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CONGRESSIONAL RECORD—HOUSE

March 8, 1979

partner, the Republic of China on Taiwan.

The striped pants set at the State Department has ordered that honorable name stricken from American documents, but that does not change the fact of a country's existence.

For too long we ignored the existence of Red China; now we are ignoring Free China.

The most important thing this House can do for the people of Free China is to make sure they can always purchase all the advanced weapons they need to defend themselves.

The Marx Brothers war in northern Vietnam has shown Red China to be a military paper tiger. We must make sure that American taxpayers are not called upon, through subsidized loans, to give the tiger claws. Free China asks for no handouts. We must turn down the Communists' demands for subsidized American technology.

□ 1115

LEGISLATIVE PROGRAM

(Mr. RHODES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RHODES. Mr. Speaker, I take this time to inquire of the distinguished majority leader as to the program for the balance of the week and for next week.

Mr. WRIGHT. Mr. Speaker, if the gentleman would yield—

Mr. RHODES. I yield.

Mr. WRIGHT. The program for the remainder of this week is the bill H.R. 2479, the United States-Taiwan Relations Act. The rule, if adopted, will be an open rule providing 2 hours of general debate, and we hope to conclude that debate today.

Then, on Monday next the House would meet at noon. No legislative business is contemplated.

On Tuesday, we would meet at noon. If we do not complete H.R. 2479 today, we will first return to that bill. There are no suspensions scheduled, but we will then have a series of three House Committee funding resolutions.

Then, we will have House Resolution 118, to establish a Select Committee on Committees.

On Wednesday, we would meet at 3 p.m. and consider H.R. 2283, Council on Wage and Price Stability Reauthorization, subject to the granting of a rule.

On Thursday, we would meet at 11 a.m. and take up H.R. 2534, providing a temporary debt limit increase, subject to the granting of a rule.

We would expect not to be in session on Friday of next week, March 16. The House will adjourn by 5:30 on all days except Wednesday. Any further program, of course, would be announced later.

Mr. RHODES. May I ask the distinguished majority leader, if the business of the day is not completed by the time of adjournment, will there possibly be a session tomorrow?

Mr. WRIGHT. We expect to complete that business today.

Mr. RHODES. Previously, it was an-

nounced that there would be no session tomorrow. That is the reason I ask.

Mr. WRIGHT. That is correct. We expect to complete the business at hand today. We expect to complete action on H.R. 2479 today. If we fail to do so we will return to it on Tuesday next.

Mr. RHODES. I thank the gentleman.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas? There was no objection.

ADJOURNMENT TO MONDAY, MARCH 12, 1979

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12 o'clock noon on Monday, March 12, 1979.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

UNITED STATES-TAIWAN RELATIONS ACT

Mr. DODD. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 148 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 148

Resolution providing for the consideration of the bill (H.R. 2479) to help maintain peace, security, and stability in the Western Pacific and to promote continued extensive, close, and friendly relations between the people of the United States and the people on Taiwan

Resolved, That upon the adoption of this resolution it shall be in order to move, sections 401(b) and 402(a) of the Congressional Budget Act of 1974 (Public Law 93-344) to the contrary notwithstanding, that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2479) to help maintain peace, security, and stability in the Western Pacific and to promote continued extensive, close, and friendly relations between the people of the United States and the people on Taiwan, the first reading of said bill shall be dispensed with, and all points of order against said bill for failure to comply with the provisions of clause 5, rule XXI are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend.

The SPEAKER. The gentleman from Connecticut (Mr. DODD) is recognized for 1 hour.

Mr. DODD. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee (Mr. QUILLEN) for purposes of debate only, pending which I yield myself such time as I may consume.

(Mr. DODD asked and was given permission to revise and extend his remarks.)

Mr. DODD. Mr. Speaker, House Resolution 148 provides for the consideration of H.R. 2479, the United States-Taiwan Relations Act. This resolution provides for an open rule with 2 hours of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs. The resolution also waives all points of order against the bill for its failure to comply with sections 401(b) (1) and 402(a) of the Congressional Budget Act and clause 5 of rule XXI of the rules of the House.

Section 401(b) (1) bars the consideration of any bill which provides new entitlement authority to become effective before the first day of the fiscal year which begins in the calendar year in which the bill is reported. Section 203 of H.R. 2479 contains entitlement provisions which would become effective prior to October 1, 1979 (the first day of fiscal year 1980), and therefore would be subject to points of order under section 401(b) (1) of the Budget Act.

Section 402(a) provides that it shall not be in order to consider any bill authorizing the enactment of new budget authority for a fiscal year unless the bill has been reported by May 15 preceding the beginning of the fiscal year. Since this bill was not reported prior to May 15, 1978, it would violate this provision of the Budget Act.

The chairman of the Budget Committee has informed the Rules Committee that he and his committee have no objection to these waivers since "strict compliance with the Budget Act would necessarily result in a breach in U.S. relations with Taiwan and that bill represents no real additional costs."

Finally, the resolution also provides a waiver of all points of order against the bill for its failure to comply with clause 5 of rule XXI of the rules of the House which prohibits the inclusion of appropriations in a legislative bill.

The resolution provides, in addition, for one motion to recommit.

Mr. Speaker, H.R. 2479, the United States-Taiwan Relations Act, redefines U.S. relations with Taiwan in light of President Carter's formal diplomatic recognition of the Peoples Republic of China. As my colleagues know, this is a rather controversial bill because it seeks to establish the mechanisms of our future nongovernmental relationship with the People of Taiwan now that our formal diplomatic links have been severed.

I would like to compliment my colleague from Wisconsin, Chairman ZABLOCKI, for what I believe has been a superlative job in treading his way through a minefield of hotly differing opinion and reporting out a fine and well considered bill.

House of Representatives

THURSDAY, MARCH 8, 1979

The House met at 11 a.m.

Rabbi Dov Edelstein, Moses Montefiore Synagogue, Appleton, Wis., offered the following prayer:

Ever living God: In these trying times of confusion and perplexity, we are looking to Thee for guidance and sustenance. We pray and grasp for peace and for harmonious relations among all Thy children; yet, there are detractors who despise these lofty aims and hinder their realization among mankind. Give us, O Lord, strength and encouragement that we may not falter.

Bestow Thy guidance and inspiration upon the elect representatives of this American Nation that they discharge their heavy responsibilities with prudence, courage, and humility. May they navigate the ship of our Nation in the turbulent waters to secure and tranquil havens. Do Thou crown with success the efforts of the President of the United States at establishing lasting peace among the nations in the Middle East.

Imbue, O Lord, the hearts of all Thy children with the precious gift of peace as an everlasting blessing for us, and for Thy eternal glory. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

RABBI DOV EDELSTEIN

(Mr. ROTH asked and was given permission to address the House for 1 minute.)

Mr. ROTH. Mr. Speaker, I am honored today to be able to recognize Rabbi Dov Edelstein, who delivered our opening prayer this morning.

Rabbi Edelstein has served for 9 years at the Moses Montefiore Synagogue in my hometown—Appleton, Wis. He is well known in Appleton as an exemplary citizen with an outstanding reputation for community service.

The Rabbi is a native of Romania, and was ordained to the rabbinate in Hungary in 1944. He is also a former inmate of the Nazi concentration camp at Auschwitz. Following the war, he was one of the 50,000 Jews interned by the British in camps on Cyprus prior to the establishment of the State of Israel.

