countries that provide military aid to Burma.
- Expresses the sense of Congress that the United States should lead U.N. Security Council efforts to impose an international arms embargo on Burma.

H.CON.RES.200

Title: A concurrent resolution expressing the sense of Congress regarding the immediate and unconditional release of Daw Aung San Suu Kyi and the severely deteriorating human rights situation in Burma.

Sponsor: Rep King, Peter T. [NY-3] (introduced 8/2/2007) Cosponsors (41)

Latest Major Action: Passed House, as amended, by a vote of 413 yeas to 2 nays. (Roll no. 931). Received in the Senate and referred to the Committee on Foreign Relations.

CRS Summary:

- Condemns the Burmese junta's crackdown on peaceful protesters in the strongest possible terms, and demands that the junta end its violent crackdown on dissent.
- Demands that the People's Republic of China (PRC) and other countries that provide political and economic support to Burma's military junta end such support until the Burmese regime's

violent campaign against peaceful protest has ceased and the Burmese government has met the opposition's political demands.

- Insists that Burma's military regime begin a tripartite political dialogue with Daw Aung San Suu Kyi, the National League for Democracy, and ethnic nationalities toward national reconciliation and the full restoration of democracy.

- Demands the release of Daw Aung San Suu Kyi, detained Buddhist monks, and all other political prisoners and prisoners of conscience.

- Calls on governments around the world, including the nations of the European Union (EU) and the Association of Southeast Asian Nations (ASEAN), to tighten their sanctions against Burma.

- Calls on the U.N. Security Council to pass a resolution imposing multilateral sanctions on Burma's military regime, including a complete arms embargo, and to take other appropriate action to respond to the growing threat the State Peace and Development Council (SPDC) poses in Burma.

- Calls on the U.S. government to work with its global partners to bring to justice those Burmese military and government leaders who have ordered or participated in any massacre during or after the protests or who may be guilty of crimes against humanity.

- Calls on the members of ASEAN to suspend Burma's membership in such organization.

S.RES.339

Title: A resolution expressing the sense of the Senate on the situation in Burma.

Sponsor: Sen Kerry, John F. [MA] (introduced 10/1/2007) Cosponsors (26)

Latest Major Action: 10/1/2007 Agreed to in Senate by Unanimous Consent.

Summary:

States it is the sense of the Senate:

“(1) to strongly condemn the use of violence against peaceful protestors in Burma, and to call on the Government of Burma to refrain from further violence, release the demonstrators it has arrested, immediately cease attacks against ethnic minorities, release Aung Sang Suu Kyi and all other political prisoners, and begin a meaningful tripartite political dialogue with Suu Kyi, the National League for Democracy, and the ethnic minorities;

(2) to call on the People's Republic of China to remove objections to efforts by the United Nations Security Council to condemn the actions taken by the Government of Burma against the peaceful demonstrators;

(3) to call on the People's Republic of China and all other nations that have provided military assistance to the Government of Burma to suspend such assistance until civilian democratic rule is restored to Burma;

(6) that the United States and the United Nations should strongly encourage China, India, and Russia to modify their position on Burma and use their influence to convince the Government of Burma to engage in dialogue with opposition leaders and ethnic minorities towards national reconciliation;”

Sudan Legislation (China-Related and China-Specific)

S.RES.470

Title: A resolution calling on the relevant governments, multilateral bodies, and non-state actors in Chad, the Central African Republic, and Sudan to devote ample political commitment and material resources towards the achievement and implementation of a negotiated resolution to the national and regional conflicts in Chad, the Central African Republic, and Darfur, Sudan.

Sponsor: Sen Feingold, Russell D. [WI] (introduced 3/4/2008) Cosponsors(3)

Latest Major Action: 4/14/2008 Passed in Senate.

-China-Specific provision - (3) urges the governments of Chad and Sudan, with support from other key regional and international stakeholders, including France, Libya, and China, to commit to another round of inclusive negotiations towards a sustainable political solution for national and regional stability facilitated and monitored by impartial third-party leadership.

S.RES.203

Title: A resolution calling on the Government of the People's Republic of China to use its unique influence and economic leverage to stop genocide and violence in Darfur, Sudan.

Sponsor: Sen Menendez, Robert [NJ] (introduced 5/16/2007) Cosponsors (27)

Related Bills: H.RES.422

Latest Major Action: 7/30/2007 Agreed to in Senate with an amendment by Unanimous Consent.

CRS Summary:

- Recognizes the close relationship between the People's Republic of China (PRC) and Sudan and urges the government the PRC to use its full influence to: (1) urge President Omar al-Bashir of Sudan to abide by his agreement to allow a U.N. peacekeeping force as described in U.N. Security Council Resolution 1706; (2) call for Sudanese compliance with Security Council Resolutions 1556 and 1564 and the Darfur Peace Agreement which demand that Sudan disarm militias operating in Darfur; (3) call on all parties to the conflict to adhere to the 2004 N'Djamena ceasefire agreement and the recently-agreed U.N. communique; (4) emphasize that there can be no military solution to the conflict in Darfur and that implementation of a legitimate peace agreement will contribute toward the welfare of the entire nation and broader region; (5) urge rebel groups to unify and assist all parties to come to the negotiating table; (6) urge the government of southern Sudan to play a more active role in pressing for peace talks; (7) continue to engage in high-level diplomacy and multilateral efforts toward a renewed peace process; and (8) join the international community in imposing economic and other consequences on the government of Sudan if it continues to carry out or support attacks on innocent civilians and frustrate diplomatic efforts.

