

108TH CONGRESS
2D SESSION

H. CON. RES. 304

IN THE SENATE OF THE UNITED STATES

OCTOBER 5, 2004

Received

CONCURRENT RESOLUTION

Expressing the sense of Congress regarding oppression by the Government of the People's Republic of China of Falun Gong in the United States and in China.

Whereas Falun Gong is a peaceful spiritual movement that originated in the People's Republic of China but has grown in popularity worldwide and is now accepted and practiced by thousands in the United States;

Whereas demonstrations by Falun Gong practitioners in the People's Republic of China and the United States have been peaceful, meditative sessions;

Whereas the Constitution of the People's Republic of China provides to the citizens of that country freedom of speech, assembly, association, and religious belief;

Whereas members of the Falun Gong spiritual movement, members of Chinese pro-democracy groups, and advocates of human rights reform in the People's Republic of China have been harassed, libeled, imprisoned, and beaten for demonstrating peacefully inside that country;

Whereas the Chinese Government has also attempted to silence the Falun Gong movement and Chinese prodemocracy groups inside the United States;

Whereas on June 12, 2003, 38 Members of Congress filed an Amended Brief of Amicus Curiae in support of the Falun Gong at the United States District Court, Northeastern District of Illinois, Eastern Division;

Whereas Chinese consular officials have pressured local elected officials in the United States to refuse or withdraw support for the Falun Gong spiritual group;

Whereas Dr. Charles Lee, a United States citizen, has reportedly been mentally and physically tortured since being detained by Chinese authorities in early 2003;

Whereas the apartment of Ms. Gail Rachlin, the Falun Gong spokeswoman in the United States, has been broken into 5 times by agents of the Chinese regime since the regime banned Falun Gong in 1999 in China;

Whereas over the past 5 years China's diplomatic corps has been actively involved in harassing and persecuting Falun Gong practitioners in the United States;

Whereas on June 23, 2003, Falun Gong practitioners were attacked outside a Chinese restaurant in New York City

by local United States-based individuals with reported ties to the Chinese Government;

Whereas 5 Falun Gong practitioners were assaulted outside of the Chinese Consulate in Chicago on September 7, 2001, while exercising their constitutionally protected rights to free speech, leading to battery convictions in Cook County Criminal Court of Jiming Zheng on November 13, 2002, and Yujun Weng on December 5, 2002, both assailants being members of a Chinese-American organization in Chicago, the Mid-USA Fujian Township Association, which maintains close ties with the Chinese Consulate;

Whereas individuals that physically harassed Falun Gong practitioners in San Francisco on October 22, 2000, were later seen at anti-Falun Gong meetings and the Chinese Consulate in San Francisco;

Whereas San Francisco City Supervisor Chris Daly, after receiving complaints that Chinese officials were intimidating his constituents, authored a resolution condemning human rights violations and persecution of Falun Gong members by the Chinese Government;

Whereas Mr. Daly and the other members of the San Francisco City Council subsequently received a letter from the Chinese Consul General in San Francisco, claiming that Falun Gong was an “evil cult” that was undermining the “normal social order” in the People’s Republic of China, and that Mr. Daly’s resolution should therefore be rejected, which it subsequently was;

Whereas in November 2000, the former Mayor of Saratoga, California, Stan Bogosian, issued a proclamation honoring the contributions of Falun Gong practitioners to

the Saratoga community, which prompted the Chinese Consulate in San Francisco to write to Mr. Bogosian urging him to retract his support for local Falun Gong activities;

Whereas many local and national media organizations have reported that other local officials across the United States, including the mayors of several major cities, have been pressured by Chinese consular officials to recant statements of support for the Falun Gong;

Whereas journalists have cited fear of hurting trade relationships as the motivation for some local United States officials to recant their support for Falun Gong after receiving pressure from Chinese consular officials; and

Whereas the Constitution of the United States guarantees freedom of religion, the right to assemble, and the right to speak freely, and the people of the United States strongly value protecting the ability of all people to live without fear and in accordance with their personal beliefs: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That it is the sense of Congress that—

3 (1) the Government of the People's Republic of
4 China should—

5 (A) immediately stop interfering in the ex-
6 ercise of religious and political freedoms within
7 the United States, such as the right to practice
8 Falun Gong, that are guaranteed by the United
9 States Constitution;

1 (B) cease using the diplomatic missions in
2 the United States to spread falsehoods about
3 the nature of Falun Gong;

4 (C) release from detention all prisoners of
5 conscience, including practitioners of Falun
6 Gong, who have been incarcerated in violation
7 of their rights as expressed in the Constitution
8 of the People's Republic of China;

9 (D) immediately end the harassment, de-
10 tention, physical abuse, and imprisonment of in-
11 dividuals who are exercising their legitimate
12 rights to freedom of religion, including the
13 practices of Falun Gong, freedom of expression,
14 and freedom of association as stated in the
15 Constitution of the People's Republic of China;
16 and

17 (E) demonstrate its willingness to abide by
18 international standards of freedom of belief, ex-
19 pression, and association by ceasing to restrict
20 those freedoms in the People's Republic of
21 China;

22 (2) the President should, in accordance with
23 section 401(a)(1)(B) of the International Religious
24 Freedom Act of 1998 (22 U.S.C. 6401(a)(1)(B)),
25 and with the intention of dissuading the Chinese

1 Government from attempting to stifle religious free-
2 dom in the People's Republic of China and the
3 United States, take action such as—

4 (A) issuing an official public demarche, a
5 formal protest, to the Chinese Foreign Ministry
6 in response to the repeated violations by the
7 Chinese Government of basic human rights pro-
8 tected in international covenants to which the
9 People's Republic of China is a signatory; and

10 (B) working more closely with Chinese
11 human rights activists to identify Chinese au-
12 thorities who have been personally responsible
13 for acts of violence and persecution in the Peo-
14 ple's Republic of China;

15 (3) the Attorney General should investigate re-
16 ports that Chinese consular officials in the United
17 States have committed illegal acts while attempting
18 to intimidate or inappropriately influence Falun
19 Gong practitioners or local elected officials, and, in
20 consultation with the Secretary of State, determine
21 an appropriate legal response; and

22 (4) officials of local governments in the United
23 States should—

24 (A) in accordance with local statutes and
25 procedures, recognize and support organizations

1 and individuals that share the goals of all or
2 part of the local community, including Falun
3 Gong practitioners; and

4 (B) report incidents of pressure or harass-
5 ment by agents of the People's Republic of
6 China to Members of Congress, the Attorney
7 General, and the Secretary of State.

Passed the House of Representatives October 4,
2004.

Attest:

JEFF TRANDAHL,

Clerk.