

EXTENSION OF WAIVER AUTHORITY FOR  
THE PEOPLE'S REPUBLIC OF CHINA

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COMMUNICATION

FROM

**THE PRESIDENT OF THE UNITED STATES**

TRANSMITTING

NOTIFICATION OF HIS DETERMINATION THAT A CONTINUATION OF A WAIVER CURRENTLY IN EFFECT FOR THE PEOPLE'S REPUBLIC OF CHINA WILL SUBSTANTIALLY PROMOTE THE OBJECTIVES OF SECTION 402 OF THE TRADE ACT OF 1974—RECEIVED IN THE U.S. HOUSE OF REPRESENTATIVES MAY 31, 1996, PURSUANT TO 19 U.S.C. 2432 (c) AND (d)



JUNE 4, 1996.—Referred to the Committee on Ways and Means and ordered to be printed

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U.S. GOVERNMENT PRINTING OFFICE

THE WHITE HOUSE,  
*Washington, May 31, 1996.*

Hon. NEWT GINGRICH,  
*Speaker of the House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: I hereby transmit the document referred to in subsection 402(d)(1) of the Trade Act of 1974, as amended (the "Act"), with respect to the continuation of a waiver of application of subsections (a) and (b) of section 402 of the Act to the People's Republic of China. This document constitutes my recommendation to continue in effect this waiver for a further 12-month period and includes my reasons for determining that continuation of the waiver currently in effect for the People's Republic of China will substantially promote the objectives of section 402 of the Act, and my determination to that effect.

Sincerely,

WILLIAM J. CLINTON.



REPORT TO THE CONGRESS CONCERNING THE EXTENSION OF WAIVER  
AUTHORITY FOR THE PEOPLE'S REPUBLIC OF CHINA

Pursuant to subsection 402(d)(1) of the Trade Act of 1974 (hereinafter "the Act"), as amended, having determined that further extension of the waiver authority granted by subsection 402(c) of the Act for twelve months will substantially promote the objectives of section 402, I have today determined that continuation of the waiver currently applicable to China will also substantially promote the objectives of section 402 of the Act. My determination is attached and incorporated herein.

FREEDOM OF EMIGRATION DETERMINATION

China's relatively free emigration policies have continued during the past twelve months. In FY 95, 24,448 U.S. immigrant visas were issued to Chinese nationals abroad, an increase of about 17 percent from FY 94. The numerical limitation under U.S. law for immigrants from China was fully subscribed in some categories and about 80 percent subscribed overall. The figure of 24,448 includes only immigrant visas issued at U.S. consular offices abroad; it does not take into account adjustments of status at INS offices in the United States.

In FY 95, 150,297 U.S. visas were issued worldwide to tourists and business visitors from China, a 30 percent increase from the FY 94 total of 115,660. The number of nonimmigrant business and combination business/tourist visas issued to Chinese nationals increased by 33 percent in FY 95 (from 88,131 to 117,289), while the number of the tourist visas increased by 20 percent (from 27,529 to 33,008).

Also in FY 95, 21,119 student visas (including exchange student visas) were issued, an 11 percent increase from the FY 94 total of 18,955. This occurred despite tighter scrutiny of sources of private funding, buttressed by greater anti-fraud activity, and decreasing and availability of institutional funding.

The higher volume of visas issued in these categories generally reflects the overall 22 percent increase in nonimmigrant visa applications (including issuances and refusals) at U.S. consular offices in China in FY 95 from FY 94 levels (177,961 to 217,856)

The principal restraint on increased emigration continues to be the capacity and willingness of other nations to absorb Chinese immigrants, rather than Chinese policy. After considering all the relevant information, I have concluded that continuing the waiver will preserve the gains already achieved on freedom of emigration and encourage further progress.



Presidential Determination No. 96-29

THE WHITE HOUSE,  
*Washington, May 31, 1996.*

Memorandum for the Secretary of State  
Subject: Determination Under Subsection 402(d)(1) of the Trade  
Act of 1974, as Amended—Continuation of Waiver Authority

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93-618, 88 Stat. 1978 (hereinafter “the Act”), I determine, pursuant to subsection 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by subsection 402(c) of the Act will substantially promote the objectives of section 402 of the Act. I further determine that continuation of the waiver applicable to the People’s Republic of China will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the *Federal Register*.

WILLIAM J. CLINTON.

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