

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4832

To apply the column 2 duty rate to the products of the People's Republic of China, with certain provisions relating to worker rights and the environment.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 26, 1994

Ms. KAPTUR (for herself, Ms. PELOSI, Mr. SOLOMON, and Mrs. BENTLEY) introduced the following bill; which was referred jointly to the Committees on Ways and Means and Foreign Affairs

---

## A BILL

To apply the column 2 duty rate to the products of the People's Republic of China, with certain provisions relating to worker rights and the environment.

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 "Fair Standards in  
5 Trade Act".

6       **SEC. 2. PURPOSE.**

7       It is the purpose of this Act of offset inequities affect-  
8 ing United States trade with the People's Republic of  
9 China due to poor labor standards, undemocratic policies,

1 and lack of environmental standards in the People's Re-  
2 public of China.

3 **SEC. 3. TARIFF TREATMENT OF GOODS FROM CHINA.**

4 Notwithstanding any other provision of law, the rate  
5 of duty provided for in column 2 of the Harmonized Tariff  
6 Schedule of the United States shall apply to goods that  
7 are the growth, product, or manufacture of the People's  
8 Republic of China.

9 **SEC. 4. REDUCTION OF DUTIES COMMENSURATE WITH**  
10 **PROTECTION OF WORKER RIGHTS AND THE**  
11 **ENVIRONMENT.**

12 (a) IN GENERAL.—The President may by proclama-  
13 tion reduce the tariffs imposed by section 1 to the extent  
14 of, and in proportion to, the progress that the Government  
15 of the People's Republic of China has made towards—

16 (1) adopting and enforcing laws to provide ef-  
17 fective natural resource protection and achieving ef-  
18 fective pollution abatement and control standards to  
19 protect the air, water, and land, both domestically  
20 and internationally; and

21 (2) adhering to internationally recognized work-  
22 er rights.

23 (b) LIMITATION ON REDUCTIONS.—No reduction  
24 under subsection (a) may result in the imposition of a tar-

1 iff less than that imposed on products from other coun-  
2 tries that receive nondiscriminatory treatment.

3 **SEC. 5. USE OF INCREASED REVENUES.**

4       The revenues derived from tariffs imposed under this  
5 Act in excess of the revenues that would be derived from  
6 tariffs on goods from the People’s Republic of China but  
7 for the enactment of this Act shall be deposited in a sepa-  
8 rate account in the Treasury. Amounts in such account  
9 may be used to promote the export to the People’s Repub-  
10 lic of China, under authorities otherwise provided by law  
11 of goods and services produced in the United States, par-  
12 ticularly goods and services designed to promote protec-  
13 tion or conservation of the environment.

14 **SEC. 6. REPORTS TO CONGRESS.**

15       The President shall submit reports annually to the  
16 Congress on the progress the Government of China has  
17 made toward the goals set forth in section 3(a), and any  
18 tariff reductions implemented as a result of such progress.

19 **SEC. 7. DEFINITION.**

20       For purposes of this Act, the term “internationally  
21 recognized worker rights” includes—

- 22           (1) the right of association;
- 23           (2) the right to organize and bargain collec-
- 24           tively;

1           (3) a prohibition on the use of any form of  
2 forced or compulsory labor;

3           (4) provision for occupational safety and health  
4 for all workers; and

5           (5) acceptable minimum standards with respect  
6 to wages, hours of work, and the age at which chil-  
7 dren may be employed.

○