

105TH CONGRESS  
1ST SESSION

# H.R. 967

To prohibit the use of United States funds to provide for the participation of certain Chinese officials in international conferences, programs, and activities and to provide that certain Chinese officials shall be ineligible to receive visas and excluded from admission to the United States.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 1997

Mr. GILMAN (for himself, Mr. HYDE, Mr. SOLOMON, Mr. COX of California, Mr. BURTON of Indiana, Mr. SMITH of New Jersey, Mr. ROHRBACHER, Mr. PAYNE, and Mr. LANTOS) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prohibit the use of United States funds to provide for the participation of certain Chinese officials in international conferences, programs, and activities and to provide that certain Chinese officials shall be ineligible to receive visas and excluded from admission to the United States.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress makes the following findings:

1           (1) Despite public assurances by the Govern-  
2           ment of the People’s Republic of China that it would  
3           abide by the principles of the Universal Declaration  
4           of Human Rights and despite the United Nations  
5           Charter requirement that all members promote re-  
6           spect for and observance of basic human rights, in-  
7           cluding freedom of religion, the Chinese Government  
8           continues to place severe restrictions on religious ex-  
9           pression and practice.

10           (2) It has been reported that at an internal  
11           Central Communist Party meeting in 1994, Presi-  
12           dent Jiang Zemin asserted that religion is one of the  
13           biggest threats to Communist Party rule in China  
14           and Tibet.

15           (3) On January 31, 1994, Premier Li Peng  
16           signed decrees number 144 and 145 which restrict  
17           worship, religious education, distribution of Bibles  
18           and other religious literature, and contact with for-  
19           eign coreligionists.

20           (4) The Chinese Government has created offi-  
21           cial religious organizations that control all religious  
22           worship, activity, and association in China and Tibet  
23           and supplant the independent authority of the  
24           Roman Catholic Church, independent Protestant

1 churches, and independent Buddhist, Taoist, and Is-  
2 lamic associations.

3 (5) In July 1995, Ye Xiaowen, a rigid com-  
4 munist hostile to religion, was appointed to head the  
5 Bureau of Religious Affairs, a Chinese Government  
6 agency controlled by the United Front Work Depart-  
7 ment of the Chinese Communist Party. The Bureau  
8 of Religious Affairs has administrative control over  
9 all religious worship and activity in China and Tibet  
10 through a system of granting or denying rights  
11 through an official registration system. Those who  
12 fail to or are not allowed to register are subject to  
13 punitive measures.

14 (6) In the past year, the Chinese Government  
15 has expressed great concern over the spread of  
16 Christianity and particularly over the rapid growth  
17 of Christian religious institutions other than those  
18 controlled by the Chinese Government, including the  
19 Roman Catholic Church and the evangelical Chris-  
20 tian “house churches”.

21 (7) Soon after the establishment of the People’s  
22 Republic of China in 1949, the Chinese Government  
23 imprisoned Christians who refused to relinquish

1 their faith to become servants of communism, charg-  
2 ing them as “counter-revolutionaries” and sentenc-  
3 ing them to 20 years or more in “reeducation  
4 through labor camps”.

5 (8) Hundreds of Chinese Protestants and  
6 Catholics are among those now imprisoned, detained,  
7 or continuously harassed because of their religious  
8 beliefs or activities.

9 (9) The prisons and labor camps which hold  
10 these religious prisoners are run by the Ministry of  
11 Public Security and the Ministry of Justice of the  
12 Chinese Government.

13 (10) Although some negotiations have taken  
14 place, the Chinese Government refuses to permit the  
15 appointment by the Vatican of Catholic bishops and  
16 the ordination of priests not approved by the Gov-  
17 ernment and insists on appointing its own “Catholic  
18 bishops”.

19 (11) The Tenth Panchen Lama died in January  
20 1989 at Tashilhunpo Monastery, his traditional spir-  
21 itual seat in Shigatze, Tibet’s second largest city.

22 (12) It has always been the right and the role  
23 of the Dalai Lama to recognize the successor to the  
24 Panchen Lama. On May 14, 1995, His Holiness the  
25 Dalai Lama announced recognition of a six-year-old

1 boy, Gedhun Choekyi Nyima, as the Eleventh Pan-  
2 chen Lama, according to Tibetan tradition.

3 (13) The young boy recognized by the Dalai  
4 Lama and his family have been brought to Beijing  
5 by Chinese authorities and have not been seen for  
6 months. The Chinese authorities announced publicly  
7 in June 1996 that they are holding Gedhun Choekyi  
8 Nyima.

9 (14) Chadrel Rimpoche, abbot of Tashilhunpo  
10 Monastery and head of the original search commit-  
11 tee for the Eleventh Panchen Lama, and his assist-  
12 ant, Champa Chung, are believed to have been  
13 seized and detained by Chinese authorities in May of  
14 1995.

15 (15) Chinese Government authorities subse-  
16 quently detained other Tibetan Buddhists in connec-  
17 tion with the selection of the Eleventh Panchen  
18 Lama, including Gyatrol Rimposhe, Shepa Kelsang,  
19 Lhakpa Tsering, and Ringkar Ngawang.

20 (16) The Chinese Government convened a con-  
21 ference in Beijing where Tibetan monks were co-  
22 erced to select a rival candidate to the child recog-  
23 nized by the Dalai Lama as the Eleventh Panchen  
24 Lama.

