U.S. Assistance Programs in China

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Summary

This report examines U.S. foreign assistance activities in the People's Republic of China (PRC), including U.S. Department of State and U.S. Agency for International Development (USAID) programming, foreign operations appropriations, policy history, and legislative background. International programs supported by U.S. departments and agencies other than the Department of State and USAID are not covered in this report.

U.S. foreign assistance efforts in the PRC aim to promote human rights, democracy, the rule of law, and environmental conservation in China and Tibet and to support Tibetan livelihoods and culture. The United States Congress has played a leading role in initiating programs and determining funding levels for these objectives. Congressionally mandated rule of law, civil society, public participation, and related programs together constitute an important component of U.S. human rights policy towards China. According to the Organization for Economic Cooperation and Development, the United States is the largest provider of "government and civil society" programming among major bilateral foreign aid donors.

During the past decade, the U.S. Department of State and USAID have administered a growing number and range of programs in China. Between 2001 and 2010, the United States government authorized or made available nearly $275 million for Department of State foreign assistance efforts in the PRC, of which $229 million was devoted to human rights, democracy, rule of law, and related activities, Tibetan communities, and the environment. U.S. program areas include the following: promoting the rule of law, civil society, and democratic norms and institutions; training legal professionals; building the capacity of judicial institutions; reforming the criminal justice system; supporting sustainable livelihoods and cultural preservation in Tibetan communities; protecting the environment; and improving the prevention, care, and treatment of HIV/AIDS in China. The direct recipients of State Department and USAID grants have been predominantly U.S.-based non-governmental organizations (NGOs) and universities. Some Chinese NGOs, universities, and government entities have participated in, collaborated with, or indirectly benefited from U.S. programs and foreign aid grantees.

Some policy analysts argue that U.S. democracy, rule of law, and related programs have had little effect in China due to political constraints and restrictions on civil society imposed by the PRC government. Furthermore, some policy makers contend that the United States government should not provide assistance to a country, like China, that has significant foreign aid resources of its own. Other observers argue that U.S. assistance activities in China have helped to build social and legal foundations for political change and bolster reform-minded officials in the PRC government. Some experts also propound that U.S. programs have nurtured relationships among governmental and non-governmental actors and educational institutions in the United States and the PRC, which have helped to develop common understandings about democratic norms and principles.

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Overview

U.S. foreign assistance efforts in the PRC primarily aim to promote human rights, democracy, the rule of law, and environmental conservation in China (including Tibet) and to support Tibetan livelihoods and culture. With the exception of programs in Tibet, U.S. assistance to China does not focus on development objectives such as poverty reduction, economic growth, basic health care and education, and governmental capacity. Congressionally mandated human rights and democracy efforts—rule of law, civil society, public participation in government, and related programs—constitute an important component of U.S. human rights policy towards China, along with the U.S.-China Human Rights Dialogue, public diplomacy efforts, and reporting on human rights conditions in the PRC.[1] The U.S. Agency for International Development (USAID) does not have an aid mission in China and administers PRC programs through its regional office in Bangkok, Thailand.

During the past decade, U.S. assistance to China has grown in size and breadth. Between 2001 and 2010, the United States government authorized or made available nearly $275 million for the State Department's foreign operations programs in China, of which $229 million was devoted to human rights, democracy, rule of law and related activities; Tibetan communities; and the environment.[2] (See **Table A-1**.) U.S. program areas include the following: promoting civil society, the rule of law, and democratic norms and institutions; training legal professionals; building the capacity of judicial institutions and reforming the criminal justice system; supporting sustainable livelihoods and cultural preservation in Tibetan communities; protecting the environment; and improving the prevention, care, and treatment of HIV/AIDS. The direct recipients of State Department and USAID grants have been predominantly U.S.-based non-governmental organizations (NGOs) and universities, although Chinese NGOs, universities, and some government entities have participated in, benefited from, or collaborated with U.S. programs and grantees. In 2010, USAID provided the following overview of its programs:

> The USAID Regional Development Mission for Asia (RDMA) works with its partners to promote, change and solidify China's role as a stable, secure and reliable stakeholder in the international community. The U.S. Government's (USG) priorities are to work with non-governmental organizations (NGOs), universities and other partners to promote the rule of law and human rights and effective action on environmental and health issues. Activities promote transparency, citizen participation and good governance. The Mission will also continue to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities.[3]

Comparisons with Other Aid Providers (OECD Data)

According to data from the Organization for Economic Cooperation and Development (OECD), in 2009, the largest bilateral aid donors, in order of the amount of "official development

[1] See U.S. Department of State, *2010 Human Rights Report: China*, April 8, 2011.

[2] Including Peace Corps programs.

[3] USAID, Congressional Notification #185, September 9, 2010. The notification does not refer to programs administered by the Department of State's Bureau of Democracy, Human Rights, and Labor.

assistance" (ODA) provided to China or programs related to China, were Japan, Germany, France, the United Kingdom, Spain, and the United States. With the exception of the United Kingdom and the United States, the top bilateral donors all provided over half of their assistance in the form of concessional loans. In terms of disbursements of ODA grants for China programs, in 2009, Germany, Japan, France, and the United Kingdom provided $381 million, $297 million, $183 million, and $77 million, respectively.

The United States government committed or obligated $64 million and disbursed nearly $53 million in grant assistance for programs related to China in 2009, according to OECD data. Disbursements or allocations in 2009 included the following departments and agencies: USAID ($25.7 million); the State Department ($9.8 million); the Department of Health and Human Services ($7.2 million); the U.S. Trade and Development Agency ($3.4 million); the Department of Energy ($2.4 million); and the Department of Agriculture ($1.4 million). The United States is the largest provider of "government and civil society" programming among major bilateral foreign aid donors in terms of committed funds.[4]

European Union (EU) aid efforts in the PRC, particularly in the area of legal development, reportedly have exceeded those of the United States in terms of funding, but have placed greater emphasis on commercial rule of law. The EU also has set up a joint law school administered through the University of Hamburg and located at the China University of Politics and Law in Beijing. According to the European Commission, during the middle of the last decade EU assistance to China moved away from the areas of infrastructure and rural development and towards support for social and economic reform, the environment, sustainable development, good governance, and the rule of law. The EU funded aid projects and programs in China worth €128 million ($182 million) in 2007-2010.[5] Recent program areas and funding levels include the following: Democracy and Human Rights (€ 1.9 million); NGO Co-financing (€7.2 million); Gender (women migrant workers – €.7 million); Health (€1 million); Environmental programs (€8.5 million); Urban Development (environmental, social, and cultural programs – €5.3 million); Business Cooperation (cooperation, training, and technical assistance – €7.9 million); Higher Education (€5.2 million); and Information Technology and Communication (€5.3 million).[6]

In other comparative terms, the Ford Foundation, which does not receive U.S. government support, has offered grants worth $275 million for programs in China since 1988. The Ford Foundation aims to "develop the social sector and help marginalized groups access opportunities and resources." Working with research entities, civil society organizations, and government institutions, Ford Foundation efforts promote transparent, effective, and accountable government; civil society; criminal and civil justice system reform; access to secondary and higher education; community rights in sustainable development; and education in the areas of sexuality and reproductive health.[7]

[4] OECD, http://stats.oecd.org/Index.aspx?DatasetCode=CRSNEW. OECD data for the State Department included National Endowment for Democracy grants for China-related programs.

[5] European Commission: External Cooperation Programs, http://ec.europa.eu/europeaid/where/asia/country-cooperation/china/china_en.htm. The Euro-U.S.Dollar conversion rate in April 2011 is €1 = $1.4.

[6] European Union, *China: Strategy Paper 2007-13*, http://eeas.europa.eu/china/csp/07_13_en.pdf.