From 1947 to 1962, he lived in Israel and taught Hebrew at several institutions and also taught the language to immigrants. In 1962 he entered the United States and settled in Weirton,

W. Va., the sight of his first congregation, coming from there to Appleton 9 years ago.

Rabbi Edelstein holds a graduate degree in American history and is the author of a major study of the relationship of the Wisconsin press toward President Abraham Lincoln during the Civil War.

It is certainly a pleasure and an honor to welcome him here today.

OVERSIGHT HEARINGS INTO OCCUPATIONAL SAFETY AND HEALTH OF THE FEDERAL EMPLOYEE TO COMMENCE

(Mr. GAYDOS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GAYDOS. Mr. Speaker, I wish to announce that the Subcommittee on Health and Safety, on which I have the honor to serve as chairman, will conduct a series of oversight hearings into the occupational safety and health of the Federal employee. The purpose of these hearings will be to determine whether or not the existing law properly protects the health and safety of Federal employees.

The first 2 days of public hearings will be on March 14, 1979, at which time representatives of the Department of Agriculture will testify, and March 28, 1979, at which time representatives of the Department of the Interior have been invited to appear before this subcommittee.

There will be additional hearings scheduled, at which time representatives of other Federal agencies will be invited, as well as representatives of employee organizations and members of the public.

□ 1105

INTRODUCTION OF BILL TO PROVIDE FOOD STAMP BENEFITS FOR SENIOR CITIZENS AND THE DISABLED

(Mr. PEYSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEYSER. Mr. Speaker, I want to take this opportunity of thanking my colleagues, Republicans and Democrats alike, for the courtesy and support they have given to my efforts to introduce a bill aimed at helping our senior citizens and disabled people who have lost so much of their food stamp benefits.

Mr. Speaker, today I will be submitting a bill with 105 cosponsors, and I

think it is going to have a real impression on the Committee on Agriculture. It is my hope that the subcommittee that handles this matter will bring this bill out promptly. If other Members are anxious to join in cosponsorship of this bill as well, we will certainly be willing to add their names to the list.

FISCAL RESPONSIBILITY

(Mrs. HOLT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. HOLT. Mr. Speaker, imagine trying to build a house without any concept of the size or cost. You just keep building, adding features that you like.

That describes the congressional budget process in its current form. We spend many hours haggling over how much to provide for this and that program or activity, then conclude by adding everything and calling it a budget.

During the last session of Congress, some of us attempted to change this system. On a couple of notable occasions, we even forced the House to vote on budget totals before debating the various specific items and issues. We were demanding that Congress establish fiscal policy before debating how much to spend on each of the many functions.

But the House leadership has decided to prevent any such activity in this term. It persuaded a majority to adopt a rule that prohibits decisions on fiscal policy before we act on all the functions.

We cannot allow the current system to continue if we want the discipline required to move us toward a balanced budget, less inflation, and lower taxes.

I have introduced H.R. 55, providing for a two-step budget process which would require us to vote on aggregate policy before we make individual spending decisions.

This is the prudent and rational way to proceed. This is the mechanism for reaching the fiscal responsibility the public is demanding. I urge you to cosponsor H.R. 55.

THE REPUBLIC OF CHINA ON TAIWAN

(Mr. PAUL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAUL. Mr. Speaker, with many of my constituents, who have made their outrage known to me through letters and telegrams, I wish to protest the shabby treatment President Carter continues to give to our old ally and good trading

□ This symbol represents the time of day during the House Proceedings, e.g., □ 1407 is 2:07 p.m.

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Few of my colleagues, I believe, would seriously question the wisdom of extending diplomatic recognition to the Peoples Republic of China, and thus establishing direct government-to-government contacts with the world's most populous nation. Disagreements have arisen over the nature of our future relations with Taiwan. Unfortunately, the United States is unable to recognize both the PRC and Taiwan as each government has steadfastly insisted that only it is the legitimate government of all China. Obviously the President has taken the most realistic course in recognizing the PRC. However, the question we have all asked and will debate today is whether the price of this realism has been too high.

I must admit that at first I had my reservations about the way Taiwan was treated. I was, and still remain, deeply concerned over the future security of Taiwan. Most of my colleagues are aware that the bill we will be considering explicitly states that "any armed attack against Taiwan, or use of force, boycott, or embargo to prevent Taiwan from engaging in trade with other nations, would be a threat to the peace and stability of the Western Pacific area and of grave concern to the United States." This strong language expressing the deep concern of the United States is reiterated throughout section 1 of the bill, and I believe that the unambiguous intent of this bill's provisions concerning Taiwan's security will serve as adequate protection.

The bill, of course, also explicitly states that the United States will make available defense articles and services to Taiwan for its defense against armed attack and requires the President to promptly inform Congress of any danger to our interests arising from any threat to Taiwan. I feel that our flexibility in deciding how to respond to threats to Taiwan is well maintained by section 101(b) which says in part,

The President and the Congress shall determine, in accordance with constitutional processes, appropriate action by the United States in response to any such danger.

I believe that the flexibility of this language would easily allow us to meet a threat to Taiwan in any manner we deem appropriate.

I do not believe that our relations with Taiwan will unduly suffer as a result of our new nongovernmental relationship. U.S. laws and programs will continue to apply to Taiwan as if derecognition had not taken place. In fact, all treaties and international agreements in force between the United States and the Republic of China before this year, except those terminated in accordance with treaty terms, shall continue in force. Our relations with Taiwan will be handled by the American Institute in Taiwan, a nongovernmental corporation, which will perform the duties usually associated with an embassy. Our commercial, cultural, and consular relations with Taiwan will, I believe, remain very much as they were before.

I would urge my colleagues to support this bill as it provides adequate security

provisions for Taiwan, maintains the best of formal nondefense relations with Taiwan, and is a necessary part of a new era in United States-Asian relations which I think history will prove is not detrimental to the fundamental interests of Taiwan.

□ 1120

At this particular juncture, may I again compliment the Committee on Foreign Affairs. This is one of the most delicate diplomatic areas which we have encountered in some time, and the distinguished chairman, the gentleman from Wisconsin (Mr. ZABLOCKI), and the ranking minority member, along with their colleagues on that committee, have literally tiptoed through a diplomatic minefield in dealing with this legislation.

Mr. Speaker, I feel that the 2 hours of general debate will give Members an adequate enough time to express their views on the legislation. The waivers are technical in nature and necessary, and I would urge my colleagues to support this resolution, the rule, and the legislation.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Speaker, the gentleman from Connecticut (Mr. DODD) has ably described the provisions of this resolution. I think it is very important that the House have an opportunity to debate the measure in depth. The eyes of the world are upon us. The people of Taiwan are our friends. The world wants to know how this country treats her friends, especially since we have lost face in Iran, in the African nations, and, you name it, around the world.

Mr. Speaker, I hope that this House will come up with a solution, which is very difficult in this hour of crisis, a solution which the world will applaud, which we will be happy with, and which our friends in Taiwan can live with.

Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. DODD. Mr. Speaker, I have no requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question as ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. ZABLOCKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2479) to help maintain peace, security, and stability in the Western Pacific and to promote continued extensive, close, and friendly relations between the people of the United States and the people on Taiwan.

The SPEAKER. The question is on the motion offered by the gentleman from Wisconsin (Mr. ZABLOCKI).

The motion was agreed to.

□ 1125

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House

on the State of the Union for the consideration of the bill H.R. 2479, with Mr. DANIELSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill will be dispensed with.

