

105th Congress 2d Session - - - - - House Document 105-262

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

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

NOTIFICATION OF HIS DETERMINATION THAT A WAIVER OF THE APPLICATION OF SUBSECTIONS (a) AND (b) OF SECTION 402 OF THE TRADE ACT OF 1974 WITH RESPECT TO THE PEOPLE'S REPUBLIC OF CHINA WILL SUBSTANTIALLY PROMOTE THE OBJECTIVES OF SECTION 402 (PRESIDENTIAL DETERMINATION NO. 98-26), PURSUANT TO 19 U.S.C. 2432 (c) AND (d)



JUNE 13, 1998.—Message and accompanying papers referred to the
Committee on Ways and Means and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

59-011

WASHINGTON : 1998

To the Congress of the United States:

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 determination 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 reasons for such determinations.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 3, 1998.*

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 1997, 27,443 U.S. immigrant visas were issued to Chinese nationals abroad, up slightly from FY 1996. Numbers were made available to immigrants from China up to the numerical limitations under U.S. law. The figure of 27,443 includes only immigrant visas issued at U.S. consular offices abroad, and does not take into account adjustments of status at INS offices in the United States.

In FY 1997, 190,712 U.S. visas were issued worldwide to tourists and business visitors from China, a 9 percent increase from the FY 1996 total of 174,647. The number of nonimmigrant business visas issued to Chinese nationals increased by 8 percent in FY 1997 (from 134,072 to 144,278), while the number of tourist and combination tourist/business visas increased by 14 percent (from 40,575 to 46,434).

Also in FY 1997, 23,973 student visas (including exchange student visas) were issued, a 9 percent increase from the FY 1996 total of 22,014.

The higher volume of visas issued in these categories generally reflects the overall 21 percent increase in non-immigrant visa applications (including issuances and refusals) at U.S. consular offices in China in FY 1997 from FY 1996 levels (262,638 to 317,150).

The Chinese Government does maintain broad authority to deny permission to travel, and there are occasional reports of political activists being denied permission to leave the country. We have raised such issues with the Chinese authorities and, in many instances, visas have been granted.

The principal constraint on increased emigration continues to be the capacity and willingness of other nations to absorb Chinese immigrants rather than Chinese policy. Thus, 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.

THE WHITE HOUSE,
Washington, June 3, 1998.

Memorandum for the Secretary of State
Subject: Determination Under Section 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 section 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by section 402 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.

○