

114TH CONGRESS  
2D SESSION

# S. 2906

To amend the Tariff Act of 1930 to require congressional approval of determinations to revoke the designation of the People’s Republic of China as a nonmarket economy country for purposes of that Act.

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## IN THE SENATE OF THE UNITED STATES

MAY 9, 2016

Mr. FRANKEN (for himself, Ms. BALDWIN, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Tariff Act of 1930 to require congressional approval of determinations to revoke the designation of the People’s Republic of China as a nonmarket economy country for purposes of that Act.

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 “China Market Econ-  
5 omy Status Congressional Review Act”.

1 **SEC. 2. CONGRESSIONAL APPROVAL OF DETERMINATIONS**  
2 **TO REVOKE THE DESIGNATION OF THE PEO-**  
3 **PLE'S REPUBLIC OF CHINA AS A NONMARKET**  
4 **ECONOMY COUNTRY UNDER THE TARIFF ACT**  
5 **OF 1930.**

6 (a) IN GENERAL.—Section 771(18) of the Tariff Act  
7 of 1930 (19 U.S.C. 1677(18)) is amended—

8 (1) in subparagraph (C)(i), by striking “Any  
9 determination” and inserting “Except as provided in  
10 subparagraph (D), any determination”;

11 (2) by redesignating subparagraphs (D) and  
12 (E) as subparagraphs (E) and (F), respectively; and

13 (3) by inserting after subparagraph (C) the fol-  
14 lowing:

15 “(D) SPECIAL RULE WITH RESPECT TO  
16 THE PEOPLE’S REPUBLIC OF CHINA.—

17 “(i) IN GENERAL.—A determination  
18 made by the administering authority under  
19 subparagraph (A) that the People’s Repub-  
20 lic of China is a nonmarket economy coun-  
21 try may not be revoked under subpara-  
22 graph (C)(i) unless—

23 “(I) the administering authority  
24 determines and reports to Congress  
25 that the People’s Republic of China  
26 no longer meets the requirements of a

1 nonmarket economy country under  
2 this paragraph; and

3 “(II) Congress, within 45 days  
4 after receipt of a report under sub-  
5 clause (I), enacts a joint resolution  
6 the matter after the resolving clause  
7 of which is as follows: ‘That the deter-  
8 mination of the administering author-  
9 ity under section 771(18)(D)(i)(I) of  
10 the Tariff Act of 1930 pursuant to  
11 the report submitted to Congress on  
12 \_\_\_\_\_ is hereby approved.’, with the  
13 blank space being filled with the ap-  
14 propriate date.

15 “(ii) JOINT RESOLUTION DE-  
16 SCRIBED.—A joint resolution described in  
17 clause (i) and introduced within the 45-day  
18 period specified in that clause shall be con-  
19 sidered in the Senate and the House of  
20 Representatives in accordance with para-  
21 graphs (3) through (7) of section 8066(c)  
22 of the Department of Defense Appropria-  
23 tions Act, 1985 (Public Law 98–473; 98  
24 Stat. 1936) in the same manner as a joint  
25 resolution considered under that section,

1           except that any reference in such para-  
2           graphs to the Committee on Appropria-  
3           tions of the Senate shall be deemed to be  
4           a reference to the Committee on Finance  
5           of the Senate and any reference in such  
6           paragraphs to the Committee on Appro-  
7           priations of the House of Representatives  
8           shall be deemed to be a reference to the  
9           Committee on Ways and Means of the  
10          House of Representatives.”.

11          (b) APPLICATION.—The amendments made by sub-  
12 section (a) take effect on the date of the enactment of  
13 this Act and apply with respect to any determination made  
14 by the administering authority under section 771(18)(A)  
15 of the Tariff Act of 1930 (19 U.S.C. 1677(18)(A)) on or  
16 after such date.

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