

Air Marshal Service for nearly 19 years and spent an additional 13 years serving in the U.S. Air Force.

Based out of the Las Vegas field office, he dedicated his life to protecting passengers and crew from threats to their safety in the skies.

Federal Air Marshal Hennessee passed away on August 26, 2021, from complications as a result of contracting COVID in the line of duty.

Police Officer Edward Contreras served the Las Vegas Metropolitan Police Department for over 15 years, in addition to his service in the U.S. Marine Corps where he was deployed to both Somalia and Iraq.

Officer Contreras passed away on September 28, 2021, from complications as a result of contracting COVID in the line of duty.

Special U.S. Deputy Marshal Jose Gomez was a United States Marine Corps Reserve veteran who served with the United States Marshals Service for 22 years.

While serving at the Lloyd D. George Courthouse in Las Vegas, Special Deputy Gomez contracted COVID-19 in the line of duty and passed away on February 6, 2022.

This was a cruel disease that took away many of our very brave frontline law enforcement and emergency responders.

Detective Justin Terry humbly served in the Las Vegas Metropolitan Police Department for nearly 21 years and was committed to protecting children in the community from sexual assault and abuse.

A sworn task force officer with the U.S. Marshals Office, Detective Terry passed away on June 10, 2022, after a tragic accident in the northwest valley.

Police Officer Truong Thai was proud to be a Vietnamese-American officer in Las Vegas. A 23-year veteran of the Las Vegas Metropolitan Police Department, he dedicated his time on patrol and served in the financial crimes unit and mentored countless new recruits.

On October 13, 2022, Officer Thai was shot and killed while responding to a domestic disturbance call.

My condolences are with the families and loved ones of these brave public servants and all of those who are mourning the loss of the 557 courageous men and women whose duty and sacrifice will be commemorated at this year's memorial.

I urge the House to join me in supporting this tribute to our fallen law officers. It is the least that we can do.

Mr. Speaker, I will close by saying that this is a very fitting thing for us to do here on the Capitol Grounds, and I hope that all our colleagues will join Mr. PERRY and me in voting in favor of this memorial service.

Mr. Speaker, I yield back the balance of my time.

Mr. PERRY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, I reiterate not only my support but my thanks to

the gentlewoman from Nevada for her support of H. Con. Res. 15. And most importantly, for my thanks and support for the men and women who put their lives on the line each day to protect our communities and families.

Mr. Speaker, I urge support of this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PERRY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 15.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

STOP FORCED ORGAN HARVESTING ACT OF 2023

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1154) to combat forced organ harvesting and trafficking in persons for purposes of the removal of organs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1154

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stop Forced Organ Harvesting Act of 2023".

SEC. 2. STATEMENT OF POLICY.

It shall be the policy of the United States—

(1) to combat international trafficking in persons for purposes of the removal of organs;

(2) to promote the establishment of voluntary organ donation systems with effective enforcement mechanisms in bilateral diplomatic meetings and in international health forums;

(3) to promote the dignity and security of human life in accordance with the Universal Declaration of Human Rights, adopted on December 10, 1948; and

(4) to hold accountable persons implicated, including members of the Chinese Communist Party, in forced organ harvesting and trafficking in persons for purposes of the removal of organs.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Foreign Relations and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives.

(2) FORCED ORGAN HARVESTING.—The term "forced organ harvesting" means the removal of one or more organs from a person by means of coercion, abduction, deception, fraud, or abuse of power or a position of vulnerability.

(3) ORGAN.—The term "organ" has the meaning given the term "human organ" in section 301(c)(1) of the National Organ Transplant Act (42 U.S.C. 274e(c)(1)).

(4) TRAFFICKING IN PERSONS FOR PURPOSES OF THE REMOVAL OF ORGANS.—The term "traf-

ficking in persons for purposes of the removal of organs" means the recruitment, transportation, transfer, harboring, or receipt of a person for the purpose of removing one or more of such person's organs, by means of—

(A) coercion;

(B) abduction;

(C) deception;

(D) fraud;

(E) abuse of power or a position of vulnerability; or

(F) transfer of payments or benefits to achieve the consent of a person having control over a person described in the matter preceding subparagraph (A).

SEC. 4. AUTHORITY TO DENY OR REVOKE PASSPORTS.

(a) IN GENERAL.—The Secretary of State may refuse to issue a passport to any individual who has been convicted of an offense under section 301 of the National Organ Transplant Act (42 U.S.C. 274e) and is subject to imprisonment or parole or other supervised release as the result of such conviction if such individual, in the commission of such an offense, used a passport or crossed an international border.