Under the rule, the gentleman from Wisconsin (Mr. ZABLOCKI) will be recognized for 1 hour, and the gentleman from Michigan (Mr. BROOMFIELD) will be recognized for 1 hour.

The Chair now recognizes the gentleman from Wisconsin (Mr. ZABLOCKI).

Mr. ZABLOCKI. Mr. Chairman, I yield myself such time as I may consume.

(Mr. ZABLOCKI asked and was given permission to revise and extend his remarks.)

Mr. ZABLOCKI. Mr. Chairman, we have before the House today an important and indeed a necessary bill. As Members know, the President has asked for prompt action on it.

This is a necessary bill for our national security interests and for Taiwan's protection in view of our present China policy. It has broad bipartisan support and I hope and believe that the House will give it overwhelming approval.

First, Mr. Chairman, let me give some background very briefly and then I will cite the principal provisions of the bill.

The background is as follows: On December 15, 1978, the President announced agreement with the People's Republic of China to an exchange of full diplomatic recognition as of January 1, 1979. Embassies were to be established and were established as of March 1 of this year.

The President also served notice of intent to terminate the Mutual Defense Treaty between the United States and the Republic of China so the treaty will terminate at the end of this year, December 31, 1979.

On December 30 of last year the President issued a memorandum to all Federal agencies which said in effect that the U.S. agencies will continue to do business with Taiwan much as before but will do it through an unofficial entity which will soon be established.

On January 16 this nongovernmental entity which was designed to replace the American Embassy at Taipei was incorporated under District of Columbia law under the name American Institute in Taiwan. Late in January after the Congress convened, all of this was prior to the time Congress was in session, which deeply concerned many of us. But after the Congress convened the President sent up legislation to provide for a continuation of U.S. relations with Taiwan on an unofficial basis and to carry on operations through this American Institute in Taiwan.

Meanwhile, the Republic of China has set up its counterpart nongovernment instrumentality entitled "The Coordination Council for North American Affairs" which is now operating here in Washington in place of the former embassy.

Frankly, Mr. Chairman, the President's proposed legislation troubled the Committee on Foreign Affairs in a number of respects. It was ambiguous and contained many deficiencies. The

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major deficiency was, it made no provision for American policy with regard to the future security of Taiwan. The executive branch seemed more concerned with taking care of governmental programs and activities than providing the legal assurances which are needed for our private sector.

For example, business, commerce, tourism and the like. These activities are the bulk of our daily relationships with Taiwan.

Therefore we need this bill so these relationships can continue with a minimum of interruption.

After hearings the Committee on Foreign Affairs marked up a clean bill which we think will do a good job. The bill, H.R. 2479, which is before us, I am pleased that it bears the coauthorship of nearly all the Members of the Committee on Foreign Affairs on a bipartisan basis.

□ 1130

Mr. Chairman, as I said, I will briefly outline the major features and provisions of the bill. It contains a declaration of future U.S. policy toward Taiwan in section 2. This section contains five principles, including the U.S. desire to preserve and promote friendly relations with Taiwan, to maintain peace and stability in the Western Pacific, and to maintain a friendly commercial and cultural relationship, as well as other relationships, between the United States and Taiwan.

May I call attention to principle 4, which is found on page 2, line 21 of the bill. Principle 4 states that Taiwan's future must be determined through peaceful means without prejudice to the well-being of the people on Taiwan.

The next principle, principle 5, is just as important. This principle 5 states that any armed attack against Taiwan, or use of force, boycott, or embargo to prevent Taiwan from engaging in trade with other nations, would be a threat to the peace and stability of the Western Pacific area and of grave concern to the United States.

Mr. Chairman, title I, which follows, spells out how and what we will do to carry out the policies spelled out in section 2. We will continue to provide defense articles and services to Taiwan for its defense against armed attack, and if any danger to the U.S. interests arise through any threat to Taiwan's security, the United States will take appropriate action.

With this combination of provisions, I submit that we have provided strong assurances for Taiwan's future. We are making it absolutely plain that we will not tolerate any armed attack or use of force against Taiwan.

Certainly we cannot precisely say in advance just what the United States will do if such an attack or use of force were to occur because that will, of course, have to depend on the circumstances. In any case, what we would do would be under the constitutional process, which is the same way we have acted or would have acted under a treaty. However, in my personal view, the very least the United States should do under such circumstances is to withdraw recognition of the PRC.

There are other important provisions, Mr. Chairman. Title II, section 201, for example, provides that all commercial and other nongovernmental relations may be carried forward under the same application of U.S. laws as if derecognition had not taken place. Taiwan will have the same standing to sue or be sued in U.S. courts as before. All property previously owned by the Republic of China will continue to be owned by Taiwan, including the embassy property here in Washington.

All treaties and other international agreements, except the defense treaty, will remain in force. In other words, whatever trade agreements we have, whatever cultural agreements we have, every agreement we had prior to January 1, 1979, will continue in force.

The bill provides in section 202 for a nongovernmental entity through which the U.S. Government will handle future dealings with Taiwan.

Now, we did not spell out the title or did not say what we want this entity to be called. It could continue to be the American Institute in Taiwan as the President has designated it. If he chooses to change the title, he may do so under the authority we provide, or it could be some other entity if he so chooses.

□ 1135

Under section 203, U.S. Government personnel can be temporarily separated from Government service so they can work for this entity. Under section 204, the personnel of this entity will be able to engage in activities to protect and serve American persons and businesses on Taiwan in the same way U.S. consulates help U.S. citizens abroad in countries where we have diplomatic relations.

I have been asked whether there is provision in this bill for congressional oversight over and for Government auditing of the proposed new American entity on Taiwan. The answer is yes—because all U.S. laws will continue to apply, and they may be applied specifically to this entity as if it were an agency of the U.S. Government. The entity will be funded by contract from State Department funds. The two authorizing committees of the Congress will continue to have the same funding and oversight authority over the entity as they did before over the Embassy in Taiwan. The two Appropriations Committees will have the same in regards to appropriations. The GAO will have its same investigative power as with any other Government contract, and so forth.

At this point, Mr. Chairman, may I express my appreciation for the help given to us by the Ways and Means Committee in connection with this bill. I will include in the RECORD an exchange of letters between Chairman ULLMAN and myself. I will include letters, not only from Chairman ULLMAN, but from the chairmen of other committees, the Committee on Post Office and Civil Service, for example, and other letters that we had received, clarifying the positions and the policies that are in this legislation which could be interpreted to be within the jurisdiction of other committees of the House.

The letters are as follows:

COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 7, 1979.

HON. AL ULLMAN,
Chairman, Committee on Ways and Means,
U.S. House of Representatives, Wash-
ington, D.C.

DEAR AL: Thank you for your letter concerning H.R. 2479, the United States-Taiwan Relations Act.

We on the Foreign Affairs Committee are very appreciative of the advice and assistance rendered to us by your staff, and by the staff of the Joint Committee on Taxation, following my February 22 letter to you concerning this legislation. We were pleased to accept their suggestions *in toto* including a provision which we approved in H.R. 2479 and language in the report on the bill.