- Recognizes that the spirit of the Olympics, which is to bring together nations and people from all over the world in peace, is incompatible with actions supporting acts of genocide.

H.RES.422

Title: Calling on the Government of the People's Republic of China to use its unique influence and economic leverage to stop genocide and violence in Darfur, Sudan.

Sponsor: Rep Lee, Barbara [CA-9] (introduced 5/21/2007) Cosponsors (130)

Related Bills: S.RES.203 (See above)

Latest Major Action: 6/5/2007 Passed in House by a vote of 410 yeas to 0 nays (Roll no. 427).

CRS Summary:

- Calls upon the government of the People's Republic of China (PRC) to condemn the atrocities taking place in Darfur, Sudan, and end military and economic assistance to the government of Sudan until Sudan stops civilian attacks and engages in peace negotiations.

- Recognizes the close relationship between the PRC and Sudan and urges the PRC to use its political, international, and economic influence to stop the violence in Darfur, Sudan.

- Recognizes that the spirit of the Olympics, which is to bring together nations and people from all over the world in peace, is incompatible with actions supporting acts of genocide.

Arms Transfer to Zimbabwe (China-Specific)

H.RES.1270

Title: Commending the efforts of those who sought to block an international arms transfer destined for Zimbabwe, where the government has unleashed a campaign of violence and

intimidation against members of the political opposition, and for other purposes.

Sponsor: Rep Ros-Lehtinen, Ileana [FL-18] (introduced 6/12/2008) Cosponsors (30)

Latest Major Action: 6/18/2008 Agreed to in the House by voice vote.

China-specific portions of the resolution:

“Whereas despite the SADC chairman's appeal to member nations to block the delivery of ammunition of Zimbabwe and **China's** alleged recall of the An Yue Jiang, Zimbabwe's Deputy Information Minister Bright Matonga announced the shipment had arrived in Harare on or around May 16, 2008;

Whereas while Beijing has denied that the shipment reached its destination, speculation on the possible surreptitious delivery of weapons to Harare continues;”

2008 Olympics (China-Specific)

S.RES.632

Title: A resolution calling on the Governments of the People's Republic of China and the international community to use the upcoming Olympic Games as an opportunity to push for the parties to the conflicts in Sudan, Chad, and the Central African Republic to cease hostilities and revive efforts toward a peaceful resolution of their national and regional conflicts.

Sponsor: Sen Feingold, Russell D. [WI] (introduced 7/30/2008) Cosponsors (12)

Latest Major Action: 7/30/2008 Referred to Senate Committee on Foreign Relations.

S.RES.633

Title: A resolution expressing the sense of the Senate on the deterioration of respect for privacy and human rights in the People's Republic of China before the 2008 Olympic Games in Beijing.

Sponsor: Sen Brownback, Sam [KS] (introduced 7/30/2008) Cosponsors (1)

Latest Major Action: 7/30/2008 Referred to Senate Committee on Foreign Relations.

H.R.5668

Title: To prohibit Federal government officials and employees from attending the opening ceremonies of the 2008 Summer Olympic Games held in communist China based upon communist China brutalizing protesters in Tibet, supporting and enabling Sudan's genocidal regime, forcing a one child policy upon Chinese families, persecuting Chinese citizens for freely exercising religion, repressing free and independent labor unions, engaging in wanton environmental degradation, and systematically denying the Chinese people their basic freedoms.

Sponsor: Rep McCotter, Thaddeus G. [MI-11] (introduced 4/1/2008) Cosponsors (15)

Latest Major Action: 4/1/2008 Referred to House Committee on Foreign Affairs.

H.RES.1093

Title: Calling on the President not to attend the Opening Ceremony of the 2008 Olympic Games in Beijing until China takes credible steps to persuade Sudan to end the genocide in Darfur and allow full deployment of the United Nations-African Union Mission in Darfur.

Sponsor: Rep Capuano, Michael E. [MA-8] (introduced 4/9/2008) Cosponsors (7)

Latest Major Action: 4/9/2008 Referred to House Committee on Foreign Affairs.

H.R.5697

Title: To prohibit the use of certain funds related to the 2008 Olympic Games in China, and for other purposes.

Sponsor: Rep DeFazio, Peter A. [OR-4] (introduced 4/3/2008) Cosponsors (12)

Latest Major Action: 4/3/2008 Referred to House Committee on Foreign Affairs.

H.RES.608

Title: Expressing the sense of the House of Representatives that the United States Government should take immediate steps to boycott the Summer Olympic Games in Beijing in August 2008 unless the Government of the People's Republic of China stops engaging in serious human rights abuses against its citizens and stops supporting serious human rights abuses by the Governments of Sudan, Burma, and North Korea against their citizens.

Sponsor: Rep Rohrabacher, Dana [CA-46] (introduced 8/2/2007) Cosponsors (2)

Related Bills: H.RES.610 (See below)

Latest Major Action: 8/2/2007 Referred to House Committee on Foreign Affairs.

