

107TH CONGRESS
1ST SESSION

H. R. 2507

To prohibit payment by the United States Government of any request or claim by the Government of the People's Republic of China for reimbursement of the costs associated with the United States Navy EP-3 aircraft that was forced to land on Hainan Island, China, on April 1, 2001.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2001

Mr. LANTOS (for himself, Mr. HYDE, Mr. STUMP, Mr. SKELTON, Mr. COX, Mr. HOFFEL, Mr. KING, Mr. TANCREDO, Mr. SHERMAN, Mr. FALOMAVAEGA, Mr. CUNNINGHAM, Mr. MENENDEZ, Mrs. JO ANN DAVIS of Virginia, and Mr. ROHRBACHER) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To prohibit payment by the United States Government of any request or claim by the Government of the People's Republic of China for reimbursement of the costs associated with the United States Navy EP-3 aircraft that was forced to land on Hainan Island, China, on April 1, 2001.

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; SENSE OF CONGRESS.**

4 (a) FINDINGS.—Congress finds the following:

1 (1) On April 1, 2001, a Chinese F-8 fighter
2 flew dangerously close to a United States Navy EP-
3 3 aircraft on a routine reconnaissance and surveil-
4 lance mission in international airspace off the coast
5 of China, and collided with it, resulting in structural
6 damage to the EP-3 aircraft.

7 (2) The crew of the EP-3 aircraft transmitted
8 a series of “Mayday” distress calls and were able to
9 successfully land at the nearest airfield, the Lingshui
10 military airfield on Hainan Island, China, due to the
11 heroic actions of the American crew to keep the
12 plane in the air until it could land safely.

13 (3) The 24 crewmembers of the EP-3 aircraft
14 were detained against their will for 11 days before
15 being released, in clear violation of international
16 rules governing the treatment of these personnel and
17 despite repeated requests for their release by the
18 United States Government, and the Chinese Govern-
19 ment boarded and removed equipment from the EP-
20 3 aircraft, notwithstanding its status under inter-
21 national law as property of the United States.

22 (4) The Chinese Government refused to allow
23 the United States to repair the downed EP-3 air-
24 craft in Hainan, and fly it back to the United
25 States, and instead demanded that the United

1 States cut the plane into pieces, and return it to the
2 United States on a leased transport aircraft.

3 (5) The Chinese Government has presented a
4 bill to the United States Government for
5 \$1,000,000, which allegedly covers the expenses for
6 the 24 crewmembers of the EP-3 aircraft during
7 their 11-day detention in Hainan, “repatriation”
8 charges, and expenses linked to the recovery of the
9 aircraft.

10 (6) The accident was caused by reckless action
11 by a Chinese pilot with a long, documented history
12 of taking overly aggressive actions in intercepting
13 United States reconnaissance aircraft operating in
14 international airspace and the Chinese Government
15 failed to comply with its international obligations im-
16 mediately to return the EP-3 crewmembers.

17 (7) The United States Government has already
18 incurred significant costs associated with the recov-
19 ery of the EP-3 aircraft, including dispatching con-
20 tract personnel and United States Government em-
21 ployees to the Chinese island of Hainan to cut the
22 aircraft into pieces and pack it aboard a cargo plane
23 and leasing the cargo plane itself.

24 (8) The United States is currently evaluating
25 the disassembled EP-3 aircraft at Dobbins Air Re-

1 craft to the United States, until the Chinese Government
2 first provides reimbursement to the United States Govern-
3 ment for the costs associated with the return of the crew-
4 members and the aircraft to the United States and for
5 either the cost of repairing the aircraft to make it fully
6 airworthy and mission ready or the cost of replacing the
7 aircraft.

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