In regard to the Tariff Schedules of the United States, I am glad to confirm that your understanding and assumption are correct: namely, that H.R. 2479 does not amend or change in any way the Tariff Schedules of the United States which were in effect immediately prior to the changed status of Taiwan. Section 201(b)(1) of H.R. 2479 states that the absence of diplomatic relations and governmental recognition with respect to Taiwan "shall not affect the application of the laws of the United States with respect to Taiwan" and that U.S. laws "shall apply with respect to Taiwan in the manner that the laws of the United States applied with respect to Taiwan prior to January 1, 1979." Section 205(1) defines "laws of the United States" as including any statute, rule, regulation, ordinance, order, or judicial rule of decision of the United States. . . . Thus H.R. 2479 clearly does not amend or change the Tariff Schedules, and you may assure Members of your Committee that nothing in this legislation either explicitly or by inference would authorize the President unilaterally to change any of the tariff and trade relationships provided under statute immediately prior to the changed status of Taiwan. Indeed, a major function of this bill is to assure that there will be no change in the application of U.S. laws and that Taiwan will continue to be treated under U.S. law as it was prior to January 1, 1979.

Thank you again for your interest and cooperation in this matter.

With best wishes, I remain,
Sincerely yours,

Chairman.

COMMITTEE ON WAYS AND MEANS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., March 6, 1979.

HON. CLEMENT J. ZABLOCKI,
Chairman, Committee on Foreign Affairs,
U.S. House of Representatives,
HON. RICHARD BOLLING,
Chairman, Committee on Rules,
U.S. House of Representatives.

DEAR MR. CHAIRMEN: I am writing with reference to H.R. 2479, the United States-Taiwan Relations Act, which the Committee on Foreign Affairs favorably reported on March 3, 1979, and with respect to which the Committee on Rules conducted a hearing this morning for a rule for consideration of the bill on the floor of the House of Representatives.

The Committee on Ways and Means today reviewed the reported bill and has directed me to advise you that the income tax aspects of the reported bill appear to be acceptable both from the standpoint of technical drafting and substantive policy.

However, the Committee also instructed me to make it clear that it is the Committee's understanding and assumption that this bill does not amend or change the Tariff Schedules of the United States which were in effect immediately prior to the changed status of Taiwan. In particular, Members of

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the Committee expressed their concern that there be nothing in this legislation which either explicitly or by inference would authorize the President unilaterally to change any of the tariff and trade relationships provided under statute immediately prior to the changed status of Taiwan.

Further, the Committee on Ways and Means wishes to emphasize that, in undertaking to cooperate fully with the evident expedited schedule set by the Committee on Foreign Affairs for consideration of this legislation, its favorable action this date should in no way be interpreted as a concession of any part of its jurisdiction over legislation affecting taxation or revenues, or of any part of its jurisdiction relating to trade and tariffs.

Sincerely,

AL ULLMAN,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON POST OFFICE AND
CIVIL SERVICE,
Washington, D.C., March 2, 1979.

HON. CLEMENT J. ZABLOCKI,
Chairman, Committee on Foreign Affairs, U.S.
House of Representatives, Washington,
D.C.

DEAR CLEM: Thank you for your letter of March 1, 1979, concerning certain provisions of H.R. 2479 ("United States-Taiwan Relations Act") which pertain to matters within the jurisdiction of this Committee.

Under section 203 of the bill, any employee of a Federal agency may be separated from Government service for a specified period for the purpose of accepting employment with the nongovernmental entity established under the bill to conduct dealings of the United States Government with Taiwan. An employee who is so separated is entitled to be reemployed by his former agency in an appropriate position without loss of rights or benefits. While employed with the new entity, the employee may continue to participate in any employee benefit program, such as retirement, life insurance and health insurance programs, but only to the extent that the appropriate employee and employer contributions to the programs are made.

As you pointed out in your letter, our Committee could request the Speaker to sequentially refer H.R. 2479 to this Committee for the purpose of considering those provisions which pertain to matters under our jurisdiction. However, I understand that expeditious consideration of this legislation is necessary to ensure uninterrupted relations between the United States and Taiwan and that consideration of the measure by the House has been scheduled for next week. In view of these facts, our Committee will interpose no objection to consideration of H.R. 2479, provided that such action is not construed as relinquishment of jurisdiction over the employees to whom section 203 of the bill applies.

I would appreciate the inclusion of this letter in your Committee's report on H.R. 2479.

With kind regards.

Sincerely,

JAMES M. HANLEY, Chairman.

This legislation, as I said at the very beginning, is very, very necessary. I have also been asked: What is the difference between the bill that is before us and the legislation that is being considered in the other body?

Let me at the very outset say, without assuming to be too immodest, that the bill we present to the Members is structured better. The bill that we present to the Members has the policy statement relating to the security of the United States and of Taiwan at the very beginning, and it is clearly spelled out. In the

other body's bill the policy statement portions are within various sections of the bill.

Another difference is that the bill from the other body names the United States as an "Institute." H.R. 2479 is silent in that respect. The bill in the other body refers to the people on Taiwan repeatedly. The bill before us, Mr. Chairman, refers directly to Taiwan, as defined by what we mean by Taiwan and who are the people that we are referring to, including the authorities exercising governmental control over Taiwan in the section in the legislation dealing with definitions. The bill before us repeatedly takes into account the need for maintaining without change the legal, as distinguished from diplomatic, framework within which the private sector operates and which covers the major area of daily dealings with Taiwan.

□ 1140

The bill in the other body is silent in this respect. The bill before us provides clearly that the employees of the U.S. entity in Taiwan will have all of the consular type authorities so that they will be able to assist and protect U.S. citizens, aid in promoting commerce, and so forth, just as consular officers in countries with whom we have diplomatic relations.

The House Foreign Affairs Committee bill specifically includes boycott and embargo actions against Taiwan, as matters which would be of grave concern to the United States. In this respect, H.R. 2479 also differ with the legislation reported out of the committee of the other body for consideration by that body.

Mr. Chairman, finally the bill before us includes the Embassy in Washington among the Republic of China property which would continue to be in Taiwan hands. The bill in the other body does not include this provision.

Again, Mr. Chairman, I submit this is a well-thought-out bill. The committee worked many, many weeks; held long hearings not only at the full committee level at the subcommittee level as well. Our colleague from New York, the chairman of the Subcommittee on Asia and the Pacific, Congressman LESTER WOLFF, likewise had extensive of hearings. The committee come to this body with a piece of legislation that we are proud of, and one that we hope and expect the House overwhelming approve Mr. Chairman, urge the House to support the bill H.R. 2479.

Mr. BROOMFIELD. Mr. Chairman, I yield myself such time as I may consume.

(Mr. BROOMFIELD asked and was given permission to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Chairman, I fully endorse the comments of my distinguished colleague, Mr. ZABLOCKI, H.R. 2479, the legislation we have before us today, reflects our deep concern for the security needs and economic freedom of the people of Taiwan, as well as the national security interests of the United States in the Western Pacific. In particular, the bill, under the diligent direction of the chairman of the committee and receiving the broad bipartisan support of our Members, takes significant steps be-

yond the administration's original legislation to protect the more than 17 million people of Taiwan.

Most importantly, the bill reflects the committee's concerns over many of the deficiencies of the administration's original legislative request—deficiencies which could have been corrected at even an earlier date given more informed congressional consultation by the administration.

As my colleagues well know, if the administration had consulted with the Congress before—during the normalization arrangement—we may have been able to better insure the way in which United States-Taiwan relations would eventually be conducted. Nevertheless, with the legislation we have before us today, the committee has in several significant ways improved upon the administration's position concerning our relations with Taiwan.

