




Countering China in the 118th Congress


This Congress, the House Foreign Affairs Committee has passed significant legislation to counter the growing threat of the Chinese Communist Party (CCP). Specifically, these efforts keep advanced technology from China's military, counter its fentanyl precursor trafficking into the Americas, disrupt the CCP's efforts to bolster Russia's Defense Industrial Base, support Uyghur human rights, deepen partnerships with allies including the enactment of the AUKUS partnership, bolster weapon sales to Taiwan, and authorize programs to outcompete the CCP globally.

ENACTED INTO LAW:


H.R. 4725, the AUKUS Oversight and Accountability Act (Chairman McCaul)

 Ensures the proper implementation of AUKUS and robust congressional oversight.

H.R. 4619, the AUKUS Submarine Transfer Authority Act (Rep. Huizenga)

 Authorizes the sale of Virginia-class submarines to Australia and the transfer of defense services to the U.K. and Australia.


H.R. 4715, the Bilateral Resilience In Industry Trade and Security Act (BRITS Act) (Rep. Kean)

 Removes barriers to exempt defense trade with the U.K. from the International Traffic in Arms Regulations (ITAR).

H.R. 4716, the Keeping Our Allies Leading in Advancements Act (KOALA Act) (Rep. Kim)

 Removes barriers to exempt defense trade with Australia from the International Traffic in Arms Regulations (ITAR).

H.R. 1107, the PRC is Not a Developing Country Act (Rep. Kim)


 Requires the Department of State to take actions to stop China from being classified as a developing country by international organizations.



H.R. 3333, the FEND Off Fentanyl Act (Chairman McCaul)


-  Cracks-down on fentanyl by expanding sanctions on fentanyl trafficking in Mexico and developers of fentanyl precursors in China.

S. 138/H.R. 533, the Promoting a Resolution to the Tibet-China Dispute Act (Rep. McGovern, Chairman McCaul)


-  Strengthens the U.S.'s policy to promote dialogue between China and Tibet towards a peaceful resolution.

HOUSE-PASSED LEGISLATION:

H.R. 6602, To amend the Export Control Reform Act relating to the review of the interagency disputes (Rep. McCormick)

-  Requires Commerce Department's Bureau of Industry and Security's (BIS) Operating Committee to resolve disputes on export control licenses with a majority vote, instead of being the sole deciding voting member.

H.R. 4039, the No Dollars to Uyghur Forced Labor Act (Rep. Moran)

-  Prohibits any State Department and USAID funds from buying items made wholly or in part in Xinjiang or by an entity listed pursuant to the Uyghur Forced Labor Prevention Act that uses forced labor.


H.R. 3203, the Stop Chinese Fentanyl Act of 2023 (Rep. Barr)

-  Imposes sanctions with respect to Chinese producers of synthetic opioids and opioid precursors, and to hold Chinese officials accountable for the spread of illicit fentanyl.

H.R. 2766, the Uyghur Policy Act (Rep. Kim)

-  Raises international awareness of the Uyghurs, directs the State Department to effectively respond to human rights challenges in the Xinjiang Autonomous Region, and push back on the CCP efforts to silence Uyghur voices.

H.R. 6306, the Embassy Construction Integrity Act of 2023 (Rep. Mills)

-  Requires the Secretary of State to take necessary steps to avoid or minimize acquiring or leasing a building owned or constructed by entities over which the People's Republic of China exerts substantial control.



H.R. 1189, the Undersea Cable Control Act (Rep. Mast)

- 🏛️ Applies export controls on vital goods and technologies capable of supporting undersea cables to malign countries such as the People's Republic of China.

H.R. 1159, To amend the Taiwan Assurance Act to require periodic reviews and updated reports on Taiwan Guidelines (Rep. Wagner)

- 🏛️ Requires the Department of State to conduct periodic reviews of Taiwan's inclusion in international organizations and Executive Branch engagement with Taiwan.

H.R. 1154, the Stop Forced Organ Harvesting Act of 2023 (Rep. Smith)

- 🏛️ Imposes sanctions on individuals and entities involved in forced organ trafficking and authorizes the Department of State to revoke and deny the passports of individuals convicted of certain crimes related to organ trafficking.

H.Res.90, Demanding that the Government of the People's Republic of China and the Chinese Communist Party immediately release Mark Swidan (Rep. Cloud)

- 🏛️ Demands that the Chinese government and the Chinese Communist Party immediately release Mark Swidan.

H.R. 4132, the Falun Gong Protection Act (Rep. Perry)

- 🏛️ Imposes visa and property-blocking sanctions on foreign persons that are knowingly responsible for, are complicit in, or have engaged in the involuntary harvesting of organs in China.

COMMITTEE-PASSED LEGISLATION:

H.R. 8315, the ENFORCE Act (Chairman McCaul)


- 🏛️ Provides permissive and clear authority for the Commerce Department's Bureau of Industry and Security (BIS) to control the export of military-grade artificial intelligence model weights that pose a significant risk to U.S. national security to foreign adversaries like China.

H.R. 8361, the Economic Espionage Prevention Act (Rep. McCormick)

- 🏛️ Imposes sanctions on Chinese companies that either: 1) support the Russian defense industrial base; 2) violate U.S. export controls; or 3) steal U.S. intellectual property.