(b) REVOCATION.—The Secretary of State may revoke a passport previously issued to any individual described in subsection (a).

SEC. 5. REPORTS ON FORCED ORGAN HARVESTING AND TRAFFICKING IN PERSONS FOR PURPOSES OF THE REMOVAL OF ORGANS IN FOREIGN COUNTRIES.

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116 (22 U.S.C. 2151n), by adding at the end the following:

"(h) FORCED ORGAN HARVESTING AND TRAFFICKING IN PERSONS FOR PURPOSES OF THE REMOVAL OF ORGANS.—

"(1) IN GENERAL.—The report required by subsection (d) shall include an assessment of forced organ harvesting and trafficking in persons for purposes of the removal of organs in each foreign country.

"(2) DEFINITIONS.—In this subsection:

"(A) FORCED ORGAN HARVESTING.—The term 'forced organ harvesting' means the removal of one or more organs from a person by means of coercion, abduction, deception, fraud, or abuse of power or a position of vulnerability.

"(B) ORGAN.—The term 'organ' has the meaning given the term 'human organ' in section 301(c)(1) of the National Organ Transplant Act (42 U.S.C. 274e(c)(1)).

"(C) TRAFFICKING IN PERSONS FOR PURPOSES OF THE REMOVAL OF ORGANS.—The term 'trafficking in persons for purposes of the removal of organs' means the recruitment, transportation, transfer, harboring, or receipt of a person for the purpose of removing one or more of such person's organs, by means of—

"(i) coercion;

"(ii) abduction;

"(iii) deception;

"(iv) fraud;

"(v) abuse of power or a position of vulnerability; or

"(vi) transfer of payments or benefits to achieve the consent of a person having control over a person described in the matter preceding clause (i)."; and

(2) in section 502B (22 U.S.C. 2304)—

(A) by redesignating the second subsection (i) (relating to child marriage status) as subsection (j); and

(B) by adding at the end the following:

"(k) FORCED ORGAN HARVESTING AND TRAFFICKING IN PERSONS FOR PURPOSES OF THE REMOVAL OF ORGANS.—

"(1) IN GENERAL.—The report required by subsection (b) shall include an assessment of forced organ harvesting and trafficking in

persons for purposes of the removal of organs in each foreign country.

“(2) DEFINITIONS.—In this subsection, the terms ‘forced organ harvesting’, ‘organ’, and ‘trafficking in persons for purposes of the removal of organs’ have the meanings given those terms in section 116(h)(2).”.

SEC. 6. IMPOSITION OF SANCTIONS WITH RESPECT TO FORCED ORGAN HARVESTING OR TRAFFICKING IN PERSONS FOR PURPOSES OF THE REMOVAL OF ORGANS.

(a) LIST REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a list of each person that the President determines funds, sponsors, or otherwise facilitates forced organ harvesting or trafficking in persons for purposes of the removal of organs.

(b) IMPOSITION OF SANCTIONS.—The President shall impose the following sanctions with respect to a person on the list required by subsection (a):

(1) PROPERTY BLOCKING.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to block and prohibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—In the case of an individual, that individual is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of the individual shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the individual's possession.

(c) EXCEPTIONS.—

(1) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authorities and requirements to impose sanctions under subsection (b)(1) shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS.—Subsection (b)(2) shall not apply to the admission of an individual if the admission of the individual is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other applicable international agreements or treaties.

(3) EXCEPTION RELATING TO THE PROVISION OF HUMANITARIAN ASSISTANCE.—Sanctions under this section may not be imposed with respect to transactions or the facilitation of transactions for—

(A) the sale of agricultural commodities, food, or medicine;

(B) the provision of vital humanitarian assistance;

(C) financial transactions relating to vital humanitarian assistance or for vital humanitarian purposes; or

(D) transporting goods or services that are necessary to carry out operations relating to vital humanitarian assistance.

(4) WAIVER.—The President may, on a case-by-case basis and for periods not to exceed 180 days each, waive the application of sanctions or restrictions imposed with respect to a person under this section if the President certifies to the appropriate committees of Congress not later than 15 days before such waiver is to take effect that the waiver is vital to the national security interests of the United States.

(d) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) DEFINITIONS.—In this section—

(1) the term “person”—

(A) means an individual or entity; and

(B) includes a non-state actor (as such term is defined in Public Law 114-281); and

(2) the term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Pennsylvania (Ms. WILD) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, every year under General Secretary Xi Jinping and his Chinese Communist Party, between 60,000 to 100,000 young victims, average age 28, are murdered in cold blood to steal their organs.