I believe that this legislation strengthens the administration's bill—which did not sufficiently address the broader concern for the peace and security of Taiwan. In particular, the Broomfield amendment, which received broad bipartisan support in the committee, improves the administration's legislative provisions concerning threats to the security of Taiwan, stating that beyond an armed attack, any economic boycott or embargo to prevent Taiwan from engaging in trade with other nations would also be a threat to the security of Taiwan.

Moreover, title I of the legislation requires the President to promptly inform the Congress of anticipated dangers to Taiwan. In this regard, it is the committee's intent that the President should inform the Congress of anticipated dangers and should not await their actual occurrence. Information relevant to the provisions of this bill would include the development of a military capability that might threaten Taiwan, deployment of armed forces in positions that could threaten Taiwan and any perceived intentions to undermine continued peace and prosperity on Taiwan. Such information would also include actions or anticipated actions of an economic nature, such as a boycott or embargo, which would also be a threat to Taiwan. This section of the bill also specifies that in the event such information is received, the President—and the Congress—shall determine an appropriate response in accordance with constitutional processes.

The committee also strengthened the administration's initial bill in other ways. The administration's legislation, for example, did not provide sufficient emphasis to assure the continuation of a broad range of private commercial, cultural, and nongovernmental activities which constitute an important exchange in the relationship between Taiwan and the United States. As a result, distinguished members and staff of our committee were constructive in providing language to better protect America's commercial interests on Taiwan. Moreover, the committee—in again improving the administration's bill—acted to protect the Embassy property of the Republic of China.

Because of the administration's origi-

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nal legislation, as well as the President's lack of consultation with the Congress and our ally, Taiwan—in relation to the specific normalization arrangement and the changes in continuation of our Mutual Defense Treaty—I am deeply concerned about the kinds of signals which the President has sent to our friends and allies abroad. In this regard, I sincerely believe that H.R. 2479 can help to restore certain concerns which the Congress has had in relation to the security and economic freedom of our friends and allies and in particular, Taiwan.

In conclusion, I believe that the Committee on Foreign Affairs has developed a bill which is a significant improvement over the administration's request. In light of these legislative improvements, I urge my colleagues to favorably support H.R. 2479.

□ 1145

Mr. ZABLOCKI. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. STRATTON).

(Mr. STRATTON asked and was given permission to revise and extend his remarks.)

Mr. STRATTON. Mr. Chairman, I want to thank the chairman of the full committee for yielding to me.

I take this time to raise a question which I am not sure has been addressed by the committee.

As the chairman is aware, the Committee on Armed Services, and particularly the chairman of the Committee on Armed Services, the gentleman from Illinois (Mr. PRICE), have been concerned for many years with the implications of nuclear energy and with the problem of proliferation. It is my understanding that in the course of a number of years in the past we have transferred nuclear fuel to Taiwan, large amounts of enriched uranium for the generation of nuclear power, and things of that kind. Under the previous arrangement, the International Atomic Energy Committee had authority to conduct onsite inspections in Taiwan, as a nation, to see whether they were carrying out the terms of the transfer and of the non-proliferation treaty.

I am concerned that if, under this new arrangement, we no longer regard them as a nation, whether, first of all, they are going to be bound by these commitments for onsite inspection and also are going to be subject to the inspection and safeguards of the International Atomic Energy Agency, and finally whether we ourselves will be retaining any capability for onsite inspection in Taiwan.

It would be ironic indeed if an administration which has been so concerned about the problems of nuclear proliferation by this action of breaking off our diplomatic relations were virtually to place Taiwan in a position where they could develop their own independent nuclear capability without any outside restraints.

□ 1150

The CHAIRMAN. The time of the gentleman has expired.

Mr. ZABLOCKI. I yield 2 additional

minutes to the gentleman from New York.

Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield to the chairman, the gentleman from Wisconsin.

Mr. ZABLOCKI. I thank the gentleman for yielding.

I wish to advise the gentleman from New York, first of all, that I thank him for asking the question. I wish to assure him that our committee was just as concerned that nuclear nonproliferation safeguards and the laws of the United States in relation to nuclear supply be abided by. I call the attention of the gentleman to page 4 of the bill, section (b) which clearly states that the laws of the United States that applied to Taiwan on January 1, 1979, will continue to apply in the future. Furthermore, on the same page in the same subparagraph (c) the bill contains the following language:

(c) All treaties and other international agreements which were in force between the United States and the Republic of China on December 31, 1978, shall continue

The committee, being concerned, as the gentleman's committee and the gentlemen have indicated, has consulted at length with the Department of State and legal counsel, the General Counsel's Office of the Nuclear Regulatory Commission. As a result, the committee has assured itself that this legislation will permit the NRC to make the required findings under the Atomic Energy Act which are necessary for continued export.

Second, the committee has been assured that the IAEA will continue to safeguard Taiwan's nuclear facilities. Third, if the gentleman will further yield, the committee has been assured that all special understandings, agreements, and peaceful-use guarantees will continue in force. Members of the committee with special expertise on nonproliferation issues have discussed various aspects of these matters in private sessions with officials of the Department of State.

In the long run we were assured and we believe that continued U.S. supply under terms consistent with the Nuclear Nonproliferation Act will provide the best possible framework for assuring that atomic energy is used only for peaceful purposes.

This legislation is the vehicle which will make it possible for the continuation of those assurances.

Mr. STRATTON. I wonder if the gentleman could say whether the present government on Taiwan has also given us their assurances that they will continue to abide by these arrangements.

Mr. ZABLOCKI. If the gentleman will yield further, I am advised that the present government on Taiwan in making the agreement has assured us that they will keep and continue to cooperate with the United States on agreements made.

Mr. STRATTON. I thank the gentleman for his assurances, and feel considerably relieved.

□ 1155

Mr. BROOMFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. LAGOMARSINO).

(Mr. LAGOMARSINO asked and was given permission to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Chairman, I would like to begin my remarks by congratulating Chairman ZABLOCKI, of the full committee, and Chairman WOLFF of the Asian Affairs Subcommittee, for their remarkable work on this legislation, H.R. 2479. I know that they put a lot of their own time and effort into the legislation, and they have really made the entire issue much clearer and easier to understand. There is simply no comparison between this bill and the earlier blank check that the State Department proposed; it is a substantial improvement.

I know that one of the primary concerns of both chairmen—which I share—involves our new relations with the Republic of China. Unfortunately this bill gives an ambiguous description of how those relations are to be carried out. The current phrasing is that a "nongovernmental entity" will be established to handle relations between the United States and the Republic of China.

With all due respect to the advocates of ambiguity, I would like to suggest that we make congressional intentions quite clear. First, I think it is important to have specific language which calls for some kind of government-to-government relations. The Republic of China has been our ally for the past 30 years; we have important economic ties with them, and they occupy an area of strategic importance. It is not in our interests or in the interests of the Taiwan authorities to have no formal relations between our 2 countries. A liaison office on Taiwan will not cause irreparable damage to our relations with Peking. It would be symmetrical—giving the Republic of China the same status that the Peoples Republic of China had until recently.

I intend to propose an amendment suggesting to the President consideration of withdrawal of recognition if the People's Republic of China threatens Taiwan or the nearby islands. Lately Peking officials seem to think that U.S. recognition is a license for behaving irresponsibly. We must correct that impression in the strongest possible terms. Our recognition of the People's Republic of China should not be viewed as tacit approval of the Chinese invasion of Vietnam, nor as license for aggressive activity elsewhere in Asia.

