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China-U.S. Relations: Current Issues and Implications for U.S. Policy

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Summary

In the George W. Bush Administration, U.S.-China relations have remained unusually smooth and stable. But U.S. policy toward China now appears to be subject to competing reassessments. State Department officials in 2005 unveiled what they said was a new policy framework for the relationship — one in which the United States was willing to work cooperatively with a non-democratic China while encouraging Beijing to become a “responsible stakeholder” in the global system. Other U.S. policymakers appear to be adopting tougher stances on issues involving China and U.S.-China relations, concerned about strong PRC economic growth and a more assertive and influential PRC diplomacy in the international arena.

Taiwan, which China considers a “renegade province,” remains the most sensitive issue the two countries face and the one many observers fear could lead to Sino-U.S. conflict. Late in 2004 PRC officials created more tension over Taiwan by passing an “anti-secession” law (adopted in March 2005) aimed at curbing Taiwan independence. U.S. officials regarded the action as provocative and unconstructive. In February 2006, Taiwan President Chen Shui-bian suspended the activities of the National Unification Council, a symbol of Taiwan’s commitment to unification with China, citing in part the 2005 anti-secession law as a reason for his action. Both the PRC and Taiwan moves have raised U.S. concerns about cross-strait stability.

Another matter of growing U.S. concern is China’s increasing global “reach” and the consequences that PRC expanding international influence have for U.S. interests. To feed its appetite for resources, China is steadily signing trade agreements, oil and gas contracts, scientific cooperation agreements, and multilateral security arrangements with countries around the world, some of which are key U.S. allies. Some U.S. observers view these activities as a threat to the United States. Even if they are simply the natural outcome of China’s economic development, they may pose critical future challenges for U.S. economic and political interests.

Much of U.S. concern about China appears driven by security calculations at the Pentagon and in Congress. In remarks in June 2005, Secretary of Defense Donald Rumsfeld questioned the motivations behind China’s expanding military budget and stated that a congressionally mandated DOD report concludes Beijing is greatly understating its military expenditures. Bilateral economic and trade issues also remain matters of concern, with U.S. officials and Members of Congress this year particularly criticizing China’s failure to halt piracy of U.S. intellectual property rights (IPR) and China’s continued constraints on its currency valuation. In the February 2005 State Department Country Reports on Human Rights Practices, U.S. officials again classified China’s human rights record as poor. Beijing continues its crackdown on independent religious organizations and political activists.

The 109th Congress is considering these and other issues in H.R. 5122, the Defense Authorization Act of FY2007, and S. 295, a bill to authorize punitive action if China’s currency is not revaluated.

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Most Recent Developments

After North Korea began a series of missile launches on July 4, 2006, the North Korea issue has dominated the agenda in U.S.-China relations. U.S. negotiator Chris Hill made two trips to Beijing in a one-week period (on July 7 and on July 11) for talks with his Chinese counterparts on the troublesome North Korea regime. On July 11, 2006, Chinese officials criticized as an “overreaction” a tough U.S.-backed U.N. resolution on North Korea’s missile tests. But President Hu Jintao also appeared to criticize North Korea at the same time, telling Yang Hyong Sop, the visiting North Korean vice-president of the parliament, “we are against any actions that will aggravate the situation.”

Meanwhile, in Taiwan, charges of corruption and malfeasance by key officials and family members continue to plague the administration of President Chen Shui-bian. Taiwan’s legislature rejected a recall petition for President Chen on June 27, 2006, failing to get the two-thirds majority needed for passage. The week before, on June 20, 2006, President Chen gave a two-hour television speech defending himself against the opposition’s charges.

Background and Overview

Introduction

U.S.-China relations, remarkably smooth from 2001-2004, became more problematic again in 2005 as some U.S. policymakers appear to be adopting tougher stances on issues involving China and U.S.-China relations. Throughout much of the George W. Bush Administration, U.S.-China relations were smoother than they had been at any time since the Tiananmen Square crackdown in 1989. The two governments resumed regular high-level visits and exchanges of working level officials, resumed military-to-military relations, cooperated on anti-terror initiatives, and worked closely on a multilateral effort to restrain and eliminate North Korea’s nuclear weapons activities. U.S. companies continued to invest heavily in China, and some PRC companies began investing in the United States.

Despite this, thorny problems continue to be factors in the relationship, including difficulties over China’s intentions toward and U.S. commitments to democratic Taiwan, various disputes over China’s failure to protect U.S. intellectual property rights, and the economic advantage China gains from pegging its currency to a basket of international currencies. In addition, China’s accelerating rise in the

world has significant implications for U.S. global power and influence. In pursuit of its economic development agenda, China's enormous and growing appetite for energy, raw materials, and other resources has led it to seek an increasing number of economic and energy-related agreements around the world, many of them with key U.S. allies. A number of new developments and statements since late 2004 suggest that U.S. policymakers are reassessing U.S. policies in light of strong PRC economic growth and a more assertive PRC international posture.

Background

(Readers who want to skip background information can go directly to “Key Current Issues” below for current issues in U.S.-China relations.) For much of the 1990s, a number of factors combined to ensure that U.S. congressional interest in the People's Republic of China (PRC) increased annually. In the years after the 1989 Tiananmen Square crackdown, Members often felt that they were neither consulted nor listened to by the Executive Branch concerning the appropriate direction for U.S. China policy. Without the strategic imperative that the Soviet Union had once provided for comprehensive U.S.-China relations, individual Members began to raise their own more narrowly focused concerns in China policy, such as efforts on behalf of Taiwan, in favor of human rights, or against forced sterilization and abortion.

During the later Clinton Administration, when U.S. officials were pursuing a “strategic partnership” with China, some Members became increasingly concerned that the U.S. government was not thinking seriously enough about the PRC as a longer-term threat to U.S. interests. Members were particularly concerned about supporting the democratization and growing political pluralism Taiwan had embraced since abandoning authoritarian rule in the late 1980s. Congress in these years enacted more provisions to accommodate Taiwan's interests, engaged in repeated and protracted efforts to further condition or even withdraw the PRC's most-favored-nation (MFN) trade status, held hearings and considered legislation targeting the PRC's human rights violations, created two commissions to monitor PRC developments, and imposed a host of requirements on the U.S. government to monitor, report on, and restrict certain PRC activities.¹

In late 2001, U.S.-China relations began to experience a sustained period of unusual stability, and Congress as a whole became less vocal and less legislatively active on China-related issues. The reasons for this could not be attributed to any resolution of entrenched bilateral policy differences — such as those long held over human rights or on Taiwan's status — for these differences still existed and are likely to plague the relationship for the foreseeable future. Rather, other factors and policy trends appeared to be at work:

- The White House's early willingness to de-emphasize the importance of Sino-U.S. relations in American foreign policy, even while being open to substantively and symbolically meaningful dialogue with China at most senior levels.

¹ In the United States only, the term “most-favored-nation” (MFN) status has been replaced by the term “normal trading relations” (NTR) status.

- The White House's greater support for Taiwan security, which served to balance U.S. contacts with the PRC and eliminate recurring White House tensions with Congress, where Taiwan is an interest of many Members.
- The September 11, 2001 terrorist attacks against the United States, which brought about dramatic changes in global and national priorities — including new agendas within Congress — that took priority over other foreign policy issues, including the PRC.
- PRC preoccupations in 2001-2003 with a wholesale transition to a new generation of leaders who began to put their own stamp on policy decisions.²

This report addresses relevant policy questions in current U.S.-China relations, discusses trends and key legislation in the 109th Congress, and provides a chronology of developments and high-level exchanges from January 2005 onward. It will be updated as events warrant. Additional details on the issues discussed here are available in other CRS products, noted throughout this report. For background information and legislative action preceding 2005, see CRS Report RL31815, *China-U.S. Relations During the 108th Congress*, by Kerry Dumbaugh. CRS products can be found on the CRS website at [<http://www.crs.gov/>].

Key Current Issues

North Korea

After North Korea began a series of missile launches on July 4, 2006, the North Korea issue has become a more prominent agenda item in U.S.-China relations. U.S. negotiator Chris Hill made two trips to Beijing in a one-week period (on July 7 and on July 11) for talks with his Chinese counterparts on the troublesome North Korea regime. On July 11, 2006, Chinese officials criticized as an “overreaction” a tough U.S.-backed U.N. resolution on North Korea’s missile tests. But President Hu Jintao also appeared to criticize North Korea at the same time, telling Yang Hyong Sop, the visiting North Korean vice-president of the parliament, “we are against any actions that will aggravate the situation.”

After over a year of stalemate and months of intensive diplomacy behind the scenes, Six-Party Talks on North Korea’s nuclear program began again in Beijing

² At its 16th Party Congress (November 8-14, 2002), the PRC’s Communist Party selected a new Party General Secretary (Hu Jintao), named a new 24-member Politburo and a new nine-member Standing Committee, and made substantive changes to the Party constitution. Further changes in government positions were made during the 10th meeting of the National People’s Congress in March 2003, and in September 2004. For more on the leadership transition, see CRS Report RL31661, *China’s New Leadership Line-up: Implications for U.S. Policy*, by Kerry Dumbaugh.

with two meetings held in July-August 2005 and September 2005. With both the North Korean and U.S. sides appearing to have moderated their agendas, the talks resulted in the adoption of the first written agreement arising from the talks — a joint statement of principles drafted with heavy Chinese involvement. In the joint statement, the North Koreans agree to dismantle their nuclear program, and the United States and the four other participants agree to discuss providing North Korea with a light water reactor “at an appropriate time.” But in the days following the release of the joint statement, it became evident that the United States and the North Koreans have different views about the proper sequencing and timing of these two events. The fifth round of Six-Party Talks were held in Beijing in November 2005.³

The road to the North Korean nuclear crisis began in October 2002, when Pyongyang told visiting U.S. officials that it was conducting a uranium enrichment program in violation of its pledges under the 1994 U.S.-North Korean Agreed Framework. The crisis continued to escalate as the United States, Japan, South Korea, and other countries suspended energy assistance to North Korea and the latter withdrew from the Nuclear Non-Proliferation Treaty and restarted its nuclear reactor at Yongbyon. The Bush Administration rejected North Korean demands for bilateral talks to resolve the crisis, and instead consented only to six-party talks involving North and South Korea, the United States, the PRC, Japan, and Russia — still the venue for nuclear discussions with North Korea.

As North Korea’s sole military ally, the PRC could be drawn into any armed conflict involving North Korea — meaning the possibility of U.S.-China military confrontation, an ally of South Korea. In addition, since the PRC is North Korea’s principal trade partner, any decision by the international community to impose sweeping economic sanctions against North Korea would appear to require PRC support. Lack of that support would undermine any sanctions effort and also damage U.S.-China relations. By the same token, collapse of the fragile North Korean regime could have equally unhappy consequences for the PRC, leading to floods of North Korean refugees into China and to the possible advance of U.S. military forces from the South Korean side of the demilitarized zone to the PRC border.

PRC officials have repeatedly emphasized that China supports a non-nuclear Korean peninsula. This support is thought to be genuine, since an unpredictable North Korea armed with nuclear weapons could have unpleasant consequences for Beijing — such as the creation of nuclear weapons programs in currently non-nuclear neighbors like Taiwan, Japan, and South Korea, or an accelerated U.S. commitment for a regional missile defense program, to name only two. But Beijing has stopped short of promising to put further pressure on North Korea, and in fact continues to prop up the North Korean regime with supplies of food and fuel and to advocate bilateral U.S.-North Korean dialogue.⁴

³ See CRS Report RL33567, *Korea: U.S.-Korean Relations — Issues for Congress*, by Larry Niksch.

⁴ “U.S. Rebuffs Direct Talks with North Korea,” *Korea Times*, March 9, 2005; “China Envoy Heads to U.S. for North Korea Nuclear Talks,” *Reuters*, March 8, 2005.

U.S.-PRC “Senior Dialogue”

On December 7, 2005, U.S. Deputy Secretary of State Robert Zoellick and PRC Vice Foreign Minister Dai Bingguo met in Washington D.C. to begin the Second U.S.-China Senior Dialogue meeting to discuss “the strategic and conceptual framework” of U.S.-China relations and other issues.⁵ The idea for an ongoing dialogue was suggested by PRC President Hu Jintao during a meeting with President Bush at the November 2004 Asia Pacific Economic Cooperation (APEC) meeting in Chile. Preparations were finalized during Secretary of State Condoleezza Rice’s subsequent visit to China. The talks, which are planned to be held twice annually (the next is scheduled for 2006), represent the first time in the U.S.-PRC relationship that dialogue at this level of seniority has been held on a regular basis. The talks suggest, in the words of a U.S. official spokesman, an American recognition of “the role that China is playing in Asia, in global affairs, [and] as a member of the U.N. Security Council.”⁶

Along with the establishment of regular U.S.-China talks, a speech given by Deputy Secretary of State Zoellick on September 21, 2005, suggests there is an effort underway within the Administration to explore a new framework for U.S. diplomacy with China. Zoellick’s speech appeared designed to strike a balance somewhere between the “open door/engagement” school of thought and the more dire security threat concerns regularly raised by Pentagon planners (as expressed in the latest Pentagon report, *Military Power of the People’s Republic of China*, released on May 24, 2006). Zoellick’s September 2005 speech emphasized the benefits of U.S.-China cooperation but focused on urging the PRC to become a “responsible stakeholder” — to not only reap the economic benefits of the global system but also to assume greater responsibilities in its global economic and political diplomacy. According to Zoellick, the United States is prepared to work cooperatively with a non-democratic China even as U.S. officials seek to improve China’s democratic prospects.