These crimes against humanity are unimaginably cruel. Ethnic groups tar-

geted for this mass harvesting include Uyghurs who suffer from Xi Jinping's ongoing genocide and the Falun Gong, whose peaceful meditation and exercise practices and exceptional good health make their organs highly desirable.

The Chinese Communist Party has declared them to be an evil cult fit for butchering.

Mr. Speaker, in May of last year, I chaired an absolutely chilling congressional hearing at the Tom Lantos Human Rights Commission titled “Forced Organ Harvesting in China: Examining the Evidence.”

The China Tribunal, chaired by Sir Geoffrey Nice—and this is the man who prosecuted Slobodan Milosevic at the International Criminal Tribunal for the former Yugoslavia, a tribunal that I worked very hard on and was very supportive of, as were other Members of this body—conducted the world's first independent legal analysis of forced organ harvesting from prisoners of conscience in China.

Sir Geoffrey Nice testified at my hearing and said, “Forced organ harvesting has been committed for years throughout China on a significant scale,” and he said that “. . . Falun Gong practitioners have been one—and probably the main—source of organ supply.”

He said the Falun Gong and the Uyghurs in the PRC each qualify as a “group” for purposes of the crime of genocide.

Ethan Gutmann, Senior Research Fellow in China Studies, Victims of Communism Memorial Foundation, testified that the Kilgour-Matass-Gutmann report of 2016 estimated China's total transplant volume—this is forced transplantations—at 60,000 to 100,000 annually.

Mr. Gutmann also pointed out “. . . at any given time since 2017, there are approximately a million Uyghurs, Kazakhs, Kyrgyz and Hui in the camps.” These are the concentration camps, of course, made up mostly of Muslims.

□ 1715

He said his estimate is that 25,000 to 50,000 camp detainees are being harvested every year. Again, he says 28-year-olds from the Xinjiang camps can be harvested for two or three organs each, translating into a maximum of about 150,000 organs.

Another expert witness who testified at our hearing, Matthew Robertson of the Australian National University, co-authored with Dr. Jacob Lavee an examination of Chinese medical journal articles and found that “71 papers gave explicit descriptions of surgeons appearing to violate the dead donor rule while procuring hearts from prisoners. In plain language, the papers appear to show that the donors, who were prisoners, were alive at the time of surgery and were killed by transplant surgeons in the process of heart extraction.”

Their work, published last April in a top peer-reviewed U.S. medical journal,

"The American Journal of Transplantation" provided additional evidence of the People's Republic of China's egregious practices and violation of international standards. These are, again, crimes against humanity.

Robert Destro, the former Assistant Secretary of State for Democracy, Human Rights, and Labor testified that, "The size and scope of the organ harvesting and organ trafficking market are staggering."

Mr. Speaker, we also know through open-source Chinese language media that elderly, high-ranking Chinese Communist Party officials have received replacement organs from the very people they despise, like the Falun Gong, like the Uyghurs. There is one particular hospital, Army Hospital 301 in Beijing, that excels at this.

While this still shocks me, and I know it shocks my colleagues, I cannot say it surprises me.

Almost 25 years ago, I chaired a hearing. Doug Anderson, who is sitting right here, was a part of that hearing as the top staff on the committee. I chaired a human rights hearing with a Chinese security officer who testified that he and other security agents were executing patients with the doctors right there with ambulances ready to harvest their organs after the bullets were fired.

Indeed, at last year's hearing, we produced a doctor who testified that he had performed one such surgery on a victim—he was forced to, he claimed—a botched execution who as he began cutting discovered that the victim was in a state of shock—he wasn't dead yet—a live vivisection on a living human being. He has nightmares to this day.

To combat these heinous and inhumane practices, the Stop Forced Organ Harvesting Act of 2023, a bipartisan piece of legislation, amends the Foreign Assistance Act of 1961 to require reports on forced organ harvesting and trafficking in persons for purposes of the removal of organs in foreign countries, including and especially in China; and the imposition of serious sanctions on any person the President determines funds, sponsors or otherwise facilitates forced organ harvesting or trafficking for purposes of the removal of organs.

What does that mean? It means civil penalties up to \$250,000 and criminal penalties including a fine of up to \$1 million and imprisonment for not more than 20 years or both. So we are serious about sanctioning this egregious practice.

