

105TH CONGRESS
1ST SESSION

H. R. 967

IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 1997

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

AN ACT

To prohibit the use of United States funds to provide for the participation of certain Chinese officials in international conferences, programs, and activities and to provide that certain Chinese officials shall be ineligible to receive visas and excluded from admission to 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. CONGRESSIONAL STATEMENT OF POLICY.**

4 It is the sense of the Congress that the President
5 should make freedom of religion one of the major objec-
6 tives of United States foreign policy with respect to China.
7 As part of this policy, the Department of State should
8 raise in every relevant bilateral and multilateral forum the
9 issue of individuals imprisoned, detained, confined, or oth-
10 erwise harassed by the Chinese Government on religious
11 grounds. In its communications with the Chinese Govern-
12 ment, the Department of State should provide specific
13 names of individuals of concern and request a complete
14 and timely response from the Chinese Government regard-
15 ing the individuals' whereabouts and condition, the
16 charges against them, and sentence imposed. The goal of
17 these official communications should be the expeditious re-
18 lease of all religious prisoners in China and Tibet and the
19 end of the Chinese Government's policy and practice of
20 harassing and repressing religious believers.

1 **SEC. 2. PROHIBITION ON USE OF FUNDS FOR THE PARTICI-**
2 **PATION OF CERTAIN CHINESE OFFICIALS IN**
3 **CONFERENCES, EXCHANGES, PROGRAMS,**
4 **AND ACTIVITIES.**

5 (a) PROHIBITION.—Notwithstanding any other provi-
6 sion of law, for fiscal years after fiscal year 1997, no funds
7 appropriated or otherwise made available for the Depart-
8 ment of State, the United States Information Agency, and
9 the United States Agency for International Development
10 may be used for the purpose of providing travel expenses
11 and per diem for the participation of nationals of the Peo-
12 ple’s Republic of China described in paragraphs (1) and
13 (2) in conferences, exchanges, programs, and activities:

14 (1) The head or political secretary of any of the
15 following Chinese Government-created or approved
16 organizations:

17 (A) The Chinese Buddhist Association.

18 (B) The Chinese Catholic Patriotic Asso-
19 ciation.

20 (C) The National Congress of Catholic
21 Representatives.

22 (D) The Chinese Catholic Bishops’ Con-
23 ference.

24 (E) The Chinese Protestant “Three Self”
25 Patriotic Movement.

26 (F) The China Christian Council.

1 (G) The Chinese Taoist Association.

2 (H) The Chinese Islamic Association.

3 (2) Any military or civilian official or employee
4 of the Government of the People's Republic of China
5 who carried out or directed the carrying out of any
6 of the following policies or practices:

7 (A) Formulating, drafting, or implement-
8 ing repressive religious policies.

9 (B) Imprisoning, detaining, or harassing
10 individuals on religious grounds.

11 (C) Promoting or participating in policies
12 or practices which hinder religious activities or
13 the free expression of religious beliefs.

14 (b) CERTIFICATION.—

15 (1) Each Federal agency subject to the prohibi-
16 tion of subsection (a) shall certify in writing to the
17 appropriate congressional committees no later than
18 120 days after the date of enactment of this Act,
19 and every 90 days thereafter, that it did not pay, ei-
20 ther directly or through a contractor or grantee, for
21 travel expenses or per diem of any national of the
22 People's Republic of China described in subsection
23 (a).

24 (2) Each certification under paragraph (1) shall
25 be supported by the following information:

1 (A) The name of each employee of any
2 agency of the Government of the People's Re-
3 public of China whose travel expenses or per
4 diem were paid by funds of the reporting agen-
5 cy of the United States Government.

6 (B) The procedures employed by the re-
7 porting agency of the United States Govern-
8 ment to ascertain whether each individual
9 under subparagraph (A) did or did not partici-
10 pate in activities described in subsection (a)(2).

11 (C) The reporting agency's basis for con-
12 cluding that each individual under subpara-
13 graph (A) did not participate in such activities.

14 (c) DEFINITION OF APPROPRIATE CONGRESSIONAL
15 COMMITTEES.—For purposes of this section the term “ap-
16 propriate congressional committees” means the Commit-
17 tee on Foreign Relations of the Senate and the Committee
18 on International Relations of the House of Representa-
19 tives.

20 **SEC. 3. CERTAIN OFFICIALS OF THE PEOPLE'S REPUBLIC**
21 **OF CHINA INELIGIBLE TO RECEIVE VISAS**
22 **AND EXCLUDED FROM ADMISSION.**

23 (a) REQUIREMENT.—Notwithstanding any other pro-
24 vision of law, any national of the People's Republic of
25 China described in section 2(a)(2) (except the head of

1 state, the head of government, and cabinet level ministers)
2 shall be ineligible to receive visas and shall be excluded
3 from admission into the United States.

4 (b) WAIVER.—The President may waive the require-
5 ment in subsection (a) with respect to an individual de-
6 scribed in such subsection if the President—

7 (1) determines that it is vital to the national in-
8 terest to do so; and

9 (2) provides written notification to the appro-
10 priate congressional committees (as defined in sec-
11 tion 2(c)) containing a justification for the waiver.

12 **SEC. 4. SUNSET PROVISION.**

13 Sections 2 and 3 shall cease to have effect 4 years
14 after the date of the enactment of this Act.

Passed the House of Representatives November 6,
1997.

Attest:

ROBIN H. CARLE,
Clerk.