[7] http://www.fordfoundation.org/regions/china

Policy Debate

As with many other efforts to promote human rights and democracy in China, U.S. assistance has not led to fundamental changes. Some experts argue that foreign-funded rule of law, civil society, and related efforts in China have produced marginal results due to PRC political constraints, such as the lack of judicial autonomy, restrictions on lawyers, weak enforcement of laws, and severe curbs on civil liberties and the ability of Chinese citizens to perform social functions independently of state control. Some analysts suggest that the limited influence of China's judicial, legal, and civil society institutions, organizations, and actors significantly reduces their value as real agents for democracy, and suggest that U.S. programs should focus on changing China's approach to the law rather than expanding existing rule of law programs.[8] Some policy-makers contend that a country such as China, which has significant government resources, should not receive U.S. foreign assistance.

Other analysts contend that U.S. human rights and democracy programs in the PRC have helped to build foundations for political change—more comprehensive and detailed laws, more professional judicial and legal personnel, more worldly and assertive NGOs and social organizations, and a cadre of human rights activists and lawyers—and have bolstered reform-minded officials in the PRC government. Some experts add that efforts that support incremental rather than fundamental change have the best chance of achieving results in the current political environment, in part through increasing "the capacity of reform-oriented individuals in China to be effective in their own work," including those within the government and without.[9] Many foreign and Chinese observers have noted that awareness of legal rights in many areas of PRC society is growing. Another study suggests that rule of law and civil society programs are especially valuable through their direct impact on social organizations, lawyers, local officials, and others.[10]

Civil Society in China

U.S. democracy programming operates in a difficult but resilient Chinese social environment. In the past decade, civil society organizations have mushroomed while a small network of human rights activists and lawyers has emerged. China now has roughly 190,000 lawyers, compared to roughly 110,000 in 2005, or about one for every 7,000 people.[11] This ratio compares to about one lawyer for every 6,000 people in Japan and every 300 in the United States. However, in the past few years, the PRC government has stepped up harassment of lawyers and closed law firms that work on politically sensitive or human rights cases.

According to PRC official estimates, China has nearly 450,000 registered non-governmental or social organizations, compared to 288,000 in 2004. When social organizations that are not officially registered are included, their total is estimated to be several million.[12] Environmental

[8] Paul Eckert, "U.S., China Set 2011 Rights Meeting in 'Candid' Talks," *Reuters*, May 14, 2010.

[9] Paul Gewirtz, "The U.S. China Rule of Law Initiative," *William & Mary Bill of Rights Journal*, Vol. 11 (2003).

[10] William F. Schulz, "Strategic Persistence," *Center for American Progress*, January 2009.

[11] Glenn Norris and Daniel Ren, "Legal System Less Arbitrary but Still a Work in Progress," *South China Morning Post*, April 4, 2011.

[12] Congressional-Executive Commission on China, *Annual Report*, October 10, 2012.

groups have been at the forefront of the development of the NGO sector in China. Other areas in which social organizations operate include legal aid, public health, education, poverty alleviation, and rural development. Chinese NGOs, some of which have participated in U.S. assistance programs, have raised concerns among China's leadership about their growing influence and foreign contacts. In the middle of the last decade, Beijing began to tighten restrictions on social organizations while expressing suspicions about foreign assistance and foreign NGOs operating in China.

Program History

The U.S. Congress plays a greater role in determining foreign operations appropriations for China than it does for many other bilateral aid recipients. Congress has determined funding levels for democracy programs in China and aid activities in Tibet through annual foreign operations appropriations earmarks. Over the past decade, funding to support other purposes, such as HIV/AIDS programming and other efforts, has been supported by Congress as well. (See **Table A-2**.)