This amendment would show the People's Republic of China that the United States is vitally concerned about their behavior, and it would put some teeth into our policy with China. We simply cannot sit by and let Peking upset delicate areas of the world without expressing our concerns, particularly should it affect Taiwan. President Carter says that, at least in part, his decision to recognize the People's Republic of China was based on his understanding the People's Republic of China would not attack Taiwan. Peking should be aware that the reverse could be true as well, that is, derecognition.

Most people seem to agree that the real threat to Taiwan is an economic boycott or embargo of some sort by the People's Republic of China. I supported an

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amendment in the committee saying that these threats would be to the "security interests" of the United States but a majority of the committee decided that this would actually be of "grave concern," which to me is a convenient way to duck the issue. Everything seems to be of "grave concern" to us these days. We should not hesitate to state our strong interests in continuing to trade with Taiwan. It is definitely in the "security interests" of the United States to maintain that trade, to say nothing of the physical security of the island.

In connection with this, I would like to add my voice to those advocating continued arms sale to Taiwan. I was distressed to learn that the President is hesitating to permit sales of sophisticated defense equipment to the Republic of China, such as all-weather fighter aircraft, to say nothing of the belated announcement of a 1-year moratorium on arms sales. Maybe President Carter is concerned that the people on Taiwan will actually attempt an invasion of the mainland. Maybe he believes that arms sales would offend the People's Republic of China.

In either case, I think it is important for Congress to signal its concern that appropriate arms sales continue. If President Carter is going to abrogate the defense treaty with Taiwan, the least we can do is sell arms to the willing buyers on Taiwan.

Another concern that I expressed in the committee hearings involves the Republic of China Embassy. As you know, the bill currently recognizes continued ROC ownership of the Twin Oaks Embassy in Washington. This is an essential provision for two reasons:

First, it is a clear signal to the Republic of China that they still have friends in the United States. At the very least, the ROC officials should be permitted to stay in the building they have occupied for the last 30 years.

Second, the provision represents Congress' views that there is absolutely no continuity between the policies of the People's Republic of China and the Republic of China. If the People's Republic of China were to occupy a building that had been used by the Republic of China a few months earlier, some people might think that this is just a continuation of relations, which it is not.

This provision of the bill provides Congress with the opportunity to reject the abandonment of Taiwan; I certainly hope we take advantage of it.

Finally, I would like to make a comment for the record which concerns Senator GOLDWATER's lawsuit against the President. I want observers to understand that in my view none of this debate should be construed as congressional approval of the President's unilateral abrogation of the Taiwan Defense Treaty. It is simply action which is devoted to dealing with the reality of establishing new channels to communicate with the Republic of China.

□ 1200

Mr. ZABLOCKI. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. Rose).

(Mr. ROSE asked and was given permission to revise and extend his remarks.)

Mr. ROSE. Mr. Chairman, I would like to ask the chairman of the Committee on Foreign Affairs, the gentleman from Wisconsin (Mr. ZABLOCKI), a question concerning an important institution in Taiwan. Is the gentleman familiar with the Taipei American School in Taiwan?

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. ROSE. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Yes, I am, Mr. Chairman. I am very impressed with that particular school and with some of the other schools we have throughout the world.

Mr. ROSE. Mr. Chairman, I thank the gentleman for that comment.

I have a concern over the future of this school which I would like to share with my colleagues. If we agree to establish the American Institute in Taiwan to handle American interests on that island, I would hope that we would also be asserting that we intend for the Institute to continue to support the Taipei American School as well.

This school, which has been operating on Taiwan for over 25 years, has served as a leader in Asian American schools. The staff and students have enjoyed an innovative curriculum and cultural exchange program which have served to enhance our mutual relations with the people of Taiwan.

In addition, Mr. Chairman, this school has served the children of American missionaries, American technicians, American corporations, and diplomatic personnel.

I will insert in the Record at this point a partial list of the corporations and foundations which operate in Taiwan, as well as a brief description of the school. The material is as follows:

Taipei American School is a private school founded in 1949 by parents seeking an American-style education for their children. From humble beginnings in a rented room with 8 students and one teacher, TAS has expanded to its present 20.6 acre campus located in the north Taipei suburb of Shihlin.

The school is owned by the parents and governed by an elected nine member Board of Directors. The elementary school encompasses Early Childhood Education through grade 6 and the secondary school includes grades 7-12.

Broad goals for TAS established by a community committee place emphasis on basic skills, desire to learn, self-understanding, and appreciation of others.

Basic skills in language and math are stressed throughout the program. The elementary school uses the Ginn 360 reading series, the Laidlaw language arts series, and the Scott-Freeman mathematics series. The secondary program is basically college preparatory. Secondary students are required to take four years of English. Two years of math are required in grades 7-12 with pre-algebra through trigonometry courses offered. A program in English as a Second Language is available at all grade levels to increase English proficiency for non-native English-speaking students.

TAS seeks to foster a desire to learn. Elementary students participate in enrichment courses in art, music, library, P.E., and Chinese culture taught by specialists. Four

resource teachers augment the instructional program by working with classroom teachers in developing alternatives for extended learning. The Science Resource Teacher has a complete science laboratory. Other resource teachers specialize in learning skills and ESL. No program is available for special education or for assistance with serious learning disabilities.

The secondary school augments the regular program with electives such as humanities, instrumental and vocal music, woodshop, mechanics, photography, and jewelry. Students may study French, Spanish, Chinese, and German in the Foreign Language program. Many extra-curricular activities encourage participation with over 25 clubs and organizations available on campus as well as numerous competitive sports programs.

An integral part of the program is the development of self-understanding, self-discipline, and self-respect. Each teacher strives to effect these goals by creating a positive classroom environment. A complete counseling program complements this effort at all levels with special services available in speech and testing.

Taipei American School also offers a chance for students to profit from their stay in a foreign country through a study of Chinese language and culture. Asian studies are required for elementary students and elective for secondary students. Cultural activities incorporate numerous field trips and visits from local artists and craftsmen.

U.S. CORPORATIONS AND FOUNDATIONS
OPERATING IN TAIWAN

Adams (Taiwan) Ltd.
Admiral Overseas Corp.
AFIA Worldwide Insurance.
A. H. Robins Int'l Co. (Taiwan) Branch.
Air Asia Co., Ltd.
Air Associates Ltd.
Air Market Express H.K. Ltd.
Allied Artists of China Inc.
Allied Engineering Service.
Allied Transportation & Trading Corp.
American Airlines, Inc.
American Bureau of Shipping.
American Express Int'l Banking Corp.
American Int'l Underwriters Ltd.
American Meat Packing Co. (Taiwan) Ltd.
American President Lines Ltd.
Amerex Int'l Ltd. (H.K.)
Ampex Taiwan Ltd.
Anico Agencies H.K. Ltd.
Arvin (Taiwan) Ltd.
The Asia Foundation ROC office.
Asia Silicone Ltd.
Asia Tourist Co., Ltd.
Atari Inc. U.S.A.
Atlas Taiwan Corp.
Ault & Wilborg Co.
Babcock and Wilcox.
Baker & McKenzie.
Bank of America.
Bank of California.
Bankers Trust Co.
Bechtel Int'l.
Berkley Int'l Co., Ltd.
Better Electronics Corps.
Boydner Far East Ltd.
Boehringer Ingelheim Taiwan Ltd.
Bourland Insurance.
Bristol-Myers (Taiwan) Ltd.
Bushnell Enterprises Ltd.
Bernzomatic Int'l Corp.
Beverage Marketing Inc.
Caltex (Asia) Ltd.
Cambridge Advertising Co., Ltd.
Capetronic Int'l Corp.
Cargill Taiwan Corp.
Central Packing & Shipping.
Certified Electronics Ltd.
Champion Building Products.
Charment Enterprises Co.
The Chase Manhattan Bank Taipei Branch.
Chemical Bank Taipei Branch.
China American Petrochemical Co., Ltd.