U.S. Treasury Secretary Henry Paulson is continuing the U.S. efforts to maintain strategic dialogues with the PRC. On September 20, 2006, during his first trip to China as Treasury Secretary, Paulson announced that he would chair a new mechanism for bilateral dialogue — the U.S.-China Strategic Economic Dialogue.

⁵ Deputy Secretary Zoellick used the phrase to describe the first senior dialogue meeting in Beijing in August 2005, at which the two sides discussed energy security, terrorism, economic development and trade, and issues of democracy, freedom, and human rights. According to the State Department, participants in the second Senior Dialogue and the Economic Development and Reform Dialogue, which met simultaneously in December 2005, included Deputy Secretary Robert Zoellick and Under Secretary for Economic, Business and Agricultural Affairs Josette Shiner, Director of Policy Planning Stephen Krasner, Acting EB Assistant Secretary Larry Greenwood, EAP Senior Adviser James Keith, APEC Senior Official Michael Michalak, National Security Council Senior Director for Asia Michael Green, Council of Economic Advisers Member Dr. Matthew Slaughter, Deputy Assistant Secretary of the Treasury David Loevinger, and Deputy Assistant Secretary of Energy David Pumphrey.

⁶ State Department spokesman Richard Boucher in the daily press briefing of April 8, 2005.

According to the Secretary, the goal of the Dialogue is “to take a long-term, a strategic view to managing this relationship where we focus on fundamental, long-term issues.”⁷

Avian Flu

The close proximity of millions of people, birds, and animals in southern China has made it a common breeding ground for deadly types of influenza viruses, including the new H5N1 virus now afflicting poultry throughout Asia. Added to this, the PRC’s poor public health infrastructure and the traditionally secretive, non-transparent policy approach of its communist government have made international health specialists particularly concerned about the PRC as a potential contributor to a global flu pandemic. On January 27, 2004, the PRC became the tenth Asian country to acknowledge ongoing outbreaks of avian flu in poultry populations within its borders. According to the World Health Organization (WHO), H5N1 is now considered endemic in parts of China, afflicting not only domestic poultry and migratory birds, but also parts of China’s pig population.⁸ During a U.N. summit on September 13, 2005, President George Bush and PRC President Hu Jintao reportedly discussed greater avian flu coordination, including an aggressive containment approach and establishment of an early-warning system.⁹ Two months later, on November 16, 2005, Chinese officials reported the country’s first human cases of avian flu.¹⁰ As of March 30, 2006, the number of human avian flu cases in the PRC has grown to sixteen, with eleven fatalities.¹¹

As a result of the 2003 global crisis with SARS, a new virus which originated in China in 2003-2004, PRC leaders appear to have grown more sensitive to the potential catastrophic effects of an avian flu pandemic. The PRC Ministry of Health reports it has established 63 influenza monitoring labs throughout China¹² and has crafted and published an emergency plan for an influenza pandemic, including a four-color-coded notification system.¹³ On November 2, 2005, the government announced further aggressive anti-flu measures. These included an earmark of 2 billion yuan (\$420 million) from China’s current budget to fight avian flu and the banning of

⁷ Treasury Secretary Henry M. Paulson press briefing in Beijing, September 20, 2006. Joint statement at [<http://www.treas.gov/press/releases/hp105.htm>].

⁸ According to the U.S. Centers for Disease Control and Prevention. See website at [<http://www.cdc.gov/flu/avian/outbreaks/asia.htm>]

⁹ King Jr., Neil, “Hu pledges efforts to ease U.S. strains — ,” *Asian Wall St. Journal*, September 15, 2005, p. A1.

¹⁰ On December 15, 2005, PRC officials announced the sixth human case of avian flu.

¹¹ The Chinese government announced the death in Shanghai of the 11th victim — the first avian flu case in that city — on March 25th, 2006. McDonald, Joe, “China confirms woman’s bird flu death,” *Associated Press*, March 25, 2006.

¹² *Beijing Liaowang* in Chinese. Translated on September 26, 2005, in FBIS, CPP20051018050001.

¹³ PRC Ministry of Health, “Preparations and Plan for an Influenza Pandemic Emergency,” September 28, 2005, translated in FBIS, CPP20051012335002 (October 12, 2005).

poultry imports from 14 countries affected by the virus. On January 17-18, 2006, the PRC co-hosted in Beijing an international conference on avian and human influenza at which participating countries pledged \$1.9 billion to fight the disease.¹⁴

Despite these preparations, some international health experts have had concerns about the PRC's transparency on avian flu issues. In late April and June 2005, for instance, PRC officials reported an unknown cause for the suspicious sudden deaths of thousands of migratory birds in western China's Qinghai Lake. In July 2005, a virology team from Hong Kong reported in a scientific journal that their research showed the Qinghai bird deaths were from an H5N1 strain genetically similar to that originating in south China. The Hong Kong report was vigorously criticized as inaccurate by Jia Youling, an official with the PRC Ministry of Agriculture charged with coordinating avian-flu eradication.¹⁵

President George Bush and PRC President Hu Jintao have discussed greater avian flu coordination on several occasions — during a meeting at the U.N. summit in September 2005 and during Bush's visit to Beijing in November 2005.¹⁶ During the latter visit, the two sides initialed a joint initiative on avian flu, promising to participate in joint research on human and animal virus samples, establish a mechanism to share influenza strains for research purposes, and cooperate actively on a number of regional and international levels, including the WHO, the U.N. Food and Agriculture Organization, and the World Organization of Animal Health.¹⁷ The agreement marked an important step, since world health officials consider sharing flu virus samples a key step in tracking the virus' mutation and devising an effective vaccine. In 2005, the PRC did not provide WHO with any samples of avian flu cases in poultry.¹⁸ But on March 22, 2006, press accounts reported an announcement by WHO officials that China had agreed to provide, within the next few weeks, up to 20 virus samples from infected poultry for study in WHO reference labs.¹⁹

¹⁴ In addition to the PRC, the conference was co-hosted by the World Bank and the European Commission.

¹⁵ The independent virology team was from the University of Hong Kong and included Dr. Guan Yi, a co-author of the scientific report published in *Nature* magazine on July 7, 2005. For reference to PRC official Jia Youling's comments, see Sipress, Alan, "China has not shared crucial data on bird flu outbreaks, officials say," in the *Washington Post*, July 19, 2005, p. A15.

¹⁶ King Jr., Neil, "Hu pledges efforts to ease U.S. strains — ," *Asian Wall St. Journal*, September 15, 2005, p. A1.

¹⁷ [<http://lists.state.gov/SCRIPTS/WA-USIAINFO.EXE?A2=ind0511c&L=us-china&D=1&H=1&O=D&P=625>]

¹⁸ This appears still to be the case as of January 23, 2006; Ramirez, Luis, "WHO negotiates with China for handover of bird flu samples," *Voice of America*, January 24, 2006.

¹⁹ According to Beijing WHO official Julie Hall, the breakthrough came after WHO negotiated an agreement with China's Agriculture Ministry that will assure PRC scientists they will receive "intellectual property rights and ...commercial rights" for their avian flu work on poultry. According to health experts, China's Health Ministry has regularly been providing WHO with samples of human avian flu cases. Oleson, Alexa, China turns over

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Taiwan

Taiwan remains the most sensitive and complex issue that U.S. policymakers face in bilateral Sino-U.S. relations. It is the issue that many observers most fear could lead to potential U.S.-China conflict. Beijing continues to lay sovereign claim to Taiwan and vows that one day Taiwan will be reunified with China either peacefully or by force. Beijing has long maintained that it has the option to use force should Taiwan declare independence from China. On December 27, 2004, the PRC emphasized this point again in its fifth white paper on national security, entitled “China’s National Defense in 2004.”²⁰ The paper called the Taiwan independence movement the single biggest threat to China’s sovereignty and to regional peace, and it vowed to prevent Taiwan independence at all costs. Chinese leaders are supporting these long-standing claims with more than 700 missiles deployed opposite Taiwan’s coast and with a program of military modernization and training that defense specialists believe is based on a “Taiwan scenario.”

Concerns have intensified in recent years because of Taiwan’s unpredictable political environment, where the balance of political power has teetered precipitously between two contending political party coalitions. One of these, led by the Democratic Progressive Party (DPP), controls the presidency and is closely associated with advocates of Taiwan independence. Taiwan’s President, Chen Shui-bian, is a DPP member who has spent much of his political career pushing for a separate international identity for Taiwan and referring to Taiwan as “already” an independent country. The other party coalition, led by the remnants of the once-dominant Nationalist Party (KMT), advocates greater policy caution and more engagement with the PRC. Since 2004, the DPP has taken a beating in several electoral contests: the KMT was returned to its slim majority in the legislature in December 2004 elections, and KMT candidates won 14 of 23 constituencies in local elections for city mayors and county magistrates, held on December 3, 2005.

Corruption Scandals in the Chen Administration. Corruption scandals and controversial political decisions have plagued the Chen Administration in recent months, weakening both his political authority at home and his relationship with U.S. officials. Allegations that some key presidential advisers and some of the president’s own family members had profited from insider trading led to a recall vote in the Legislative Yuan on June 27, 2006, which ultimately failed to achieve the 2/3 vote majority needed for passage. Some opinion polls have suggested that a majority of Taiwan citizens feel the president should step down before his term ends in 2008.²¹

“Abolishing” Taiwan’s Unification Council and Guidelines. New political controversy also arose when President Chen announced on February 27,

¹⁹ (...continued)

bird flu samples to WHO,” *Associated Press*, March 22, 2006.

²⁰ The paper was released by the Information Office of the State Council of the PRC. Full text is at [<http://english.people.com.cn/whitepaper/defense2004/defense2004.html>].

²¹ On June 18, 2006, for instance, a poll by *The China Times* revealed that 53% of respondents believed Chen should step down.

2006, that Taiwan's National Unification Council (NUC) will "cease operations" and the Guidelines on National Reunification (GNR) will "cease to apply." The NUC and GNR, two initiatives strongly identified with the former KMT government, are important chiefly for their symbolic embrace of that government's commitment to eventual unification with China.

President Chen first mentioned he was considering scrapping the NUC/GNR on January 29, 2006. That statement appeared to surprise U.S. officials, who responded by publicly reiterating the U.S. "one-China" policy, secretly sending a special envoy delegation to Taiwan to express concerns, and reportedly privately criticizing the decision to Taiwan officials.²² The softer formulation of the language in Chen's February 27, 2006 decision is regarded as a compromise to strong U.S. concern over the cross-strait implications of "abolishing" both entities — a decision that at least one PRC scholar opined could result in a "non-peaceful" response by Beijing.²³

President Chen's NUC decision sparked controversy and policy conflicts in Taiwan. Critics maintain that the decision is a dangerous and unnecessary provocation to Beijing, that it violates President Chen's 2000 inaugural pledge of not seeking to abolish the NUC, and that it unilaterally changes the "status quo" in the Taiwan Strait. Supporters of the President's statement assert that Beijing's increasing missile deployments opposite Taiwan and its adoption of an "Anti-Secession Law" (see below) violate the "no use of force" condition under which Chen's original pledge was made. These PRC moves, Chen's supporters say, have already changed the status quo in the Strait.

PRC Anti-Secession Law. On March 14, 2005, the PRC's National People's Congress (NPC) officially adopted an "anti-secession law," aimed at reining in Taiwan independence advocates and creating a legal basis for possible PRC military intervention in Taiwan. American observers and U.S. officials termed the initiative counterproductive, particularly given improvements in a range of Taiwan-China contacts since December 2004. Critics fear that the anti-secession law increases the possibility of conflict with Taiwan and that the provision could be used to harass independence advocates in Taiwan by, for example, labeling them "criminals" and demanding their extradition from third countries. While many of the new law's 10 articles appear relatively conciliatory, Article 8 is of special concern because of its specific authorization of force. Article 8 states:

Article 8. In the event that the 'Taiwan independence' secessionist forces should act under any name or by any means to cause the fact of Taiwan's secession from China, or that major incidents entailing Taiwan's secession from China should

²² In a January 20, 2006 press briefing, Deputy State Department spokesman Adam Ereli responded to a question on the statement with "we certainly weren't expecting it, we weren't consulted about it, so I'd say it was a surprise." On February 14, 2006, a White House National Security Council official, Dennis Wilder, reportedly with State Department Taiwan official Clifford Hart, secretly visited Taiwan to express U.S. concern and was reportedly told that the decision could not be changed. Reuters, "Taiwan's pro-independence Chen Snubs U.S.: Paper," February 22, 2006.

