

106TH CONGRESS
1ST SESSION

H. R. 1570

To create incentives for the People's Republic of China and India to adopt a policy of restraint with respect to their nuclear activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 1999

Mr. ANDREWS introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To create incentives for the People's Republic of China and India to adopt a policy of restraint with respect to their nuclear activities, and for other purposes.

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 “The Incentives for Nu-
5 clear Nonproliferation in India and China Act of 1999”.

6 **SEC. 2. CONDITIONS FOR SUSPENSION OF SANCTIONS.**

7 (a) SUSPENSION OF SANCTIONS WITH RESPECT TO
8 CHINA.—

1 (1) AUTHORITY TO SUSPEND SANCTIONS.—

2 Subject to section 3 of this Act, in addition to the
3 requirements set forth in section 902(a) of the For-
4 eign Relations Authorization Act, Fiscal Years 1990
5 and 1991 (22 U.S.C. 2151 note), for lifting the
6 sanctions imposed on the People's Republic of China
7 under that section, the President may suspend, for
8 periods of 1 year each, any of the sanctions imposed
9 under that section only if that country has met the
10 requirements of paragraph (2) and the President
11 certifies to the Congress that the People's Republic
12 of China is making progress in achieving the goals
13 set forth in paragraph (3).

14 (2) REQUIREMENTS.—The requirements re-
15 ferred to in paragraph (1) are the following:

16 (A) Becoming a participant in, and con-
17 trolling missile equipment and technology in ac-
18 cordance with the criteria and standards set
19 forth in, the Missile Technology Control Re-
20 gime.

21 (B) Refraining from exporting any nuclear
22 weapons or technology or any biological or
23 chemical weapons.

24 (C) Becoming a member of the Nuclear
25 Suppliers' Group.

1 (3) GOALS.—The goals referred to in paragraph
2 (1) are the following:

3 (A) Providing for comprehensive cultural
4 and educational exchange between among India
5 and the People’s Republic of China.

6 (B) Developing and institutionalizing a
7 framework for talks to end disputes between
8 India and the People’s Republic of China.

9 (C) Reinforcing actions to increase trade
10 relations between India and the People’s Re-
11 public of China.

12 (b) SUSPENSION OF SANCTIONS WITH RESPECT TO
13 INDIA.—

14 (1) AUTHORITY TO SUSPEND SANCTIONS.—The
15 President may suspend, for periods of 1 year each,
16 any of the sanctions imposed under section 102(b)
17 of the Arms Export Control Act (22 U.S.C. 2799–
18 1(b)(A) on India if India has met the requirements
19 of paragraph (2) and the President certifies to the
20 Congress that India is making progress in achieving
21 the goals set forth in paragraph (3). The authority
22 under this paragraph to suspend sanctions shall take
23 effect upon the expiration of the suspension by the
24 President, under section 902 of the India-Pakistan

1 Relief Act of 1998, of sanctions with respect to
2 India.

3 (2) REQUIREMENTS.—The requirements re-
4 ferred to in paragraph (1) are the following:

5 (A) Signing the Comprehensive Test Ban
6 Treaty.

7 (B) Reducing the development of nuclear
8 weapons by—

9 (i) freezing stockpiles of nuclear weap-
10 ons;

11 (ii) halting production of fissile mate-
12 rial (highly enriched uranium and pluto-
13 nium processed for use in weapons) and
14 participating in talks to conclude the
15 Fissile Material Cut-off Treaty; and

16 (iii) agreeing not to place nuclear war-
17 heads and weapons of mass destruction on
18 missile systems, and agreeing not to have
19 nuclear warheads on alert status or deploy
20 or test ballistic missiles.

21 (C) Refraining from exporting any nuclear
22 weapons or technology.

23 (D) Becoming a member of the Nuclear
24 Suppliers' Group.

1 (3) GOALS.—The goals referred to in paragraph
2 (1) are the following:

3 (A) Signing the Treaty on the Non-Pro-
4 liferation on Nuclear Weapons.

5 (B) Cooperating fully with the United
6 States on activities to fight international ter-
7 rorism and narcotics trafficking.

8 (C) Providing for comprehensive cultural
9 and educational exchange between India and
10 the People's Republic of China.

11 (D) Developing and institutionalizing a
12 framework for talks to end disputes between
13 India and the People's Republic of China.

14 (E) Reinforcing actions to increase trade
15 relations between India and the People's Re-
16 public of China.

17 (c) ADDITIONAL INCENTIVES.—In addition to sus-
18 pending sanctions under subsection (a), the President may
19 take the following actions with respect to India if that
20 country has met the requirements of subsection (b)(2):

21 (1) Taking actions to encourage United States
22 businesses to increase investment in that country as
23 long as economic reforms undertaken in that country
24 continue, including—

1 (A) encouraging the Export-Import Bank
2 of the United States to offer financing at low
3 interest rates to United States businesses seek-
4 ing to make investments in that country;

5 (B) providing political risk insurance
6 through the Overseas Private Investment Cor-
7 poration for United States businesses seeking to
8 invest in that country; and

9 (C) making assistance available through
10 the Trade and Development Agency to United
11 States businesses seeking to invest in that
12 country.

13 (2) Supporting financial assistance to that
14 country by international financial institutions.

15 (3) Authorizing the transfer of technology to
16 that country for civilian uses that will provide
17 United States businesses access to markets in India
18 to provide the necessary knowledge, processes, mate-
19 rials, and equipment to further economic develop-
20 ment in that country. Nothing in this paragraph au-
21 thORIZES the transfer of technology that would assist
22 in the development of nuclear, chemical, or biological
23 weapons, or the transfer of missile or other military
24 technology that would contribute to regional insta-
25 bility.

1 **SEC. 3. REMOVAL OF NATIONAL INTEREST WAIVER.**

2 Upon the enactment of this Act, the President may
3 not waive or terminate any of the sanctions imposed on
4 the People's Republic of China under section 902(a) of
5 the Foreign Relations Authorization Act, Fiscal Years
6 1990 and 1991 on the basis of the national interest of
7 the United States as set forth in section 902(b)(2) of that
8 Act.

9 **SEC. 4. TERMINATION OF SANCTIONS.**

10 (a) WITH RESPECT TO CHINA.—If the President cer-
11 tifies to the Congress that the People's Republic of China
12 has met the requirements of section 2(a)(2) and has
13 achieved the goals set forth in section 2(a)(3), then the
14 President may terminate the sanctions imposed on that
15 country under section 902(a) of the Foreign Relations Au-
16 thorization Act, fiscal Years 1990 and 1991.

17 (b) WITH RESPECT TO INDIA.—If the President cer-
18 tifies to the Congress that India has signed the Treaty
19 on the Non-Proliferation on Nuclear Weapons, has met
20 the requirements of section 2(b)(2), and has achieved the
21 goals set forth in section 2(b)(3), then the President may
22 terminate the sanctions imposed on that country under
23 section 102(b) of the Arms Export Control Act.

24 (c) REINSTATEMENT OF SANCTIONS.—If at any time
25 after sanctions are suspended or terminated under this
26 Act with respect to People's Republic of China or India,

1 that country ceases to meet the criteria under this Act
2 for such suspension or termination, then the President
3 shall reinstate the sanctions waived or terminated, as the
4 case may be, with respect to that country.

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