

118TH CONGRESS
1ST SESSION

S. 2545

To require the United States Trade Representative to regularly monitor industrial subsidies provided by the Government of the People’s Republic of China and submit a report on the risks posed by those subsidies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 26, 2023

Ms. HASSAN (for herself and Mr. CASSIDY) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To require the United States Trade Representative to regularly monitor industrial subsidies provided by the Government of the People’s Republic of China and submit a report on the risks posed by those subsidies, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthen American
5 Competitiveness Against Harmful Subsidies Act of 2023”.

1 **SEC. 2. MONITORING BY UNITED STATES TRADE REP-**
2 **RESENTATIVE OF INDUSTRIAL SUBSIDIES**
3 **PROVIDED BY GOVERNMENT OF PEOPLE'S**
4 **REPUBLIC OF CHINA.**

5 (a) MONITORING.—The United States Trade Rep-
6 resentative, in coordination with the entities specified in
7 subsection (b), shall regularly monitor—

8 (1) industrial subsidies provided by the Govern-
9 ment of the People's Republic of China; and

10 (2) plans by the Government of the People's
11 Republic of China to implement new industrial sub-
12 sidies or expand existing industrial subsidies.

13 (b) ENTITIES SPECIFIED.—The entities specified in
14 this subsection are the following:

15 (1) The Bureau of Economics and Business Af-
16 fairs of the Department of State.

17 (2) The United States and Foreign Commercial
18 Service of the Department of Commerce (established
19 by section 2301 of the Export Enhancement Act of
20 1988 (15 U.S.C. 4721)).

21 (3) The International Trade Administration of
22 the Department of Commerce (other than the
23 United States and Foreign Commercial Service).

24 (4) The Foreign Agricultural Service of the De-
25 partment of Agriculture.

26 (5) The Small Business Administration.

1 (6) Any other department or agency of the Fed-
 2 eral Government, as determined by the President.

3 **SEC. 3. REPORTING BY UNITED STATES TRADE REP-**
 4 **RESENTATIVE ON RISKS POSED BY INDUS-**
 5 **TRIAL SUBSIDIES PROVIDED BY GOVERN-**
 6 **MENT OF PEOPLE’S REPUBLIC OF CHINA.**

7 (a) REPORTING.—Not later than one year after the
 8 date of the enactment of this Act, and annually thereafter,
 9 the United States Trade Representative, in coordination
 10 with the entities specified in subsection (b), shall submit
 11 to the Committee on Finance of the Senate and the Com-
 12 mittee on Ways and Means of the House of Representa-
 13 tives a report that—

14 (1) identifies current and expected industrial
 15 subsidies provided by the Government of the Peo-
 16 ple’s Republic of China that pose significant risk
 17 to—

18 (A) employment in the United States, in-
 19 cluding employment in strategically critical in-
 20 dustries; and

21 (B) manufacturing in the United States,
 22 including production of strategically critical
 23 goods; and

1 (2) recommends legislative, administrative, or
2 other actions that could mitigate the risks posed by
3 industrial subsidies identified in paragraph (1).

4 (b) ENTITIES SPECIFIED.—The entities specified in
5 this subsection are the following:

6 (1) The Bureau of Economics and Business Af-
7 fairs of the Department of State.

8 (2) The United States Agency for International
9 Development.

10 (3) The United States and Foreign Commercial
11 Service of the Department of Commerce (established
12 by section 2301 of the Export Enhancement Act of
13 1988 (15 U.S.C. 4721)).

14 (4) The Industry and Analysis unit and the En-
15 forcement and Compliance unit of the International
16 Trade Administration of the Department of Com-
17 merce.

18 (5) The Bureau of Industry and Security of the
19 Department of Commerce.

20 (6) The Small Business Administration.

21 (7) The Department of Labor.

22 (8) The Department of Transportation.

23 (9) The Department of Energy.

1 (10) Any other department or agency of the
2 Federal Government, as determined by the Presi-
3 dent.

4 (c) DEFINITIONS.—In this section:

5 (1) CRITICAL INFRASTRUCTURE.—The term
6 “critical infrastructure” has the meaning given that
7 term in the Critical Infrastructures Protection Act
8 of 2001 (42 U.S.C. 5195c).

9 (2) KEY TECHNOLOGY FOCUS AREAS.—The
10 term “key technology focus areas” means the key
11 technology focus areas included in the list required
12 under section 10387(a)(2) of the Research and De-
13 velopment, Competition, and Innovation Act (42
14 U.S.C. 19107(a)(2)).

15 (3) STRATEGICALLY CRITICAL GOOD.—The
16 term “strategically critical good” means any raw, in
17 process, or manufactured material (including any
18 mineral, metal, or advanced processed material), ar-
19 ticle, commodity, supply, product, or item of supply
20 the absence of which would have a significant effect
21 on—

22 (A) the national security or economic secu-
23 rity of the United States; and

24 (B) critical infrastructure.

1 (4) STRATEGICALLY CRITICAL INDUSTRY.—The
2 term “strategically critical industry” means an in-
3 dustry that is critical for the national security or
4 economic security of the United States, considering
5 key technology focus areas and critical infrastruc-
6 ture.

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