In 1997, President Bill Clinton and PRC President Jiang Zemin agreed upon a U.S.-China Rule of Law Initiative, though funding for the program was not provided until 2002. In 1999, Congress began authorizing assistance for the purpose of fostering democracy in China. In 2000, the act granting permanent normal trade relations (PNTR) treatment to China (P.L. 106-286) authorized programs to promote the rule of law and civil society in the PRC. The Consolidated Appropriations Act for FY2000 (P.L. 106-113) provided $1 million for U.S.-based NGOs to preserve cultural traditions and promote sustainable development and environmental conservation in Tibet. In 2002, Congress made available $10 million from the Economic Support Fund (ESF) account for activities to support democracy, human rights, and the rule of law in China, including up to $3 million for Tibet.

Since 2006, Congress has set aside special Development Assistance account funds for American universities for education and exchange programs related to the rule of law and the environment in China. The United States government began implementing HIV/AIDS programs in the PRC in 2007. Criminal justice and other programs conducted by the Resident Legal Advisor at the American Embassy in Beijing expanded later in the decade.

Major Programs

Human Rights and Democracy Fund (DF)—Democracy Programs

Congress plays an important role in determining the size of U.S. human rights and democracy and programming in China. The State Department's Bureau of Democracy, Human Rights, and Labor (DRL) administers democracy programs in China using Democracy Fund account appropriations as determined by Congress. DRL aims to promote or empower the rule of law, civil society, and citizen input into government decision making, and to build the capacity of related institutions in the PRC.

DRL directly funds U.S.-based non-governmental organizations and U.S. universities. Some funding passes through U.S. NGOs to Chinese social organizations as part of projects to train

local NGOs. Through the Bureau's programs, U.S. government and non-governmental entities engage and influence Chinese NGOs; government-sponsored social organizations and institutions, such as women's groups and universities; reformist or progressive government bodies; and legal and judicial institutions and individuals. Due to political sensitivities and to protect its grantees working in China, DRL does not openly disclose the names of its grant recipients. By comparison, the National Endowment for Democracy (NED) supports relatively overtly pro-democracy groups and activities, including NGOs in China and the efforts of Chinese dissidents in exile (see textbox).[13] Major DRL program areas in China include the following:

- *Rule of Law*: strengthen legal and judicial institutions and promote their independence; train legal and judicial professionals; increase public access to the justice system; promote criminal and civil law reform. Temple University's Master of Laws degree program in Beijing was a major recipient of USAID grants and Democracy Fund support.[16]
- *Civil society*: strengthen the capacity of non-governmental organizations, foundations, and charitable groups in fund-raising and NGO management.
- *Citizen participation*: promote public input in policy formation and public dialogue.
- *Labor*: advance labor law, rights, and advocacy; develop collective bargaining mechanisms; strengthen migrant worker rights.
- *Good governance*: support government transparency and electoral reform.
- *Civil liberties*: promote freedom of expression, the press, and information; advance mass media development; support freedom of religion.

National Endowment for Democracy

Established by the U.S. government in 1983, the National Endowment for Democracy (NED) is a private, non-profit organization that promotes freedom around the world. NED has played an active role in promoting democracy in China since the mid-1980s. The Endowment carries out its mission in China largely through grantees which include the International Republican Institute, the Center for International Private Enterprise, the Princeton China Initiative, Chinese, Tibetan, and Uighur human rights and democracy groups based in the United States and Hong Kong, and a small number of NGOs based in China. The Endowment's China programs have received support out of the annual foreign operations appropriation for NED (an estimated $118 million in FY2011) and congressional earmarks to NED for democracy-related programs in the PRC and Tibet.[14] NED's core institutes have received grants from both NED and DRL.[15]

[13] Some experts suggest that NED's non-governmental status affords it greater ease with which to support democracy efforts in China due to its relative insulation from the political tensions of the U.S.-China bilateral relationship.

[14] U.S. Government Accountability Office, *Foreign Assistance: U.S. Funding for Democracy-Related Programs (China)*, February 27, 2004. Congress provided special authorizations out of the Democracy Fund to NED for programs in China between 2001 and 2007 and Tibet between 2004 and 2009.

