

105th Congress, 1st Session - - - - - House Document 105-86

EXTENSION OF WAIVER AUTHORITY FOR  
THE PEOPLE'S REPUBLIC OF CHINA

---

MESSAGE

FROM

**THE PRESIDENT OF THE UNITED STATES**

TRANSMITTING

NOTIFICATION OF HIS DETERMINATION THAT A WAIVER OF THE APPLICATION OF SUBSECTIONS (a) AND (b) OF SECTION 402 OF THE TRADE ACT OF 1974 WITH RESPECT TO THE PEOPLE'S REPUBLIC OF CHINA WILL SUBSTANTIALLY PROMOTE THE OBJECTIVES OF SECTION 402 (PRESIDENTIAL DETERMINATION NO. 97-25), PURSUANT TO 19 U.S.C. 2432(d)(1)



MAY 30, 1997.—Message and accompanying papers referred to the Committee on Ways and Means and ordered to be printed

---

U.S. GOVERNMENT PRINTING OFFICE

39-011

WASHINGTON : 1997

*To the Congress of the United States:*

I hereby transmit the document referred to in subsection 402(d)(1) of the Trade Act of 1974, as amended (the “Act”), with respect to the continuation of a waiver of application of subsections (a) and (b) of section 402 of the Act to the People’s Republic of China. This document constitutes my recommendations to continue in effect this waiver for a further 12-month period and includes my determination that continuation of the waiver currently in effect for the People’s Republic of China will substantially promote the objectives of section 402 of the Act, and my reasons for such determination.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 29, 1997.*



REPORT TO THE CONGRESS CONCERNING THE EXTENSION OF WAIVER  
AUTHORITY FOR THE PEOPLE'S REPUBLIC OF CHINA

Pursuant to subsection 402(d)(1) of the Trading Act of 1974 (hereinafter "the Act"), as amended, having determined that further extension of the waiver authority granted by subsection 402(c) of the Act for twelve months will substantially promote the objectives of section 402, I have today determined that continuation of the waiver currently applicable to China will also substantially promote the objectives of section 402 of the Act. My determination is attached and incorporated herein.

FREEDOM OF EMIGRATION DETERMINATION

China's relatively free emigration policies have continued during the past twelve months. In FY-1996, 27,397 U.S. immigrant visas were issued to Chinese nationals abroad, up about 12 percent from FY-1995. The numerical limitation under U.S. law for immigrants from China was fully subscribed. The figure of 27,397 includes only immigrant visas issued at U.S. consular offices abroad, and does not take into account adjustments of status at INS office in the United States.

In FY-1996, 174,647 U.S. visas were issued worldwide to tourists and business visitors from China, a 16 percent increase from the FY-1995 total of 150,297. The number of nonimmigrant business visas issued to Chinese nationals increased by 17 percent in FY-1996 (from 114,202 to 134,072), while the number of tourist and combination business/tourist visas increased by 12 percent (from 36,095 to 40,575).

Also in FY-1996, 22,014 students visas (including exchange student visas) were issued, a 4 percent increase from the FY-1995 total of 21,119.

The higher volume of visas issued in these categories generally reflects the overall 21 percent increase in non-immigrant visa applications (including issuance and refusals) at U.S. consular offices in China in FY 1996 from FY 1995 levels (217,856 to 262,638).

The principal constraint on increased emigration continues to be the capacity and willingness of other nations to absorb Chinese immigrants rather than Chinese policy. After considering all the relevant information, I have concluded that continuing the waiver will preserve the gains already achieved on freedom of emigration and encourage further progress.



Presidential Determination No. 97-25

THE WHITE HOUSE,  
*Washington, May 29, 1997.*

Memorandum for the Secretary of State  
Subject: Determination Under Subsection 402(d)(1) of the Trade  
Act of 1974, as Amended—Continuation of Waiver Authority

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93-618, 88 Stat. 1978 (hereinafter “the Act”), I determine, pursuant to subsection 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by subsection 402(c) of the Act will substantially promote the objectives of section 402 of the Act. I further determine that continuation of the waiver applicable to the People’s Republic of China will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the *Federal Register*.

WILLIAM J. CLINTON.

○