²³ Chang, S.C., "PRC scholar warns of 'non-peaceful response' to Chen's NUC game," *Central News Agency*, February 23, 2006.

occur, or that possibilities for a peaceful reunification should be completely exhausted, the state shall employ non-peaceful means and other necessary measures to protect China's sovereignty and territorial integrity. The State Council and the Central Military Commission shall decide on and execute the non-peaceful means and other necessary measures...²⁴

Changing PRC Political Pressure on Taiwan. In the aftermath of the heavy-handed anti-secession law, PRC officials appear to have decided that a Taiwan policy of greater nuance and finesse may be of more service to mainland policy interests. Recently, then, Beijing officials have taken a series of actions designed to increase pressure on the Chen government to be more accommodating to mainland concerns. While some China-watchers describe these measures as positive developments for cross-strait relations, others see the moves as an effort by Beijing to capitalize on and exploit Taiwan's internal political divisions and to further isolate and weaken President Chen and his pro-independence DPP government.²⁵ Among other measures, Chinese leaders have issued a series of invitations to key political leaders in the KMT, PFP, and other Taiwan opposition parties — but not to the elected government — to visit China and hold talks. U.S. officials are concerned about the motivations of the visits (which one U.S. Government official termed “not benign on either side”) and have stressed that PRC officials should be speaking with the democratically elected Taiwan government.

U.S. Taiwan Policy and U.S. Arms Sales. U.S. policymakers generally have tried to maintain a delicate balancing act between Taiwan and the PRC, periodically admonishing each side not to take provocative action that could destabilize the status quo.²⁶ The George W. Bush Administration is regarded as having been more solicitous and supportive of Taiwan than any previous U.S. Administration since 1979.²⁷ Among other steps, the Administration in its first term did the following:

²⁴ Full text of the law can be found in the Chinese newspaper *China Daily* at the following website [http://english.people.com.cn/200503/14/eng20050314_176746.html].

²⁵ “It's classic divide-and-conquer strategy: Assemble the most allies possible and isolate your enemy.” Jean-Philippe Beja, senior fellow at the Center for International Studies and Research in Paris. Cited in Magnier, Mark and Tsai Ting-I, “China tries new tactic with Taiwan,” *Los Angeles Times*, April 29, 2005, p. A-3.

²⁶ Since the 1970s, when the United States broke relations with Taiwan in order to normalize relations with Beijing, U.S. policy toward Taiwan has been shaped by the three U.S.-China communiqués, the Taiwan Relations Act (P.L. 96-8), and the so-called Six Assurances. See CRS Report 96-246, *Taiwan: Texts of the Taiwan Relations Act, the U.S.-China Communiqués, and the “Six Assurances”*, by Kerry Dumbaugh.

²⁷ As an example, in an ABC television interview on April 25, 2001, President Bush responded to a question about what his Administration would do if Taiwan were attacked by saying that the United States would do “whatever it took” to help Taiwan defend itself. Critics of the statement said that the United States had no defense alliance with Taiwan and had remained deliberately ambiguous about its reaction if Taiwan were attacked.

- Approved a robust arms sales package to Taiwan, including Kidd-class destroyers, diesel submarines, and P-3C Orion aircraft.²⁸
- Enhanced military-to-military contacts, including meetings between higher-level officers; cooperation on command, control, and communications; and training assistance.²⁹
- Approved transit visas for top Taiwan officials to come to the United States, including Taiwan's President and Vice-President.

But faced with increasingly heated political battles between the pro-independence DPP and the status-quo KMT, Bush Administration officials have somewhat eased their support of the Taiwan government since late 2003. The apparent reassessment was emphasized on December 9, 2003, when President Bush, while standing next to visiting PRC Premier Wen Jiabao, issued a blunt warning to Taiwan, saying "The comments and actions made by the leader of Taiwan indicate he may be willing to make decisions unilaterally that change the status quo, which we oppose."³⁰ In addition to criticizing President Chen Shui-bian's February 27, 2006 National Unification Council decision, U.S. officials have expressed increasing frustration in the ensuing months over Taiwan's lagging arms purchases from the United States. Political disagreements in Taiwan have kept the government from purchasing much of the weapons President Bush approved for sale in 2001. To date, these disagreements have stalled a special arms acquisition budget that the DPP government submitted to Taiwan's legislature — originally for \$18 billion, then slashed to \$15 billion and finally \$11 billion in an effort to attract legislative support. Some U.S. officials appear frustrated with the years of delay over the special arms budget and have raised questions about future U.S. defense commitments to Taiwan if the delay continues.³¹

Taiwan and the World Health Organization (WHO). For eight years, Taiwan's application for observer status in the WHO has been defeated — most recently on May 16, 2005, at the annual meeting of WHO's administrative arm, the World Health Assembly (WHA). Opposition from the PRC routinely has blocked Taiwan's bids on political grounds. PRC officials have argued that since Taiwan is not a state but a part of China it cannot be separately admitted to U.N. entities for which sovereign status is a pre-requisite for membership. Taiwan authorities

²⁸ See CRS Report RL30957, *Taiwan: Major U.S. Arms Sales Since 1990*, by Shirley Kan.

²⁹ According to an online journal from *Pacific Forum CSIS*, at a March 2002 meeting of the U.S.-Taiwan Business Council in Florida, Deputy Defense Secretary Paul Wolfowitz emphasized that along with arms sales, helping Taiwan more successfully integrate its military forces was an important U.S. priority.

³⁰ For more background information on Taiwan and its history with the PRC, see CRS Report RL33510, *Taiwan: Recent Developments and U.S. Policy Choices*; and for background on developments in U.S.-China relations during the 108th Congress, see CRS Report RL31815, *China-U.S. Relations During the 108th Congress*, both by Kerry Dumbaugh.

³¹ Speaking in San Diego on September 20, 2005, Edward Ross, a senior U.S. Pentagon official with the Defense Security Cooperation Agency, said it is reasonable to question U.S. defense commitments to Taiwan "if Taiwan is not willing to properly invest in its own self-defense." *Xinhua Financial Network*, September 21, 2005, English.

maintain that “observer status” in WHO would be an apolitical solution in Taiwan’s case, since other non-sovereign entities, like the Holy See and the Palestine Liberation Organization, have been given such status. The U.S. Government is on record as supporting Taiwan’s membership in organizations “where state-hood is not an issue.”³² In 2004, the 108th Congress enacted legislation (P.L. 108-28) requiring the Secretary of State to seek Taiwan’s observer status in WHO at every annual WHA meeting.³³

Official Taiwan-PRC Contacts. Official government-to-government talks between China and Taiwan last occurred in October 1998, when Koo Chen-fu, Chairman of Taiwan’s Straits Exchange Foundation (SEF) and Wang Daohan, president of the PRC’s Association for Relations Across the Taiwan Straits (ARATS), held meetings in Shanghai.³⁴ But while official talks have flagged, indirect ties and unofficial contacts have continued and have seen significant recent breakthroughs. Taiwan businesses are increasingly invested across the strait, although the exact figures remain unclear. Taiwan-China trade has also increased dramatically over the past decade, so that China now has surpassed the United States as Taiwan’s most important trading partner. According to one report, statistics show Taiwan’s total bilateral trade with the PRC rose to \$61.64 billion in 2004 — a 33.1% increase over 2003.³⁵

This increasing economic interconnectedness with the PRC has put pressure on Taiwan’s DPP government to further accommodate the Taiwan business community by easing restrictions on direct travel and investment to the PRC. On November 18, 2005, Taiwan and China announced that for only the second time (the first being January 2005), direct cross-strait charter flights would be allowed for the duration of the upcoming Lunar New Year from January 20 - February 13, 2006. The arrangements for 2006 are less restrictive than those for 2005. In addition to expanding eligibility for the flights to all Taiwan residents, the number of flights have been expanded (to 36 from each side) as well as the number of destinations (adding Xiamen to last year’s approved destinations of Beijing, Shanghai, and Guangzhou). But such cross-strait accommodations are worrisome to the DPP’s pro-independence political base in Taiwan, who believe that further economic ties to the mainland will erode Taiwan’s autonomy and lead to a “hollowing out” of Taiwan’s

³² A State Department spokesman, in response to a press question at the State Department press briefing of March 20, 2002.

³³ The bill, S. 2092, was enacted as P.L. 108-235.

³⁴ Koo Chen-fu, Taiwan’s chief negotiator, died on January 2, 2005, at age 87. In what many interpreted as a conciliatory gesture, the PRC sent two senior officials — Sun Yafu, deputy director of the PRC’s official Taiwan Affairs Office, and Li Yafei, secretary general of the semi-official ARATS — to attend Koo’s funeral in Taiwan.

³⁵ According to the Foreign Board of Trade, cited by Agence-France Presse in *Taiwan News* online, March 3, 2005, [<http://www.etaiwannews.com>]. See also CRS Report RL31749, *Foreign Direct Investment in China*, by Dick Nanto and Radha Sinha.

industrial base.³⁶ Thus, each Taiwan government decision to facilitate economic links with the PRC represents an uneasy political compromise.

China's Growing Global Reach

Many observers now focus on the critical implications China's economic growth and increasing international engagement could have for U.S. economic and strategic interests. To feed its voracious appetite for resources, capital, and technology, China has steadily and successfully sought trade agreements, oil and gas contracts, scientific and technological cooperation, and multilateral security arrangements with countries both around its periphery and around the world. Dubbed the "charm offensive" by some observers, China's growing international economic engagement has gone hand-in-hand with expanding political influence. Although some believe that PRC officials appear more comfortable working with undemocratic or authoritarian governments, PRC outreach also has extended to key U.S. allies or to regions where U.S. dominance to date has been unparalleled and unquestioned. A brief survey of China's recent international engagement hints at the potential for increasing Sino-U.S. competition for resources, power, and influence around the world.

Asia. China's improved relationships with its regional neighbors are particularly visible. On December 14, 2005, China took part in the first East Asia Summit (EAS) — a fledgling grouping of 16 Asian countries, including the ten members of the Association of Southeast Asian Nations (ASEAN), Japan, South Korea, India, Australia, and New Zealand, but excluding the United States.³⁷ Russia's President Putin attended as an invited observer. According to a statement issued after the summit, the purpose of the new grouping is to permit "dialogue on broad strategic, political, and economic issues."³⁸

For decades prior to the mid-1990s, Sino-ASEAN relations were characterized by recurring clashes over territorial disputes, diplomatic deadlocks, and deep ASEAN concerns about China's military ambitions and its regional economic competitiveness.³⁹ The 2005 EAS meeting represents the latest step in a trend of growing Sino-ASEAN regional cooperation. In addition to being part of an economic partnership in the ASEAN Plus Three (APT) grouping (including also Japan and South Korea, two U.S. military allies), China signed a free trade agreement with ASEAN in November 2004. Under the agreement, beginning July 1, 2005, all parties pledge to start lowering or cancelling tariffs on 7,000 kinds of

³⁶ For instance, there are reportedly 300,000 Taiwan citizens now residing and working in Shanghai.

³⁷ First established in 1967, ASEAN in 2005 includes Brunei-Darassalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar (Burma), the Philippines, Singapore, Thailand, and Vietnam. The United States maintains military alliances with the Philippines and Thailand, and has significant naval and air base arrangements with Singapore.

³⁸ *BBC News (international version)*, "East Asia stages inaugural summit," December 14, 2005.

³⁹ For background, see CRS Report RL31183, *China's Maritime Territorial Claims: Implications for U.S. Interests*, coordinated by Kerry Dumbaugh.

items, with the goal of reaching full mutual free trade by 2010. Within ASEAN, China's relations with Burma are unique, as Beijing has provided Rangoon with substantial military, economic, and infrastructure development assistance. According to a reported internal Department of Defense (DOD) document, Beijing is building naval bases in Burma that will give China its only access to the Indian Ocean.⁴⁰

Outside the EAS framework, China has also improved its bilateral relationship with India, with which it fought several border wars in the 1960s, and with Central Asia. On January 24, 2005, China and India began a "strategic dialogue," discussing terrorism, resource competition, and the U.S. role in Asia. During a visit to South Asia in early April 2005, PRC Premier Wen Jiabao alluded to his stop in India (on April 9) as his "most important agenda item" in 2005.⁴¹ With the Central Asian countries of the former Soviet Union, China has pursued both economic and security arrangements through the Shanghai Cooperation Organization (SCO), founded in 2001.⁴² Within the SCO context, China has cooperated on border enforcement, signed pipeline and rail link agreements, and conducted joint military maneuvers. China also has negotiated energy deals with Australia, another U.S. regional ally, to supply liquid natural gas to southern China, and is continuing to explore a Sino-Australian free trade agreement.