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The China Badger.
 China Commercial Service Systems Inc.
 China Gulg Plastics Corp.
 China Industrial Management Co., Ltd.
 Chung Teh Co., Ltd.
 C.I.T.C. Industries Inc.
 Citicorp/Citibank
 Clinton Taiwan Corp.
 Continental Camera Corp.
 Continental Illinois National Bank & Trust
 Co. of Chicago.
 Control Data Far East Inc. Taiwan Branch.
 Cornell-Dubilier Electronics (Taiwan) Inc.
 Carl Zeiss Asahi Taiwan Ltd.
 Corvetine Shipping (Taiwan) Ltd.
 Crown Pacific Ltd.
 CTS Components Taiwan Ltd.
 Cyanamid Taiwan Corp.
 Circle Airfreight Int'l.
 Collins Systems Int'l.
 Dah Chen Construction & Engineering Co.,
 Ltd.
 Dalphone Int'l Ltd.
 De Leuw, Cather Int'l.
 DHL Int'l (Taiwan) Ltd.
 Dimerco Express Corp.
 Diamond Shamrock Taiwan Ltd.
 Digital Equipment Taiwan Ltd.
 Diversified Design Disciplines.
 Dulux Paint Co., Ltd.
 Dupont Far East Inc.
 Dynamar (Taiwan) Ltd.
 East & West P.A.
 Eastwall Alliance (China) Ltd.
 Ebasco Overseas Corp.
 EDP Taiwan and Management Consultant
 Incorp.
 Ekman & Co., Ltd.
 Electronic Memories & Magnetics (Taiwan)
 Corp.
 Eli Lilly & Co. (Taiwan) Inc.
 Engineering Consulting Group, MOEA.
 Erik Industries.
 E & S Original.
 Esso Eastern Inc.
 Everett Shipping Agencies.
 Fa Tai Chemicals Co., Ltd.
 Falchild Semiconductor (Taiwan) Ltd.
 Federeal Plastic Manufacturing Co. (Tai-
 wan) Ltd.
 The Flying Tiger Line Inc.
 Foremost Dairies (Taiwan) Ltd.
 Ford Lio Ho Motor Co., Ltd.
 Formosa Aristos Inc.
 Fosforus (Taiwan) Corp.
 Fu Ter Hong Trading Co., Ltd.
 G & S Metal Products Inc.
 GEM Inc.
 General Electric Int'l Operations Co., Inc.
 Taiwan.
 General Electric Technical Services Co.,
 Inc.
 General Instrument of Taiwan Ltd.
 General Instrument Microelectronics Tai-
 wan Ltd.
 German Remedies Taiwan Ltd.
 Gerber Industries Inc.
 Getz Bros. & Co., Inc.
 Gilbert Assoc. Inc.
 Goodyear Taiwan Ltd.
 GNJ Far East Co., Ltd.
 Grace & Julliett Co., Ltd.
 Grant K & E Ltd.
 Great American Community Enterprise
 Co., Ltd.
 Green Giant Co.
 Grumman Int'l Inc.
 Grundig Taiwan Co.
 GTE Taiwan.
 Gulf Oil Corp.
 Great Wealth Int'l Co.
 GEC Transportation Projects Ltd.
 Haigo Shen & Assoc.
 Harris Graham & Partners Ltd.
 Herbert Kee Ltd.
 Hercules Taiwan Co., Ltd.
 Hewlett-Packard Far East Ltd
 Hilton Hotel.
 Hong Kong Mercantile Ind.
 Hong Kong Teakwood (Taiwan) Ltd.
 Hsing Ta Marble & Cement.
 Hsin Ho Co., Ltd.
 Hughes Aircraft International Service Co.
 IBM Taiwan Corp.
 IBM World Trade Asia Corp.
 ICC Trading (Taiwan) Ltd.
 Inland Storage Distribution Center.
 Institute of Cultural Affairs.
 Int'l Engineers (Taiwan) Corp.
 Int'l Executive Service Corps.
 Int'l Inspection & Testing Corp.
 International Tableware Industrial Corp.
 Inter Nuclear Consultants Ltd.
 Irving Trust Co.
 ITT Unifon Industries Corp., Ltd.
 ITW Paktron, Ltd.
 Jacky Maeder (Taiwan) Ltd.
 Jacobson Van Den Berg.
 Jardine, Matheson & Co., Ltd.
 Johnson & Anderson Inc. Consulting Engi-
 neers.
 Johnson & Higgins, Inc. Taiwan Branch.
 Jollette Assoc. Ltd.
 Kearns Int'l.
 Kirkwood, Kaplan, Russin & Vecchi.
 KLM Royal Dutch Airlines.
 Knowles Electronics Taiwan Ltd.
 Kodak (Far East) Ltd.
 Kresge K. Mart Ltd.
 Lai Fu Trading Co., Ltd.
 Lark Int'l (Taiwan) Ltd.
 Lien Hwa Industries Corp.
 Lien Tung Ltd.
 Lion Rock Ltd.
 3M Taiwan Ltd.
 Mallory Taiwan Ltd.
 Manow Int'l Corp.
 May Department Store Int'l.
 Mfgs. Hanover Trust Co.
 Mardel, Ltd.
 Maritime Transportation Agencies Ltd.
 Marsh & McLennan Taiwan Ltd.
 Mattel, Ltd. (Taiwan).
 Merrill, Lynch, Pierce, Fanner & Smith In-
 Ltd.
 Midland Overseas Ltd.
 Miller Ski Co., Ltd. (Taiwan).
 Mitsui & Co., Ltd.
 Mobile Petroleum Co., Inc.
 Monsanto Far East Ltd.
 Morse Shoe Inc.
 Motorola Asia Ltd.
 Nakufreight (Taiwan) Ltd.
 Nalco-Tairan Chemical Co., Ltd.
 Nan Shan Life Insurance Co., Ltd.
 National Office Equipment Corp.
 Nankang Coachyard (British Rail Engi-
 neering).
 National Distillers Co., Ltd.
 National Office Equipment Corp. (NRC)
 Northrop-Aircraft Group.
 Northwest Airliner, Inc.
 National Semiconductor Hong Kong Ltd.
 Taiwan Office
 Oak Far East Corp.
 Oak Material Taiwan Ltd.
 Oakwood International Corp.
 Oceanic Exploration Co., (Taiwan).
 Orchard Corporation of America.
 The Orchard Corp. of Taiwan Ltd.
 Orient Pacific Int'l.
 Oriental Union Chemical Corp.
 Orion Industries, Taiwan, Ltd.
 Otis Elevator Co.
 Pacific Chemicals (Taiwan) Ltd.
 Pacific Glass Corp.
 Pan American World Airways Inc.
 Pan Asai Consulting Engineers, Ltd.
 Parson Corp
 Peat, Marwick, Mitchell & Co.
 Petwood Int'l Ltd.
 Pfizer Ltd
 Philips Electronics Building Element In-
 dustries.
 Phillips Taiwan Ltd.
 Phillips Petroleum Int'l Inc.
 Phillips Brothers Oceanic Inc.
 Presto (Taiwan) Ltd.
 Price Waterhouse & Co.
 Rainier National Bank.
 Raychem Far East Inc., Taiwan.
 RCA Purchasing Co., N.V.
 RCA Taiwan Ltd.
 Ren's Motorhome Ltd.
 Resonance Int'l Corp.
 Richey Electronics Ltd.
 Richman Bros. Co.
 ROC Spicer Ltd.
 Roche (Taiwan) Co., Ltd.
 Royal House of Lee.
 San Yang Industries.
 Schering Taiwan Ltd.
 Schmidt & Co. (Taiwan).
 Scope Imports Inc.
 Sea Land Service Inc.
 Seattle First National Bank—Taipei.
 Sears, Roebuck Overseas, Inc.
 Security Pacific National Bank.
 SGS Far East Ltd.
 Seel International (USA) Ltd.
 SGV Soong & Co.
 Shaxon Int'l Ltd.
 Shihlin-Kimberly Corp.
 Simmons Int'l Ltd.
 Singer Industries (Taiwan) Ltd.
 Silo Corp.
 Sita World Travel (Taiwan) Inc.
 Southeast Engineering Corp. Taiwan
 Branch.
 Sprague Taiwan Corp.
 Squibb (Far East) Ltd.
 S. T. Chiang & Co.
 Sterling Products Int'l Inc.
 Su Chiang & Co., Ltd.
 Sueling Inc. (Taiwan).
 Sung-I Industries Ltd.
 Sylvania Philco Taiwan Corp.
 Taipei American School.
 Tait & Co., Ltd.
 Taifa Chemical Co., Ltd.
 Tai Teh Umbrella Ltd.
 Taiwan First Investment & Trust Co., Ltd.
 Taiwan Int'l Patent & Law Office.
 Taiwan Mfgs. Ltd.
 Taiwan Maritime Co., Ltd.
 Taiwan Motor United Co., Ltd.
 Taiwan Orchid Express Ltd.
 Taiwan Polypropylene Co., Ltd.
 Taiwan Scott Paper Corp.
 Taiwan Synthetic Rubber Corp.
 Taiwan Trading Corp. USA.
 Taiwan United States Industries Co., Ltd.
 Taiwan Upland Industries Inc.
 Teh Hua Chemical & Pharmaceutical Co.,
 Ltd.
 Teledyne Int'l Marketing.
 Texas Instruments Taiwan Ltd.
 Texas Instruments Supply Co.
 TMX Taiwan Ltd.
 Toronto Dominion Bank.
 Tradepower (Taiwan) Ltd.
 Trans Mediterranean Airways.
 Trans World Electronics Co., Ltd.
 TRW Electronics Components Co.
 TTC Equipment & Service Ltd.
 Union Carbide Eastern Taiwan Office.
 Union Carbide Formosa Co., Ltd.
 Union Pacific Railroad Co.
 United Artists of China Inc.
 United California Bank.
 United Exporters & Co., Ltd.
 United States Lines Inc.
 United States Trade Center.
 Universal Trading Co., Ltd.
 Upjohn Int'l Inc.
 USI Far East Corp.
 Int'l. Communication Agency.
 U.S. Summit Corp. Taiwan office.
 Warner Bros Inc.
 Universal Financial Co., Ltd. H.K.
 Wesco Products Co., Ltd.
 Westinghouse Electric S.A.
 William Hunt & Co.
 Winthrop Lab. (Taiwan Branch).
 Washin Tiger Leasing Inc.
 Wrigley Taiwan Ltd.
 Watanmal Boolchand & Co., Ltd.
 Western Offshore Drilling & Exploration
 Co

