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The Role of Congress in U.S.-China Relations

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Introduction

In the past five years, the U.S. Congress has played an important role in designing and implementing America's response to the challenge posed by a more powerful and nationalistic China. By the mid-2010s, it was apparent that China's military modernization, aggressive (sometimes illegal) efforts to acquire advanced technology, protectionist economic policies, territorial encroachments, and other actions constituted a serious challenge, especially in the face of predictions that China might surpass the United States in economic output. Congress has responded accordingly, often working closely with the executive branch. Members have debated and passed a variety of measures aimed at strengthening the United States for a long-term competition and confrontation with China. They have introduced bills on a myriad of China-related issues, held a far-reaching set of hearings on the country, and increasingly raised China from the bully pulpit. Much of what Congress has achieved has been necessary, although there is a risk that it could go too far.

Congressional concern about Beijing is of course one part of a broad trend in Washington's policy discussion, and congressional action is one element in America's response to China's rise. But Congress still matters. The nature of congressional foreign policy powers gives it an important role to play in the design and implementation of the U.S. approach to China. The executive branch may often lead on foreign policy, but many key competencies for a strategy for long-term competition with China are subject to congressional legislation or influence. For example, defense spending, investment, and trade policy are all affected by congressional budgetary and other statutory powers.¹

Members of Congress have somewhat different policy preferences when it comes to China, but there has been a surprising degree of bipartisanship in their assessments of the threat that China poses to the United States.² As Senator Marco Rubio (R-FL) observed in a speech in March 2022, a new consensus is emerging around the idea that “China is the most formidable near-peer adversary our nation has ever faced.”³ This is a notable statement, given the magnitude of the threat the Soviet Union, Nazi Germany, and imperial Japan once posed to the free world.

Members’ policy preferences vary in the emphasis they place on the military, ideological, and economic aspects of the U.S.-China competition. They also vary based on how far members are willing to go on these issues, the degree of urgency they express, and their attitudes toward the Chinese Communist Party (CCP). Some members take a view of China reminiscent of president Ronald Reagan’s view of the Soviet Union in his first term, when he called it the “evil empire” and greatly increased U.S. defense spending. For these members, there are grave, existential stakes for America in the unfolding competition. They see America as locked in an intense ideological rivalry with China, which they say aims to supplant the United States as the world’s superpower. They warn that unless America acts now, and forcefully, to counter China’s rise, the country will find itself hemmed in by China’s military, economic, and technological power in just a few years. Other members focus more heavily on the economic aspects of the competition. These economic hawks assess that the countries’ economic relationship is badly in need of reform. They agree with the “neo-Reaganites” that the problem is serious but focus on the need for measures to strengthen America’s domestic economic competitiveness in order to better compete with China. They hope that a healthier economic relationship will reduce other sources of tension and help stabilize U.S.-China relations over the long term.

There also appear to be some moderates who share concern about Beijing’s actions but are less ready to make China the framing focus of U.S. foreign policy or rule out the possibility that China might still rise peacefully. These moderates, however, find themselves on the back foot in the face of a surge of political pressure to demonstrate toughness on China—a policy which, as one congressional staffer explained to us, has become a proxy for how members see America’s role in the world. To be tough on China is widely seen as reflecting a pro-American toughness that can appeal to voters on both sides of the aisle. Moderates may also hesitate to critique the consensus because China is one of the last remaining areas of bipartisanship on the Hill.

As might be expected, Congress’s response to China has been driven at least in part by domestic politics. In the last five years, those pushing for a more aggressive response have mostly had the upper hand and those who might prefer a more moderate approach have found themselves on the back foot, concerned that attempts to moderate could be portrayed as weakness or as un-American to voters. Even as Congress enacts necessary legislation to protect America’s vital interests in the face of China’s rise, there is thus a risk of overshooting. Efforts to stabilize the relationship and find an acceptable *modus vivendi* with China—one that protects vital U.S. interests while avoiding war—could suffer. Moreover, Beijing

is almost certainly listening to what Congress says, and the tone of congressional debate over China could contribute to suspicion, misperception, and thus escalation from China's leaders. In this case, both sides will incur greater risks and costs across economic, financial, military, and human spheres. Moderate voices may need to speak with a louder voice to reduce the chances that Congress overshoots a well-reasoned policy response to the challenge that China poses. A bipartisan visit to Beijing in October 2023 led by Senate Majority Leader Chuck Schumer (D-NY) suggests that some members now appreciate the need for such an approach, and this should be a welcome sign.

Our research combines quantitative analysis of the large volume of bills that have been introduced in Congress in recent sessions with qualitative analysis of the main ideas and character of the debate, especially as expressed in the positions of congressional thought leaders. To understand this debate, we have relied on the *Congressional Record*, articles, speeches, and reporting on members' views, as well as informal interviews with congressional staff from both parties. One challenge we encountered is that some members are more vocal in public about their views on China, and this may create bias in our sample. As researchers, however, we have to rely on these public statements, even though we recognize that they may or may not tell the whole story, and members who have said less in public may still hold developed views on China that differ from those of the more outspoken.

Section one of this paper describes how congressional attention to China has increased in the past five years and outlines the major legislative muscle movements that have shaped U.S.-China relations. Section two then maps the thinking of key congressional thought leaders on China.

Congressional Action on China Since 2020

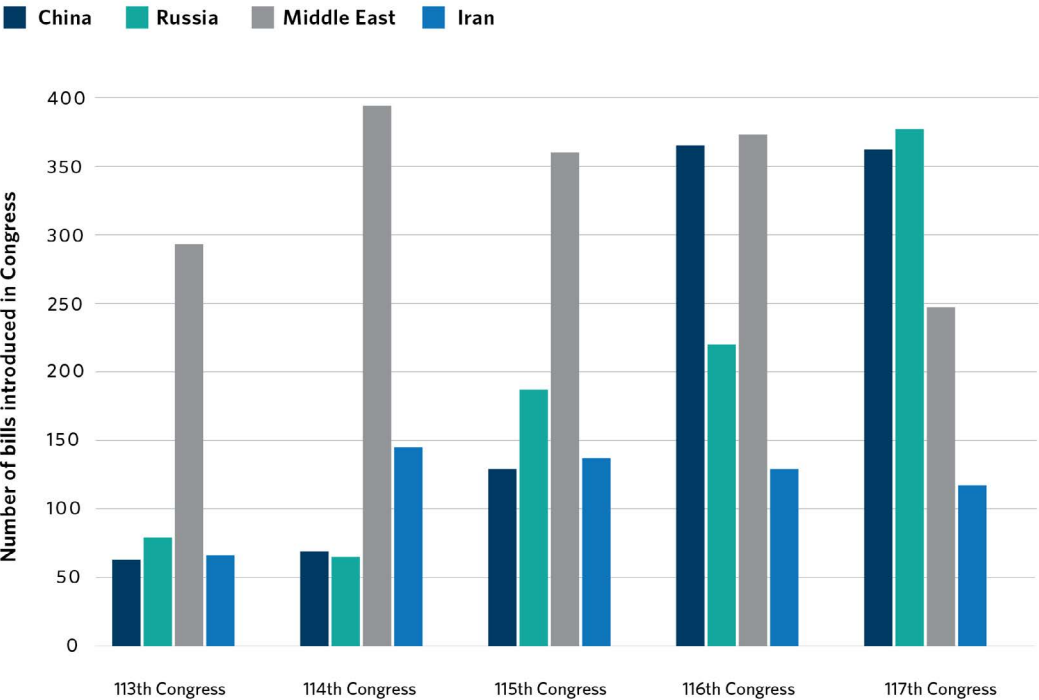
Congressional attention to China has exploded since 2018. The number of bills introduced that Congress.gov codes as being about China increased sixfold between 2013 and 2021 (the 113th and 116th Congresses). During the 117th Congress, the most recent session to be completed, more bills were introduced on China than on the entire Middle East.⁴ In the process, Congress has moved to strengthen U.S. ties to Taiwan, authorized billions more in military spending for defeating China's military, restricted China's access to semiconductors, questioned the legitimacy of the CCP, and supported executive branch efforts to build a broad anti-China regional and global coalition.