Japan. Japan, considered the most important American ally in Asia, is a notable exception to China's recent regional diplomatic achievements. As with other Asian countries, China's trading relations with Japan have expanded; in 2004, China (including Hong Kong) surpassed the United States as Japan's largest trading partner,⁴³ but the political relationship remains hampered by the residual resentments of Japan's conquest and occupation of China during World War II. China routinely protests Japanese Prime Minister Koizumi's annual visits to the Yasukuni Shrine, where war criminals are also enshrined. Since Koizumi first visited the shrine in 2001, China has used the issue to justify its refusal to engage in bilateral summitry, except as part of multilateral meetings. Historical animosities have also routinely plagued other China-Japan interactions.

Furthermore, since 2004 China's growing economic competitiveness and expanding regional presence have helped exacerbate its relations with Tokyo. China and Japan competed ferociously for access to Siberian oil, with Japan emerging the major winner in a contract to have a main pipeline built to Japan, with a smaller branch running to China. As a result of China's exploration activities in the Chunxiao Gas Field, in waters where Japan and Taiwan also have territorial claims, Tokyo has begun its own exploration activities in and around the Senkakus.

⁴⁰ The internal DOD report was cited by a *Washington Times* reporter. Gertz, Bill, "China Builds up Strategic Sea Lanes," *Washington Times*, January 18, 2005.

⁴¹ U.S. relations with India also have been improving in recent years.

⁴² The SCO is a more recent expansion of the "Shanghai Five" formed in 1997. SCO members include China, Russia, Uzbekistan, Kazakhstan, Kyrgyzstan, and Tajikistan.

⁴³ In 2004, China did \$213 billion in trade with Japan. Sato, Shigeru, "Cooperate with Japan, Don't Compete," *Dow Jones Chinese Financial Wire*, February 3, 2005.

Tensions also have escalated over China's oil explorations in areas of the South China Sea over which Japan also claims sovereignty.

Japanese officials have cut Overseas Development Aid (ODA) to China by around half since 2000. In December 2004, Japan for the first time defined China as a potential security threat, and the following month Tokyo hosted a visit by Lee Teng-hui, a former president of Taiwan who is anathema to Beijing. These tensions appear to have brought Japan closer to U.S. policy positions in recent months. Japanese officials publicly have supported U.S. opposition to European Union (EU) plans to end an arms embargo to China, and on February 19, 2005, U.S. and Japanese officials issued a joint statement declaring a number of common strategic objectives for the first time in decades. These common objectives specifically included peaceful resolution of the Taiwan issue.

Russia. Energy resources and security issues also factor heavily into China's relations with Russia, where as noted above Beijing lost out to Japan in securing a monopoly pipeline supply from Siberian oil fields. In March 2006, Russian President Vladimir Putin and PRC President Hu Jintao Russia held their fifth meeting in less than a year, with President Putin announcing plans to open a gas pipeline to China within five years.⁴⁴ Russian leaders also meet regularly with PRC leaders through the forum of the Shanghai Cooperation Organization, where Russia is one of the six members. On February 2, 2005, Russia's President Vladimir Putin and visiting PRC State Councillor Tang Jiaxuan announced that their two countries would begin holding regular security consultations.⁴⁵ According to Councillor Tang, China considers Russia its "main partner for strategic cooperation," and he emphasized that this was the first time that China had ever established national security consultations with a foreign government. The two countries held eight days of joint military exercises beginning August 18, 2005, involving 7,000 Chinese troops and 1,800 Russian troops. Despite lingering historical tensions between the two, the PRC and Russia are widely thought to be seeking mutual common ground as a counterweight to U.S. global power.

European Union. In recent years, China has courted the European Union (EU) intensively, and Sino-EU contacts have broadened significantly as a result. On December 8, 2004, China and the EU held their 7th Annual EU-China Summit in The Hague, with Premier Wen Jiabao leading the PRC delegation. According to a statement at the time by European Commission President Jose Manuel Barroso, the EU considers China a "strategic partner" and has made developing Sino-EU ties "one of our top foreign policy objectives in the years to come."⁴⁶

Perhaps nothing illustrates China's growing importance in Europe as much as the EU campaign last year to lift the arms embargo that it (along with the United States) has maintained against China since the Tiananmen Square crackdown in 1989. Momentum to lift the embargo appeared to accelerate early in 2005 despite a

⁴⁴ "Russia plans natural gas pipeline to China," *Associated Press*, March 21, 2006.

⁴⁵ "Russia, China Tighten Security Links," *China Daily*, Feb. 3, 2005.

⁴⁶ [http://europa.eu.int/comm/external_relations/china/summit_1204/ip04_1440.htm].

number of American efforts to derail it on the grounds that China has not made sufficient improvements in its human rights record. On February 2, 2005, the U.S. House of Representatives acted on a measure urging the EU to maintain the embargo, passing H.Res. 57 by a vote of 411-3. Senator Lugar, Chairman of the Senate Foreign Relations Committee, has been quoted as saying he would support curbs on sales of advanced military technology to EU countries unless the EU could give strong assurances that advanced technologies would not be diverted to China should the embargo be lifted.⁴⁷

Until China's passage of the anti-secession law on March 14, 2005, EU governments tended to dismiss American arguments that the PRC military, equipped with improved EU-provided defense technologies, could use those technologies to threaten Taiwan and U.S. forces in Asia. But these American arguments appeared strengthened by the PRC's anti-secession law, and the EU's campaign to lift the China arms embargo appears to have abated for the present.

Middle East and Africa. For years, China has sold missile technology and other sensitive materials to countries of security concern to the United States, such as Iran, Syria, Libya, and Iraq. More recently, China also is becoming a major energy player in the Middle East with some of these same countries. PRC negotiators, for instance, were able to sign significant oil deals with Iran in 2004, including a proposal that allows a Chinese company develop Iran's Yadavarn oil field in exchange for China's agreeing to buy Iranian liquified natural gas.⁴⁸ In addition, China's trade with the six Gulf Cooperation Council (GCC) countries has steadily increased in the last few years, reaching \$20 billion in 2004 (although this is still small by comparison with the United States, whose trade with Saudi Arabia alone in 2004 was \$26 billion).⁴⁹

In 2000, China and African countries formed the China-Africa Cooperation Forum (CACF), proposing that the CACF meet every three years to seek mutual economic development and cooperation. Representatives from 45 of Africa's 55 countries attended the CACF's first Ministerial Conference in October of that same year. China has also targeted resource-rich African nations such as Sudan and Angola for energy-related development.⁵⁰ Senior Chinese leaders in 2004 visited oil-producing states, including Algeria and Gabon, and news reports early in 2005 alleged that a state-owned PRC energy company, China Shine, planned to drill exploratory wells in a Namibian concession that was once held by Occidental

⁴⁷ In an interview with the *Financial Times*, February 21, 2005, p. 8.

⁴⁸ Lee, Don, "China Barrels Ahead in Oil Market..." *Los Angeles Times*, November 14, 2004, p. C-1.

⁴⁹ The six GCC countries are the United Arab Emirates (UAE), Saudi Arabia, Bahrain, Kuwait, Qatar, and Oman. Statistics for two-way U.S.-Saudi Arabia trade are from the U.S. Census Bureau, *Foreign Trade Statistics*.

⁵⁰ China objected to the U.N. vote threatening oil sanctions against Sudan unless it ceased atrocities in the Darfur region. Ultimately, the PRC abstained on the September 19, 2004 vote, but promised to veto any future sanctions.

Petroleum.⁵¹ China has also shown an interest in iron ore deposits in Liberia and Gabon. In addition to resource-related imperatives, some observers have suggested that there is a political dynamic to China's push into Africa, as 6 of the 24 countries that still maintain official diplomatic relations with Taiwan are on the African continent.⁵²

Western Hemisphere.⁵³ There is also a political dynamic in China's expanding economic and trade relationships with Latin America and the Caribbean, where another 12 countries still maintain official diplomatic relations with Taiwan.⁵⁴ In addition, China's growing presence in the region also may have political and economic consequences for the United States. In September 2004, China sent a "special police" contingent to Haiti — one of Taiwan's official relationships — marking Beijing's first deployment of forces ever in the Western Hemisphere. A primary focus in the U.S.-Latin America debate over the U.S.-Central America Free Trade Agreement (CAFTA) is how to keep Latin American textile manufacturing in the region viable in the face of the expected surge in Chinese textile industry exports with the end of the Multi-Fiber Arrangement on December 31, 2004. On January 25, 2005, Chile became the first Latin American country to hold bilateral negotiations with China to craft a Sino-Chilean Free Trade Agreement. The two governments appear to have made substantial progress in their negotiations, and a fourth round is expected in Santiago in August 2005. Beijing officials hope to ink a Sino-Chile Free Trade Agreement before the end of the year, and hope it can become a model for similar agreements with other Latin American countries.⁵⁵

Energy concerns also play a role in China's Latin-American diplomacy, particularly in Venezuela, which now accounts for almost 15% of U.S. oil imports, and in Brazil, with whom China announced a \$10 billion energy deal in November 2004.⁵⁶ As a consequence of Venezuelan President Hugo Chavez's visit to Beijing in December 2004 and PRC Vice-President Zeng Qinghong's visit to Venezuela in

⁵¹ Boxell, James, "Circle Oil in Dollars 50m Africa Drilling Deal with Chinese Group," *Financial Times* (London edition), January 28, 2005, p. 25.

⁵² In November 2005, Taiwan maintains official relations with Burkina Faso, Chad, the Gambia, Malawi, Sao Tome and Principe, and Swaziland. Formerly, Senegal was one of Taiwan's official relationships; it announced on October 25, 2005, that it was severing official relations with Taiwan.

⁵³ See CRS Report RS22119, *China's Growing Interest in Latin America*, by Kerry Dumbaugh.

⁵⁴ Taiwan's official relations in the region include Belize, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, St. Kitts and Nevis, and St. Vincent and the Grenadines. On January 20, 2005, Grenada formally ended its diplomatic relations with Taiwan and established diplomatic relations with the PRC.

⁵⁵ Jiang Wei, "China-Chile FTA Talks Smooth," *China Daily*, January 31, 2005, online at [http://www.bilaterals.org/article.php?id_article=1237].

⁵⁶ The PRC is also investing in energy deals in Ecuador and in offshore projects in Argentina, according to the *New York Times*, "China's Oil Diplomacy in Latin America," March 1, 2005, p. 6.

January 2005, the two countries reportedly signed a series of agreements that committed the China National Petroleum Corporation to spend over \$400 million to develop Venezuelan oil and gas reserves.⁵⁷ Given the current poor state of U.S.-Venezuelan relations under the Chavez government, some American observers worry that Venezuelan energy agreements with China ultimately may serve to divert oil from the United States.

Chinese economic and energy concerns extend also to Canada. On January 20, 2005, at the conclusion of Canadian Prime Minister Paul Martin's visit to China, the two governments signed a series of agreements to promote international cooperation on a range of issues and to make energy issues in particular — including gas, nuclear, clean energy, and oil sources, primarily massive “oil sands” in Alberta — into “priority areas” of mutual cooperation. Energy discussions are to be maintained through the Canada-China Joint Working Group on Energy Cooperation, formed under a 2001 memorandum of understanding. A major Canadian oil-pipeline company, Enbridge, is said to be planning a major (\$2.2 billion) pipeline project to transport oil from Alberta's oil-sands deposits to the west coast for shipment to wider markets including China.⁵⁸

Economic Issues

The PRC is now the third-largest U.S. trading partner, with total U.S.-China trade in 2005 estimated at \$285 billion. Ongoing issues in U.S.-China economic relations include the substantial and growing U.S. trade deficit with China (\$202 billion in 2005), repeated PRC failures to protect U.S. intellectual property rights, and the PRC's continuing restrictive trade practices, such as its refusal to date to float its currency.⁵⁹ In addition, some policymakers have focused recent attention on efforts by PRC companies to buy American assets. (For further information, see CRS Report RL33536, *China-U.S. Trade Issues*, by Wayne Morrison.)

