

would be used to determine the programs and activities that should be assisted by the Trust Fund.

**(b) GAO report on Trust Fund effectiveness**

Not later than 2 years after August 19, 2000, the Comptroller General of the United States shall submit to the appropriate committees of the Congress a report evaluating the effectiveness of the Trust Fund, including—

- (1) the effectiveness of the programs, projects, and activities described in subsection (a)(2)(B) in reducing the worldwide spread of AIDS; and
- (2) an assessment of the merits of continued United States financial contributions to the Trust Fund.

**(c) Appropriate committees defined**

In subsection (a), the term “appropriate committees” means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations, the Committee on Banking and Financial Services, and the Committee on Appropriations of the House of Representatives.

(Pub. L. 106-264, title I, §131, Aug. 19, 2000, 114 Stat. 757.)

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

Committee on Banking and Financial Services of House of Representatives abolished and replaced by Committee on Financial Services of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred from Committee on Energy and Commerce of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

PART C—UNITED STATES FINANCIAL PARTICIPATION

**§ 6841. Authorization of appropriations**

**(a) In general**

In addition to any other funds authorized to be appropriated for multilateral or bilateral programs related to HIV/AIDS or economic development, there is authorized to be appropriated to the Secretary of the Treasury \$150,000,000 for each of the fiscal years 2001 and 2002 for payment to the Trust Fund.

**(b) Allocation of funds**

Of the amounts authorized to be appropriated by subsection (a) for the fiscal years 2001 and 2002, \$50,000,000 are authorized to be available each such fiscal year only for programs that benefit orphans.

(Pub. L. 106-264, title I, §141, Aug. 19, 2000, 114 Stat. 758.)

**§ 6842. Certification requirement**

**(a) In general**

Prior to the initial obligation or expenditure of funds appropriated pursuant to section 6841 of this title, the Secretary of the Treasury shall certify that adequate procedures and standards

have been established to ensure accountability for and monitoring of the use of funds contributed to the Trust Fund, including the cost of administering the Trust Fund.

**(b) Transmittal of certification**

The certification required by subsection (a), and the bases for that certification, shall be submitted by the Secretary of the Treasury to Congress.

(Pub. L. 106-264, title I, §142, Aug. 19, 2000, 114 Stat. 758.)

**CHAPTER 77—UNITED STATES-CHINA RELATIONS**

SUBCHAPTER I—GENERAL PROVISIONS

- Sec. 6901. Findings.
- 6902. Policy.
- 6903. Definitions.

SUBCHAPTER II—CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE’S REPUBLIC OF CHINA

- 6911. Establishment of Congressional-Executive Commission on the People’s Republic of China.
- 6912. Functions of the Commission.
- 6913. Membership of the Commission.
- 6914. Votes of the Commission.
- 6915. Expenditure of appropriations.
- 6916. Testimony of witnesses, production of evidence; issuance of subpoenas; administration of oaths.
- 6917. Appropriations for the Commission.
- 6918. Staff of the Commission.
- 6919. Printing and binding costs.

SUBCHAPTER III—MONITORING AND ENFORCEMENT OF THE PEOPLE’S REPUBLIC OF CHINA’S WTO COMMITMENTS

PART A—REVIEW OF MEMBERSHIP OF THE PEOPLE’S REPUBLIC OF CHINA IN THE WTO

- 6931. Review within the WTO.

PART B—AUTHORIZATION TO PROMOTE COMPLIANCE WITH TRADE AGREEMENTS

- 6941. Findings.
- 6942. Purpose.
- 6943. Authorization of appropriations.

PART C—REPORT ON COMPLIANCE BY THE PEOPLE’S REPUBLIC OF CHINA WITH WTO OBLIGATIONS.

- 6951. Report on compliance.

SUBCHAPTER IV—TRADE AND RULE OF LAW ISSUES IN THE PEOPLE’S REPUBLIC OF CHINA

PART A—TASK FORCE ON PROHIBITION OF IMPORTATION OF PRODUCTS OF FORCED OR PRISON LABOR FROM THE PEOPLE’S REPUBLIC OF CHINA

- 6961. Establishment of Task Force.
- 6962. Functions of Task Force.
- 6963. Composition of Task Force.
- 6964. Authorization of appropriations.
- 6965. Reports to Congress.

PART B—ASSISTANCE TO DEVELOP COMMERCIAL AND LABOR RULE OF LAW

- 6981. Establishment of technical assistance and rule of law programs.
- 6982. Administrative authorities.
- 6983. Prohibition relating to human rights abuses.
- 6984. Authorization of appropriations.