Since 2021, Congress has worked with but also been more aggressive than the administration of Joe Biden, whose approach has recently focused on restoring diplomatic communication with China. Very few voices in Congress have pushed for cooperation with China or taken a strong and vocal stance in favor of diplomacy, with the exception of the bipartisan

delegation that Senator Schumer led to Beijing in October 2023. Many members believe there is still much more that needs to be done to defend America against China’s threats, judging from legislative initiatives and statements by congressional leaders as of fall 2023.

The surge in Congress’s tough on China attitudes began with the 116th Congress in 2019,⁵ and they accelerated in response to the emergence of the COVID-19 pandemic in 2020, when anti-China sentiment in the United States intensified. For example, the Pew Research Center found that nearly 73 percent of Americans had an unfavorable opinion of China in July 2020, a 26 percent increase from 2018.⁶ An April 2020 *Politico* poll found that 31 percent of U.S. voters saw China as an “enemy,” an 11 percent increase from that January, before COVID-19 had spread widely in the United States.⁷ These broader trends are mirrored in the rise of China-related bills in recent sessions of Congress (see figure 1).

Figure 1. Congress Considers More Bills on China Than Most Other Regions by the 116th Session



Source: Congress.gov

Note: In this chart, a bill is “about China” when its geographic region on Congress.gov is listed as “China.” The data include bills, resolutions, and concurrent resolutions.

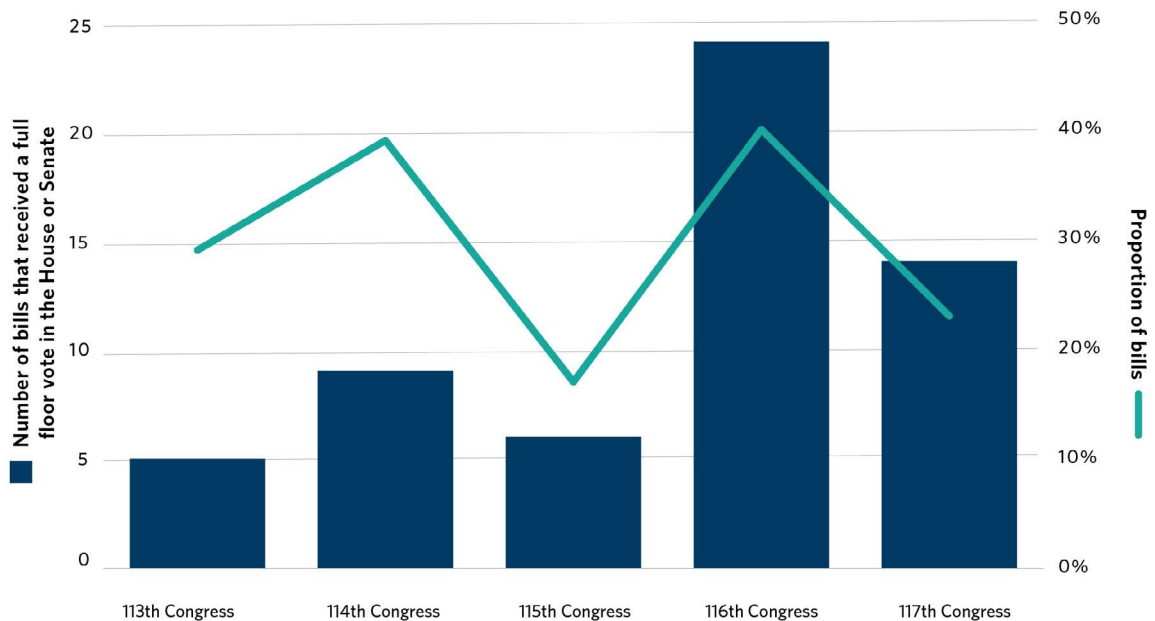
Most pieces of draft China legislation that have come to a vote in the House of Representatives or the Senate passed with little or no debate. In part this is because congressional staff negotiate and revise the bills before any vote. But given the divisions in Congress on so many other policy issues, it is still striking that so much China-related legislation has passed with bipartisan support. For example, Congress passed the Hong Kong Human Rights and Democracy Act of 2019 (S. 1838) and the Uyghur Forced Labor Prevention Act (H.R. 6256), two big pieces of human rights legislation, nearly unanimously and with bipartisan sponsorship in both houses. The same was true for the Secure Equipment Act of 2021 (H.R. 3919), which became law during the first session of the 117th Congress and prevents the U.S. Federal Communications Commission from issuing licenses to Chinese state-backed telecommunications companies. In the House, the Promoting United States International Leadership in 5G Act of 2021 (H.R. 1934) passed 405 to 20 during the 117th Congress, and the CHIPS and Science Act (H.R. 4346), which passed with bipartisan support in 2023 despite simultaneous high levels of partisan rancor. All Republicans and 146 Democrats also voted in favor of establishing the Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party.

Human Rights

Figure 2 shows the extent to which Congress has increased its attention on China's human rights abuses.⁸ Ten years ago, before Washington's attention fixated on China, most legislation on the country focused on trade or human rights issues. Leading members of Congress often sought to highlight the issues of Tibet and the 1989 Tiananmen Square massacre as a means of pushing back against what they perceived as the executive branch's permissiveness on China. Congressional scrutiny of China's human rights repression broadened in 2019, however, in response to Beijing's repression of massive citizen protests in Hong Kong. Congress passed legislation over the second half of 2019 and in 2020 that condemned the repression, banned the export of certain weapons to the Hong Kong Police Force, and authorized the White House to revoke Hong Kong's special trade status. At the same time, Congress responded to China's mistreatment of Uyghurs in the Xinjiang region, with the House and Senate both introducing bipartisan bills in 2020 and 2021 to sanction Chinese government officials and prohibit the imports of goods manufactured with forced labor in Xinjiang. According to Senator Tim Kaine (D-VA), who chaired one of the key hearings on the Senate version of the Uyghur Forced Labor Prevention Act, "Nowhere is [China's] assault on individual freedom and basic human rights more comprehensive and more atrocious than against the Uyghur Muslims in Xinjiang." Senator Rubio echoed his Democratic counterpart: "The crimes against humanity and genocide that are taking place at the hands of the CCP demand an urgent international response."

Some businesses pushed back against these bills, expressing concerns about the breadth of the restrictions, but both parties in Congress nevertheless ultimately backed the legislation, as did the White House. The legislation that President Biden signed into law in December

Figure 2. Congressional Bills Targeting China’s Human Rights Record Increase in Recent Years



Source: Authors’ count of bills on Congress.gov.

Note: In this chart, a bill is “about China” when the bill’s reference to China is aimed at impacting the country’s policies or U.S.-China relations. Appropriations bills are not included.

