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S. RES. 242

Expressing the sense of the Senate that the President should not go to China until certain aspects of United States policy toward China in the areas of national security, trade, and human rights have been clarified and outstanding questions surrounding the export of United States satellite and missile technology have been answered.

IN THE SENATE OF THE UNITED STATES

JUNE 4 (legislative day, JUNE 2), 1998

Mr. ASHCROFT (for himself and Mr. HUTCHINSON) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Expressing the sense of the Senate that the President should not go to China until certain aspects of United States policy toward China in the areas of national security, trade, and human rights have been clarified and outstanding questions surrounding the export of United States satellite and missile technology have been answered.

Whereas the President has pledged that the United States “must remain a champion” of the liberties of the Chinese people;

Whereas two of the most notable Chinese dissidents, Wang Dan and Wei Jingsheng, effectively have been exiled from their country;

Whereas thousands of other individuals remain imprisoned in China and Tibet for peacefully expressing their beliefs and exercising their inalienable rights, including freedom of association, freedom of speech, and freedom of conscience;

Whereas the Government of the People's Republic of China routinely, systematically, and massively continues to commit widespread human rights abuses in Tibet, including instances of death in detention, torture, arbitrary arrest, imprisonment for the peaceful expression of religious and political views, and intensified controls on the freedom of speech and the press, particularly for ethnic Tibetans;

Whereas China has taken extraordinary steps to avoid the condemnation of the United Nations Commission on Human Rights;

Whereas the President has failed to press China aggressively to protect the civil liberties of the Chinese people and failed even to sponsor a resolution at the meeting of the United Nations Commission on Human Rights condemning China's human rights violations, which include forced abortion, summary execution, arbitrary imprisonment, and persecution of religious minorities;

Whereas since November 1994, the President has declared annually a national emergency regarding the proliferation of weapons of mass destruction and stated that such proliferation poses "an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States";

Whereas, in a June 1997 report on proliferation activity, the Central Intelligence Agency identified China as "the most significant supplier of weapons of mass destruction-relat-

ed goods and technology”, including missile, nuclear, and chemical weapons technology to rogue states such as Iran;

Whereas United States satellite cooperation with China has benefited China’s intercontinental ballistic missile program—missiles with nuclear warheads pointed at the United States, and the Department of Justice is investigating possible missile technology transfers to China resulting from United States-Chinese satellite cooperation;

Whereas the President’s decision to waive restrictions on the export to China of missile technology similar to that under investigation by the Department of Justice, and the President’s efforts to lift the requirements for launch waivers altogether, undermine the present Justice Department investigation and threatens United States national security;

Whereas the Department of Justice is investigating possible campaign contributions from the People’s Liberation Army to the Democratic National Committee through contributions from an executive at China Aerospace International Holdings, an affiliate of China Aerospace Corporation, the firm which oversees China’s missile development and space programs;

Whereas China made written commitments to the United States during the October 1997 summit to terminate nuclear cooperation with Iran and was later reported to be violating that pledge by attempting to provide Iran with hundreds of tons of anhydrous hydrogen fluoride, a material for use in Iran’s nuclear weapons complex to enrich uranium to weapons grade;

Whereas the President, in allowing nuclear cooperation to proceed with China, certified that “the People’s Republic of China has provided clear and unequivocal assurances to the United States that it is not assisting and will not assist any nonnuclear-weapon state, either directly or indirectly, in acquiring nuclear explosive devices or the material and components for such devices”;

Whereas the credibility of this certification is undermined by China’s continuing proliferation activity, including efforts to assist Iran’s nuclear weapons program;

Whereas since the United States normalized trade relations with China in 1979, China has risen from the 57th to 4th largest supplier of United States imports;

Whereas China’s trade and investment practices have resulted in a 1997 trade deficit of \$49,700,000,000, an imbalance more than 2.5 times larger than the United States trade deficit with all European countries, and accounting for one-fourth of the United States trade deficit with the entire world;

Whereas in the Executive branch’s 1997 National Trade Estimate on Foreign Trade Barriers, China’s trade regime was identified as “political”, “severely restricted”, “prohibitive”, “unpredictable”, “preferential”, “de facto”, “unpublished”, “vague”, “inaccessible”, “inconsistent”, and “noncompetitive”;

