

117TH CONGRESS
2D SESSION

S. 5037

To prohibit funding for the Montreal Protocol on Substances that Deplete the Ozone Layer until China is no longer defined a developing country.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2022

Mr. BARRASSO (for himself, Mr. LEE, Mr. SULLIVAN, Mr. CRUZ, Mr. JOHNSON, Mr. SCOTT of South Carolina, Mr. INHOFE, and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To prohibit funding for the Montreal Protocol on Substances that Deplete the Ozone Layer until China is no longer defined a developing country.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ending China’s Unfair
5 Advantage Act of 2022”.

1 **SEC. 2. PROHIBITION ON USE OF FUNDS FOR THE MON-**
 2 **TREAL PROTOCOL ON SUBSTANCES THAT DE-**
 3 **plete the ozone layer until China is**
 4 **no longer defined a developing coun-**
 5 **try.**

6 (a) IN GENERAL.—Notwithstanding any other provi-
 7 sion of law, no Federal funds may be obligated or ex-
 8 pended to implement the Montreal Protocol until the
 9 President certifies to the appropriate congressional com-
 10 mittees that the Parties to the Montreal Protocol have
 11 amended their Decision I/12E, “Clarification of terms and
 12 definitions: developing countries,” made at the First Meet-
 13 ing of the Parties to remove the People’s Republic of
 14 China.

15 (b) DEFINITIONS.—In this section:

16 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 17 TEES.—The term “appropriate congressional com-
 18 mittees” means—

19 (A) the Committee on Foreign Relations
 20 and the Committee on Appropriations of the
 21 Senate; and

22 (B) the Committee on Foreign Affairs and
 23 the Committee on Appropriations of the House
 24 of Representatives.

25 (2) MONTREAL PROTOCOL.—The term “Mon-
 26 treal Protocol” means the Montreal Protocol on Sub-

- 1 stances that Deplete the Ozone Layer, done at Mon-
- 2 treal September 16, 1987.