Sanctions also include blocking and prohibiting all transactions in property and interests in property and making such persons inadmissible to the United States and ineligible to receive a visa.

State-sponsored forced organ harvesting is big business for Xi Jinping and the Chinese Communist Party and shows absolutely no signs of abating, which is why we and the rest of the

world need to step up, particularly the democracies of this world.

We must act, and we must act decisively.

I thank Chairman MCCAUL for his cosponsorship and his tremendous leadership on this bill, as well as Ranking Member MEEKS for his strong support. I also thank our Democratic cosponsor, BILL KEATING, as well as KATHY MANNING, for their strong support and cosponsorship of this legislation. I extend a very special thanks to Mary Vigil; Janice Kaguyutan, who is sitting over here on my right on the Democrat side; Piero Tozzi, who is the staff director for the China Commission of which I am the chairman; and Doug Anderson, who has done a wonderful job throughout all of this; and Mary McDermott Noonan, my chief of staff, all who have worked so diligently in such a cooperative and bipartisan way to bring this piece of legislation to the floor.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, March 17, 2023.

Hon. JIM JORDAN,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN JORDAN: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 1154, the "Stop Forced Organ Harvesting Act of 2023," so that the measure may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on this bill into the Congressional Record during floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, March 15, 2023.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Foreign Affairs,
House of Representatives, Washington, DC.

DEAR CHAIRMAN MCCAUL: I write regarding H.R. 1154, the "Stop Forced Organ Harvesting Act of 2023." Provisions of this bill fall within the Judiciary Committee's Rule X jurisdiction, and I appreciate that you consulted with us on those provisions. The Judiciary Committee agrees that it shall be discharged from further consideration of the bill so that it may proceed expeditiously to the House floor.

The Committee takes this action with the understanding that forgoing further consideration of this measure does not in any way alter the Committee's jurisdiction or waive any future jurisdictional claim over these provisions or their subject matter. We also reserve the right to seek appointment of an appropriate number of conferees in the event of a conference with the Senate involving this measure or similar legislation.

I ask that you please insert this letter in the Congressional Record during consideration of H.R. 1154 on the House floor. I appreciate the cooperative manner in which our committees have worked on this matter, and I look forward to working collaboratively in the future on matters of shared jurisdiction. Thank you for your attention to this matter.

Sincerely,

JIM JORDAN,
Chairman.

Ms. WILD. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 1154.

This is a measure authored by Representative CHRIS SMITH, who is the chairman of the Foreign Affairs Subcommittee on Global Health, Global Human Rights, and International Organizations of which I am the ranking member. He has been a long-time leader in this body on human rights challenges, and I am glad to be supporting this measure today. I look forward to continuing to work with Representative SMITH to address many important global human rights challenges in the coming months on our subcommittee.

I also thank Representative KEATING, the Democratic co-lead of this measure, for working across the aisle to refine this bill and make it bipartisan.

According to the State Department's 2022 Country Reports on Human Rights Practices, there have been troubling reports regarding the PRC "forcibly harvesting organs from prisoners of conscience, including religious and spiritual adherents."

This is beyond the pale and absolutely unacceptable. It is important, therefore, that the State Department look more deeply into this issue.

H.R. 1154 shines a light on this horrible practice and calls on the State Department to make its annual reporting on the issue more robust and in depth. Not only does it call for more regular assessments of the problem, it also imposes sanctions on individuals that are involved in forced organ harvesting and trafficking.

This legislation will make sure that the United States is carefully gathering all of the facts to make an informed assessment regarding the magnitude and prevalence of this problem.

We should never look away from injustice and repression wherever it takes place. In that spirit, I support this legislation, and I urge all of my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I reserve the balance of my time.

Ms. WILD. Mr. Speaker, I yield myself such time as I may consume for the purpose of closing.

Mr. Speaker, H.R. 1154 is an important, bipartisan measure. We know that organ harvesting has been a problem in China. We also know that PRC officials in Xinjiang have collected biometric data from Uyghur and other ethnic minority detainees. Given the ongoing genocide in Xinjiang, we simply cannot take Beijing at its word

about what it is and is not doing. We need to investigate, and we need to verify.

H.R. 1154 does just that. It calls on the State Department to provide important information to Congress, to the American public, as well as to the world about the scope of organ harvesting and trafficking around the world so that we may respond appropriately.

Mr. Speaker, I urge my colleagues to support this measure, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume for the purpose of closing.

