

118TH CONGRESS
1ST SESSION

H. R. 1107

IN THE SENATE OF THE UNITED STATES

MARCH 28, 2023

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

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.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “PRC Is Not a Devel-
3 oping Country Act”.

4 **SEC. 2. STATEMENT OF POLICY.**

5 It should be the policy of the United States—

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

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

14 (3) to pursue the labeling or treatment of the
15 People’s Republic of China as an upper middle in-
16 come country, high income country, or developed
17 country in each international organization of which
18 the United States is a member.

19 **SEC. 3. REPORT.**

20 Not later than 180 days after the date of the enact-
21 ment of this Act, the Secretary shall submit to the appro-
22 priate committees of Congress a report identifying all cur-
23 rent treaty negotiations in which—

24 (1) the proposed treaty develops different
25 standards for the enforcement of the treaty based on

1 the development status of the member states of the
2 treaty; and

3 (2) the People's Republic of China is under con-
4 sideration for becoming a party to the treaty.

5 **SEC. 4. MECHANISMS FOR CHANGING THE DEVELOPMENT**
6 **STATUS OF THE PEOPLE'S REPUBLIC OF**
7 **CHINA.**

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

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

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

22 (3) regardless of efforts made pursuant to para-
23 graphs (1) and (2), working to ensure that the Peo-
24 ple's Republic of China does not receive preferential
25 treatment or assistance within the organization as a

1 result of it having the status of a developing coun-
2 try.

3 (b) WAIVER.—The President may waive the applica-
4 tion of subsection (a) with respect to any international or-
5 ganization if the President notifies the appropriate com-
6 mittees of Congress, not later than 10 days before the date
7 on which the waiver shall take effect, that such a waiver
8 is in the national interests of the United States.

9 **SEC. 5. DEFINITIONS.**

10 In this Act:

11 (1) APPROPRIATE COMMITTEES OF CON-
12 GRESS.—The term “appropriate committees of Con-
13 gress” means—

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

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

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

Passed the House of Representatives March 27,
2023.

Attest: CHERYL L. JOHNSON,
Clerk.