[15] NED's core institutes are: the International Republican Institute (IRI); the American Center for International Labor Solidarity (ACILS); the Center for International Private Enterprise (CIPE); and the National Democratic Institute for International Affairs (NDI).

[16] Temple University received $13 million in USAID grants and Democracy Fund support between 1999 and 2009. Goldie Blumenstyk, "In China, Thinking Like an American Lawyer," *The Chronicle of Higher Education*, February 20, 2009.

Development Assistance (DA)—Rule of Law and Environmental Programs

Since 2006, Congress has earmarked Development Assistance (DA) account funds for rule of law and environmental programs through annual foreign operations appropriations measures. U.S. assistance helps to provide Chinese law students with legal training, enhance the capacity of Chinese law colleges and judicial institutions, support U.S. engagement with PRC bar associations, develop citizen awareness of the legal system, and enhance legal safeguards for civil rights and women's rights. USAID's criminal justice program supports efforts to promote fair criminal justice procedures, protect criminal defendants' rights, and strengthen the public defender's office in Shanghai. The USAID-funded administrative law program aims to make PRC government agencies and officials more transparent and accessible in their exercise of power.

U.S. educational institutions involved in some of these programs include the University of the Pacific McGeorge School of Law, American University Washington College of Law, and the University of Massachusetts. PRC partner universities are China University of Political Science and Law, Zhejiang Gongshang University, and South China University of Technology.

USAID administers four environmental programs in China using Development Assistance funds. The U.S.-China Partnership for Environmental Law helps to train environmental law professionals, advance reform in China's environmental law, and build capacity in environmental governance. Vermont Law School, in partnership with Sun Yat-sen University in the city of Guangzhou, is carrying out this program. The Guangdong Environmental Partnership (GEP) was launched by the U.S.-based Institute for Sustainable Communities with funding from USAID, support from U.S. private corporations, and the collaboration of Chinese educational institutions and communities. GEP promotes improved energy use and environmental, health, and safety policies and regulations.

The U.S.-China Sustainable Buildings Partnership (SBP) promotes energy efficiency in China's commercial buildings by offering new policy tools and construction methods. SBP is being implemented by ICF International with USAID support, in collaboration with the China Academy of Building Research, Tongji University (Shanghai), China Standard Certification Center, and U.S. environmental foundations and other groups. The U.S.-China Partnership for Climate Action focuses on industrial and power plant energy efficiency and urban policies for low greenhouse gas emissions in two Chinese provinces. The lead implementers are the Institute for Sustainable Communities and the World Resources Institute, with USAID and U.S. private sector support and the collaboration of U.S. and PRC research institutions and Chinese government agencies. Other USAID environmental efforts in China have included water and sanitation projects, financing for clean energy investment and development, quality assurance of energy-saving compact fluorescent lamps, and combating illegal logging. In 2011, USAID provided a grant to the Freeland Foundation for countering the trafficking of wildlife in China and elsewhere in Asia.

Economic Support Fund (ESF)—Tibet

U.S. assistance has supported sustainable development, environmental conservation, and cultural preservation in Tibet since 2000. The implementing partners for USAID programs in Tibet and Tibetan communities are the Bridge Fund, the Tibet Poverty Alleviation Fund, and Winrock International.

Livelihood and Education

USAID activities in Tibetan areas aim to promote the formation and development of business associations, business development centers, herder cooperatives, small businesses, eco-tourism enterprises, and crop and livestock production. U.S. assistance programs include professional, business, and management training and vocational education for Tibetans. Other educational projects and activities include primary school facilities improvements, teacher training, and English language instruction. ESF funds support efforts to provide Tibetans with water and sanitation services, improved access to health services, teacher training and schools, greenhouses, and micro-loans. U.S. programs aim to expand citizen involvement in local community development planning, economic enterprises, and social services.