2021 thus prohibited imports of “any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part” in Xinjiang unless they are proven not to be linked to forced labor—a remit with far-reaching implications for a range of U.S. industries.

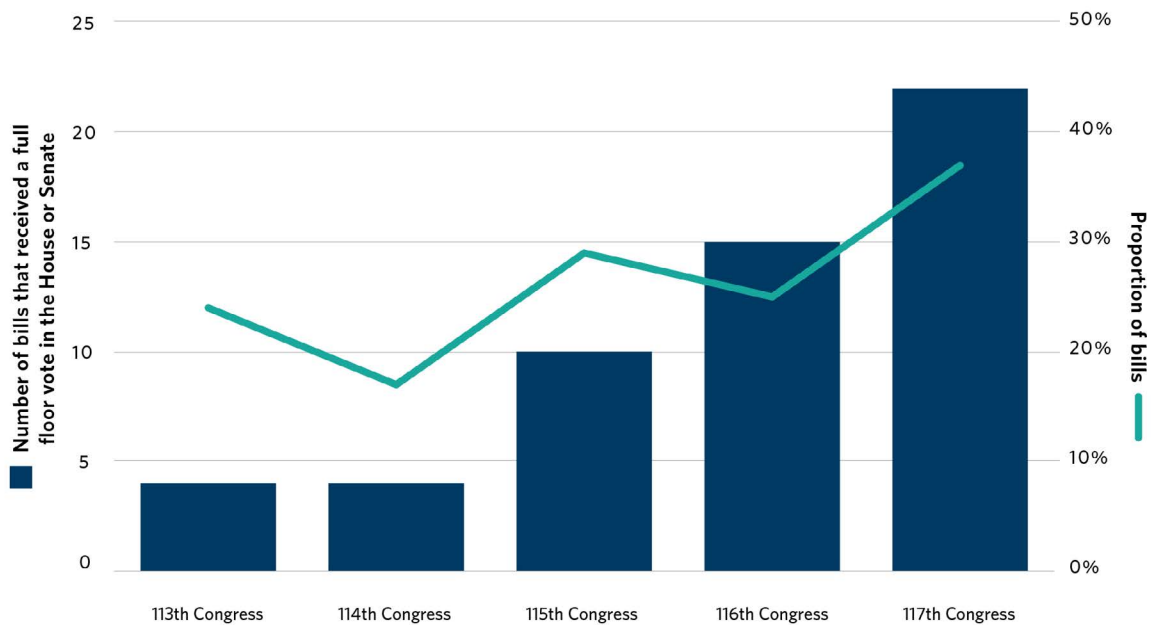
Security and Defense

In absolute numbers, legislative action on China’s human rights record has increased since 2019, but human rights represented a smaller share of the overall China-related legislation than in the past. Congressional action on many other issues is more novel and has grown in breadth and scope since 2020. Defense spending is one of the biggest areas of increase.

Congress has worked in a variety of ways to refocus Pentagon strategy on China and guide executive branch policymaking, for example by requesting strategies and reports on key aspects of China policy. In the process, Congress has sometimes been more aggressive than even the military itself, pushing the U.S. Defense Department to shift resources to the Indo-Pacific and adapt its plans more quickly to China’s rising military power.

Defense- and intelligence-related legislation in figure 3 encompasses legislation that we coded as aiming to prevent China from acquiring U.S. intelligence and dual-use technology, deter war with China, prepare the United States and partners for a conflict over Taiwan, condemn China’s interference in U.S. elections, and other military and intelligence issues. Most congressional action related to the Pentagon, however, takes place within the National Defense Authorization Act (NDAA), which is only one piece of legislation but encompasses a vast range of military and defense actions, many of which are now aimed directly or indirectly at fighting China’s military, the People’s Liberation Army (PLA). *The result is that figure 3, if anything, greatly understates the extent to which Congress has focused on security measures to counter China’s rise.*

Figure 3. Congressional Bills on China Related to Security and Defense Increase in Recent Years



Source: Authors’ count of bills on Congress.gov.

Note: In this chart, a bill is classified by the authors as “about China” when the bill’s reference to China is aimed at impacting the country’s policies or U.S.-China relations. Appropriations bills and the National Defense Authorization Act are not included.

Moreover, the NDAA now includes a broad range of China measures that are only tangentially related to defense. The most recent NDAA versions in the House and Senate, for example, included content on China largely unrelated to military programs, such as limits on the production of Chinese films; measures on China-related economic topics, including fentanyl and electric vehicle supply chains; measures targeting Confucius Institutes in the United States; and measures related to the COVID-19 pandemic, such as proposed sanctions on the Wuhan Institute of Virology, which some members of Congress believe was the origin of the COVID-19 pandemic.

Military Preparedness

Concerns about China pervade the NDAA, even when the country is not specified by name. The vast majority of the nearly \$1 trillion in defense spending that Congress authorizes is thus affected by deep concerns with China's military modernization and the challenges that it is thought to pose to U.S. dominance in Asia and elsewhere. For example, Congress has called for more funding for long-range anti-ship cruise missiles on multiple launch platforms, the hardening of U.S. bases in the region against air attacks, the construction of additional bases, the expansion of the U.S. Navy, the arming of Taiwan, and the supporting of the Australia-United Kingdom-United States (AUKUS) program of activities. Members of Congress have also pressed the White House and the Pentagon to accelerate efforts on several of these fronts and required official Pentagon reports on issues such as China's naval base construction plans in Africa.

Mentions of China in the NDAA have increased almost tenfold in the past five years, from 32 in the Fiscal Year (FY) 2018 NDAA (which passed in 2017) to 268 in the FY 2023 NDAA (which passed in 2022). There are also thirteen mentions of the "CCP" in the 2023 legislation, compared with zero in the 2018 version.

Box 1. The Select Committee

On January 10, 2023, in one of the first acts of the 117th Congress, the House voted to create the Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party by a vote of 365 to 65. All of the no votes came from Democrats, who were concerned the committee would be a partisan affair, but 146 Democrats still voted in favor—another sign of bipartisan concern about China. Representative Mike Gallagher (R-WI), a well-credentialed "China hawk" with a doctoral degree and military experience, was named chair of the committee.

The select committee is charged with investigating and making recommendations to Congress, so it does not have a jurisdiction like the standing House committees. Some of its members are also on the House Committee on Foreign Affairs, however, and the select committee has a staff that can produce draft bills for members to introduce. This arrangement tends to increase the total volume of bills circulating in Congress on China.

Since its creation, the committee has held hearings on many subjects related to U.S.-China strategic competition, including the repression of Uyghurs, China's competition practices, risks to American companies in China, critical and emerging technologies, and the "Chinese Communist Party's Threat to America."