Intellectual Property Rights. China's lack of protection for intellectual property rights (IPR) has become one of the most important issues in U.S.-China bilateral trade. According to calculations from U.S. industry sources, IPR piracy has cost U.S. firms \$2.5 billion in lost sales, and the IPR piracy-rate in China for U.S. products is estimated at around 90%.⁶⁰ U.S. officials routinely have urged Beijing to crack down on IPR piracy, and Secretary of Commerce Don Evans stressed in his last official visit to China in January 2005 that China needed to do better at IPR protection.

⁵⁷ Bajpae, Chietigi “China's Quest for Energy Security,” *Power and Interest News Report*, February 25, 2005, online at [<http://www.pinr.com/>].

⁵⁸ Mortished, Carl, “Chinese Chase Canadian Oil,” *The Times* (London), March 5, 2005, p. 36

⁵⁹ See CRS Report RL33536, *China-U.S. Trade Issues*, by Wayne Morrison, for further details.

⁶⁰ International Intellectual Property Alliance, *2004 Special 301 Report: People's Republic of China*, February 2005, cited in CRS Report RL33536, *China-U.S. Trade Issues*, by Wayne Morrison.

Currency Valuation. Another ongoing U.S. concern has been the PRC's decision to keep the value of its currency low with respect to the dollar, and indirectly with the yen and euro. Until 2005, the PRC pegged its currency, the renminbi (RMB), to the U.S. dollar at a rate of about 8.3 RMB to the dollar — a valuation that many U.S. policymakers concluded kept the PRC's currency artificially undervalued, making PRC exports artificially cheap and making it harder for U.S. producers to compete. U.S. critics of the PRC's currency peg charged that the PRC unfairly manipulated its currency, and they urged Beijing either to raise the RMB's value or to make it freely convertible subject to market forces. On July 1, 2005, the PRC changed this valuation method, instead announcing it would peg the RMB to a basket of currencies. The resulting small appreciation in the RMB from this action has not been sufficient to assuage U.S. congressional concerns, and Senators Charles Schumer and Lindsay Graham have introduced legislation (S. 295) that, if passed, would raise U.S. tariffs on PRC goods by 27.5% unless PRC currency levels appreciate. (For more information, see CRS Report RS21625, *China's Currency: A Summary of the Economic Issues*, by Wayne M. Morrison and Marc Labonte.)

National Security Issues

Annual Report on China's Military Power. On July 19, 2005, the Pentagon released its annual, congressionally-mandated report on China's Military Power. (Appendix II of this paper contains a list, legislative authority, and text links for selected mandated U.S. government reports on China, including the report on China's Military Power.) The DOD report, normally submitted late, had been expected for weeks (its due date is March 1 annually), and it reportedly was delayed further this year because of bureaucratic disagreement about its conclusions. The 2005 report appears to reflect a more alarmist view about military trends in China than did earlier reports. It concludes that China is greatly improving its military, including the number and capabilities of its nuclear forces, and that this build-up poses a long-term threat to Taiwan and ultimately to the U.S. military presence in Asia. The tone of the report is expected to prompt renewed congressional debate over what China's military expansion means for U.S. interests and what should be the proper U.S. response.

Weapons Proliferation. For many years, U.S. officials and Members of Congress have been concerned about the PRC's track record of weapons sales, technology transfers, and nuclear energy assistance to certain countries in the Middle East and South Asia, particularly to Iran and Pakistan. While some U.S. officials have grown more confident that the PRC is changing its proliferation policies, congressional and other critics charge that such confidence is misplaced.⁶¹ They point out that for years, reputable sources have reported China to be selling ballistic missiles and technology for weapons of mass destruction (WMD) in the international

⁶¹ As reasons for such confidence, some point to the past decade, when the PRC has: 1992 — promised to abide by the Missile Technology Control Regime (MTCR) and acceded to the Nuclear Non-Proliferation Treaty (NPT); 1993 — signed the Chemical Weapons Convention (CWC); 1996 — signed the Comprehensive Test Ban Treaty; and 1997 — joined the Zangger Committee of NPT exporters.

market, primarily in the Middle East.⁶² Although these allegations have always created problems in Sino-U.S. relations, they have taken on new and potentially significant implications given the Administration's emphasis on controlling the spread of weapons of mass destruction as well as WMD programs as well as later disclosures that both Iran and North Korea are actively pursuing nuclear weapons programs. The PRC has had close relationships with all three countries in the past, including sales of military equipment that could threaten U.S. forces in the region and missiles that could enhance a nuclear weapons capability.⁶³

Military Contacts. Once one of the stronger components of the relationship, U.S.-China military relations have never fully recovered after they were suspended following the 1989 Tiananmen Square crackdown. Nevertheless, both countries cautiously resumed military contacts during the 108th Congress, although efforts to reenergize military ties met with repeated setbacks. In October 2005, U.S. Secretary of Defense Donald Rumsfeld made his first official visit to China as Secretary of Defense.⁶⁴ (See appendix at the end of this report for a list of recent U.S.-China official talks.)

Human Rights

The Bush Administration generally has favored selective, intense pressure on individual human rights cases and on rule of law rather than the broader approach adopted by previous American administrations. The PRC government periodically has acceded to this White House pressure and released early from prison political dissidents — usually citing health reasons and often immediately preceding visits to China by senior Bush Administration officials. On March 4, 2004, for instance, the PRC released on medical parole one of its best-known political prisoners, Wang Youcai, a co-founder of the short-lived China Democracy Party. Days earlier, the PRC released an imprisoned Tibetan nun, and on March 14, 2005, released Uighur businesswoman Rebiya Kadeer, arrested in 1999 for “revealing state secrets.” The same day, the U.S. government announced that it would not introduce a resolution criticizing China's human rights record at the 61st Session of the U.N. Commission on Human Rights in Geneva from March 14 to April 22, 2005.

There were no such symbolic gestures before President Bush's November 2005 visit to China. Moreover, President Bush, during his Asia visit, publicly adopted a different human rights approach, making universal freedom, religious freedom, and democratization appear to be the centerpiece of U.S. policy in Asia. There has been little sign that the President's November remarks or the U.S. position on human

⁶² For details, see CRS Report RL31555, *China and Proliferation of Weapons of Mass Destruction and Missiles: Policy Issues*, by Shirley Kan.

⁶³ Iran, for instance, has purchased from the PRC small numbers of SA-2 surface-to-air missiles, F-7 combat aircraft, fast-attack patrol boats, and C-802 anti-ship cruise missiles. Some Members of Congress have questioned whether Iran's possession of C-802s violates the Iran-Iraq Arms Non-Proliferation Act of 1992 (50 U.S.C. § 1701), which requires sanctions on countries that sell destabilizing weapons to Iran or Iraq.

⁶⁴ See CRS Report RL32496, *U.S.-China Military Contacts: Issues for Congress*, by Shirley Kan.

rights has affected PRC policies, although there is growing evidence of increasing social demands within China for greater accountability, transparency, and responsiveness in government.

On December 2, 2005, the first U.N. torture investigator allowed to visit China, Manfred Nowak, stated his conclusion that while torture was on the decline (China outlawed it in 1996), it was still a widespread problem in Chinese prisons. Beginning November 21, 2005, Nowak spent two weeks visiting Chinese prisons and speaking to detainees. Nowak submitted his report to the United Nations on March 10, 2006.

New Internet and Media Restrictions. The explosive growth of the Internet, cell phones, and text messaging in China has helped make these relatively unregulated electronic sources the dominant source of information for Chinese citizens. Beijing has increasingly viewed these new information sources as potential threats to the central government's ability to control and shape information flows, and for several years PRC leaders have attempted to restrict and control the scope of Web content and access. On September 25, 2005, China imposed new regulations designed to further limit the type of electronic news and opinion pieces available to the Web-savvy in China.⁶⁵ Among other things, the regulations prohibits major search engines from posting their own independent commentary on news stories, stipulating that only opinion pieces provided by state-controlled media may be posted; requires internet service providers to record the content, times, and Internet addresses of news information that is published and to provide this information to authorities upon inquiry; and in vague terms prohibits certain kinds of content from being posted — such as content that “undermines state policy” or “disseminates rumors [and] disturbs social order.”⁶⁶ The new regulations are backed by penalties, including fines, termination of Internet access, and possible imprisonment.

Religious Freedom. In recent years, the PRC has continued to crack down on unauthorized religious groups and to restrict the freedoms of ethnic communities that seek greater religious autonomy. Much of this repression focuses on what PRC officials have classified as illegal religious “cults” such as the Falun Gong and the Three Grades of Servants Church. Reports about religious freedom in China suggest that state persecution of some religious and spiritual groups will likely continue as long as the Chinese Communist Party (CCP) perceives these groups to be threatening to its political control. However, religions in the PRC have also attracted increasing numbers of adherents as well.

In the China section of its most recent annual *International Religious Freedom Report*, released November 8, 2005, the U.S. Department of State judged China's record on religious freedom to be poor and substantially the same as during recent years. The Secretary of State again designated China as a country of particular concern in 2004 — a designation the PRC has earned each year since 1999. The

⁶⁵ “‘Full Text’ of PRC Internet News Information Service Management Rules,” jointly promulgated by the PRC State Council Information Office and the Ministry of Information Industry, September 25, 2005, *Beijing Xinhuan Wang*, in FBIS, CPP2005926038001.

⁶⁶ *Ibid.*, Article 19.

State Administration for Religious Affairs, SARA, (formerly known as the Religious Affairs Bureau, or RAB) continues to require churches to register with the government. Churches that are unregistered — so-called “house churches” — continue to be technically illegal and often repressed by the government. As in the past, however, treatment of unregistered churches varies widely from locality to locality, with some local officials highly repressive and others surprisingly tolerant.

Some suggest that in the 21st century the Communist Party has sought ways to recognize religion as an integral part of Chinese society and to support religious practices that it deems to perform positive social and political functions. At a national work conference on religion in 2001, for instance, then-Party Secretary Jiang Zemin stressed religion’s positive role in society. On the other hand, by 2004 it appeared that Party officials had grown more concerned about religion’s “de-stabilizing” effects. In January 2004, SARA held a national work conference on religion that instead emphasized what it saw as negative and destabilizing aspects of religious observance, including cults and the growing circulation of foreign religious materials. As they have in the past, Communist Party officials continue now to stress that religious belief is incompatible with Party membership.

Tibet. The political and cultural status of Tibet remains a difficult issue in U.S.-China relations and a matter of debate among U.S. policymakers. Controversy continues over Tibet’s current political status as part of China, the role of the Dalai Lama and his Tibetan government-in-exile, and the impact of Chinese control on Tibetan culture and religious traditions. The U.S. government recognizes Tibet as part of China and has always done so, although some dispute the historical consistency of this U.S. position. But the Dalai Lama, Tibet’s exiled spiritual leader, has long had strong supporters in the U.S. Congress who have continued to pressure the White House to protect Tibetan culture and give Tibet greater status in U.S. law. It was largely because of this congressional pressure that in 1997, U.S. officials created the position of Special Coordinator for Tibetan issues, tasked with the specific mission of helping to promote talks between the Dalai Lama and Beijing. The current Special Coordinator — Paula Dobriansky, Under Secretary of State for Global Affairs — is the highest-ranking U.S. official to have held this position.⁶⁷

Although dialogue between the PRC and the Tibetan exile community remains officially stalled, hopes for renewed momentum were raised by a number of unusual developments since 2002 that are outside the scope of what has come to be expected of Beijing’s relations with the Dalai Lama’s representatives. In 2002, the Dalai Lama’s older brother, Gyalo Thondup, accepted a PRC invitation to spend several weeks in Tibet on a private visit. On several other occasions since then, the PRC government invited to China and to Lhasa (Tibet’s capital) delegations from the Tibetan community led by the Dalai Lama’s special envoy in the United States, Lodi Gyari.⁶⁸ The fifth and latest round of these interactions occurred last month in Beijing, where the Dalai Lama’s special envoy and a delegation from the Tibetan

⁶⁷ For background and details, see CRS Report RL30983, *Tibet, China, and the 107th Congress: Issues for U.S. Policy*, by Kerry Dumbaugh.

⁶⁸ Lodi Gyari gave a news conference about these talks at the National Press Club in Washington, D.C. on November 2, 2005.

community-in-exile arrived on February 15, 2006. In this latest negotiation, as in past such negotiations, the Dalai Lama's special envoy has acknowledged differences but also has had favorable reactions to the talks, saying "Our Chinese counterparts made clear their interest in continuing the present process and their firm belief that the obstacles can be overcome through more discussions and engagements."⁶⁹

Xinjiang's Ethnic Muslims. For years, the PRC government also has maintained a repressive crackdown against Tibetans and Muslims, particularly against Uighur "separatists" — those in favor of independence from China — in the Xinjiang-Uighur Autonomous Region. Although U.S. officials warned after September 11, 2001 that the global anti-terror campaign should not be used to persecute Uighurs or other minorities with political grievances against Beijing, some believe that the U.S. government made a concession to the PRC on August 26, 2002, when it announced that it was placing one small group in China, the East Turkestan Islamic Movement, on the U.S. list of terrorist groups.