CRS Summary:

- States that it is the responsibility of the United States to take steps to stop human rights abuses by the government of the People's Republic of China (PRC) against its citizens and to stop the Chinese government from supporting human rights abuses by Sudan, Burma, and North Korea.
- Expresses the sense of the House of Representatives that the U.S. government should take steps to boycott the 2008 Summer Olympic Games in Beijing unless the Chinese government ends such human rights abuses.

H.RES.610

Title: Expressing the sense of the House of Representatives that the United States Government should take immediate steps to boycott the Summer Olympic Games in Beijing in August 2008 unless the Chinese regime stops engaging in serious human rights abuses against its citizens and stops supporting serious human rights abuses by the Governments of Sudan, Burma, and North Korea against their citizens.

Sponsor: Rep Rohrabacher, Dana [CA-46] (introduced 8/3/2007) Cosponsors (12)

Related Bills: H.RES.608 (See above)

Latest Major Action: 8/3/2007 Referred to House Committee on Foreign Affairs.

CRS Summary:

- States that it is the responsibility of the United States to take steps to stop human rights abuses by the Chinese regime against its citizens and to stop the Chinese regime from supporting human rights abuses by Sudan, Burma, and North Korea.
- Expresses the sense of the House of Representatives that the U.S. government should take steps to boycott the 2008 Summer Olympic Games in Beijing unless the Chinese regime ends such human rights abuses.

H.RES.628

Title: Expressing the sense of the House of Representatives that the President should take immediate action to boycott the Summer Olympic Games of 2008 in Beijing, China.

Sponsor: Rep Waters, Maxine [CA-35] (introduced 8/4/2007) Cosponsors (None)

Latest Major Action: 8/4/2007 Referred to House Committee on Foreign Affairs.

CRS Summary:

Expresses the sense of the House of Representatives that: (1) the President should take immediate action to boycott the 2008 Summer Olympic Games in Beijing, China; and (2) if such action is taken the President should resume participation in the Games if the governments of the People's Republic of China (PRC) and Sudan take specified actions respecting Darfur.

North Korea Refugees in China (China-Specific)

H.R.5834

Title: To amend the North Korean Human Rights Act of 2004 to promote respect for the fundamental human rights of the people of North Korea, and for other purposes.

Sponsor: Rep Ros-Lehtinen, Ileana [FL-18] (introduced 4/17/2008) Cosponsors (9)
Latest Major Action: 5/15/2008 Passed/agreed by voice vote in House, as amended.
5/19/2008 Referred to Senate Committee on Foreign Relations.

House Reports: 110-628

CRS Summary:

North Korean Human Rights Reauthorization Act of 2008 - Amends the North Korean Human Rights Act of 2004 to authorize appropriations through FY2012 for: (1) activities to support human rights and democracy and freedom of information in North Korea; and (2) assistance to North Koreans who are outside North Korea.

Directs the Broadcasting Board of Governors to report respecting U.S. broadcasting to North Korea and the extent to which the Board has achieved the goal of 12-hour-per-day broadcasting to North Korea.

States that the Special Envoy on human rights in North Korea shall have the rank of ambassador. Sets forth specified reporting provisions.

H.CON.RES.234

Title: Calling on the Government of the People's Republic of China to respect the human rights of refugees from North Korea.

Sponsor: Rep Royce, Edward R. [CA-40] (introduced 10/15/2007) Cosponsors (34)

Latest Major Action: 10/29/2007 Motion to suspend the rules and agree to the resolution Agreed to by voice vote.

10/30/2007 Referred to Senate Committee on Foreign Relations.

CRS Summary:

Encourages the government of the People's Republic of China (PRC) to: (1) halt the forced repatriation of North Koreans who face a well-founded fear of persecution if they are returned to North Korea; and (2) grant the United Nations High Commissioner for Refugees access to determine such refugees' status and the degree of assistance to which they are entitled.

Nonproliferation – Iran (China-Related)

H.R.1400

Title: To enhance United States diplomatic efforts with respect to Iran by imposing additional economic sanctions against Iran, and for other purposes.

Sponsor: Rep Lantos, Tom [CA-12] (introduced 3/8/2007) Cosponsors (325)

Latest Major Action: 9/25/2007 Passed in House, as amended, by a vote of 397 yeas to 16 nays. (Roll no. 895).

9/26/2007 Referred to Senate Committee on Banking, Housing, and Urban Affairs.

House Reports: 110-294 Part 1

Summary of pertinent section:

Iran Counter-Proliferation Act

-Restricts nuclear cooperation with countries assisting Iran's nuclear program or transferring advanced conventional weapons or missiles to Iran.

-Amends the Internal Revenue Code to eliminate specified geological and geophysical expense amortization benefits if petroleum-related sanctions are imposed under the Iran Sanctions Act of 1996 on any member of an expanded affiliated group whose common parent is a foreign corporation. Revises the definition of "affiliated group."

Nonproliferation

Nonproliferation (China-Related)

H.R.2712

Title: To promote transparency, accountability, and reform within the United Nations system, and for other purposes.

Sponsor: Rep Ros-Lehtinen, Ileana [FL-18] (introduced 6/14/2007) Cosponsors (29)

Latest Major Action: 6/14/2007 Referred to House Committee on Foreign Affairs.