Some sense of Congress's current military priorities can be gleaned from the 2023 report of the select committee, which identified ten investments for Congress to adopt:

1. The deployment of more long-range missiles and unmanned vehicles to Asia.
2. Coordination and planning with allies for a crisis over Taiwan.
3. Improving combined training between the U.S. and Taiwan militaries.
4. Faster delivery of weapons that Congress has already approved for Taiwan.
5. Creation of a high-ranking military headquarters for war with China.
6. Reducing the vulnerability of U.S. critical infrastructure to cyber-attacks.
7. Strengthening Taiwan against cyber attacks.
8. Strengthening operational integration and planning of U.S. and Taiwan forces.
9. Strengthening U.S. bases in the region against PLA strikes.
10. Increasing U.S. ability to resupply Taiwan in a crisis or war.¹⁰

Even though the select committee is only an advisory committee, many of these recommendations were adopted in the 2024 House and Senate versions of the NDAA.¹¹

Congress has also pushed more and more funds into the Pacific Deterrence Initiative, which has been part of the annual defense bill since 2021.¹² Congressional thinking about the initiative was first outlined in a May 2020 article in *War on the Rocks* by Senators Jim Inhofe (R-OK) and Jack Reed (D-RI), who argued that Congress needed a way to direct more military funds to Asia.¹³ Ultimately, the 2021 NDAA authorized \$1.4 billion for the initiative, and Congress has appropriated more money to the program every year since, while simultaneously criticizing the Pentagon for being too slow to deliver on the plans.¹⁴ The 2022 NDAA authorized \$7.1 billion, \$2 billion over the Pentagon request; the 2023 NDAA authorized \$11.5 billion, while the Department of Defense requested \$6.1 billion.¹⁵ The 2024 NDAA package currently includes \$9.7 billion for the initiative, \$600 million over the Defense Department's request. These military measures have enjoyed widespread support, with only mild pushback.

Preventing China's Military From Acquiring U.S. Technology

Strengthening U.S. military capabilities is one approach to countering the PLA. Another is to weaken China's military modernization by cutting off its access to U.S. technology and resources.

To cut off potential access to U.S. technology, Congress expanded the remit of the Committee on Foreign Investment in the United States (CFIUS) in the 2019 NDAA. More recently, it has moved to cut off U.S. investment in China that could benefit the PLA, through legislation sponsored by Senator Bob Casey (D-PA) and John Cornyn (R-TX) and included in the July 2023 Senate NDAA as the Outbound Investment Transparency Act.¹⁶ That act passed the Senate 91–6, but became less relevant when the White House introduced its own outbound investment regulation in August 2023 by executive order.¹⁷

Bipartisan support for these measures remains strong, with only some dissent from traditional Republicans, such as Representative Patrick McHenry (R-NC), who are concerned about further limitations on U.S.-China trade and investment. Others may also have concerns but have kept quiet.

Congress, Strategic Ambiguity, and the "One China" Policy

Much of the relevant congressional debate and legislation over military systems and posture aimed at China has focused on supporting Taiwan's defense against an attack, but Congress has also pressed the White House for a tougher policy line on Taiwan. According to the United States' "One China" policy, Washington recognizes the government in Beijing as

the sole government of China and does not recognize the government in Taipei. The United States is nevertheless prepared to defend Taiwan against an attack under some circumstances. Washington has been careful not to specify the circumstances, focusing instead on maintaining strategic ambiguity. That ambiguity reduces the chances that a U.S. security guarantee will embolden Taipei into declaring independence from mainland China, but also helps deter Beijing from considering a military operation to retake Taiwan.¹⁸

The most vocal congressional advocates of a shift away from strategic ambiguity toward Taiwan have been on the right. In May 2020, for example, Representative Gallagher called for an end to strategic ambiguity in the *National Review*.¹⁹ In June 2020 and 2021, Gallagher, Senator Josh Hawley (R-MO), Senator Rick Scott (R-FL), Representative Guy Reschenthaler (R-PA), and representative Ted Yoho (R-FL) introduced a series of bills that included a preemptive authorization for the use of military force to defend Taiwan, the reestablishment of the U.S. Navy's Taiwan Patrol Force, and an end to the policy of strategic ambiguity.²⁰ None of these Republican bills on Taiwan made it to a vote in committee, but they represented the growing tendency among some more hawkish members of Congress.

The right is not the only source of support for a possible change in U.S. strategy, however. For example, Elaine Luria (D-VA), former vice chair of House Armed Services Committee, published a *Washington Post* op-ed in October 2021 titled "Congress Must Untie Biden's Hands on Taiwan," arguing that Congress needed to preauthorize the use of force for the defense of Taiwan.²¹ Her logic was that doing so would not mean ending strategic ambiguity, but that not doing so could lead to delays in the U.S. military response. The latter may or may not be accurate, given that the executive branch normally invokes Article 2 of the Constitution in such situations and has some leeway under the War Powers Act to commence military operations prior to congressional approval. In either case, however, Beijing almost certainly would view preauthorization as Washington bolstering its commitment to Taipei.

Indeed, President Biden himself may share the view that strategic ambiguity is unwise. On at least four occasions, he has said without qualification that the United States would defend Taiwan if China attacked.²² Nevertheless, the gap between congressional thinking on Taiwan and White House policy was thrown into relief in August 2022 when then House speaker Nancy Pelosi visited Taipei, despite White House objections to her doing so.²³ Pelosi had long made human rights a cornerstone of her approach to China, but the decision to go to Taiwan at a moment when the White House was working to turn down the temperature with Beijing indicated the distance between the executive and legislative branches of the U.S. government on the issue. Pelosi's visit met with a sharp rebuke from China that included a barrage of intensified PLA operations around Taiwan.

On the heels of Pelosi's visit, the Senate Committee on Foreign Relations then met to debate a controversial bill called the Taiwan Policy Act (S. 4428) that had the dual sponsorship of none other than the committee's then chair, Robert Menendez (D-NJ) and his Republican

counterpart, Senator James Risch (R-ID). Here was the closest Congress had come to shifting the United States away from the “One China” policy and strategic ambiguity. The legislation would have upgraded U.S. relations with Taiwan by requiring Senate confirmation of the U.S. representative in Taipei, made Taiwan a major non-NATO ally, provided Taiwan with \$6 billion in additional defense funds, and made harsh sanctions on China automatic in the event of aggression.²⁴

A frank debate over the merits of the bill ensued. Senator Menendez, who had authored the bill, wanted to project congressional unity, probably because he believed it would send a clear message to Beijing. However, several senators objected to the proposed change in long-standing U.S. policy. Senator Rand Paul (R-KY) was the most outspoken, but he had support from several other senators in his dissent. Senator Brian Schatz (D-HI), for example, wondered whether or not “we are getting anything out of the more provocative statutory changes that, in my judgment, may irritate the Chinese and accelerate their preparation for military action.” Senator Mitt Romney (R-UT) worried the bill was “doing something that is highly provocative and bellicose” and wanted any military support to Taiwan to be low-key, so that it did not lead Beijing to conclude that preemptive war was needed. Senator Kaine expressed the same concern that the bill would needlessly provoke Beijing, as did Senator Chris Murphy (D-CT) and Senator Chris Van Hollen (D-MD). Senator Ed Markey (D-MA) also warned it would “heighten tensions and ramp up the cycle of conflict” while raising concerns among regional allies who needed assurance that the United States is doing everything that it can to avoid a conflict.²⁵

In spite of these concerns, the committee approved the bill by a 17–5 vote, with Schatz, Murphy, Markey, Paul, and Van Hollen all voting no. A revised version of the bill nevertheless moved forward and became part of the FY 2023 NDAA as the Taiwan Enhanced Resilience Act (TERA). Although some of its key measures, such as \$2 billion in grants to the Taiwan military, were not funded in the annual omnibus spending bill, the TERA authority remains in place through 2028. The episode was a clear example of the extent to which senior members of Congress from both parties were prepared to push the White House to adopt a more aggressive direction against Beijing on Taiwan.

Economic Statecraft and Decoupling From China

Congress has also aimed to adjust U.S. domestic and foreign economic policy to make the United States more competitive and less vulnerable to being cut off from production lines in China. In the process, concerns about China have helped enable the broader U.S. industrial policy desired by many Democrats, including the most far-reaching industrial policy legislation in U.S. history.

