

105TH CONGRESS
1ST SESSION

H. R. 1634

To set forth certain principles that should be adhered to by any United States national conducting an industrial cooperation project in the People's Republic of China or Tibet.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 1997

Mr. SMITH of New Jersey (for himself and Mr. WOLF) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To set forth certain principles that should be adhered to by any United States national conducting an industrial cooperation project in the People's Republic of China or Tibet.

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. PURPOSE.**

4 It is the purpose of this Act to create principles gov-
5 erning the conduct of industrial cooperation projects of
6 United States nationals in the People's Republic of China
7 and Tibet.

1 **SEC. 2. STATEMENT OF PRINCIPLES.**

2 It is the sense of the Congress that any United States
3 national conducting an industrial cooperation project in
4 the People's Republic of China or Tibet should adhere to
5 the following principles, which shall be known as the
6 "Harry Wu Principles":

7 (1) Suspend the use of any goods, wares, arti-
8 cles, or merchandise that the United States national
9 has reason to believe were mined, produced, or man-
10 ufactured, in whole or in part, by convict labor or
11 forced labor; and refuse to use forced labor in the
12 industrial cooperation project.

13 (2) Seek to ensure that political or religious
14 views, sex, ethnic or national background, involve-
15 ment in political activities or nonviolent demonstra-
16 tions, or association with suspected or known dis-
17 sidents will not prohibit hiring, lead to harassment,
18 demotion, or dismissal, or in any way affect the sta-
19 tus or terms of employment in the industrial co-
20 operation project. The United States national should
21 not discriminate in terms or conditions of employ-
22 ment in the industrial cooperation project against
23 persons with past records of arrests or internal exile
24 for nonviolent protest or membership in unofficial
25 organizations committed to nonviolence.

1 (3) Ensure that methods of production used in
2 the industrial cooperation project do not pose an un-
3 necessary physical danger to workers and neighbor-
4 ing populations and property and that the industrial
5 cooperation project does not unnecessarily risk harm
6 to the surrounding environment; and consult with
7 community leaders regarding environmental protec-
8 tion with respect to the industrial cooperation
9 project.

10 (4) Strive to use business enterprises that are
11 not controlled by the People’s Republic of China or
12 its authorized agents and departments as potential
13 partners in the industrial cooperation project.

14 (5) Prohibit any military presence on the prem-
15 ises of the industrial cooperation project.

16 (6) Undertake to promote freedom of associa-
17 tion and assembly among the employees of the Unit-
18 ed States national. The United States national
19 should protest any infringement by the Government
20 of the People’s Republic of China of these freedoms
21 to the appropriate authorities of that government
22 and to the International Labor Organization, which
23 has an office in Beijing.

24 (7) Use every possible channel of communica-
25 tion with the Government of the People’s Republic

1 of China to urge that government to disclose publicly
2 a complete list of all those individuals arrested since
3 March 1989, to end incommunicado detention and
4 torture, and to provide international observers access
5 to all places of detention in the People's Republic of
6 China and Tibet and to trials of prisoners arrested
7 in connection with the pro-democracy events of April
8 through June of 1989 and the pro-democracy dem-
9 onstrations which have taken place in Tibet since
10 1987.

11 (8) Discourage or undertake to prevent compul-
12 sory political indoctrination programs from taking
13 place on the premises of the operations of the indus-
14 trial cooperation project.

15 (9) Promote freedom of expression, including
16 the freedom to seek, receive, and impart information
17 and ideas of all kinds, regardless of frontiers, either
18 orally, in writing or in print, in the form of art, or
19 through any media. To this end, the United States
20 national should raise with appropriate authorities of
21 the Government of the People's Republic of China
22 concerns about restrictions on importation of foreign
23 publications.

24 (10) Undertake to prevent harassment of work-
25 ers who, consistent with the United Nations World

1 Population Plan of Action, decide freely and respon-
2 sibly the number and spacing of their children; and
3 prohibit compulsory population control activities on
4 the premises of the industrial cooperation project.

5 **SEC. 3. PROMOTION OF PRINCIPLES BY OTHER NATIONS.**

6 The Secretary of State shall forward a copy of the
7 principles set forth in section 2 to the member nations
8 of the Organization for Economic Cooperation and Devel-
9 opment and encourage them to promote principles similar
10 to these principles.

11 **SEC. 4. REGISTRATION REQUIREMENT.**

12 (a) IN GENERAL.—Each United States national con-
13 ducting an industrial cooperation project in the People’s
14 Republic of China or Tibet shall register with the Sec-
15 retary of State and indicate whether the United States
16 national agrees to implement the principles set forth in
17 section 2. No fee shall be required for registration under
18 this subsection.

19 (b) EFFECTIVE DATE.—The registration require-
20 ment of subsection (a) shall take effect 6 months after
21 the date of the enactment of this Act.

22 **SEC. 5. DEFINITIONS.**

23 As used in this Act—

24 (1) the term “industrial cooperation project”
25 refers to a for-profit activity the business operations

1 of which employ more than 25 individuals or have
2 assets greater than \$25,000; and

3 (2) the term “United States national” means—

4 (A) a citizen or national of the United
5 States or a permanent resident of the United
6 States; and

7 (B) a corporation, partnership, or other
8 business association organized under the laws
9 of the United States, any State or territory
10 thereof, the District of Columbia, the Common-
11 wealth of Puerto Rico, or the Commonwealth of
12 the Northern Mariana Islands.

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