Summary of relevant section:

(2) COMMITTEE ON SAFEGUARDS AND VERIFICATION- The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that the Committee on Safeguards and Verification established in 2005 shall develop and seek to put into force a workplan of concrete measures that will--

(A) improve the ability of the IAEA to monitor and enforce compliance by Member States of the IAEA with the Nuclear Nonproliferation Treaty and the Statute of the International Atomic Energy Agency; and

(B) enhance the ability of the IAEA, beyond the verification mechanisms and authorities contained in the Additional Protocol to the Safeguards Agreements between the IAEA and Member States of the IAEA, to detect with a high degree of confidence undeclared nuclear activities by a Member State.

Summary:

- Establishes State offices in China to promote exports.
- Creates a China Market Advocate Program to establish U.S. Export Assistance Centers in the United States.
- Provides assistance to small businesses for trade missions to China.
- Authorizes SBA grants for Chinese business education programs.

Energy

U.S.-China Bilateral Energy Cooperation (China-Specific)

H.R.3274

Title: To authorize the Secretary of Energy to make grants to encourage cooperation between the United States and China on joint research, development, or commercialization of carbon capture and sequestration technology, improved energy efficiency, or renewable energy sources.

Sponsor: Rep Israel, Steve [NY-2] (introduced 8/1/2007) Cosponsors (5)

Latest Major Action: 8/24/2007 Referred to House Subcommittee on Energy and Environment.

Summary:

- Authorizes a grant program to encourage joint American-Chinese research and development and policy education. The grants fund joint energy and climate change policy education programs and/or joint research, development, or commercialization of carbon capture and sequestration technology, improved energy efficiency, or renewable energy sources.
- Entities eligible for grant funding are joint ventures comprised of both Chinese and American private business entities, joint ventures comprised of both Chinese and American academics or joint ventures comprised of Chinese and American Federal, State, or local governments.

International Energy Cooperation (China-Related)

S.193

Title: A bill to increase cooperation on energy issues between the United States Government and foreign governments and entities in order to secure the strategic and economic interests of the United States, and for other purposes.

Sponsor: Sen Lugar, Richard G. [IN] (introduced 1/4/2007) Cosponsors (9)

Latest Major Action: 4/12/2007 Placed on Senate Legislative Calendar under General Orders. Calendar No. 116.

Senate Reports: 110-54

China specific portion:

- Suggests the Secretary of State and Secretary of Energy should seek to establish a petroleum crisis response mechanism or mechanisms with the Governments of China and India to aid with technical assistance in the development and management of national strategic petroleum reserves, emergency demand restraint measures, alternative fuel production capacity and demand intensity reduction programs.

S.1700

Title: A bill to support the establishment of an international regime for the assured supply of nuclear fuel for peaceful means and to authorize voluntary contributions to the International Atomic Energy Agency to support the establishment of an international nuclear fuel bank.

Sponsor: Sen Chambliss, Saxby [GA] (introduced 6/26/2007) Cosponsors (None)

Related Bills: H.R.885

Latest Major Action: 6/26/2007 Referred to Senate Committee on Foreign Relations.

CRS Summary:

International Nuclear Fuel for Peace and Nonproliferation Act of 2007

- States that it is U.S. policy to support the establishment of an international regime for the assured supply of nuclear fuel for peaceful means under multilateral authority, such as the International Atomic Energy Agency (IAEA).

- Authorizes the President to make grant basis contributions to the IAEA for an international nuclear fuel bank to maintain a low-enriched uranium reserve of reactor fuel for eligible countries. Requires the President, prior to making such contributions, to certify to the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations that: (1) the IAEA has received specified monetary pledges for the international nuclear fuel bank; (2) the bank will be established in a non-nuclear weapon state under IAEA oversight; and (3) the bank will provide nuclear reactor fuel only to a country that is in full compliance with IAEA and other safeguards, agrees to use the nuclear reactor fuel in accordance with IAEA safeguards, does not operate uranium enrichment or spent-fuel reprocessing facilities, and is not a state sponsor of terrorism.

H.R.885

Title: To support the establishment of an international regime for the assured supply of nuclear fuel for peaceful means and to authorize voluntary contributions to the International Atomic Energy Agency to support the establishment of an international nuclear fuel bank.

Sponsor: Rep Lantos, Tom [CA-12] (introduced 2/7/2007) Cosponsors (12)

Related Bills: S.1700

Latest Major Action: 6/18/2007 Passed in House, as amended, by voice vote

6/19/2007 Referred to Senate committee. Status: Received in the Senate and Read twice and referred to the Committee on Foreign Relations.

Summary of pertinent section:

- International Nuclear Fuel for Peace and Nonproliferation Act of 2007 - States that it is U.S. policy to support the establishment of an international regime for the assured supply of nuclear

fuel for peaceful means under multilateral authority, such as the International Atomic Energy Agency (IAEA).

- Authorizes the President to make grant basis contributions to the IAEA for an international nuclear fuel bank to maintain a low-enriched uranium reserve of reactor fuel for eligible countries. Requires the President, prior to making such contributions, to certify to the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations that the bank will be established in a non-nuclear weapon state under IAEA oversight.

