

105TH CONGRESS
1ST SESSION

H. R. 2570

IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 1997

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

To condemn those officials of the Chinese Communist Party, the Government of the People's Republic of China, and other persons who are involved in the enforcement of forced abortions by preventing such persons from entering or remaining in the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Forced Abortion Con-
5 demnation Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) Forced abortion was rightly denounced as a
9 crime against humanity by the Nuremberg War
10 Crimes Tribunal.

11 (2) For over 15 years there have been frequent
12 and credible reports of forced abortion and forced
13 sterilization in connection with the population con-
14 trol policies of the People’s Republic of China. These
15 reports indicate the following:

16 (A) Although it is the stated position of
17 the politburo of the Chinese Communist Party
18 that forced abortion and forced sterilization
19 have no role in the population control program,
20 in fact the Communist Chinese Government en-
21 courages both forced abortion and forced steri-
22 lization through a combination of strictly en-
23 forced birth quotas and immunity for local pop-
24 ulation control officials who engage in coercion.
25 Officials acknowledge that there have been in-

1 stances of forced abortions and sterilization,
2 and no evidence has been made available to
3 suggest that the perpetrators have been pun-
4 ished.

5 (B) People's Republic of China population
6 control officials, in cooperation with employers
7 and works unit officials, routinely monitor wom-
8 en's menstrual cycles and subject women who
9 conceive without government authorization to
10 extreme psychological pressure, to harsh eco-
11 nomic sanctions, including unpayable fines and
12 loss of employment, and often to physical force.

13 (C) Official sanctions for giving birth to
14 unauthorized children include fines in amounts
15 several times larger than the per capita annual
16 incomes of residents of the People's Republic of
17 China. In Fujian, for example, the average fine
18 is estimated to be twice a family's gross annual
19 income. Families which cannot pay the fine may
20 be subject to confiscation and destruction of
21 their homes and personal property.

22 (D) Especially harsh punishments have
23 been inflicted on those whose resistance is moti-
24 vated by religion. For example, according to a
25 1995 Amnesty International report, the Catho-

1 lic inhabitants of 2 villages in Hebei Province
2 were subjected to population control under the
3 slogan “better to have more graves than one
4 more child”. Enforcement measures included
5 torture, sexual abuse, and the detention of re-
6 sisters’ relatives as hostages.

(E) Forced abortions in Communist China often have taken place in the very late stages of pregnancy.

10 (F) Since 1994 forced abortion and steri-
11 lization have been used in Communist China
12 not only to regulate the number of children, but
13 also to eliminate those who are regarded as de-
14 fective in accordance with the official eugenic
15 policy known as the “Natal and Health Care
16 Law”.

17 SEC. 3. DENIAL OF ENTRY INTO THE UNITED STATES OF
18 PERSONS IN THE PEOPLE'S REPUBLIC OF
19 CHINA ENGAGED IN ENFORCEMENT OF
20 FORCED ABORTION POLICY.

21 The Secretary of State may not issue any visa to,
22 and the Attorney General may not admit to the United
23 States, any national of the People's Republic of China, in-
24 cluding any official of the Communist Party or the Gov-
25 ernment of the People's Republic of China and its re-

1 gional, local, and village authorities (except the head of
2 state, the head of government, and cabinet level ministers)
3 who the Secretary finds, based on credible information,
4 has been involved in the establishment or enforcement of
5 population control policies resulting in a woman being
6 forced to undergo an abortion against her free choice, or
7 resulting in a man or woman being forced to undergo ster-
8 ilization against his or her free choice.

9 **SEC. 4. WAIVER.**

10 The President may waive the requirement contained
11 in section 3 with respect to a national of the People's Re-
12 public of China if the President—

13 (1) determines that it is in the national interest
14 of the United States to do so; and

15 (2) provides written notification to the Congress
16 containing a justification for the waiver.

Passed the House of Representatives November 6,
1997.

Attest:

ROBIN H. CARLE,

Clerk.