U.S. policies on Uighurs and on terrorism have faced a unique test since it became known that approximately 22 Uighur Muslims were being held by U.S. forces at Guantanamo Bay after having been apprehended during the U.S. strikes against the Taliban in Afghanistan. By May of 2004, international human rights groups were reporting concerns about the planned release of Uighur prisoners that U.S. forces had decided were of "no intelligence value." These prisoners, they feared, would be executed or imprisoned as terrorists if sent back to China.⁷⁰ In October 2004, Secretary of State Colin Powell said that U.S. officials were still reviewing the status of the Uighur prisoners because of U.S. fears that returning them to possible persecution in China would "be inconsistent ... with our obligations to comply with international law and consistent with [the] Geneva Convention..."⁷¹ Later press reports said that a number of U.S. allies had refused requests to accept the prisoners.⁷²

Some of the Guantanamo prisoners, including two Uighurs determined by the U.S. government in 2005 to not be "military combatants," have been pursuing legal action against the United States in an effort to be released.⁷³ According to press accounts, the Bush Administration is asking the Supreme Court to refuse to hear the men's petitions.⁷⁴

⁶⁹ Statement by Special Envoy Lodi Gyari, released on February 25, 2006.

⁷⁰ James, Ian, "Guantanamo Prisoners from China's Muslim Northwest Face Danger If Returned Home, Human Rights Groups Warn," *Associated Press Newswires*, May 28, 2004.

⁷¹ Heibert, Murray, and Susan Lawrence, in an interview with Colin Powell, *Far Eastern Economic Review*, cited in Political Transcripts by Federal Document Clearing House, October 19, 2004.

⁷² Sevastopulo, Demetri, "U.S. Fails to Find Countries to Take Uighurs," *Financial Times*, October 28, 2004, p. 5.

⁷³ "Two Uighurs held at Guantanamo appeal for high court help," *Agence France Presse*, January 17, 2006.

⁷⁴ Gerstein, Josh, "America seeking to block appeal of two Chinese at Guantanamo," *New York Sun*, March 27, 2006.

Family Planning Policies. Because of allegations of forced abortions and sterilizations in PRC family planning programs, direct and indirect U.S. funding for coercive family planning practices is prohibited in provisions of several U.S. laws. In addition, legislation in recent years has expanded these restrictions to include U.S. funding for international and multilateral family planning programs, such as the U.N. Population Fund (UNFPA), that have programs in China.⁷⁵

While the PRC has maintained its restrictive and at times coercive “one-child” program for several decades, there are growing indications that the government may be re-thinking this policy. Early in 2004, China’s new leadership appointed a task force to study the country’s demographic trends and their implications for economic development. In October 2004, reports surfaced that Beijing was considering at least one proposal to eventually scrap the one-child policy because of currently low PRC birth rates and the economic implications this has for supporting China’s huge aging population. On January 6, 2005, the director of China’s National Population and Family Planning Commission stated that the government intended to modify criminal law to make it illegal to selectively identify and abort female fetuses.⁷⁶ There also is anecdotal evidence that some citizens of the PRC are becoming more assertive about their reproductive rights.⁷⁷

Social Stability. The far-reaching economic changes the PRC continues to undergo have led to increasing disgruntlement among a number of social groups. Peasants and farmers in rapidly developing parts of China are under heavy tax burdens and falling farther behind their urban contemporaries in income. Some have had their farmland confiscated by local government and Party officials. Officials then sell the confiscated land for development, often reportedly offering little or no compensation to the peasants from which the land was seized, resulting in sometimes sizable protests. One widely publicized case occurred on December 6, 2005, in the southern Chinese city of Dongzhou (Shanwei), when paramilitary forces opened fire on villagers demonstrating against the confiscation of their land for the construction of a new power plant. An as yet uncertain number of villagers were killed.

In an effort to address rising rural complaints, the government early in 2005 proposed a new measure — the “2005 Number 1 Document” — to reduce taxes on rural peasants, increase farm subsidies, and address the widening income gap between urban and rural residents. Rising labor unrest, particularly in northern and interior cities, is another particularly troubling issue for Beijing, a regime founded on communist-inspired notions of a workers’ paradise. Increasing labor unrest also has

⁷⁵ In the 108th Congress, section 560(d) of H.R. 4818 (P.L. 108-447), the Consolidated Appropriations Act, 2005, prohibited U.S. funds from being made available to UNFPA for a country program in China.

⁷⁶ PRC statistics show that nearly 120 boys are born for every 100 girls — a gender ratio suggesting selective abortion of female fetuses. The “natural” male-female gender ratio is about 105-100, according to a United Nations estimate. “Analysts View Problems with Huge PRC Gender Gap,” *South China Morning Post*, January 7, 2005.

⁷⁷ Pan, Philip, “Who controls the family? Blind activist leads peasants in legal challenge to abuses of China’s population-growth policy,” *Washington Post*, August 27, 2005, p. A1.

placed greater pressure on the authority and credibility of the All-China Federation of Trade Unions (ACFTU), China's only legal labor organization.⁷⁸

Hong Kong Governance

On June 21, 2005, following his selection to the post by the 800-member Hong Kong Election Committee, Donald Tsang was formally appointed Chief Executive of Hong Kong by the PRC State Council. He replaced Hong Kong's unpopular former Chief Executive, Tung Chee-hwa, who submitted his resignation on March 10, 2005, two years before his term was to expire. Controversy has grown steadily since late summer 2003, when massive peaceful demonstrations, involving tens of thousands of Hong Kongers began to be held in opposition to "anti-sedition" laws proposed by Mr. Tung and in favor of more rapid progress toward democratization. Beijing dealt these democratic aspirations a stinging setback in April 2004 by ruling that universal suffrage not only was not to be allowed as early as 2007 (when Hong Kong's constitution, the Basic Law, implies it is possible), but that Beijing, and not Hong Kong, would determine the proper pace for democratic reforms. Critics maintained that the Beijing decisions contravened provisions in the Basic Law leaving decisions on democratic development up to the Hong Kong people.

While a pragmatist who is far more popular than his predecessor, the new Chief Executive, Donald Tsang, also has been criticized by democracy activists. As Hong Kong's Chief Secretary, Mr. Tsang had chaired a Tung-appointed task force charged with consulting Beijing to devise a plan for democratic reforms in Hong Kong in 2007 and 2008. The task force's final recommendations, submitted in October 2005, provided for only marginal changes to electoral procedures in 2007 and 2008, stopping far short of expanding the franchise in Hong Kong in this decade or for the foreseeable future. The public response to the recommendations was one of disappointment. On December 4, 2005, opponents of the recommendations held another large public protest in Hong Kong in favor of greater political change. Executive Tsang defended the recommendations as being the most Hong Kong can achieve at the moment given Beijing's objections to more rapid democratization. Democracy activists in the Legislative Council defeated the minimal reform package on December 21, 2005, leaving the status quo in place and the prescription for future changes uncertain.

Beijing's decisions on Hong Kong have particular relevance for Taiwan, since Beijing has held out the "one country, two systems" approach for Hong Kong as a model for Taiwan's eventual reunification with mainland China. U.S. policy toward Hong Kong is set out in the U.S.-Hong Kong Policy Act of 1992 (P.L. 102-383). In addition to requiring annual U.S. government reports on Hong Kong's conditions through 2006, this act allows the United States to treat Hong Kong more leniently than it treats the PRC on the condition that Hong Kong remains autonomous. Under the act, the President has the power to halt existing agreements with Hong Kong or

⁷⁸ The ACFTU is controlled by the Communist Party. For background and further details, see CRS Report RL31164, *China: Labor Conditions and Unrest*, by Thomas Lum.

take other steps if he determines that Beijing is interfering unduly in Hong Kong's affairs.⁷⁹

U.S. Policy Implications

In the past year, some U.S. observers have become increasingly concerned about China's growing economic and political reach in the world — often referred to as “China's rise” — and what it means for global U.S. economic and political interests, U.S.-China relations, and concerns for Taiwan's security. Some in this debate believe China's rise is a malign threat that needs to be thwarted; others believe that it is an inevitable phenomenon that needs to be managed. The 109th Congress is increasingly faced with issues involving this emerging debate and whether U.S. interests would best be served by accommodating China's rise or containing it.

According to one school of thought, China's economic and political rise in the world is inevitable and needs to be accommodated and managed. In this view, as China becomes more economically interdependent with the international community, it will have a greater stake in pursuing stable international economic relationships. Growing wealth in the PRC is likely to encourage Chinese society to move in directions that will develop a materially better-off, more educated, and cosmopolitan populace. Over time, this population could be expected to press its government for greater political pluralism and democracy — two key U.S. objectives. Therefore, from this perspective, U.S. policy should seek to work more closely with the PRC, not only to encourage these positive long-term trends, but to seek ways to mutually benefit by cooperating on important global issues such as alternative energy sources, climate change, and scientific and medical advancements. Ultimately, some proponents of accommodation say, the United States simply will have to make room for the economic and political appetites of the superpower that China is likely to become. Viewing the PRC as a “threat” or attempting to contain it, these proponents say, could produce disastrous policy consequences for U.S. interests. In addition to possible military conflict with the PRC, they assert, these consequences could include a breakdown in PRC governance, a fragmentation of the country itself, the creation of greater Chinese nationalism with a strong anti-American bias, and an increasingly isolated United States that the international community may see as out of step with global trends.

Other proponents of the “inevitability” of China's rise stress the extreme competitive challenges of China's growing power which, even if benign, pose potentially huge consequences for U.S. global interests. Beijing officials, say this group, view the world as a state-centered, competitive environment where power is

⁷⁹ A specific intention of the Hong Kong Policy Act was to permit the U.S. government to treat Hong Kong differently from the way it treats the rest of China in U.S. law. Thus, the United States has an extradition treaty with Hong Kong but not with China; maintains a liberalized export control regime with Hong Kong but a restrictive one with China; and gives Hong Kong permanent most-favored-nation (MFN) trade status — or “normal trade relations” as it is now known — but gave that status to China separately upon its accession to the WTO.

respected, and PRC leaders are determined to use all means at their disposal to increase their nation's wealth, power, and influence. A militarily muscular China with substantial international economic ties will be able to wield considerable political power that could prompt U.S. friends and allies to make different choices, eroding U.S. influence around the world. The EU's inclination to lift its arms embargo against China despite strong U.S. objections is cited as an example of this trend. The United States, they argue, should develop a comprehensive strategic plan in order to counter China's growing power by strengthen its existing regional alliances and make new ones, expand overseas investments, sharpen American global competitiveness, and maintain a robust military presence in Asia and elsewhere as a counterweight to growing PRC power and influence.

Others in the American policy debate see less benevolent intentions in China's growing power. PRC leaders, they argue, may be portraying their growth as a "peaceful rise" with no harmful consequences, but actually they are biding their time, simply conforming to many international norms as a strategy while China is still weak. In reality, these proponents say, Beijing seeks at least to erode and at best to supplant U.S. international power and influence. In conducting their international relations, they maintain, Chinese leaders seek to cause rifts in U.S. alliances, create economic interdependence with U.S. friends, and arm U.S. enemies. Despite the statements of support for the U.S. anti-terrorism campaign, according to this view, the PRC's repeated violations of its non-proliferation commitments have actually contributed to strengthening nations that harbor global terrorists. Furthermore, they maintain that the PRC under its current repressive form of government is inherently a threat to U.S. interests, and that the Chinese political system needs to change dramatically before the United States has any real hope of reaching a constructive relationship with Beijing. From this perspective, U.S. policy should focus on mechanisms to change the PRC from within while remaining vigilant and attempting to contain PRC foreign policy actions and economic relationships around the world where these threaten U.S. interests.

Major Legislation⁸⁰

P.L. 109-102 (H.R. 3057)

Appropriations for Foreign Operations, Export Financing, and related programs for FY2006. Section 560(c) prohibited funds from being made available to the U.N. Population Fund (UNFPA) for a country program in China; Section 575(b) provided \$4 million in ESF funds to NGOs to promote cultural traditions, sustainable development, and environmental conservation in Tibet; Section 589 prohibited the Export-Import Bank from using federal funds to approve an application for a nuclear project in China. Introduced in House June 24, 2005 (H.Rept. 109-152). House passed the bill, amended, by a vote of 393-32 on June 28, 2005. Referred to the Senate Committee on Appropriations on June 29, 2005 and ordered reported, amended, on June 30, 2005 (S.Rept. 109-96). Passed the Senate with an amendment on July 20, 2005 (98-1). The Senate named conferees on July 20, 2005; the House on October 27, 2005. Conference Report, H.Rept. 109-265, was filed on November

⁸⁰ For legislative action during the 108th Congress, see CRS Report RL31815, *China-U.S. Relations During the 108th Congress*, by Kerry Dumbaugh

2, 2005. The conference report included the UNFPA funding prohibition, \$4 million in ESF funding to NGOs for Tibet programs (along with \$250,000 to the National Endowment for Democracy for democracy programs relating to Tibet); and a Senate provision to provide \$5 million in Development Assistance to American educational institutions for activities and programs in the PRC relating to rule of law, the environment, and democracy. The House agreed to the Conference Report on November 4, 2005 (358-39); the Senate on November 10, 2005 (91-0). The bill was signed by the President on November 14, 2005.