H.R.3221

Title: Moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

Sponsor: Rep Pelosi, Nancy [CA-8] (introduced 7/30/2007) Cosponsors (18)

Latest Major Actions: 7/23/2008 Resolving differences -- House actions: On motion that the House agree with an amendment to the Senate amendment to the House amendments to the Senate Agreed to by a vote of 272 yeas to 152 nays (Roll no. 519).

7/26/2008 Resolving differences -- Senate actions: Senate agreed to the motion to concur in House amendment to Senate amendment to House amendments to Senate amendment to the bill by a vote of 72 yeas to 13 nays. Record Vote Number: 186.

7/30/2008 Became Public Law No: 110-289

CRS Summary of China-related provisions:

- New Direction for Energy Independence, National Security, and Consumer Protection Act - Incorporates various legislative initiatives for energy conservation, independence, and security.
- Green Jobs Act of 2007 - Amends the Workforce Investment Act of 1998 to direct the Secretary of Labor to: (1) establish an energy efficiency and renewable energy worker training program; (2) collect and analyze labor market data to track workforce trends resulting from energy-related initiatives under this Act; and (3) award National Energy Training Partnerships Grants to community based nonprofit organizations to carry out training programs that lead to economic self-sufficiency and develop an energy efficiency and renewable energy industries workforce.
- International Climate Cooperation Re-engagement Act of 2007 - Establishes in the Department of State an Office of Global Climate Change to be headed by an Ambassador-at-large with the primary responsibility of advancing U.S. goals for reducing global greenhouse emissions and for addressing the challenges posed by global climate change.
- Requires: (1) the U.S. Agency for International Development (USAID) to support policies and programs in developing countries that promote clean and efficient energy technologies; (2) the Secretary of Commerce to direct the United States and Foreign Commercial Service to promote U.S. exports in clean and efficient energy technologies and to direct the International Trade Administration (ITA) to encourage private sector trade and investment in clean and efficient energy technologies; (3) the Director of the Trade and Development Agency to fund projects for using clean and efficient energy technologies; and (4) the President to provide assistance to the Interagency Working Group to support a clean energy technology exports initiative.
- Authorizes the Secretary of State to establish a global climate change exchange program.
- Establishes the International Clean Energy Foundation to promote projects outside the United States for reducing greenhouse gas emissions and to work with foreign governments and private entities to address climate change issues.

Energy Security (China-Related)

S.1613

Title: A bill to require the Director of National Intelligence to submit to Congress an unclassified report on energy security and for other purposes.

Sponsor: Sen Wyden, Ron [OR] (introduced 6/13/2007) Cosponsors (1)

Latest Major Action: 6/13/2007 Referred to Senate Select Committee on Intelligence.

CRS Summary:

- Weighing Intelligence for Smarter Energy Act of 2007 or WISE Act of 2007 - Requires the Director of National Intelligence to report to Congress on the long-term energy security of the United States, including assessments of: (1) key energy issues that have U.S. national security or foreign policy implications; and (2) the future of world energy supplies.

S.AMDT.1687 (amended S.AMDT.1502 to H.R.6)

Sponsor: Sen Burr, Richard [NC] (submitted 6/19/2007) (proposed 6/21/2007)

Amendment Purpose:

To express the sense of Congress that the Department of Energy should be the lead United States Government agency in charge of formulating and coordinating the national energy security policy of the United States.

Summary:

Section F of the amendment calls on the U.S. to “develop(e) strategies in conjunction with the Department of State for working with major international producers and consumers, including China, Russia, the European Union, and Africa, to minimize politicization of global energy resources while ensuring access through global energy markets.”

Clean and Energy Efficient Technology Sharing (China-Specific)

H.R.6

Title: An Act to move the United States toward greater energy independence and security, to increase the production of clean renewable fuels, to protect consumers, to increase the efficiency of products, buildings, and vehicles, to promote research on and deploy greenhouse gas capture and storage options, and to improve the energy performance of the Federal Government, and for other purposes.

Sponsor: Rep Rahall, Nick J., II [WV-3] (introduced 1/12/2007) Cosponsors (198)

Related Bills: H.RES.66, H.RES.846, H.RES.877, H.R.453, H.R.3221, S.103

Latest Major Action: Became Public Law No: 110-140

Text of Sect. 624:

“SEC. 624. INTERNATIONAL GEOTHERMAL ENERGY DEVELOPMENT.

(a) *In General.*--The Secretary of Energy, in coordination with other appropriate Federal and multilateral agencies (including the United States Agency for International Development) shall support international collaborative efforts to promote the research, development, and deployment of geothermal technologies used to develop hydrothermal and enhanced geothermal system resources, including as partners (as appropriate) the African Rift Geothermal Development Facility, Australia, China, France, the Republic of Iceland, India, Japan, and the United Kingdom.

(b) *United States Trade and Development Agency.*--The Director of the United States Trade and Development Agency may--

(1) encourage participation by United States firms in actions taken to carry out subsection (a); and

(2) provide grants and other financial support for feasibility and resource assessment studies conducted in, or intended to benefit, less developed countries.

(c) *Authorization of Appropriations.*--There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2008 through 2012.”

Text of Sect. 912:

“SEC. 912. UNITED STATES EXPORTS AND OUTREACH PROGRAMS FOR INDIA, CHINA, AND OTHER COUNTRIES.

