

HR 3100

East Asia Security Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: International Affairs

Introduced: Jun 29, 2005

Current Status: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 215 -

Latest Action: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 215 - 203 (Roll no. 374). (text: CR 7/13/2005 H5760-5762) (Jul 14, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/3100>

Sponsor

Name: Rep. Hyde, Henry J. [R-IL-6]

Party: Republican • State: IL • Chamber: House

Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Del. Faleomavaega, Eni F. H. [D-AS-At Large]	D · AS		Jun 29, 2005
Rep. Boozman, John [R-AR-3]	R · AR		Jun 29, 2005
Rep. Burton, Dan [R-IN-5]	R · IN		Jun 29, 2005
Rep. Davis, Jo Ann [R-VA-1]	R · VA		Jun 29, 2005
Rep. Harris, Katherine [R-FL-13]	R · FL		Jun 29, 2005
Rep. Hunter, Duncan [R-CA-52]	R · CA		Jun 29, 2005
Rep. Issa, Darrell E. [R-CA-49]	R · CA		Jun 29, 2005
Rep. Lantos, Tom [D-CA-12]	D · CA		Jun 29, 2005
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Jun 29, 2005
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Jun 29, 2005
Rep. Ros-Lehtinen, Ileana [R-FL-18]	R · FL		Jun 29, 2005
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Jun 29, 2005
Rep. Weller, Jerry [R-IL-11]	R · IL		Jun 29, 2005
Rep. Poe, Ted [R-TX-2]	R · TX		Jun 30, 2005

Committee Activity

Committee	Chamber	Activity	Date
Foreign Affairs Committee	House	Reported By	Jul 13, 2005

Subjects & Policy Tags

Policy Area:

International Affairs

Related Bills

No related bills are listed.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

East Asia Security Act of 2005 - (Sec. 2) States that Congress, in view of the gravity of European arms sales to the People's Republic of China (PRC), believes it is necessary to provide for greater oversight with respect to those areas of international armament cooperation that present increased risk levels to U.S. security interests, and to authorize measures which the President may draw on in deterring foreign support for China's military buildup.

(Sec. 3) Directs the President, with specified exceptions, to transmit a report to the appropriate congressional committees that identifies every person of a member country of the European Union (EU), and any other foreign person the President may consider appropriate, with respect to whom there is credible information that the person, on or after January 1, 2005, exported to: (1) the PRC any item on the Wassenaar Munitions List; or (2) the PRC's military, intelligence, or other security forces any item on the Wassenaar List of Dual Use Goods and Technologies, or any other dual use item intended for use with a Wassenaar Munitions List item.

(Sec. 4) Directs the President to transmit a report to the appropriate congressional committees that: (1) identifies every foreign government with respect to which the United States is carrying out specified cooperative projects as defense memoranda of understandings or under the Arms Export Control Act, and whose policies or practices permit the export of any item described in section 3 of this Act; and (2) describes such cooperative projects and policies or practices.

Requires: (1) a U.S. Munitions List license for the export of defense articles or defense services by any person who is not an officer or employee of the U.S. government in furtherance of a cooperative project with a country identified in such report; and (2) congressional notification of license issuance.

(Sec. 5) States that special care should be taken with respect to foreign persons who sell arms and related technology to the PRC while simultaneously seeking ownership of U.S. defense articles or defense services, including U.S. funded defense research and development, through the acquisition or control of U.S. defense firms.

Requires a license for the transfer of ownership or control of U.S. defense articles or defense services arising from the acquisition or control of a person required to be registered under the Arms Export Control Act whenever the person gaining acquisition or control is: (1) a foreign national of the PRC or otherwise subject to PRC jurisdiction, ownership, or control (sets forth additional license requirements for such persons); (2) a foreign person identified in a report transmitted under section 3 of this Act or having its principal place of business in a country described in section 4 of this Act; or (3) a U.S. person owned or controlled by a foreign person. Requires congressional notification of license issuance.

Exempts from such license requirements certain munitions license amendments or registration changes approved prior to enactment of this Act unless otherwise determined by the President to be necessary for national security reasons.

(Sec. 6) Requires: (1) a license under the Export Administration Regulations for the export of any item described in section 3 of this Act that is not subject to a U.S. Munitions List license if the item is intended for PRC military end use; and (2) congressional notification of license issuance.

Expresses the sense of Congress that a license should not be approved unless the President determines that such approval is important to counterterrorism, nonproliferation, or other U.S. national security interests.

Defines "military end use" as an item for use in conjunction with an item described on the Wassenaar Munitions List.

(Sec. 7) Specifies discretionary and mandatory (applicable to persons identified in more than one report under section 3 this Act) measures to be applied to persons and governments identified in such required section 3 reports, including: (1) denial of research and development participation; (2) prohibition of ownership and control of a U.S. defense exporter; (3) prohibition of foreign military sales participation; or (4) prohibition of munitions or dual use approvals.

(Sec. 8) Requires the President to report to the appropriate congressional committees in instances where discretionary measures have not been applied.

(Sec. 9) Authorizes the President to waive mandatory measures upon a determination that: (1) the foreign person did not knowingly export the item at issue to the PRC; (2) the foreign government having primary jurisdiction has concluded an agreement with the United States to resolve the matter; or (3) the waiver is important to counterterrorism, nonproliferation or other U.S. national security interests.

Expresses the sense of Congress that the President should: (1) strengthen international arms export policy through bilateral and multilateral agreements, particularly with North Atlantic Treaty Organization (NATO) members, Japan, Australia, and New Zealand; and (2) comprehensively enforce measures under this Act.

(Sec. 10) Defines specified terms.

Actions Timeline

- **Jul 14, 2005:** Considered as unfinished business. (consideration: CR H5807-5808)
- **Jul 14, 2005:** Failed of passage/not agreed to in House: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 215 - 203 (Roll no. 374).(text: CR 7/13/2005 H5760-5762)
- **Jul 14, 2005:** On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 215 - 203 (Roll no. 374). (text: CR 7/13/2005 H5760-5762)
- **Jul 13, 2005:** Mr. Hyde moved to suspend the rules and pass the bill.
- **Jul 13, 2005:** Considered under suspension of the rules. (consideration: CR H5760-5764)
- **Jul 13, 2005:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3100.
- **Jul 13, 2005:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jul 12, 2005:** Reported by the Committee on International Relations. H. Rept. 109-165.
- **Jul 12, 2005:** Reported by the Committee on International Relations. H. Rept. 109-165.
- **Jul 12, 2005:** Placed on the Union Calendar, Calendar No. 102.
- **Jun 30, 2005:** Committee Consideration and Mark-up Session Held.
- **Jun 30, 2005:** Ordered to be Reported by Unanimous Consent.
- **Jun 29, 2005:** Introduced in House
- **Jun 29, 2005:** Introduced in House
- **Jun 29, 2005:** Referred to the House Committee on International Relations.