P.L. 109-115 (H.R. 3058)

Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, FY2006. Section 951 of the bill (the Kilpatrick amendment) prohibited the Department of the Treasury from using funds to recommend approval of the sale of Unocal to the PRC's CNOOC Ltd. This language later was deleted by the Senate and was not included in the final Conference Report language (H.Rept. 109-307) — which passed the House on November 18, 2005 (392-31) and the Senate on November 21, 2005 (unanimous consent). The President signed the bill into law on November 30, 2005.

P.L. 109-163 (H.R. 1815)

Authorizing appropriations for the Department of Defense for FY2006. Introduced April 26, 2005. H.Rept. 109-89. The final Act was the result of a conference. Sec. 535 provides incentives to cadets and midshipmen to study key languages, including Chinese; Sec. 1211 prohibits the Secretary of Defense from procuring any goods or services from a “Communist Chinese military company,” except on a waiver for national security reasons; Sec.1234 states the sense of Congress that the White House should “quickly” present to Congress a comprehensive strategy to deal with China’s economic, diplomatic, and military rise, including specific mention of what areas such a strategy should address. In conference, the House receded on several key measures in its bill: on a measure to mandate “at least” one class field study trip annually to both Taiwan and the People’s Republic of China (PRC) by military education classes of the National Defense University; on a measure to require regular senior U.S. military exchanges with Taiwan military officials; and on a measure to prohibit the Secretary of Defense from procuring goods or services from any foreign person who knowingly sells to the PRC items on the U.S. munitions list. **House action:** After Committee and Subcommittee mark-ups, reported (amended) by the House Armed Services Committee on May 20, 2005. Referred to the House on May 25, 2005, and passed by a vote of 390-39. Referred to the Senate Armed Services Committee on June 6, 2005. **Senate action:** On November 15, 2005, the Committee was discharged, the Senate considered the bill under unanimous consent, and the Senate passed the bill after incorporating the language of S. 1042. **Conference action:** Conferees filed a conference report on December 12, 2005 (H.Rept. 109-360), and the House passed it on December 19, 2005 (374-41). The Senate agreed to the Report by voice vote on December 21, 2005, and the President signed the bill into law on January 1, 2006, with a clarifying statement ([<http://www.whitehouse.gov/news/releases/2006/01/20060106-12.html>]).

H.R. 728 (Sanders)

To withdraw normal trade relations (NTR — formerly known as most-favored-nation status, or MFN) from the PRC. Introduced February 9, 2005, referred to

House Ways and Means Committee, to the Subcommittee on Trade (February 25, 2005).

H.R. 1498 (Ryan)

Chinese Currency Act of 2005. To clarify that PRC currency manipulation is actionable under U.S. countervailing duty laws and product-specific safeguards. Introduced on April 21, 2005, and referred to House Ways and Means Committee and House Armed Services Committee. Executive comment was requested from DOD on April 21, 2005.

H.R. 2601 (C. Smith)

The State Department Authorization bill. Title IX consists of the East Asia Security Act of 2005, a bill to impose trade sanctions on persons, companies, and governments (specifically the European Union, but also Israel and Russia) that sell weapons to China in violation of agreed-upon export restrictions. The bill also contains annual reporting requirements on EU weapons sales to China and on foreign governments participating in cooperative defense projects with the United States. The East Asian Security Act originally was H.R. 3100, introduced by Representatives Hyde and Lantos on June 29, 2005 (H.Rept. 109-165). After mark-up by the House International Relations Committee on June 30, 2005, H.R. 3100 was considered by the House on July 14, 2005, on the suspension calendar. It failed to achieve the necessary 2/3 vote by a vote of 215-203, reportedly because of some Member's concerns that it would be unfairly punitive on U.S. defense contractors. Responding to these objections, the bill's sponsors amended the bill to apply sanctions on U.S. companies only if they knowingly sold items to China for military use. The amended version was then made in order as an amendment to H.R. 2601, which the House then passed on July 20, 2005, by a vote of 351-78. The bill was referred to the Senate on July 22, 2005.

H.R. 3100 (Hyde)

East Asia Security Act of 2005. See H.R. 2601.

H.R. 3283 (English)

Introduced on July 14, 2005, and referred to the House Ways and Means Committee. The bill seeks to place further trade restrictions on non-market economies and particularly to further restrict and more heavily monitor various aspects of China's trade with the United States. The House passed H.R. 3283 on July 27, 2005 (255-168), including a countervailing duties provision (in Section 3) with respect to China. The bill was referred to the Senate on July 28, 2005, to the Committee on Finance.

H.R. 5122 (Hunter)

National Defense Authorization Act for FY2007, **Conference Report not available on September 22**. Several provisions of the House-passed bill (introduced on April 6, 2006) replicate the provisions of H.R. 1815 (P.L. 109-163) that the House later receded from in conference. These are: requirements that the National Defense University (NDU) include visits to both the PRC and Taiwan as part of the course of military study; that senior military officer and official exchanges be held with Taiwan, and that the United States not procure goods or services from any foreign entity who knowingly sells to the PRC items on the U.S. munitions list. Section 1221

of the House bill requires the United States to submit to Taiwan plans for design and construction for diesel electric submarines, subject to the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and any other export control law of the United States. The Senate bill (S. 2766) contains no such provisions. The House Armed Services Committee reported its version (60-1) on May 5, 2006 (H.Rept. 109-452), and the House passed the bill, amended, on May 11, 2006 (396-31). On June 22, 2006, the Senate struck all after the enacting clause and substituted S. 2766, passing that measure by unanimous consent. A conference was held on September 12, 2006.

H.R. 5522 (Kolbe)

Foreign Operations, Export Financing, and Related Appropriations Act, 2007. Introduced on June 5, 2006, and referred to the House and Senate Appropriations Committees. The House reported an original measure the same day (H.Rept. 109-486), and the House debated the measure on June 8 and 9, 2006, passing the measure on June 9 (373-34). The Senate reported the measure with an amendment in the nature of a substitute on July 10, 2006 (S.Rept. 109-277). As reported in the House, Section 559 of the bill prohibits funds from being made available to UNFPA for family planning programs in China. (This provision was struck from the Senate-reported version.) Section 573 (b) of the bill makes \$4 million in Economic Support Funds available to support activities preserving cultural traditions and promoting sustainable development and environmental conservation in Tibet, and provides not less than \$250,000 for the National Endowment for Democracy for human rights and democracy programs in Tibet. (A similar provision was provided in section 553 (b) in the Senate-reported version.)

The Senate bill contains language providing that assistance should be made available to Taiwan for furthering political and democracy reforms. Section 534 (h) of the Senate-reported version provides \$10 million in development assistance to American educational institutions and NGOs for programs in China relating to democracy, the environment, and rule of law.

H.R. 5672 (Wolf)

State, Justice, Commerce, and Related Agencies Appropriations bill, 2007. Introduced June 22, 2006, and referred to the House and Senate Appropriations Committees. As passed by the House, the bill provides \$3 million for the Office of China Compliance in the Import Administration of the Commerce Department; and restricts the State Department from licensing the export of U.S. satellites and satellite components to China without congressional notification 15 days prior. The House also passed an amendment by Representative Tancredo that prohibited funds from being used to enforce the “Guidelines on Relations With Taiwan” — a set of general restrictions on official U.S. contacts with Taiwan officials. The House Appropriations Committee reported an original measure on June 22, 2006 (H.Rept. 109-520); the House passed the final measure, amended, on June 29, 2006 (393-23), and the bill was referred to the Senate. The Senate Appropriations Committee marked up the measure on July 13, 2006 (S.Rept. 109-280).

H.Con.Res. 83 (Smith)

Urging the United States to introduce a measure at the 61st U.N. Conference on Human Rights calling on China to end its human rights abuses. Introduced March

3, 2005, and referred to the House Committee on International Relations. Mark-up held on March 9, 2005.

H.Con.Res. 98 (Hyde)

Expressing the “grave concern” of Congress about China’s passage of an anti-secession law aimed at Taiwan. Introduced March 15, 2005. The measure passed on March 16, 2005, by a vote of 424-4. It was referred to the Senate Foreign Relations Committee on March 17, 2005.

H.Con.Res. 381 (Chabot)

Expressing the sense of Congress that all restrictions on high-level visits to the United States by Taiwan officials should be lifted; that direct U.S.-Taiwan exchanges should take place at the Cabinet level; and that U.S. links with Taiwan should be strengthened.

H.Res. 57 (Hyde)

Urging the European Union to maintain its arms embargo on the People’s Republic of China. Introduced on February 1, 2005; passed House on February 2, 2005, by a vote of 411-3.

H.Res. 344 (Pombo)

A resolution urging the President to immediately review any CNOOC agreement to buy the American energy company Unocal. Introduced June 29, 2005, referred to House International Relations and Financial Services Committees. Considered under suspension on June 30, 2005, passed by a vote of 398-15.

S. 295 (Schumer)

Authorization of a 27.5% import duty on imports of PRC-made goods or agricultural products unless the President certifies to Congress that China is not indulging in unfair trade practices. Introduced on February 3, 2005, referred to Senate Committee on Finance.

S. 1042 (Warner) (see H.R. 1815, above)

National Defense Authorization Act for FY2006.

Section 2539C of the Senate bill requires the Secretary of Defense to annually report (by September 30) whether a foreign country with a reciprocal defense procurement agreement with the United States has “qualitatively or quantitatively” increased exports of defense items to the People’s Republic of China. The Senate bill was introduced on May 17, 2005. On May 12, 2005, the Senate Armed Services Committee ordered reported an original measure (S.Rept. 109-69), which was considered by the Senate on July 20, 21, 22, 25, and 26, 2005. (The House-passed bill, H.R. 1815, was referred to the Senate on June 6, 2005.) On July 26, 2005, cloture was not invoked on the Senate measure, (50-48), and the bill was returned to the calendar. The Senate considered the bill for seven days beginning November 4, 2005. It passed the measure (amended) on November 15, 2005 (98-0) and incorporated it into H.R. 1815 as an amendment. H.R. 1815 as amended ultimately was enacted as P.L. 109-115.

S. 1117 (Lieberman)

U.S.-PRC Cultural Engagement Act. To expand U.S. academic, cultural, and business activities and increase American expertise in Chinese language and culture. Provides funds to establish Chinese language centers to assist elementary and secondary schools and institutes of higher learning in offering Chinese language instruction; and funds to establish exchange programs between U.S. and PRC post-secondary educational institutions. Introduced May 25, 2005, and referred to the Committee on Foreign Relations.

Chronology

- 09/15/06** — The heads of governments of SCO countries (Prime Ministers) held a regular meeting in Dushanbe. Observer nations included India, Iran, Mongolia, and Pakistan.
- 09/14/06** — China’s Securities Regulatory Commission issued regulations saying it was “for now” suspending approvals of new securities companies, including (foreign) joint ventures.
- 09/11/06** — China appointed a new ambassador to North Korea — Liu Xiaoming, a career diplomat with extensive knowledge of the United States.
- 09/05/06** — Premier Wen Jiabao announced China needs more time to bring its anti-piracy standards to international levels.
 - China’s State Council issued stronger guidelines to curb land use, forbid illegal conversion of agricultural land, and increase penalties for violations.
- 09/04/06** — Egypt’s Minister of Trade and Industry, Rachid Mohamed Rachid, began a week-long visit to China to increase bilateral trade and encourage Chinese investment in Egypt.
- 09/03/06** — *New York Times* researcher Zhao Yan decided to appeal his three-year conviction for fraud. The appeal means that the Beijing High Court could also review a lower court’s August 25, 2005 decision to dismiss the more serious charges against him — leaking state secrets.
- 07/11/06** — Chinese officials criticized as an “overreaction” a tough U.S.-backed U.N. resolution on North Korea’s missile tests, and also told visiting North Korea vice-president Yang Hyong Sop, that China was “against any actions that will aggravate the situation.”
- 07/04/06** — North Korea began a series of 7 missile test launches in defiance of international cautions not to do so.
- 06/27/06** — Taiwan’s legislature rejected a recall petition for President Chen, failing to get the two-thirds majority needed for passage.