(a) *Assistance Authorized.*--The Secretary of Commerce shall direct the United States and Foreign Commercial Service to expand or create a corps of the Foreign Commercial Service officers to promote United States exports in clean and efficient energy technologies and build the capacity of government officials in India, China, and any other country the Secretary of Commerce determines appropriate, to become more familiar with the available technologies--

(1) by assigning or training Foreign Commercial Service attachés, who have expertise in clean and efficient energy technologies from the United States, to embark on business development and outreach efforts to such countries; and

(2) by deploying the attachés described in paragraph (1) to educate provincial, state, and local government officials in such countries on the variety of United States-based technologies in clean and efficient energy technologies for the purposes of promoting United States exports and reducing global greenhouse gas emissions.

(b) *Report.*--The Secretary of Commerce shall submit to the appropriate congressional committees an annual report on the implementation of this section for each of the fiscal years 2008 through 2012.

(c) *Authorization of Appropriations.*--To carry out this section, there are authorized to be appropriated to the Secretary of Commerce such sums as may be necessary for each of the fiscal years 2008 through 2012.”

Security and Military

PRC Asymmetric Warfare Capability Study (China-Specific)

H.R.1585

Title: To authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Sponsor: Rep Skelton, Ike [MO-4] (by request) (introduced 3/20/2007) Cosponsors (1)

Latest Major Action: 1/15/2008 Agreed to by voice vote a motion to refer the bill and the accompanying veto message to the Committee on Armed Services..

House Reports: 110-146, 110-146 Part 2; Latest Conference Report: 110-477

Note: On 12/28/2007, the President announced that he was withholding approval of this bill.

The provision establishing the Defense Production Board regarding U.S. domestic defense industrial base was omitted from the conference report.

Sen. Kyl (R-AZ) was the author of the Senate Amendment clarifying a need for the following conference report language.

Section 1263 Text:

“SEC. 1263. INCLUSION OF INFORMATION ON ASYMMETRIC CAPABILITIES IN ANNUAL REPORT ON MILITARY POWER OF THE PEOPLE'S REPUBLIC OF CHINA.

*Section 1202(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 10 U.S.C. 113 note) is amended by adding at the end the following new paragraph:
'(9) Developments in China's asymmetric capabilities, including efforts to acquire, develop, and deploy cyberwarfare capabilities.'*"

Conference report Text on SoS re: PRC military capabilities and strategies:

"Sense of Congress concerning the strategic military capabilities and intentions of the People's Republic of China

The House bill contained a provision (sec. 1244) that would express the sense of Congress concerning the strategic military capabilities and intentions of the People's Republic of China. The Senate amendment contained no similar provision.

The House recesses.

The conferees note China's continued investment in strategic military capabilities that could be used to support power projection and access denial operations beyond the Asia Pacific region, and the lack of transparency surrounding the strategic military capabilities and intentions relating to China's military modernization. The Pentagon's 2006 Quadrennial Defense Review Report (QDR) found that China is at a strategic crossroads and that, 'of the major and emerging powers, China has the greatest potential to compete militarily with the United States.' The conferees note that during the last year, China demonstrated such potential, including the October 2006 broach of a Chinese SONG-class diesel-electric submarine in close proximity to the USS *Kitty Hawk* aircraft carrier in international waters and the January 2007 test of a direct ascent anti-satellite missile against a Chinese weather satellite in low-earth orbit.

The conferees encourage the Secretary of Defense to expand efforts to develop an accurate assessment and understanding of China's strategic military modernization and strategic intentions, particularly with regard to its sea- and space-based strategic capabilities."

Space Security (China-Related and China-Specific)

H.R.5916

Title: To reform the administration of the Arms Export Control Act, and for other purposes.

Sponsor: Rep Berman, Howard L. [CA-28] (introduced 4/29/2008) Cosponsors (4)

Latest Major Actions: 5/15/2008 House floor actions. Passed/agreed by voice vote in House, as amended.

5/19/2008 Referred to Senate Committee on Foreign Relations.

House Reports: 110-626

CRS Summary of China-relevant and China-specific sections:

-- Directs the President to: (1) conduct a comprehensive review of the U.S. arms export controls system in the context of U.S. national security interests and strategic foreign policy objectives; and (2) report respecting satellite export controls.

-- Directs the Secretary of State to review the International Traffic in Arms Regulations and the United States Munitions List to determine those technologies and goods that warrant different or additional controls.

-- Revises authorized uses of defense trade control registration fees.

-- States that it shall be U.S. policy to oppose any diminution or termination of the arms embargo on the People's Republic of China (PRC) established by the June 1989 Declaration of the European Council.

H.R.5658

Title: To authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2009, and for other purposes.

Sponsor: Rep Skelton, Ike [MO-4] (by request) (introduced 3/31/2008) Cosponsors (1)

Related Bills: S.2787

Latest Major Action: 5/22/2008 Passed/agreed to in House by a vote of 384 ayes to 23 nays (Roll no. 365).

6/3/2008 Received in the Senate and placed on Senate Legislative Calendar under General Orders. Calendar No. 758.

House Reports: 110-652

Summary of China-specific bill text:

Section 1223 requires the Secretary of Defense to study and report to Congress on the limitation on classified contracts with foreign companies engaged in space business with China.

S.372

Title: An original bill to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Sponsor: Sen. Rockefeller, John D (D-WV)

Latest Major Actions: Introduced 1/24/2007 and placed on Senate Legislative Calendar.