Beginning in early 2021, majority leadership in Congress, working closely with the Biden administration, introduced and debated multiple versions of bills aimed at strengthening the United States for a long-term economic and technological competition with China. These efforts are a direct response to the underlying geopolitical challenge the China's economic rise presents to the United States. An early Senate bill, known as the Endless Frontier Act (S. 3832), passed the floor of the Senate in June 2021 as the United States Innovation and Competition Act of 2021 (S. 1260). A related bill passed the House in February 2022. The \$280 billion CHIPS and Science Act (H.R. 4346) went to a full vote in August 2022, passing both houses with bipartisan support. This act aims to reduce U.S. reliance on China's semiconductor supply chains through subsidies and tax credits. It also aims to strengthen U.S. technology research with funds for education, and research and development in sectors such as artificial intelligence, biotechnology, and computing.

The bill, which was pushed by the Biden administration and had nearly unanimous support from Democrats, was not popular with all Republicans, some of whom raised questions about the introduction of a more heavy-handed state approach to competition with China. Senator Roger Wicker (R-MS), for example, warned that: "we will not beat China by copying its strategy."²⁶ Nevertheless, the final tally of 24 House Republicans voting in favor, with 187 voting against, understates the degree of Republican support, because the party leadership whipped against the bill at the eleventh hour due to partisan fighting over a separate bill that eventually became the Inflation Reduction Act. In fact, most Republicans supported CHIPS because they viewed semiconductors as an area of national security competition and were thus willing to put aside long-standing objections to industrial policy to back it. Objections they did voice targeted provisions that were not central to the bill, such as the requirement that companies that received subsidies offer childcare for their workforce.²⁷ The bill might not have made it through Congress without the overarching climate of concern about China, and recognition of this reality may encourage some Democrats to be more accepting of Congress's tough on China trend.

Trade Restrictions Targeting Unfair Competition From China

This historic boost to industrial policy came on top of long-standing congressional efforts to put a stop to China's evasions and violations of WTO rules, such as through state subsidies to its export industry, its export restraints, and its efforts to acquire Western intellectual property, sometimes illegally. The most important policy innovation on this front is a growing interest in instituting an annual review of China's permanent normal trade relations (PNTR) status—or even revoking it altogether—in an effort to coerce China into passing long-needed reforms.

This is not yet the predominant policy position among legislators in the Republican or Democratic Parties, but the idea is gaining ground. Senator Tom Cotton (R-AR), for example, has introduced draft legislation to this effect for the past three sessions of Congress.²⁸ He has more recently been joined by other Republican senators such as Hawley.²⁹ So far, this bill has not been voted on in committee and still only receives sponsorships from senators on the right, such as Scott, Ted Budd (R-NC), and JD Vance (R-OH). Representative Jim Banks (R-IN) also introduced a bill to this effect in July 2023, and the select committee on the CCP is pushing in a similar direction, for example in a May 2023 hearing with Robert Lighthizer, former president Trump’s trade representative, who advocates for punitive tariffs on China.

The 2024 Republican presidential primary may further encourage congressional Republicans to take a more critical view of China’s normal trade status. In March 2023, for example, Fox News host Maria Bartiromo asked Senator Rubio whether he would “be in favor of revoking China’s MFN [most favored nation] status when it comes to trade,” to which he responded “absolutely.”³⁰ Florida Governor Ron DeSantis and former president Trump both agreed.³¹

Congressional Democrats also are warming to the idea of higher tariffs on China, at least as a means of coercing China into changing its political economic practices. Representative Ro Khanna (D-CA), for example, who is on the select committee, has endorsed the possibility, at least in the form of putting it up for an annual vote.³² To these voices can be added those with long-standing opposition to the liberalization of trade with China in the first place, such as Senator Bernie Sanders (I-VT), who touts that his vote against giving China preferential trade status during Bill Clinton’s presidency.³³ Judging from informal conversations with Hill staff, some other progressives appear hesitant so far to take this more radical approach, lest it generate further tensions with Beijing.

Restricting China’s Access to the U.S. Homeland

Finally, Congress has debated various ways to limit Chinese nationals’ access to and activities on U.S. soil.

Republicans have introduced bills that would, to varying degrees, restrict China’s citizens from traveling to the United States. For example, in June 2020, Representative Mike Turner (R-OH), chair of the House Permanent Select Committee on Intelligence, cosponsored the Holding China Accountable Act (H.R. 7181), which aimed to restrict visas for Chinese nationals entering the United States to study, work, or attend business meetings in “science, technology, engineering, mathematics, or a related field.”³⁴ In June 2022, Representative Vicky Hartzler (R-MO) introduced the Protecting Higher Education from the Chinese Communist Party Act (H.R. 6730), which would bar CCP members that have served in

party positions and their families from nonofficial travel to the United States. In 2022, Senator Rubio introduced the Chinese Communist Party Visa Ban Act (S.512), a bill that would restrict visas for all CCP members—thus effectively barring some 98 million Chinese citizens from visiting the United States.³⁵

A related, although more radical, line of effort is the recently proposed draft legislation to bar Chinese nationals from purchasing U.S. real estate—as, for example, in the case of the “Not One More Inch or Acre Act” introduced by Senator Cotton and Senator Katie Britt (R-AL) in March 2023. Advocates of these measures see them as necessary to protect U.S. critical infrastructure and military installations against spying or sabotage, but the measures have been widely opposed by civil liberties groups, who charge that they hearken back to an uglier era of American anti-Asian land laws.³⁶

In July 2023, Representative Gallagher and Representative Mike Thompson (D-CA) introduced the Protecting U.S. Farmland and Sensitive Sites From Foreign Adversaries Act (H.R. 4577). The bill, which aims to prevent foreign acquisition of real estate near military bases or in the agricultural sector, gives the CFIUS purview over real estate transactions. This bill had not passed as of October 2023, but its bipartisan sponsorship shows how many in Congress now consider such restrictions fair game.

Mapping Congressional Views on China

Despite the tidal wave of legislative proposals aiming to be tough on China, not everyone in Congress has the same policy views. Some members mainly emphasize how opening U.S. markets to Chinese goods has had a negative domestic economic impact on U.S. jobs, especially in industry. Others, whose views echo president Ronald Reagan’s standoff with the Soviet Union in the early 1980s, emphasize an ideological struggle against the CCP and what they believe is the party’s plan for China to unseat the United States as the world’s dominant power.

Democrats tend to emphasize the economic dimension of the challenges. A leading voice in this school of thought is Representative Khanna, a progressive from Silicon Valley, but another is the Democrat lead on the select committee on the CCP, Representative Raja Krishnamoorthi (D-IL). Some Democrats, such as former Senate Foreign Relations Committee chair Menendez, however, are closer to the neo-Reaganite camp, which includes the leading Republican China hawks such as Representative Gallagher, Senator Rubio, and

Figure 4. Congressional Views on U.S.-China Competition Arrayed by Policy Focus



Source: Authors' illustration.

Representative Michael McCaul (R-TX). The division between the amount of focus members place on China and their economic or national security emphasis can be depicted in a quad chart (see figure 4).