I thank Ms. WILD for her strong support and for her wonderful and strong remarks today in favor of this bipartisan legislation.

I do believe that we are really at a point now where if not us, who? We need to speak, and we need to speak boldly. This legislation, again, was crafted across the aisle. We have worked very closely together on it. I believe this legislation will make a huge difference.

Not so long ago I was in the intensive care unit. I am fine now, but when I was lying there, I kept thinking about this bill and some poor 28-year-old in the People's Republic of China who is not there being treated in a benign way by doctors and nurses but is being strapped down—not always anesthetized sufficiently—to steal their organs and to kill them.

It is happening—as I indicated earlier, and this is a very reliable number—between 60 to 100,000 times against 60 to 100,000 20-year-olds each and every year.

This is Nazi-like.

Xi Jinping needs to be held accountable. The fact that he and the high officials of the Chinese Communist Party are benefiting not just with unbelievable amounts of money for the Chinese Communist Party and for them personally, but also, if they need any organ, they turn to the very people that they hate, especially Falun Gong and Muslim Uyghurs, in order to procure their organs.

This must get strong support from this body, strong support from the Senate, and I believe it will be signed by the President if we can get it to his desk.

We need to make a difference.

Again, I urge Members to vote “yes,” and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 1154.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PRC IS NOT A DEVELOPING COUNTRY ACT

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1107) to direct the Secretary of State to take certain actions with respect to the labeling of the People's Republic of China as a developing country, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1107

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “PRC Is Not a Developing Country Act”.

SEC. 2. STATEMENT OF POLICY.

It should be the policy of the United States—

(1) to oppose the labeling or treatment of the People's Republic of China as a developing country in any treaty or other international agreement to which the United States is a party;

(2) to oppose the labeling or treatment of the People's Republic of China as a developing country in each international organization of which the United States is a member; and

(3) to pursue the labeling or treatment of the People's Republic of China as an upper middle income country, high income country, or developed country in each international organization of which the United States is a member.

SEC. 3. REPORT.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report identifying all current treaty negotiations in which—

(1) the proposed treaty develops different standards for the enforcement of the treaty based on the development status of the member states of the treaty; and

(2) the People's Republic of China is under consideration for becoming a party to the treaty.

SEC. 4. MECHANISMS FOR CHANGING THE DEVELOPMENT STATUS OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—In any international organization of which the United States and the People's Republic of China are both current member states, the Secretary, in coordination with the heads of other Federal agencies and departments as needed, shall pursue—

(1) changing the status of the People's Republic of China from developing country to upper middle income country, high income country, or developed country if a mechanism exists in such organization to make such a change in status;

(2) proposing the development of a mechanism described in paragraph (1) to change the status of the People's Republic of China in such organization from developing country to developed country; or

(3) regardless of efforts made pursuant to paragraphs (1) and (2), working to ensure that the People's Republic of China does not receive preferential treatment or assistance within the organization as a result of it having the status of a developing country.

(b) WAIVER.—The President may waive the application of subsection (a) with respect to any international organization if the President notifies the appropriate committees of Congress, not later than 10 days before the date on which the waiver shall take effect, that such a waiver is in the national interests of the United States.

SEC. 5. DEFINITIONS.

In this Act:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Foreign Affairs and the Committee on Ways and Means of the House of Representatives; and

(B) the Committee on Foreign Relations of the Senate.

(2) SECRETARY.—The term “Secretary” means the Secretary of State.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentlewoman from Pennsylvania (Ms. WILD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Mrs. KIM), who chairs the Foreign Affairs Subcommittee on Indo-Pacific and is the author of this important legislation.

Mrs. KIM of California. Mr. Speaker, I thank Congressman CHRIS SMITH for yielding me the time.

I rise in strong support of H.R. 1107, the PRC Is Not a Developing Country Act. This is a bipartisan bill I introduced with my colleague GERRY CONNOLLY to address the People's Republic of China's exploitation of its status as a developing country in treaties and in international organizations.

The People's Republic of China is the world's second largest economy, accounting for 18.6 percent of the global economy. Their economy size is second only to the United States. The United States is treated as a developed country, and so should the PRC. The United States is also treated as a high-income country in treaties and international organizations, so China should also be treated as a developed country.

However, the PRC is still classified as a developing country, and they are using this status to game the system and hurt countries that are truly in need.

The PRC exploits their developing country status by applying for development assistance and loans from international organizations, despite spending trillions on infrastructure projects in developing countries as part of the debt trap diplomacy scheme known as the Belt and Road Initiative. In fact,