Environment

U.S. assistance to Tibetan communities includes support for research and development related to environmentally safe grassland management and endangered species mitigation. USAID programs promote the use of solar energy and the sustainable use of forests. They have helped to build water supply and waste management systems. Other USAID efforts include training Tibetans in natural resource management and environmental conservation and raising awareness about climate change and its local effects, reducing vulnerability, and developing responses to environmental changes.

Cultural Preservation

USAID cultural efforts in Tibet include the following: Tibetan language instruction; preservation of traditional heritage, culture, and art, including scriptures, books, and dance; restoration of historical sites and buildings; and the marketing of traditional products.

Global Health and Child Survival (GHCS)—HIV/AIDS Programs

Since 2007, the United States has supported programs to address HIV/AIDS problems in regions of high incidence in China. The Department of State, USAID, and the U.S. Centers for Disease Control and Prevention have aimed to enhance the ability of Chinese local and provincial governments to respond to the disease in the areas of prevention, care, and treatment. U.S. assistance focuses on the development of health systems or models—including monitoring and research—that can be replicated or adopted by PRC provincial governments. Efforts have been made to bring non-state actors, such as health experts, into the policy-making process. Recipients of direct and indirect U.S. assistance include local non-governmental organizations, community-based groups, government-sponsored social organizations, clinics and health care workers, and provincial health bureaus. USAID works with, but does not provide assistance to, the PRC Center for Disease Control. Implementing partners are Family Health International, Population Services International, Private Agencies Collaborating Together, Research Triangle Institute, Micro International, and Management Sciences for Health.

International Narcotics Control and Law Enforcement (INCLE)—Criminal Law and Procedure

INCLE account funding supports the Resident Legal Advisor (RLA), based in the U.S. Embassy in Beijing, to provide expertise on U.S. criminal law and procedure to PRC government officials, legal scholars, and academics, and to "promote long-term criminal justice reform consistent with international standards of human rights." Reform areas include coerced confessions, the rights of defense lawyers, and evidence at trial. The PRC government reportedly has taken steps to apply more rigorous standards towards pre-trial detentions and capital convictions, reduce abusive interrogation practices, and protect some rights of defense lawyers. The RLA also is involved in U.S.-PRC law enforcement cooperation in the areas of counter-narcotics, corruption, money-laundering, counter-terrorism, computer crime, and intellectual property rights. Most of the RLA's activities are conducted by the RLA alone or in cooperation with nongovernmental organizations.[17]

Other Programs and Assistance

ASHA

The Office of American Schools and Hospitals Abroad (ASHA) of USAID's Bureau for Democracy, Conflict, and Humanitarian Assistance provides grants to private and non-profit educational and medical institutions in foreign countries. The purposes of such assistance include fostering mutual understanding, introducing foreign countries to U.S. ideas and practices in education and medicine, and promoting civil society. Since 1997, ASHA has supported projects in China, including helping to establish the Center for American Studies at Fudan University in Shanghai, supporting the Hopkins-Nanjing Center for Chinese and American Studies in Nanjing, and providing a grant to Project Hope for its efforts at the Shanghai Children's Medical Center.

Disaster Assistance

In July 2008, the United States government (USAID and the Department of Defense) provided a total of $4.8 million in humanitarian relief to areas and victims affected by the May 2008 earthquake in Sichuan province that killed nearly 70,000 people. USAID's Office of U.S. Foreign Disaster Assistance awarded $1.2 million to the Asia Foundation to promote rural housing reconstruction and raise public awareness about natural disasters. Other funding went to the International Federation of the Red Cross and Red Crescent Societies (IFRC) for relief supplies and to the Los Angeles County and Fairfax County fire departments for related support. The Department of Defense provided $2.2 million for tents and emergency relief supplies.

[17] U.S. Department of State, FY2012 Congressional Budget Justification for Foreign Operations.