Themes of the Neo-Reaganites

Some members see existential stakes for America in the unfolding U.S.-China competition. For them, Washington is locked in an ideological rivalry with the CCP, which aims to supplant the United States as the world's superpower. As Representative Gallagher put it in his remarks on the opening of the select committee on February 28, "This is an existential struggle over what life will look like in the 21st century—and the most fundamental freedoms are at stake." For him, the United States risks finding itself living in a world dominated by the "CCP's tech-powered dystopia" for another century.³⁷ Likewise for Senator Rubio, Senator Hawley, and others, China is the gravest threat America faces, far more serious than

climate change, pandemics, or any other issue. Without a massive effort to defeat China, the world is, in Rubio's view, headed toward "a new dark age of exploitation, conquest, and totalitarianism."³⁸ For Hawley, China threatens a "dark future" where China's "warships patrol Hawaiian waters, and Chinese submarines stalk the California coastline."³⁹

The neo-Reaganites thus also stress the urgency of the challenge and the need for rapid action, especially when it comes to strengthening military deterrence in the Indo-Pacific, above all to thwart a Chinese attack on Taiwan. They assess that unless the United States quickly increases weapons stockpiles, surges missiles to the region, relays more weapons to Taiwan, and hardens U.S. bases in the region, it will be defeated in a war over Taiwan. And such a war they see as likely within the next few years. Hawley, for example, believes that the United States is at an "inflection point" that calls for rapid, self-interested action.⁴⁰ President Xi's invasion of Taiwan is imminent for Gallagher, who asked, "Why would he wait?" The only answer is a rapid military buildup: "To avoid war," Gallagher argues, "you must convince your adversary that you are both capable and willing to wage war."⁴¹

Some of these Republican China hawks are also what have sometimes been called "prioritizers," in the sense that they stress that Washington must choose between investing resources in Asia and investing them in other parts of the world—especially in Europe.⁴² Hawley, for example, criticizes those who think that the United States can "police the world for all time" and believe that "our military might is infinite, that American power faces no real constraints and that we ought to use it to reshape the world." This vision of American omnicompetence, he has argued, is a central foreign policy tenet of the "Uniparty"—his term for what others have sometimes dubbed the Washington "blob."⁴³ It leads Hawley to skepticism about whether the United States should support Ukraine. Rubio is more supportive of investing in Ukraine's war effort but is still vocal about the need for U.S. allies to take over long-standing U.S. security burdens in Europe so that America can focus on China.⁴⁴

These members also often emphasize that the CCP itself is the enemy, as opposed to China as a nation. On the one hand, their intent in singling out the party is to assuage concerns that their anti-China rhetoric could lead to racist, anti-Asian backlash in the United States. On the other hand, it may also be a means of subtly drawing attention to the communist ideology that in part animates today's CCP, thereby drawing an analogy to the early 1980s when Reagan stood forcefully against Soviet communism (and, for Rubio, Cuban communism). Gallagher sometimes defines the enemy as communism itself. For example, he made his case for a heavy investment in U.S. missile forces to defend Taiwan as a means to buy America the time it needs to "build a Navy that defeats communism over the long term."⁴⁵

Finally, members in this group warn about the so-called cadres they believe China has deployed within America itself. Gallagher, in his remarks on the opening of the select committee's first hearing in February 2023, for example, warned that the "CCP has found friends on Wall Street, in Fortune 500 C-suites, and on K Street who are ready and willing to oppose efforts to push back."⁴⁶ Rubio has warned of Beijing's "vast espionage campaign against American universities and industry and research centers."⁴⁷

Some of these concerns are certainly warranted. China no doubt has an extensive espionage effort directed against U.S. interests worldwide. But such concerns could easily go too far: if anyone who criticizes the select committee or questions whether its approach truly reflects U.S. interests is at risk of being cast as an agent of Beijing, there can be very little open and honest debate about American statecraft on this crucial issue. This tendency risks undermining one of the main advantages America's open system has over Xi's authoritarian one.

Senator Cotton is an interesting case because the tone of his rhetoric is uber-hawkish, and he shares the ideological framing of the neo-Reaganites, but he has opted to focus more heavily on the economic dimension of U.S.-China competition, embracing the idea of economic decoupling from early on. Many members of Congress and the Biden administration now support some kind of economic restrictions, but few would go as far as Cotton, who envisions extensive sanctions, tariffs, and export controls; revocation of China's PNTR status; tougher investment restrictions; and other measures.

What makes Cotton's proposals more radical than those of many other members is that he explicitly views decoupling as a means of slowing China's growth, not just a means of protecting American jobs or keeping U.S. technology out of the hands of the PLA. Decoupling, for Cotton, is a strategy for defeating China once and for all and for "total American victory" over China.⁴⁸

This approach is rooted in an economic nationalism shared by some other members of the Republican right. Steve Bannon once said, "Next to Trump, [Cotton] is the elected official who gets it the most—the economic nationalism."⁴⁹ The appeal to economic nationalism attaches to the same populist appeal against corporate elites, and especially a "China lobby" of corporate interests that Cotton charges have been colluding with the CCP. "China's most loyal and lucrative partner is not a foreign government or national leader. It's a group of multi-national businesses, Hollywood elites, ivory-tower intellectuals, weak-kneed diplomats, and entrenched bureaucrats located here in the United States," he wrote in the *National Review*.⁵⁰

Cotton's economic focus does not mean that he wants the United States to eschew military capabilities or counter-China coalition building, only that he sees economics as the primary arena in which the conflict will play out. "To be sure," he has written, "the CCP will risk a military conflict to preserve its hold on power at home—for example, to secure control over Taiwan—or if tempted by American irresolution. But the CCP prefers a gradual, if tense, competition in which, decades from now, Americans wake up to discover ourselves poorer, weaker, and disadvantaged by a global order dictated by China."⁵¹

Themes of the Economic Hawks

Another current of thought focuses more on the economic aspects of the relationship. These members take the challenge from China seriously, but they opt to focus on measures to strengthen America's domestic economic competitiveness rather than on an all-encompassing, global political-military campaign to counter the CCP.

Representative Khanna, a member of the select committee, is a leading voice among them. He has articulated one of the more comprehensive visions for the United States' China policy in speeches and articles. Khanna wants a "constructive rebalancing": American jobs in steel, aluminum, microprocessing, and automobiles have been destroyed by unfair competition from China, which subsidizes its domestic industries and dumps their excess production on the global market. "Put bluntly, by running a trade deficit with Beijing, Washington creates jobs in China instead of in the United States," he said.⁵² This observation—which most neo-Reaganites also share—is backed by an economic literature on the devastating effects that trade liberalization with China has had on certain communities in the United States.⁵³ But Khanna takes the economic analysis to the geopolitical level, arguing that economic rebalancing would not only reduce U.S. dependencies on China's production but also dampen the risks of great power competition by lessening anti-China sentiment in America.

To force China to rebalance its trade relations with the United States, Khanna calls for intensive trade and currency negotiations on the model of the 1985 Plaza Accord that once rebalanced trade among the United States, Germany, and Japan. Like Cotton, he has endorsed the idea of suspending China's PNTR with the United States, if China fails to change its industrial practices and buy more from America.

Krishnamoorthi, the ranking Democrat on the select committee, places a similar emphasis on the economic dimension of the competition. As he sees it, the main aim of the select committee should be to help "up our game" by investing in tech and the U.S. workforce and remedying vulnerabilities in our economy. The CCP has "pursued economic and trade policies that flat-out undermine the U.S. economy," he said at the opening of the committee, expressing a view that has few opponents in Congress today.⁵⁴ Krishnamoorthi has also been one of the more vocal members to express concern that the swelling anti-China sentiment not generate anti-Asian stereotyping and bigotry, a possibility, he notes, that would only serve Beijing's interest in turning America against itself.