- 05/19/06** — 19 U.S. army generals ended a two-day visit to Tibet and left for Beijing. The group was headed by retired Gen. Thomas Morgan, senior advisor to the U.S. National Defense University.
- 05/16/06** — The *Wall St. Journal, Asia*, reported that CinCPac Admiral William Fallon spent a week visiting the 28th Air Division in the PRC, including a new twin-engine FB7 fighter.
- 05/10/06** — In its semiannual report on International Economic and Exchange Rate Policies, the U.S. did not designate China as a “currency manipulator.”
- 04/20/06** — PRC President Hu Jintao arrived in Washington for meetings with President Bush and other U.S. Government officials.
- 03/23/06** — President Chen reiterated (in his online newsletter) that Taiwan should be able to join the United Nations using the name “Taiwan.”
- 03/03/06** — Returning from an official trip to China, Senator Schumer, in China with Senator Graham to discuss trade issues and their 27.5% tariff bill, said he was “more optimistic than we were when we came here” about the PRC’s currency policy.
- 02/27/06** — Taiwan President Chen Shui-bian announced officially that Taiwan’s National Unification Council and Guidelines for National Reunification had “ceased to function.”
- 02/03/06** — The Pentagon’s 2006 Quadrennial Defense Review (QDR) dubbed China as the country with “the greatest potential to compete militarily” with the United States. China issued a formal protest.
- 01/18/06** — PRC sources confirmed that North Korea’s Kim Jong-Il had just completed a secretive, eight-day visit to China, ostensibly to discuss the Six-Party Talks.
- 01/14/06** — Villagers in Panlong village in Guangdong Province were attacked by police officers (and possibly paramilitary troops) on their sixth day of protests against government land seizures.
- 01/08/06** — China’s State Council issued a national emergency response plan, dividing emergencies into four categories: natural disasters; accidents; public health incidents; and social safety incidents.
- 01/04/06** — Bolivia’s president-elect Evo Morales arrived in Beijing for a two-day visit, calling China “a political, ideological and programmatic ally” and inviting Beijing to develop Bolivia’s natural gas reserves.
- 12/14/05** — Malaysia hosted the first meeting of the East Asia Summit (EAS) of 16 Asian countries, including China — but not the United States.
- 12/06/05** — Security officials opened fire on protesters, killing some, in the town of Dongzhou, in Guangdong Province. The protesters were objecting to plans to build a new power plant on confiscated farmland.

- 09/20/05** — Edward Ross, a senior Pentagon official, said it was reasonable to question whether the United States should continue to provide for Taiwan’s self-defense “if Taiwan is not willing to properly invest in its own self-defense.”
- 06/21/05** — CNOOC made an unsolicited \$18.5 billion cash bid for American energy company Unocal.
- 06/14/05** — The Congressional China Caucus was formally launched.
- 04/15/05** — Ambassador Zhou Wenzhong presented his credentials as new PRC ambassador to the United States.
- 03/14/05** — China’s National People’s Congress adopted an “anti-secession” law targeted at reining in Taiwan independence advocates. The full text is at [<http://www.china-embassy.org/eng/xw/t187406.htm>].
- 02/19/05** — The United States and Japan issued a joint statement describing mutual security concerns, including Taiwan.
- 01/08/05** — According to the *Los Angeles Times* (p. C-3), the United States and China agreed to a new, multi-entry visa policy to facilitate business and tourist visits, effective January 15, 2005.

Appendix I: Selected Visits by U.S. and PRC Officials

September 19, 2006 — U.S. Treasury Secretary Henry Paulson Jr. arrived in China after the IMF meeting in Singapore. Paulson is also President Bush's special representative in the economic section of the strategic dialogue between the U.S. and China.

September 5, 2006 — U.S. Assistant Secretary of State Chris Hill arrived in Beijing for a five-day visit to revive the Six Party Talks. Hill's trip included visits to Beijing and to U.S. diplomatic missions in Chengdu, Guangzhou, and Shanghai, and to Seoul, S. Korea

July 7 and July 11, 2006 — U.S. negotiator Chris Hill made trips to Beijing to discuss North Korea's July 4th missile firings.

May 16, 2006 — The *Wall St. Journal, Asia*, reported that America's top commander in the Pacific, Admiral William Fallon spent a week visiting the 28th Air Division in the PRC, including a new twin-engine FB7 fighter.

May 7, 2006 — EPA Administrator Stephen Johnson left for China, the first EPA administrator to visit China in seven years.

April 20, 2006 — PRC President Hu Jintao arrived in Washington for meetings with President Bush and other U.S. Government officials. Hu began his U.S. trip by visiting the state of Washington, touring the Boeing and Microsoft plants and having dinner at Bill Gates' house. While speaking on the White House lawn, Hu was heckled by a Falun Gong supporter who had been admitted as a credentialed journalist. A spokesman also referred to the PRC as "The Republic of China."

April 7, 2006 — EPA Administrator Stephen Johnson left for China, the first Environmental Protection Agency administrator to visit China in seven years.

March 26, 2006 — U.S. Secretary of Commerce Carlos Gutierrez arrived in China for a five-day visit to discuss trade issues.

December 7, 2005 — U.S. Deputy Secretary of State Bob Zoellick met in Washington D.C. with PRC Executive Vice Foreign Minister Dai Bingguo in the second session of the U.S.-China Senior Dialogue. At the same time, U.S. Under Secretary of State for Economic, Business, and Agricultural Affairs Josette Shiner also hosted a dialogue with Mr. Zhu Zhixin, Vice Chairman of China's National Development and Reform Commission (NDRC). (See August 1, 2005.)

November 20, 2005 — President Bush met with President Hu Jintao and Premier Wen Jiabao in Beijing. His visit to China was part of an overall Asia trip that began in Japan and included South Korea and Mongolia. His remarks in China emphasized a U.S. commitment to the spread of democracy and to universal human rights and freedoms.

October 18, 2005 — Secretary of Defense Donald Rumsfeld made his first official trip to China as Secretary, meeting with President Hu Jintao and PRC Defense Minister Cao Gangchuan. During his two-day trip, Secretary Rumsfeld visited the Second Artillery and addressed rising Communist Party cadres at the Central Party School, urging China to expand political freedoms and be more transparent about China's military.

October 11, 2005 — Secretary of the Treasury John W. Snow and Chairman of the Federal Reserve Alan Greenspan began a week-long visit to China, among other things discussing China's currency valuation and trade surplus.

September 13, 2005 — President Bush and President Hu Jintao met in New York while attending a U.N. meeting. The Bush-Hu New York meeting substituted for a Hu visit to Washington that was postponed at the last minute because of U.S. preoccupation with Hurricane Katrina.

August 1, 2005 — U.S. Deputy Secretary of State Robert Zoellick arrived in Beijing to initiate "a new senior dialogue on global issues" in which Beijing and Washington will take turns as hosts. The session was the first of what is expected to be a regular U.S.-China Senior Dialogue.

July 8, 2005 — Secretary of State Condoleezza Rice, Secretary of Commerce Luis Gutierrez, Secretary of Agriculture Mike Johanns, and U.S. Trade Representative Rob Portman left for a visit to the PRC for discussions about North Korea's nuclear program, tougher enforcement of anti-piracy laws for intellectual property, and other issues. The visit includes a meeting of the U.S.-China Joint Commission on Commerce and Trade (JCCT).

June 6, 2005 — Secretary of Commerce Luis Gutierrez arrived in Beijing for meetings with his counterpart, Chinese Commerce Minister Bo Xilai. Gutierrez urged the PRC to crack down on IPR piracy, calling IPR violations "a crime."

March 20- 21, 2005 — Secretary of State Condoleezza Rice held talks in Beijing with PRC officials as part of her first visit to Asia as Secretary of State. Her stops included India, Pakistan, Afghanistan, Japan, and South Korea. Her discussions included North Korea and the Six-Party talks, Taiwan, human rights, and plans to hold a regular U.S.-China senior dialogue.

February 2, 2005 — U.S. officials from the National Security Council, Michael J. Green and William Tobey, presented evidence to officials in Japan, South Korea, and China that North Korea may have exported uranium to Libya. Mr. Green also delivered a letter from President Bush to President Hu Jintao underscoring the urgency of North Korea's possible sale of nuclear materials.

January 31, 2005 — U.S. Deputy Assistant Secretary for Defense Richard Lawless held talks in Beijing to discuss U.S.-China security cooperation.

January 12, 2005 — Secretary of Commerce Don Evans began a two-day visit to China — his fourth and last as Secretary — telling his Chinese hosts that the PRC needed to move to a floating exchange rate and protect intellectual property rights.

January 4, 2005 — Chen Yunlin, the PRC's senior cross-strait official as head of the cabinet-level Taiwan Affairs Office, began a U.S. visit to discuss China's proposed anti-secession law. While in Washington, Chen met with Deputy Secretary of State Richard Armitage, new National Security Advisor Stephen Hadley, and U.S. Asian affairs official Michael Green.

Appendix II: Selected U.S. Government Reporting Requirements

International Religious Freedom Report, China (*annual report*)

Most recent date available: September 15, 2006

Agency: U.S. Department of State, Bureau of Democracy, Human Rights, and Labor

Legislative authority: P.L. 105-292, the International Religious Freedom Act (IRFA) of 1998, Section 102(b)

Full text: [<http://www.state.gov/g/drl/rls/irf/2006/>]

U.S. Commission on International Religious Freedom (*annual report*)

Most recent date available: May 2006

Agency: U.S. Commission on International Religious Freedom (USCIRF)

Legislative authority: P.L. 105-292, the International Religious Freedom Act (IRFA) of 1998, Section 203

Full text:

[<http://www.uscirf.gov/countries/publications/currentreport/2006annualRpt.pdf#page=1>]

Reports on Human Rights Practices, China (*annual report*)

Most recent date available: March 8, 2006

Agency: U.S. Department of State, Bureau of Democracy, Human Rights, and Labor

Legislative authority: The Foreign Assistance Act of 1961 (FAA), as amended, Sections 116(d) and 502(b); and the Trade Act of 1974, as amended, Section 504

Full text: [<http://www.state.gov/g/drl/rls/hrrpt/2005/61605.htm>]

Military Power of the People's Republic of China (*annual report*)

Most recent date available: May 2006

Agency: U.S. Department of Defense

Legislative authority: P.L. 106-65, the National Defense Authorization Act for FY2000, Section 1202

Full text: [<http://www.dod.mil/pubs/pdfs/China%20Report%202006.pdf>]

Unclassified Report to Congress on the Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions (*semi-annual report*)

Most recent date available: January 1 through December 31, 2004

Agency: Director of Central Intelligence

Legislative authority: FY1997 Intelligence Authorization Act, Section 721

Full text:

[http://www.dni.gov/reports/2004_unclass_report_to_NIC_DO_16Nov04.pdf]

International Narcotics Control Strategy Report, 2005 (*annual report*)

Most recent date available: March 2006

Agency: U.S. Department of State, Bureau for International Narcotics and Law Enforcement Matters

Legislative authority: Section 489 of the Foreign Assistance Act of 1961, as amended (the "FAA," 22 U.S.C. § 2291); sections 481(d)(2) and 484(c) of the FAA; and section 804 of the Narcotics Control Trade Act of 1974, as amended). Also provides the factual basis for designations in the President's report to Congress on major drug-transit or major illicit drug producing countries pursuant to P.L. 107-115, the Kenneth M. Ludden Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002, Section 591

Full text: [<http://www.state.gov/p/inl/rls/nrcrpt/2006/>]

Report to Congress on China's WTO Compliance (*annual report*)

Most recent date available: December 11, 2005

Agency: United States Trade Representative

Legislative authority: P.L. 106-186, the U.S.-China Relations Act of 2000, authorizing extension of Permanent Normal Trade Relations to the PRC, Section 421

Full text:

[http://www.ustr.gov/assets/Document_Library/Reports_Publications/2005/asset_upload_file293_8580.pdf]

Report Monitoring to Congress on Implementation of the 1979 U.S.-PRC Agreement on Cooperation in Science and Technology (*biannual report*)

Most recent date available: April 15, 2005

Agency: U.S. Department of State, Office of Science and Technology Cooperation

Legislative Authority: P.L. 107-314, Bob Stump National Defense Authorization Act Section for FY2003, Section 1207

Full text: [<http://www.state.gov/g/oes/rls/or/44681.htm>]

Report on Tibet Negotiations (*annual report*)

Most recent date available: June 2005

Agency: U.S. Department of State, Bureau of East Asian and Pacific Affairs

Legislative Authority: P.L. 107-228, Foreign Relations Authorization Act, 2003, Section 613

Full text: [<http://www.state.gov/p/eap/rls/rpt/45015.htm>]