Legislative Restrictions on Foreign Aid to China

The FY2002 appropriations measure (P.L. 107-115) removed China from a list of countries prohibited from receiving U.S. indirect foreign assistance and no longer stipulated that ESF account funds for democracy programs in China be provided to NGOs located outside the PRC.[18] Ongoing restrictions on U.S. foreign assistance in China and other relevant legislative provisions include

- Some U.S. sanctions in response to the Tiananmen military crackdown in 1989 remain in effect, including the requirement that U.S. representatives to international financial institutions vote "no" or abstain on loans to China (except for those that meet basic human needs).[19]
- U.S. representatives to international financial institutions may support projects in Tibet only if they do not encourage the migration and settlement of non-Tibetans into Tibet or the transfer of Tibetan-owned properties to non-Tibetans, which some fear may erode Tibetan culture and identity.[20]
- None of the multilateral assistance made available for the United Nations Population Fund (UNFPA) may be used for a country program in China.[21]
- U.S. laws that can be invoked to deny foreign assistance on human rights grounds include Sections 116 and 502B (security assistance) of the Foreign Assistance Act of 1961 (P.L. 87-195).

Foreign Operations Appropriations, FY2011-FY2012

For FY2011, the State Department requested $7 million for HIV/AIDS efforts and $850,000 for the Resident Legal Advisor; the final allocations were $5 million and $800,000 for HIV/AIDS programs and the RLA, respectively. For Tibet programs, the State Department requested and allocated $5 million. Development Assistance funds for rule of law, human rights, and environmental programs totaled approximately $7 million in FY2011, compared to $12 million in FY2010. U.S. democracy programs in China using DF account funds are likely to continue at FY2010 levels ($17 million).[22]

The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (S. 1601) makes available $7.5 million for non-governmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental

[18] See Section 523, Prohibition Against Indirect Funding to Certain Countries, and Section 526, Democracy Programs.

[19] Pursuant to Section 902 of the Foreign Relations Authorization Act of 1990-91 and Section 710(a) of the International Financial Institutions Act.

[20] Consolidated Appropriations Act, 2010 (P.L. 111-117, Sec. 7071(a)(1)).

[21] Consolidated Appropriations Act, 2010 (P.L. 111-117, Sec. 7078(c)). The "Kemp-Kasten" amendment to the FY1985 Supplemental Appropriations Act (P.L. 99-88) bans U.S. assistance to organizations that support or participate in the management of coercive family planning programs. For further information, see CRS Report RL32703, *The U.N. Population Fund: Background and the U.S. Funding Debate*, by Luisa Blanchfield.

[22] The Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10) did not specify funding amounts for foreign assistance programs in China.

conservation in Tibetan areas of China and $20 million to U.S. universities and nongovernmental organizations for programs and activities in China related to democracy, governance, rule of law, and the environment.

Table 1. U.S. Foreign Assistance Programs and Funding in China, FY2000-FY2012

(thousand U.S. dollars)

Account (Program)	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011 estimate	2012 request
GHCS (HIV/AIDS)								6,750	6,960	7,308	7,000	5,000	7,000
DA (Rule of Law, Environment)							4,950	5,000	9,919	11,000	12,000	7,000	—
ESF/DF (Democracy Programs)	1,000 (Tibet)	0	10,000	15,000	13,500	19,000	20,000	20,000	15,000	17,000	17,000	17,000	—
ESF (Tibet)	0	0	0	0	3,976	4,216	3,960	3,960	4,960	7,300	7,400	5,000	5,000
INCLE (Criminal Justice)	0		0	0	0	0	0	0	0	600	800	800	850
Peace Corps[a]	1,435	1,298	1,559	977	863	1,476	1,683	1,748	1,980	2,057	2,718	2,900	4,700
Totals	1,435	1,298	11,559	15,977	18,339	24,692	30,593	37,458	38,819	45,265	46,918	37,700	—

Sources: U.S. Department of State Congressional budget justifications for foreign operations; Congressional foreign operations appropriations legislation.

a. The Peace Corps has been involved in teaching English language and environmental awareness in China since 1993.