Whereas facing Congress’s near withdrawal of most-favored nation (MFN) status in 1991 and President Bush’s threat of sanctions, China, in order to keep MFN status and have the United States support its accession to the World Trade Organization (WTO), agreed that it would allow the United States automobile sector to compete

freely in the Chinese market and that, by December 31, 1997, it would eliminate significant trade barriers to United States agricultural exports;

Whereas China's trade liberalization commitments in 1991 have not been honored, yet the Executive branch is moving forward in negotiations for China to accede to the WTO;

Whereas concessions made by China in negotiations to accede to the WTO have been piecemeal, inconsistent, and deficient, and thus limit the economic opportunity of United States businesses and workers;

Whereas Taiwan serves as an example of democratic governance to China and the authoritarian Chinese communist party;

Whereas the People's Republic of China carried out missile exercises in 1995 and 1996 intended to intimidate the people of Taiwan, continues a military buildup directed at the island, refuses to renounce the use of force against Taiwan, and consistently seeks to isolate Taipei from membership in international organizations and general relations with other countries;

Whereas the Chinese communist party has undermined the institutions of democratic government in Hong Kong by abolishing Hong Kong's elected legislature, designing a framework for legislative elections that severely limits representative democracy, and passing retroactive legislation exempting Chinese entities from a host of Hong Kong's laws; and

Whereas the Democratic Party of Hong Kong won every seat elected by direct ballot in Hong Kong, garnering over 60 percent of the popular vote, yet President Clinton has de-

clined to meet individually with the leadership of the Democratic Party of Hong Kong: Now, therefore, be it

1 *Resolved*, That, in the interest of improving United
2 States-China relations, it is the sense of the Senate that—

3 (1) a healthy and stable relationship with China
4 is in the national interests of the United States;

5 (2) the Chinese people should be allowed to
6 freely exercise their unalienable rights, including the
7 rights to freedom of speech, of religion, and of asso-
8 ciation;

9 (3) efforts by the Chinese government to re-
10 strict those liberties pose a threat to a stable China
11 and a positive long-term relationship with the United
12 States;

13 (4) the President should submit a report to
14 Congress as soon as possible after the proposed
15 summit in China concerning his progress in securing
16 the release of persons remaining imprisoned in
17 China and Tibet and other significant steps to im-
18 prove human rights;

19 (5) China's proliferation of weapons of mass de-
20 struction technology poses an unusual threat to the
21 national security of the United States;

22 (6) the President has failed to confront China's
23 proliferation of weapons of mass destruction tech-
24 nology, proliferation that is directly responsible for

1 contributing to an escalating nuclear arms race be-
2 tween India and Pakistan;

3 (7) the trustworthiness of the Chinese govern-
4 ment is undermined when nonproliferation and trade
5 commitments of Chinese officials are repeatedly bro-
6 ken;

7 (8) the President, in addition to applauding
8 narrow trade concessions from China, should ensure
9 that the highest levels of diplomacy are used to open
10 the entire Chinese market to United States trade
11 and investment;

12 (9) China's accession to the World Trade Orga-
13 nization (WTO) should be conditioned on China's
14 compliance with past market access commitments
15 and further steps to open China's market to United
16 States investment and trade in goods and services;

17 (10) the United States should not jeopardize
18 cooperation with and assistance to the democratic
19 government of Taiwan to appease the Chinese gov-
20 ernment but instead should maintain unambiguously
21 its legal commitments to help maintain Taiwan's ca-
22 pacity for self-defense while calling upon the Chinese
23 government to renounce the use of force against the
24 people of Taiwan;

1 (11) the preservation of democratic government
 2 and rule of law in Hong Kong is an obligation of the
 3 Chinese government and failure to honor that obliga-
 4 tion will have a negative effect on United States pol-
 5 icy toward China;

6 (12) China is resisting the spread of democracy
 7 in Asia, which is occurring from South Korea to In-
 8 donesia, and the failure of President Clinton to meet
 9 with the leaders of the Democratic Party of Hong
 10 Kong undermines his statement to President Jiang
 11 that China's repressive government is "on the wrong
 12 side of history"; and

13 (13) the President should not go to China to at-
 14 tend a summit with President Jiang until—

15 (A) the President has provided a full dis-
 16 closure to Congress concerning the transfer of
 17 United States satellite and missile technology to
 18 China; and

19 (B) United States policy toward China in
 20 general has been formulated more effectively to
 21 protect United States national security, eco-
 22 nomic, and human rights interests.

23 SEC. 2. The Secretary of the Senate shall transmit
 24 a copy of this resolution to the President.

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