

109TH CONGRESS
1ST SESSION

H. CON. RES. 76

Expressing the sense of Congress that the United States should urge the People's Republic of China not to enact into law the so-called "anti-secession" legislation with respect to Taiwan and should reaffirm its unwavering commitment to Taiwan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2005

Mr. MILLER of Florida submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of Congress that the United States should urge the People's Republic of China not to enact into law the so-called "anti-secession" legislation with respect to Taiwan and should reaffirm its unwavering commitment to Taiwan, and for other purposes.

Whereas for over half a century a close relationship has existed between the United States and Taiwan which has been of enormous economic, cultural, and strategic advantage to both countries;

Whereas Taiwan today is a full-fledged democracy with a vibrant economy and a vigorous multi-party political system that respects human rights and the rule of law;

Whereas Taiwan is an ally of the United States;

Whereas the Government of the People's Republic of China is currently considering enacting into law the so-called "anti-secession" legislation with respect to Taiwan, which is expected to codify in law China's claim to sovereignty over democratic Taiwan and China's strong opposition to any move toward formal independence by Taiwan;

Whereas the consideration by the People's Republic of China of the "anti-secession" legislation is coming at a time when both China and Taiwan have taken conciliatory steps toward each other, including the initiation of holiday charter flights that began in late January 2005, which are the first nonstop commercial air traffic across the Taiwan Strait in 55 years;

Whereas both China and Taiwan have signaled they might be willing to restart talks relating to the status of Taiwan;

Whereas a poll conducted by Taiwan's independent ERA Survey Research Center in late December 2004 found that 58 percent of respondents believed that an "anti-secession" law is likely to increase cross-strait tension;

Whereas the People's Republic of China has failed to divulge the details of its "anti-secession" legislation, thus creating unnecessary tension between China Taiwan;

Whereas Taiwan President Chen Shui-bian has suggested that in response to the enactment of the "anti-secession" law by the People's Republic of China, Taiwan might retaliate with its own "anti-annexation" law;

Whereas an "anti-secession" law of the People's Republic of China will destroy Taiwan's hopes for peaceful negotiations with China;

Whereas the People's Republic of China refuses to renounce the use of force against Taiwan;

Whereas the security of the 23,000,000 people in Taiwan is threatened by deployment by the People's Republic of China of over 400 short-range ballistic missiles targeted at Taiwan and the purchase by China of advanced weaponry systems, including Su-27 and Su-30 fighter planes, Kilo submarines, and Sovremenny destroyers;

Whereas section 2(b)(4) of the Taiwan Relations Act (22 U.S.C. 3301(b)(4)) considers "any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States";

Whereas section 2(b)(6) of the Taiwan Relations Act (22 U.S.C. 3301(b)(6)) requires the United States "to maintain the capacity . . . to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economical system, of the people on Taiwan";

Whereas the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.) provides explicit guarantees that the United States will make available defense articles and defense services necessary in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability;

Whereas President George W. Bush stated on April 24, 2001, that the United States will do whatever it takes to help Taiwan defend itself; and

Whereas the July 2002 Report to the Congress of the United States-China Economic and Security Review Commission stated that "China is enhancing its capability to carry out attacks across the Taiwan Strait with its special op-

erations forces, air forces and navy and missiles forces with little notice,” and “the Commission recommends that the U.S. along with its allies should continue to call upon China to renounce the threat of or the use of force against Taiwan”: Now, therefore, be it

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

3 (1) the Government of the United States should
4 urge the Government of the People’s Republic of
5 China in the strongest possible terms not to enact
6 into law the so-called “anti-secession” legislation or
7 any other legislation that threatens Taiwan or in
8 any way jeopardizes peace between China and Tai-
9 wan;

10 (2) the President should seek from the leaders
11 of the People’s Republic of China an immediate and
12 unequivocal public renunciation of any use of force,
13 or threat to use force, against Taiwan;

14 (3) the Government of the United States should
15 continue to encourage a regional high-level dialogue
16 on the best means to ensure stability, peace, freedom
17 of the seas, and deterrence in East Asia;

18 (4) the Government of the United States should
19 reaffirm its unwavering commitment to the Taiwan
20 Relations Act (Public Law 96–8; 22 U.S.C. 3301 et

1 seq.) as the cornerstone of United States relations
2 with Taiwan;

3 (5) the President should encourage further dia-
4 logue between democratic Taiwan and the People's
5 Republic of China;

6 (6) the future of Taiwan should be determined
7 peacefully and with the express consent of the people
8 of Taiwan; and

9 (7) the President should direct all appropriate
10 officials of the United States to raise these concerns
11 with the appropriate officials of the People's Repub-
12 lic of China, and should seek a public, immediate,
13 and unequivocal renunciation from the leaders of the
14 People's Republic of China of any threat or use of
15 force against Taiwan.

○