Many other Democrats appear to share broadly similar views, judging from the fact that nineteen Democrats cosponsored the Endless Frontier Act (H.R. 2731) with Khanna. Many Democrats, however, have not fully articulated their views on China—perhaps because they have not formed them or because they are concerned about the political consequences of expressing more moderate views.

Some of these Democrats who focus on the economic dimension of U.S.-China competition are somewhat critical of those who emphasize the military dimension and fear such a military focus may make the situation even worse. Khanna, for example, began a speech at Stanford University in April 2023, for example, emphasizing how important it was that U.S. foreign policy aim at peace and underscoring the risks of a national discussion on China increasingly dominated by “war games and winning a new Cold War.”⁵⁵

Senator Menendez, who until September 2023 served as chair of the Senate Foreign Relations Committee, is another interesting case. He sits somewhere between the current focused on economics and the neo-Reaganites. When China’s surveillance balloon flew over U.S. territory in February 2023 and the White House responded by downing the balloon and canceling Secretary of State Antony Blinken’s planned visit to Beijing, Menendez was pleased. “We responded with strength, and I believe that is the way you deal with Xi,” he said.⁵⁶

Menendez’s long-standing position as one of the more hawkish Democratic senators has made it possible for him to work consistently with Republican counterparts, such as Rubio, to move bipartisan legislation through the committee. He shares the anticommunist ideological views of the neo-Reaganites, and his willingness to go to lengths for Taiwan, discussed in the previous section of this paper, puts him much closer to them than some Democrats.

These currents mix and mingle in congressional thought. Even as the economic hawks warn of excessive focus on military issues, most embrace at least some increases in U.S. military efforts to deter China from taking aggressive action in Asia. Congressional support for military measures to strengthen deterrence against China is widespread, with differences only in the degree to which members are willing to go to support additional military spending and over questions such as whether or not to deploy U.S. military trainers to Taiwan.

So do many neo-Reaganites sometimes echo similar economic themes about the need to rejuvenate U.S. industry, even as they focus more heavily on military and ideological issues. Khanna and Rubio in fact coauthored a bill to create a mechanism for funding critical U.S. factories, and most of the neo-Reaganites have also called for Congress to revoke China’s PNTR status. Rubio charges China with destroying “our social cohesion by luring away jobs, and as a result hollowing out once-vibrant cities and communities.”⁵⁷ Khanna shares the neo-Reaganites’ concerns about U.S. dependence on China for strategic inputs to defense, health, and other vital industries, and he has called for the United States to reorient supply chains away from China.

There are key differences, however. The members focused on economic issues tend to strike a more moderate pose on economic decoupling, arguing that the United States and China can still have a robust and positive-sum trade relationship once the fundamental imbalances are addressed. They may also increasingly diverge from their neo-Reaganite counterparts on the use of industrial policy to counter China. Industrial policy, after all, is a geoeconomic strategy anathema to Reagan’s Thatcherite economic philosophy.⁵⁸

The economic hawks have also sought to leave more space for negotiation and compromise than the neo-Reaganites and have painted a somewhat less dire picture of the threat posed by the CCP. All raise human rights concerns, and the vast majority support the Xinjiang sanctions regime, but they are more focused on sustaining negotiation with Beijing. For them, this implies the need to tackle the thorny issue of U.S.-China military-to-military communication, which has proven so inadequate recently. It also means leveraging the business community and other actors to deepen communication and ensure alternatives to formal diplomatic channels for times when these do not function. In contrast, Cotton has compared such diplomacy to child's play and called it “embarrassing and . . . pathetic.”⁵⁹

Moderates and Dissenters

The views of these congressional thought leaders appear to be shared by a large and growing number of legislators, although it is worth repeating that many members have reserved a full public articulation of their views and ultimately could endorse alternative policy approaches. Some prominent members of the House and the Senate have voiced a few such differing approaches.

Senator Sanders, for example, has warned strongly against the mounting hostility between Beijing and Washington, which he likens to the post-9/11 rush into the “war on terror.” Some of those who have taken a similar position hail from a liberal-economic perspective, friendly to Wall Street, but no one can accuse Sanders of harboring a pro-Wall Street bias. Sanders has no objections to the economic nationalism of the anti-China movement, but he thinks the world needs collaboration to address major transnational challenges such as climate change. He also warns against the ideological angle to the approach the neo-Reaganites have taken. He sees the clash between democracy and authoritarianism playing out “not between countries but within them—including in the United States.”⁶⁰ Consequently, he views the current ideological hostility toward Beijing as not only misplaced but also damaging to America's own democracy, because it deflects attention from real social and political problems while empowering nationalist demagogues at home.

It is possible that some members are concerned about the extent to which the debate in Congress has trended in a confrontational direction but have sought to counter this trend more quietly, perhaps out of fear that openly challenging it could make them look weak. Some of these concerns were evident, for example, in the debate over the Taiwan Policy Act that Menendez proposed in 2022, as discussed in the previous section. The reality, however, has been that members who seek moderation often find themselves in a position of pushing back against the assertive proposals of the more aggressive members. This imbalance could have real implications for the future development of U.S.-China relations.

Conclusions: Past Achievements and Risks Ahead

The congressional groundswell of debate and action on China is a cross section of the broader debate over China in the United States today. It is reminiscent of the period from 2001 to 2004 when Congress responded to the al-Qaeda terrorist threat with sweeping measures that included the creation of new agencies, combined domestic and foreign policy initiatives, and huge increases in military outlays. The sheer number of legislative proposals on China, the hawkish views of many of the most vocal members, the creation of the select committee, the weakness of voices arguing for alternative approaches, and the legislative proposals that continue to be introduced as of fall 2023 all suggest that Congress will continue to seek ways to push back hard against China, strengthen military deterrence, cut off China's access to U.S. resources, and perhaps even alter U.S. policy on Taiwan.

There is no shortage of reasons for Washington to be rethinking its approach to Beijing. The United States needs a policy that responds to the reality of a more capable and more nationalist China under Xi, and it would be irresponsible for America's elected leaders to ignore Beijing's hubris and nationalism, its extraterritorial claims, its military posturing, and its overall weight in international affairs. U.S. interests, including vital interests in security and economic prosperity, are affected by China's rise and threatened by its use of force and implicit threats to use force more aggressively to pursue its aims in Asia. It would be naive for Washington not to recognize that war, especially over Taiwan, is a possibility (even if not a certainty). Economic competition with China is a reality that cannot be ignored, especially given that the extraordinary strength of the U.S. economy has been the foundation of American global power for more than a century.

There is thus wisdom in both the neo-Reaganite view and the view of the economic hawks. Much of the work that Congress and the executive branch have done in the past five years will put the United States in a stronger position for this long-term competition. Investment in U.S. economic competitiveness, insistence on changes to China's illiberal economic policies, denial of highly advanced technology to the Chinese military, and coalition building are all elements of sound U.S. strategy. Many of the members of Congress who are active voices on China, and their foreign policy advisers, have worked sincerely to develop these elements in service of the nation.