4/17/2007: Cloture not invoked in Senate by a vote of 50 yeas to 45 nays.

Summary of relevant section:

Section 410 establishes within the Office of the DNI a National Space Intelligence Center, to be directed by the National Intelligence Officer for Science and Technology. Section 410 also outlines Center duties, including coordinating and providing policy direction for the management of space-related assets and fields relating to space intelligence and requires a report from the Center Director to the intelligence committees on Center organizational structure.

Consular Support and Chinese Language Support

U.S.-China Diplomatic and Consular Activities (China-Specific)

H.R.3272

Title: To provide for increased funding and support for diplomatic engagement with the People's Republic of China.

Sponsor: Rep Kirk, Mark Steven [IL-10] (introduced 8/1/2007) Cosponsors (4)

Latest Major Action: 8/1/2007 Referred to House Committee on Foreign Affairs.

Summary:

- Increases funding for public diplomacy with an emphasis on Internet communications
- Provides funds to build another U.S. consulate and establish 10 American presence posts in China
- Increases funding for State Department student exchange programs
- Increases funding for State Department teacher exchange programs
- Increases funding for Rule of Law Initiatives
- Increases funding for the Asia Pacific Economic Cooperation Organization (APEC)

H.R.2642

Title: Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

Supplemental Appropriations Bill.

Sponsor: Rep Edwards, Chet [TX-17] (introduced 6/11/2007) Cosponsors (None)

Latest Major Action: 6/19/2008 Resolving differences -- House actions. Status: Mr. Obey

moved that the House agree with an amendment to the Senate amendments to the House amendments to the Senate amendment.

House Reports: 110-186

Note - The President has indicated that a veto of this bill is likely.

China-specific section:

“Sec. 1412.

(a) Of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations and related programs under the headings “Diplomatic and Consular Programs” and “Embassy Security, Construction, and Maintenance”, up to \$5,000,000 shall be made available to establish a United States Consulate in Lhasa, Tibet.

(b) The Department of State should not consent to opening a consular post in the United States by the People's Republic of China until such time as the People's Republic of China consents to opening a United States consular post in Lhasa, Tibet.”

Chinese Language Funding (China-Specific)

H.R.3275

Title: To support programs that offer instruction in Chinese language and culture, and for other purposes.

Sponsor: Rep Davis, Susan A. [CA-53] (introduced 8/1/2007) Cosponsors (5)

Latest Major Action: 9/19/2007 Referred to House Subcommittee on Early Childhood, Elementary, and Secondary Education.

CRS Summary:

- U.S.-China Language Engagement Act - Directs the Secretary of Education to award competitive three-year grants to local educational agencies (LEAs) for innovative model programs establishing, improving, or expanding Chinese language and cultural studies instruction for their elementary school and secondary school students.
- Directs the Secretary to award grants to LEAs for use in acquiring communications technologies or equipment to improve Chinese language instruction in elementary schools and secondary schools through computer-assisted instruction, distance learning, and virtual exchanges with schools in China.
- Expresses the sense of Congress that increasing the number of students who receive substantial exposure to Chinese language and cultural studies before graduating from secondary school will enhance our global economic competitiveness in the 21st century.

China’s Prisoner Abuse and Lagoi System

China’s Prisoner Abuse and Lagoi System (China-Specific)

H.RES.821

Title: Condemning Communist China's discrimination, harassment, imprisonment, torture, and execution of its prisoners of conscience.

Sponsor: Rep McCotter, Thaddeus G. [MI-11] (introduced 11/13/2007) Cosponsors (17)

Latest Major Action: 11/13/2007 Referred to House Committee on Foreign Affairs.

Summary:

Expresses the Sense of the House of Representatives and:

- (1) condemns Communist China's discrimination, harassment, imprisonment, torture, and execution of its prisoners of conscience;
- (2) calls upon Communist China to immediately--

- (A) cease harassment and discrimination against all unregistered religious organizations and individual religious practitioners; and
- (B) release its prisoners of conscience;
- (3) calls upon Communist China to publicly release information about--
 - (A) the number of prisoners of conscience presently detained in Communist China (including Communist China's Laogai prison camp system);
 - (B) the extent of Communist China's organ harvesting among its prisoners of conscience; and
 - (C) the number of prisoners of conscience executed in Communist China (including Communist China's Laogai prison camp system);
- (4) expresses sympathy and condolences to the families of prisoners of conscience who have been imprisoned, tortured, and murdered by the Communist Chinese government;
- (5) calls upon Communist China to allow the USCIRF or international humanitarian organizations unrestricted access to current and former prisoners of conscience held in Communist China's jails, prison, administrative detention centers, and Laogai prison camp system; and
- (6) urges the administration to raise the issue of Communist China's prisoners of conscience in high-level diplomatic meetings with Communist Chinese officials.

China's Sichuan Earthquake

Resolutions of Condolences and Praise (China-Specific)

S.RES.569

Title: A resolution expressing the sense of the Senate regarding the earthquake that struck Sichuan Province of the People's Republic of China on May 12, 2008.

Sponsor: Sen Boxer, Barbara [CA] (introduced 5/19/2008) Cosponsors (21)

Related Bills: H.RES.1195 (see directly below)

Latest Major Action: 5/19/2008 Agreed to in Senate by Unanimous Consent.