Table 2. U.S. Foreign Operations Appropriations for China: Legislative History

(FY2000-FY2010)

Fiscal Year	Legislation	Provisions
2000	P.L. 106-113	Provided $1 million from the ESF account for U.S.-based NGOs to preserve cultural traditions and promote sustainable development and environmental conservation in Tibet and Tibetan communities as well as $1 million to support research about China, and authorized ESF account funding for NGOs to promote democracy in the PRC.
2001	P.L. 106-429	Authorized up to $2 million for Tibet.
2002	P.L. 107-115	Made available $10 million for activities to support democracy, human rights, and the rule of law in China, including up to $3 million for Tibet.
2003	P.L. 108-7	Provided $15 million for democracy-related programs in China and Hong Kong,[a] including up to $3 million for Tibet and $3 million for the National Endowment for Democracy (NED) for programs in China; continued the requirement that assistance for Tibetan communities be granted to NGOs but lifted the stipulation that they be located outside China.
2004	P.L. 108-199	Made available $13.5 million for activities to support democracy, human rights, and the rule of law in China, including $3 million for NED; provided a special ESF earmark for Tibet ($4 million).
2005	P.L. 108-447	Provided $19 million for democracy-related programs in China, including $4 million for NED, and authorized $4 million for Tibet and $250,000 for NED for human rights and democracy programs related to Tibet; authorized the use of Development Assistance account funds for American universities to conduct U.S.-China educational exchange programs related to the environment, democracy, and the rule of law.
2006	P.L. 109-102 (H.Rept. 109-265)	Extended $20 million for democracy-related programs in China, including $3 million for NED; authorized $4 million for Tibet and Tibetan communities in China and $250,000 to NED for Tibet; provided $5 million in Development Assistance account funds to American educational institutions for democracy, rule of law, and environmental programs in the PRC.
2007	P.L. 110-5	Because of the late enactment of the Continuing Appropriations Resolution for FY2007, funding levels for many U.S. foreign aid programs for the year were not specified but continued at or near FY2006 levels.
2008	P.L. 110-161	Provided $15 million for democracy and rule of law programs in the PRC; mandated $5 million for Tibetan communities in China and $250,000 to NED for Tibet; appropriated $10 million to American educational institutions and NGOs for programs and activities in the PRC.
2009	P.L. 111-8	Appropriated $17 million for the promotion of democracy in China and $7.3 million to NGOs for aid activities in Tibetan communities in China; provided $250,000 to NED for programs in Tibet; made available $11 million to American educational institutions and NGOs for programs and activities in the PRC related to the environment, governance, and the rule of law.
2010	P.L. 111-117	Authorized funding for democracy-related programs in the PRC and $7.4 million for NGOs to support activities related to cultural preservation, sustainable development, and environmental conservation in Tibetan areas. Appropriated $12 million to U.S. educational institutions and NGOs for programs and activities related to the environment, governance, and the rule of law.

Source: Congressional foreign operations appropriations legislation.

Notes: Not all special appropriations for China were allocated fully or allocated during the year in which they were authorized.

a. Since FY2003, congressional authorizations for democracy programs in China have included Hong Kong. The U.S. government provided $450,000 and $922,000 in FY2006 and FY2010, respectively, for programs to strengthen Hong Kong political parties. Since FY2003, U.S. funds also have been made available to Taiwan for the purposes of furthering political and legal reforms, if matching funds are provided. To date, Taiwan has not received U.S. democracy assistance.

Acronyms

DA: Development Assistance

DF: Human Rights and Democracy Fund (Democracy Fund)

DRL: Bureau of Democracy, Human Rights and Labor

ESF: Economic Support Fund

GHCS: Global Health and Child Survival

INCLE: International Narcotics Control and Law Enforcement

NED: National Endowment for Democracy

NGO: Non-governmental Organization

USAID: United States Agency for International Development

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