But notwithstanding the progress to date, there is still a risk of overshooting, and it seems worth noting that congressional debate is taking place in a heated and nationalistic U.S. political context, in which China could become a too useful foil for political leaders. After all, sometimes it is useful to have an adversary. Some Republicans, for example, may be content with an adversarial relationship with China if it provides opportunities to showcase tough mindedness, fighting spirit, and masculine virtues for voters. Some Democrats may be more willing to embrace an adversarial relationship with China if it facilitates the passage

of industrial policy that they seek for social or environmental reasons. The problem is that these domestic incentives for a more oppositional relationship add to the natural tendency in foreign policy to overestimate the hostile intentions of other powers. Thus, Congress may opt for hard-line policies, even at times when conciliation might be a better approach.⁶¹ In addition, the tendency for the more hawkish voices in Congress to set the agenda and terms of congressional debates puts more moderate voices on the defensive and focuses their energies on softening the hard-line rather than developing alternative policy options. This also encourages a generalized inflation of rhetoric.

At a time when trust between Beijing and Washington has dipped to dangerous lows, these domestic pressures, rhetorical inflation, and the natural tendency toward suspicion in foreign affairs risk creating unwanted escalation. Unfortunately, Beijing probably understands American politics less well than U.S. policymakers might hope. Even if Beijing does not take congressional debates literally (which it might), it almost certainly takes them seriously and is watching congressional dynamics, generating expectations about future U.S. behavior based on them, and developing policy responses accordingly. Leading Beijing watchers such as Kevin Rudd have already observed that “China’s foreign policy bureaucracy and intelligence community have a traditional frame for looking at America that is rarely benign.”⁶² Similarly, as Chinese scholar Jisi Wang has written, “Most Chinese observers now believe that the United States is driven by fear and envy to contain China in every possible way.”⁶³ What Beijing has heard from Congress probably confirms this belief. For example, most members of Congress likely believe that the United States is a status quo power in Asia and that this ought to be clear to China. But some of their rhetoric and policy initiatives could too easily be interpreted by Beijing as evidence that Washington seeks to change the status quo over Taiwan and perhaps even undermine the CCP’s grip on power.

If Beijing concludes wrongly that a confrontational and aggressive policy from the United States is inevitable, no matter what it does, escalation and conflict could become self-perpetuating and lead in many directions—for example, to decoupling that is economically harmful and unwarranted by national security risks, or to a military posture that increases the chance of war over issues of relatively minor national interest. (Ironically, this outcome would mean that views of the most hawkish neo-Reaganites would have proven self-fulfilling; the adversarial relationship that they anticipate would have become unavoidable, and the hard-line policies they prescribe would be the only prudent U.S. option. The self-fulfilling potential of this dynamic may be a further reason for others to acquiesce in the view that any conciliation or restraint is dangerous and only a policy of firmness is prudent. But as the scholar Robert Jervis once pointed out, “the cost of over-estimating the other’s hostility is itself often underestimated.”⁶⁴)

Members who want to make the case for a more restrained U.S. approach to China could point to the ways in which excessive confrontation with Beijing could end up creating negative consequences for the American people, including mounting defense spending, higher taxes, lower levels of economic growth, and (in the worst case) devastating war. A 2022 estimate by the Rhodium Group put the economic costs of a war over Taiwan at well over

\$2 trillion dollars—a conservative estimate.⁶⁵ In this regard, it may be helpful to note that in August 2023 only 38 percent of Americans supported using U.S. forces to defend Taiwan.⁶⁶ A vast majority want high-level diplomatic talks of the kind the Biden administration has pursued over the course of 2023, which culminated in a summit between Biden and Xi in November 2023.⁶⁷ Needless to say, if the United States goes to war with China, it would be the first time the United States were to fight a nuclear-armed adversary directly.

The bipartisan delegation's visit to Beijing in October 2023 received little media coverage, but Schumer's and his colleagues' willingness to make the trip was still an encouraging sign that some key members of Congress were ready to stick out their necks to help stabilize the bilateral relationship and consider a different course. The delegation was the first such visit in four years and included three Republicans and three Democrats: Maggie Hassan (D-NH), Jon Ossoff (D-GA), Mike Crapo (R-ID), Bill Cassidy (R-LA), and John Kennedy (R-LA).

Continuing in this vein may require some willingness to stand up more forcefully for negotiation and diplomacy, temper the volume of criticisms of China's human rights record, and accept an appropriate degree of risk in U.S. military posture in Asia. It will also require bucking the bipartisan consensus from time to time. Congressional unity on China is helpful if it disabuses Beijing of any belief that U.S. politics has become too dysfunctional to muster the major resources needed to deter and compete globally, but it is also costly if it means that the more aggressive members set the terms of debate.

The relationship of congressional hearings and rhetoric to action is not linear, and sensible executive, judicial, and public education strategies can help limit attendant risks. Congress is not the only factor that determines Beijing's perception of U.S. intentions—and fixing the right baseline for legislative behavior in an uncertain world is a difficult thing. But what Congress says and does still matters, in part because of the powers it has over the implementation of key strategies relevant to managing long-term competition, in part because Beijing is listening and in part because trends and currents of thought on the Hill shape and reflect the nation's broader intellectual currents.

U.S.-China competition will almost certainly be a defining feature of world politics for years to come. The question is whether this will be a competition that can be kept within rational boundaries or whether it will spiral and escalate. Deterrence will play a role in achieving stability and any *modus-vivendi* will involve sometimes sharp competition. But leaders in Congress need to find a way to prevent unwanted escalation and make clear to China and the world that they are in fact in doing so, and why, even as they continue their work to protect America's interests and respond to the challenge that China poses.

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Notes

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- 4 Congressional date ranges are as follows: 113th Congress: January 2013–December 2014, 114th Congress: January 2015–January 2017, 115th Congress: January 2017–January 2019, 116th Congress: January 2019–January 2021, 117th Congress: January 2021–January 2023, 118th Congress: January 2023–January 2025.
- 5 The origins of these attitudes can be dated from the end of the 115th Congress, around the time of the Trump administration’s release of its National Security Strategy and Federal Bureau of Investigation (FBI) director Christopher Wray’s warning about China’s threats in the United States, but the surge in legislation took until the 116th Congress to register.
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in the 113th session. In the 118th session, Congress is on track to pass approximately the same number if the current rate continues. In our tally, we include every bill related to China that received a full floor vote in either the House or the Senate. The criteria to determine if a bill is “about China” is whether the bill’s reference to China is aimed at impacting China’s policies or U.S.-China relations. Often, the bills and resolutions considered on the House or Senate floor already seem to have a clear majority to pass before the actual vote. In these cases, the chamber can elect to pass the bill by “unanimous consent,” which does not indicate that it has unanimous support. Rather, members of both parties will agree to pass the bill or resolution via unanimous consent, which limits the debate and amendment process. A similar tool is suspension of the rules. When legislation passes via suspension of the rules, it passes via voice vote, where the vote is not recorded. The majority leaders are tactical in choosing where bills are placed on the legislative calendar. Therefore, unless controversial legislation has a high priority for the majority’s agenda (such as appropriations bills or the Inflation Reduction Act), many bills that are voted on in a chamber or become law pass via suspension of the rules or unanimous consent. See Valerie Heitshusen, “The Legislative Process on the Senate Floor: An Introduction,” Congressional Research Service, July 22, 2019, <https://crsreports.congress.gov/product/pdf/RL/96-548>.

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- 12 Key activities it will fund in 2023 include \$6.5 billion for strengthening U.S. posture and presence in Asia and funding U.S. Army and Marine Corps operations in the region. The Pentagon requested only \$1.8 billion. See Hibbah Kaileh and Luke A. Nicastro, “The Pacific Deterrence Initiative: A Budgetary Overview,” IF12303, Congressional Research Service, January 9, 2023, 2, <https://sgp.fas.org/crs/natsec/IF12303.pdf>.
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