H.R. 6349, the Preventing Adversaries from Developing Critical Capabilities Act (Chairman McCaul)

 Requires the president to prohibit and require notification of American outbound investment into critical technology sectors (e.g. semiconductors, AI, quantum, hypersonics, and advanced computing) in foreign adversary countries like China.


H.R. 8926, the DFC Modernization and Reauthorization Act of 2024 (Chairman McCaul)

 Improves and reauthorizes the Development Finance Corporation, an agency stood up to counter China's Belt and Road Initiative. It includes expansion of country eligibility to enable the DFC to operate in countries with significant national security implications such as Panama, provisions to better mobilize private capital, as well as a fix for equity scoring which will better enable the US to compete against adversaries such as China.


H.R. 1157, the Countering the PRC Malign Influence Fund Authorization Act of 2023 (Rep. Barr)

 Authorizes funding each year over the next five years for projects that are specifically designed to counter People's Republic of China malign influence behaviors and supports U.S. strategic competition. This will ensure funds are not further diverted for non-counter PRC purposes and provide more Congressional oversight.

H.R. 7151, the Export Control Enforcement and Enhancement Act (Rep. Wagner)

 Allows any member of the Department of Commerce's End-user Review Committee (i.e. State, Commerce, Defense, or Energy) to offer, for a vote, an addition, removal, or modification to the Entity List. (Currently, only BIS can decide when a proposal can be brought to a vote).

H.R. 8046, the Rosatom Sanctions Enforcement Act (Rep. Kean)

 Requires a report on the national security implications of our nuclear technology cooperation agreements with countries like the People's Republic of China (PRC).

H.R. 3334, the STOP CCP Act (Rep. McClain)

 Sanctions members of the National Communist Party Congress of the People's Republic of China.



H.R. 8152, the Remote Access Security Act (Rep. Lawler)

- 🏛️ Amends the Export Control Reform Act (ECRA) to include a definition and clearer reference to “remote access” to close a loophole in ECRA that lets China access advanced, controlled, American technology. (Currently, PRC companies can gain remote access to export-controlled semiconductors to train AI models through data centers operating outside of China).

H.R. 6614, To amend the Export Control Reform Act of 2018 relating to licensing transparency (Rep. Jackson)

- 🏛️ Requires the Department of Commerce to submit a report to Congress every 90 days about all licensing decisions for Chinese companies on the Entity List.

H.R. 5613, the Sanctions List Harmonization Act (Rep. Waltz)

- 🏛️ Requires executive branch agencies to determine if a company placed on one export control or sanctions list, should also be designated on another agency’s respective list. (Right now, Treasury, Defense, and Commerce all have Chinese military company lists that are different, and it doesn’t appear any agency is verifying if companies on another list should be added to their list).

H.R. 5245, the Science and Technology Agreement Enhanced Congressional Notification Act of 2023 (Rep. Barr)

- 🏛️ Requires certain congressional notification prior to entering into, renewing, or extending a science and technology agreement with the People’s Republic of China.

H.R. 6606, To amend the Export Control Reform Act of 2018 relating to the statement of policy (Rep. Radewagen)

- 🏛️ Adds protection U.S. trade secrets that are subject to export controls or subject to economic espionage to the list of responsibilities of U.S. export control agencies.

H.R. 1456, the Stopping Communist Regimes from Engaging in Edits Now (SCREEN) Act (Rep. Green)

- 🏛️ Restricts the federal government from providing certain types of support to U.S. companies that make films with alterations or content conditions imposed by the Chinese Communist Party.



H.R. 1103, the Hong Kong Economic and Trade Office Certification Act (Rep. Smith)

- 🏛️ Requires the President to periodically determine whether to allow the Hong Kong Economic and Trade Offices (HKETOs) to continue to operate in the United States.

H.R. 3012, To reauthorize the North Korean Human Rights Act of 2004 (Rep. Young Kim)

- 🏛️ Reauthorizes various activities to promote human rights in North Korea, and also ensures any aid to North Korea does not get used for military purposes.

H.Res. 837, Reaffirming ties between the United States and the Philippines (Rep. Moylan)

- 🏛️ Reaffirms the U.S.' commitment to the Philippines, condemns the PRC's actions in the South China Sea, and calls for strengthened military cooperation between the U.S. and the Philippines.

H.R. 8924, the Protecting American Innovation and Development Act (PAID Act) (Rep. Kim)

- 🏛️ Expands BIS authority to identify and report on foreign adversary entities using intellectual property related to emerging technology without a license. (Currently, the PRC circumnavigates U.S. export controls through an array of avenues, including intellectual property theft.)

H.R. 8892, the Missile Technology Controls Revision Act (MTCR Act) (Rep. Huizenga)

- 🏛️ Removes the statutory requirements to exclude the Military Technology Control Regime's covered technology from any bilateral defense trade exemption. This will make it easier for the U.S., U.K., and Australia to collaborate on AUKUS Pillar 2 advanced capabilities such as hypersonics, drones, and commercial space endeavors.

H.R. 1425, the No WHO Pandemic Preparedness Treaty Without Senate Approval Act (Rep. Tiffany)

- 🏛️ Establishes any convention or agreement on pandemic-related issues reached by the World Health Assembly would be classified as a treaty requiring the advice and consent of the Senate.