



***THE 118TH CONGRESS AND CHINA
POLICY—CONTINUITY OVER CHANGE
IN DEFENDING AMERICA***

BY ROBERT SUTTER

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The dramatic display of factional politics and personal ambitions seen among Republicans in the selection of House of Representatives Speaker Kevin McCarthy (R-California) marred the start of the 118th Congress. They reflected realities of divisive domestic politics impacting US policy in recent years. Despite this background, the resolve and momentum of bipartisan congressional majorities has grown over the past five years to be an enduring and driving force in defending America against dangers posed by China.

Continuity

Since 2018, Congress has become more [important](#) than ever in making US China policy, with a focus on defending America from wide-ranging and often very serious security, economic and governance [challenges](#) posed by the Chinese government. In this five-year period, Congress did not follow common [practice](#) since Richard Nixon's trip to China in 1972 of resisting administration initiatives in relations with China. Also in this five-year period, a past pattern of Congress competing with the administration for control of foreign policy was overshadowed by close [symbiosis](#) between bipartisan congressional majorities and a Republican and a Democratic president resisting China's challenges.

Partisanship remained secondary as far as China policy was concerned. Congressional action against China was driven by calculations of congressional members. They persevered despite little support and poor understanding of the need for such dramatic change from public opinion and media until 2020;

they offset resistance from strong domestic interests. The members were notably more resolved than President Trump and Democratic Party candidate Joseph Biden in countering China's challenges.

Recent momentum

Entering office, President Biden soon put aside past ambivalence about Chinese dangers and brought his views in line with congressional majorities. He supported a \$1.2 trillion infrastructure bill, warning of China's ambitions to dominate the fourth industrial revolution and [advising](#) "we can't let them win." The warning meshed well with Senate Majority Leader Charles Schumer's concurrent extraordinary legislation to advance American technology to counter China. He [said](#) the alternative was a world where "the Chinese Communist Party determines the rules of the road."

The infrastructure bill and another bill [curbing](#) US imports of products coming from "forced labor" in concentration camps in Xinjiang had bipartisan congressional support. Many provisions targeting China in the annual National Defense Authorization Act (NDAA) and the Consolidated Appropriation Act for FY 2022 added momentum.

2022 was even more [consequential](#). Just before the congressional recess in August, Schumer's initiative, the \$280 billion Chips and Science Act, became law supporting US competition with China in high technology industries and military forces dependent on high technology. Seventeen Republican senators and 24 Republican representatives voted for the bill. Concurrently, Senate Democrats compromised differences allowing passage of a \$369 billion climate change and tax package, called the Inflation Reduction Act of 2022. Though not supported by Republicans for reasons unrelated to China, the bill's many provisions targeting China reflected bipartisan congressional preferences.

In October, the Biden government imposed sweeping export restrictions designed to [hobble](#) China's ability to manufacture or acquire high technology computer chips, helping to meet congressional concern about China's advances in high technology threatening the United States. [Other measures](#) explicitly defending America against Chinese threats that garnered general congressional approval were initiating and strengthening the Quad alignment of Australia, India and Japan with the United States; the AUKUS agreement involving Great Britain and Australia; the Indo-Pacific Economic Framework (IPEF) involving

13 regional governments; the Partnership for Global Infrastructure and Investment (PGII) led by the G7 countries; and the Blue Pacific Partners including regional powers, the United States and Great Britain focused on the Pacific Islands.

American policy toward Taiwan prompted strong [debate](#) for several weeks leading up to the visit of House of Representatives Speaker Nancy Pelosi to Taiwan on Aug. 2 and over four days of provocative Chinese military shows of force surrounding the island. The Biden government remained in step with Congress as it reacted with firm resolve, avoiding weakness in the face of Chinese pressure. Administration and congressional efforts to defend Taiwan went forward, creating circumstances, which along with other developments, appeared to prompt China to adopt a more positive posture toward the United States at and after the summit meeting of the two presidents on Nov. 14. The new Chinese posture included resumption of high-level China-US communications halted because of the Pelosi visit.

Administration-congressional differences over requirements and wording of the Taiwan Policy Act introduced at this time were met by moderating the requirements and language and including the provisions in the broad ranging National Defense Authorization Act (NDAA) passed at the end of the year. China [reacted](#) to the bill with one day of unprecedented warplane activity around Taiwan—registering strong opposition without reversing Beijing’s new flexibility toward the Biden government.

Outlook for 2023

Momentum of congressional-executive symbiosis seeking to defend America from Chinese challenges is stronger than ever and growing, arguing for continuity in the coming year and more. Possible [challenges](#) that may complicate but are unlikely to upset recent momentum include partisan attacks by the new Republican majority in the House of Representatives, weakened but still important influence of America First advocates in the Republican Party seeking to withdraw from costly international involvement, and as yet not evident growth in Chinese moderation leading to differences among US strategists on the strengths and weaknesses of China’s challenges and appropriate US responses.

Heading the list of current congressional [priorities](#) are oversight and implementation of recent initiatives. The large expenditures targeting China in the Chips

and Science bill and the Inflation Reduction Act as well as the administration’s export curbs on high technology chips to China warrant careful oversight to ensure money is well spent, resulting innovations are not stolen by China and promised export curbs are not weakened by exceptions. In addition, the Biden administration and congressional leaders seek to monitor and likely curb large scale US investment in China. US portfolio [investment](#) was \$368 billion up to the end of 2016 but was \$781 billion over the next four years.

The NDAA passed in December made clear congressional [concerns](#), likely warranting oversight hearings and other investigations, about buttressing US military capacities in the Indo-Pacific Deterrence Initiative and a variety of other programs. Taiwan got special attention given growing and threatening Chinese military power.

Other likely congressional [actions](#) involve investigating and curbing Chinese espionage, penetration of US government high technology laboratories and advanced university facilities, unauthorized activities of Chinese government security agents in the United States, and covert and overt Chinese influence operations involving universities, media, think tanks and related public policy organizations.

The new leadership of the House of Representatives and its proposed China Select Committee [promises](#) opposition to Chinese purchase of US agricultural land and Beijing’s involvement in the fentanyl epidemic plaguing America, as well as attention to ongoing issues of concern regarding supply chain risks and deceptive trade practices.

The Republican leaders have avowed a strong interest in continued [bipartisanship](#) in dealing with China related issues. It remains to be seen if Democrats will be allowed and will be willing to join the China Select Committee. Off-setting bipartisanship are likely moves seen as partisan. For example, Republicans are expected to [investigate](#) the implications of the involvement of President Biden’s son in past business deals with China. To conclude, another avowed Select Committee priority is to investigate and highlight Chinese malfeasance in handling the initial outbreak of COVID-19 in Wuhan, with the [chairman](#) of the Committee believing that COVID emerged from a laboratory in Wuhan that had engaged in dangerous research which was funded by the US government.

In sum, congressional-administration efforts to defend America from often very serious challenges and danger posed by Chinese government behavior have momentum and will advance in 2023, reinforced by some initiatives by the Republican-led House of Representatives and distracted by others.

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