1           (17) On November 29, 1995, officials of the  
2 Chinese Government orchestrated an elaborate cere-  
3 mony designating a six-year-old boy selected by the  
4 Chinese Government as the Eleventh Panchen Lama  
5 and on December 8, 1995, a Government-sponsored  
6 ceremony was held in Shigatze, Tibet, where the boy  
7 selected by the Government was enthroned as the  
8 Eleventh Panchen Lama.

9           (18) By seeking to impose its own candidate as  
10 the Eleventh Panchen Lama and detaining the six-  
11 year-old boy recognized for that position in accord-  
12 ance with Tibetan tradition, the Chinese Govern-  
13 ment is infringing on a purely Tibetan religious mat-  
14 ter, in blatant violation of the fundamental human  
15 rights of the Tibetan people.

16 **SEC. 2. CONGRESSIONAL STATEMENT OF POLICY.**

17       It is the sense of the Congress that the President  
18 should make freedom of religion one of the major objec-  
19 tives of United States foreign policy with respect to China.  
20 As part of this policy, the Department of State should  
21 raise in every relevant bilateral and multilateral forum the  
22 issue of individuals imprisoned, detained, confined, or oth-  
23 erwise harassed by the Chinese Government on religious  
24 grounds. In its communications with the Chinese Govern-  
25 ment, the Department of State should provide specific

1 names of individuals of concern and request a complete  
2 and timely response from the Chinese Government regard-  
3 ing the individuals' whereabouts and condition, the  
4 charges against them, and sentence imposed. The goal of  
5 these official communications should be the expeditious re-  
6 lease of all religious prisoners in China and Tibet and the  
7 end of the Chinese Government's policy and practice of  
8 harassing and repressing religious believers.

9 **SEC. 3. PROHIBITION ON USE OF FUNDS FOR THE PARTICI-**  
10 **PATION OF CERTAIN CHINESE OFFICIALS IN**  
11 **CONFERENCES, EXCHANGES, PROGRAMS,**  
12 **AND ACTIVITIES.**

13 (a) PROHIBITION.—Notwithstanding any other provi-  
14 sion of law, for fiscal years after fiscal year 1997, no funds  
15 appropriated or otherwise made available for the Depart-  
16 ment of State, the United States Information Agency, and  
17 the United States Agency for International Development  
18 may be used for the purpose of providing travel expenses  
19 and per diem for the participation of nationals of the Peo-  
20 ple's Republic of China described in paragraphs (1) and  
21 (2) in conferences, exchanges, programs, and activities:

22 (1) The head or political secretary of any of the  
23 following Chinese Government-created or approved  
24 organizations:

25 (A) The Chinese Buddhist Association.

1           (B) The Chinese Catholic Patriotic Asso-  
2           ciation.

3           (C) The National Congress of Catholic  
4           Representatives.

5           (D) The Chinese Catholic Bishops' Con-  
6           ference.

7           (E) The Chinese Protestant "Three Self"  
8           Patriotic Movement.

9           (F) The China Christian Council.

10          (G) The Chinese Taoist Association.

11          (H) The Chinese Islamic Association.

12          (2) Any military or civilian official or employee  
13          of the Government of the People's Republic of China  
14          who is directly involved in any of the following poli-  
15          cies or practices or who was responsible for the su-  
16          pervision of persons directly involved in such policies  
17          or practices:

18                (A) Formulating, drafting, or implement-  
19                ing repressive religious policies.

20                (B) Imprisoning, detaining, or harassing  
21                individuals on religious grounds.

22                (C) Promoting or participating in policies  
23                or practices which hinder religious activities or  
24                the free expression of religious beliefs.

25          (b) CERTIFICATION.—



1           (1) Each Federal agency subject to the prohibi-  
2           tion of subsection (a) shall certify in writing to the  
3           appropriate congressional committees no later than  
4           120 days after the date of enactment of this Act,  
5           and every 90 days thereafter, that it did not pay, ei-  
6           ther directly or through a contractor or grantee, for  
7           travel expenses or per diem of any national of the  
8           People's Republic of China described in subsection  
9           (a).

10           (2) Each certification under paragraph (1) shall  
11           be supported by the following information:

12                   (A) The name of each employee of any  
13                   agency of the Government of the People's Re-  
14                   public of China whose travel expenses or per  
15                   diem were paid by funds of the reporting agen-  
16                   cy of the United States Government.

17                   (B) The procedures employed by the re-  
18                   porting agency of the United States Govern-  
19                   ment to ascertain whether each individual  
20                   under subparagraph (A) did or did not partici-  
21                   pate in activities described in subsection (a)(2).

22                   (C) The reporting agency's basis for con-  
23                   cluding that each individual under subpara-  
24                   graph (A) did not participate in such activities.

1           (c) DEFINITION OF APPROPRIATE CONGRESSIONAL  
2 COMMITTEES.—For purposes of this section the term “ap-  
3 propriate congressional committees” means the Commit-  
4 tee on Foreign Relations of the Senate and the Committee  
5 on International Relations of the House of Representa-  
6 tives.

7 **SEC. 4. CERTAIN OFFICIALS OF THE PEOPLE’S REPUBLIC**  
8                           **OF CHINA INELIGIBLE TO RECEIVE VISAS**  
9                           **AND EXCLUDED FROM ADMISSION.**

10           Notwithstanding any other provision of law, any na-  
11 tional of the People’s Republic of China described in para-  
12 graphs (1) or (2) of section 3(a) shall be ineligible to re-  
13 ceive visas and shall be excluded from admission into the  
14 United States.

15 **SEC. 5. SUNSET PROVISION.**

16           Sections 3 and 4 shall cease to have effect 4 years  
17 after the date of the enactment of this Act.

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