CRS Summary:

-- Mourns the loss of life and human suffering caused by the May 2008 earthquake in the People's Republic of China (PRC).

Expresses deep condolences to the people of the PRC and to all those affected by this enormous tragedy.

-- Calls on the President to respond to any requests for humanitarian assistance made by the government of the PRC, and stands ready to support the provision of additional resources to assist those impacted by the earthquake.

H.RES.1195

Title: Expressing condolences and sympathy to the people of the People's Republic of **China** for the grave loss of life and vast destruction caused by the earthquake of May 12, 2008 in Sichuan Province.

Sponsor: Rep Wu, David [OR-1] (introduced 5/14/2008) Cosponsors (38)

Related Bills: S.RES.569 (see directly above)

Latest Major Action: 5/20/2008 Agreed to in House, as amended, by voice vote.

CRS Summary:

-- Extends condolences and sympathy to the people of the People's Republic of China (PRC) for the loss of life and destruction caused by the earthquake centered in Sichuan Province.

-- Vows full support for the people of the PRC as well as the members of the Chinese American community who have relatives in the affected areas.

H.RES.1347

Title: Praising relief efforts by Chinese individuals and nongovernmental organizations to assist victims of the recent earthquake in the People's Republic of China, recognizing the Chinese Government for allowing such efforts to proceed and for allowing open media coverage of the earthquake, and encouraging the Chinese Government to continue this new era of openness.

Sponsor: Rep Moran, James P. [VA-8] (introduced 7/15/2008) Cosponsors (2)

Latest Major Action: 7/15/2008 Referred to House Committee on Foreign Affairs.

U.S.-China Economic and Security Review Commission Appropriation Language

U.S.-China Economic and Security Review Commission Appropriations (China-Specific)

S.3288

Title: An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2009, and for other purposes.

Sponsor: Sen Leahy, Patrick J. [VT] (introduced 7/18/2008)

Senate Report: 110-425

Latest Major Action: 7/18/2008 Committee on Appropriations reported to Senate by Senator Leahy with written report No. 110-425. Placed on Senate Legislative Calendar under General Orders.

Note - This bill contains USCC Senate appropriations language.

Text of United States-China Economic and Security Review Commission Legislation:

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, \$1,000,000, including not more than \$4,000 for the purpose of official representation, to remain available until September 30, 2010: *Provided*, That none of the funds may be obligated until the Commission submits a spending plan to the Committees on Appropriations which effectively addresses the recommendations of the Government Accountability Office's audit of the Commission (GAO-07-1128): *Provided further*, That the Commission shall provide to the Committees on Appropriations an annual financial plan no later than 90 days after enactment of this Act, and a quarterly accounting of the cumulative balances of any unobligated funds that were received by the Commission during any previous fiscal year.

H.R.2764

Title: Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes.

Sponsor: Rep Lowey, Nita M. [NY-18] (introduced 6/18/2007) Cosponsors (None)

Related Bills: H.RES.498, H.RES.878, H.RES.893

Latest Major Action: 12/26/2007 Signed into law.

House Reports: 110-197; **Senate Reports:** 110-128

Note: On 12/17/2007, the substitute House amendments to the Senate amendment changed this bill to the Consolidated Appropriations Act, 2008 (see the EAH bill version and the joint explanatory statements posted by the House Rules Committee). The bill was further amended with a subsequent Senate amendment to the House amendment to the Senate amendment (see the EAS2 bill version). The Consolidated Appropriations Act, 2008 contains: Division A: Agriculture; Division B: Commerce-Justice-Science; Division C: Energy-Water; Division D: Financial Services; Division E: Homeland Security; Division F: Interior; Division G: Labor-

HHS-Education; Division H: Legislative Branch; Division I: Military-Veterans; Division J: State-Foreign Operations; Division K: Transportation-HUD; Division L: Supplemental Appropriations.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, \$4,000,000, including not more than \$4,000 for the purpose of official representation, to remain available until September 30, 2009: *Provided*, That the Commission shall submit a spending plan to the Committees on Appropriations no later than March 1, 2008 which effectively addresses the recommendations of the Government Accountability Office's audit of the Commission (GAO-07-1128): *Provided further*, That the Commission shall provide to the Committees on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were received by the Commission during any previous fiscal year: *Provided further*, That for purposes of costs relating to printing and binding, the Commission shall be deemed, effective on the date of its establishment, to be a committee of Congress: *Provided further*, That compensation for the executive director of the Commission may not exceed the rate payable for level II of the Executive Schedule under section 5314 of title 5, United States Code: *Provided further*, That section 1238(c)(1) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, is amended by striking `June' and inserting `December': *Provided further*, That travel by members of the Commission and its staff shall be arranged and conducted under the rules and procedures applying to travel by members of the House of Representatives and its staff.

SEC. 118. (a) REQUIREMENT FOR PERFORMANCE REVIEWS- The United States-China Economic and Security Review Commission shall comply with chapter 43 of title 5, United States Code, regarding the establishment and regular review of employee performance appraisals.

(b) LIMITATION ON CASH AWARDS- The United States-China Economic and Security Review Commission shall comply with section 4505a of title 5, United States Code, with respect to limitations on payment of performance-based cash awards.”