SUBCHAPTER V—ACCESSION OF TAIWAN TO THE WTO

- 6991. Accession of Taiwan to the WTO.

Sec.

## SUBCHAPTER VI—RELATED ISSUES

7001. Authorizations of appropriations for broadcasting capital improvements and international broadcasting operations.
7002. United States-China Economic and Security Review Commission.

## SUBCHAPTER I—GENERAL PROVISIONS

## § 6901. Findings

The Congress finds the following:

(1) In 1980, the United States opened trade relations with the People's Republic of China by entering into a bilateral trade agreement, which was approved by joint resolution enacted pursuant to section 2435(c) of title 19.

(2) Since 1980, the President has consistently extended nondiscriminatory treatment to products of the People's Republic of China, pursuant to his authority under section 2434 of title 19.

(3) Since 1980, the United States has entered into several additional trade-related agreements with the People's Republic of China, including a memorandum of understanding on market access in 1992, two agreements on intellectual property rights protection in 1992 and 1995, and an agreement on agricultural cooperation in 1999.

(4) Trade in goods between the People's Republic of China and the United States totaled almost \$95,000,000,000 in 1999, compared with approximately \$18,000,000,000 in 1989, representing growth of approximately 428 percent over 10 years.

(5) The United States merchandise trade deficit with the People's Republic of China has grown from approximately \$6,000,000,000 in 1989 to over \$68,000,000,000 in 1999, a growth of over 1,000 percent.

(6) The People's Republic of China currently restricts imports through relatively high tariffs and nontariff barriers, including import licensing, technology transfer, and local content requirements.

(7) United States businesses attempting to sell goods to markets in the People's Republic of China have complained of uneven application of tariffs, customs procedures, and other laws, rules, and administrative measures affecting their ability to sell their products in the Chinese market.

(8) On November 15, 1999, the United States and the People's Republic of China concluded a bilateral agreement concerning terms of the People's Republic of China's eventual accession to the World Trade Organization.

(9) The commitments that the People's Republic of China made in its November 15, 1999, agreement with the United States promise to eliminate or greatly reduce the principal barriers to trade with and investment in the People's Republic of China, if those commitments are effectively complied with and enforced.

(10) The record of the People's Republic of China in implementing trade-related commitments has been mixed. While the People's Republic of China has generally met the requirements of the 1992 market access memorandum of understanding and the 1992 and 1995 agree-

ments on intellectual property rights protection, other measures remain in place or have been put into place which tend to diminish the benefit to United States businesses, farmers, and workers from the People's Republic of China's implementation of those earlier commitments. Notably, administration of tariff-rate quotas and other trade-related laws remains opaque, new local content requirements have proliferated, restrictions on importation of animal and plant products are not always supported by sound science, and licensing requirements for importation and distribution of goods remain common. Finally, the Government of the People's Republic of China has failed to cooperate with the United States Customs Service in implementing a 1992 memorandum of understanding prohibiting trade in products made by prison labor.

(11) The human rights record of the People's Republic of China is a matter of very serious concern to the Congress. The Congress notes that the Department of State's 1999 Country Reports on Human Rights Practices for the People's Republic of China finds that "[t]he Government's poor human rights record deteriorated markedly throughout the year, as the Government intensified efforts to suppress dissent, particularly organized dissent."

(12) The Congress deplores violations by the Government of the People's Republic of China of human rights, religious freedoms, and worker rights that are referred to in the Department of State's 1999 Country Reports on Human Rights Practices for the People's Republic of China, including the banning of the Falun Gong spiritual movement, denial in many cases, particularly politically sensitive ones, of effective representation by counsel and public trials, extrajudicial killings and torture, forced abortion and sterilization, restriction of access to Tibet and Xinjiang, perpetuation of "reeducation through labor", denial of the right of workers to organize labor unions or bargain collectively with their employers, and failure to implement a 1992 memorandum of understanding prohibiting trade in products made by prison labor.

(Pub. L. 106-286, div. B, title II, §202, Oct. 10, 2000, 114 Stat. 892.)

## SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-7, div. P, §1, Feb. 20, 2003, 117 Stat. 552, provided that: "This division [amending section 7002 of this title and enacting provisions set out as notes under section 7002 of this title] may be cited as the 'United States-China Economic and Security Review Commission'."

## SHORT TITLE

Pub. L. 106-286, div. B, title II, §201(a), Oct. 10, 2000, 114 Stat. 891, provided that: "This division [enacting this chapter] may be cited as the 'U.S.-China Relations Act of 2000'."

## TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and