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Western Wheat Assoc. U.S.A. Inc.
Y. Chen & Co. Ltd.
Young Brothers Enterprises, Inc.
Zenith Taiwan Corp.
ZIM Israel Navigation Co., Ltd.

OTHER MULTI-NATIONAL COMPANIES IN TAIWAN

Alcron Int'l. Ltd.
Ash Int'l. Ltd.
Bluewater Yacht Bldg. Co., Ltd.
Carlin Products, Mfg. Co., Ltd.
C.B.S. Apparel.
Cementation Int'l. Ltd.
China Pacific Corp.
Ciba-Geigy Ltd.
Clilman & Co., Ltd.
Collins Systems Int'l.
Concord Express Ltd.
Cosa Libermann Taiwan Ltd.
Esinberg Group of Cos.
Fabel (Far East) Corp.
Food Fair Overseas Ltd.
George Chen & Co.
GETS Co.
Hapag Lloyd.
IBD Int'l. Co., Ltd.
ICI (China) Ltd.
Int'l. Bunker Sales Ltd.
Johns Consolidated Ltd.
L. M. Ericsson.
Morraex Taiwan Ltd.
Pepsi Cola.
Rohm.
Seagram Vintners Int'l.
Simens Liaison office.
Swire Trading.
Taiwan Scott Paper Corp.
Teh Hsin Dyes Chemical Co., Ltd.
Texair Co., Ltd.
TMS Taiwan.
TMX.
Tuff-Kote Dinol (Taiwan) Inc.
Winn Sports.
Whirlpool.

Mr. ROSE. Mr. Chairman, I appreciate the comments of the chairman of the committee. I think it is important for the record to show that we do intend to have the institute that we are establishing by this legislation continue its strong support and working relationship with this Taipei American School.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. ROSE. Yes, I yield to the chairman of the committee.

Mr. ZABLOCKI. Mr. Chairman, I desire to commend the gentleman from North Carolina (Mr. ROSE) for bringing his concern to the attention of the House.

Let me allay the fears of the gentleman. We know the value of the school, and our intent is that all of the activities which the United States had with Taiwan prior to January 1, 1979, should continue as they had prior to that date. I can assure the gentleman from North Carolina that in our oversight capacity we will establish our concern that the institute support the school.

Mr. ROSE. Mr. Chairman, I greatly appreciate the gentleman's comments, and I think him for giving me this opportunity to express my views.

Mr. BROOMFIELD. Mr. Chairman, I yield 6 minutes to the gentleman from Maryland (Mr. BAUMAN).

(Mr. BAUMAN asked and was given permission to revise and extend his remarks.)

Mr. BAUMAN. Mr. Chairman, we find ourselves in an unprecedented situation today. It is unprecedented in the history

of our Nation, because never before has a President of the United States unilaterally rejected one of our longstanding allies in favor of a Communist dictatorship that has been responsible for the deaths of 20 to 40 million of its own people. Red China's acts of aggression against its neighbors continue even at this very hour and it has a long and proven record of suppressing the human rights of its citizens.

Never before has a President of the United States contended that he alone, without the advice and consent of the other body or of the Congress, has a right to terminate a mutual defense treaty with an ally. And, never before has the good faith and the will of the Government of the United States to meet its international commitments been called into such serious question.

There is no parallel for the legislation before us today. Our history knows no instance of a corporate legal fiction financed by U.S. taxpayers, an anomalous entity proposed in lieu of an embassy to deal with a nation of 18 million people who are our friends.

You will be told that this legislation is necessary to help Taiwan. "Help," indeed. It offers the same service as grave-diggers render to the deceased.

On December 15 last, the President of the United States with an arrogance unequalled in recent history ignoring the specific vote of the Congress of the United States, requiring consultation on the issue, announced that he had decided to recognize the People's Republic of China, and to cast into limbo, the Republic of China on Taiwan. He swallowed the Red Chinese terms which had been rejected by previous Presidents, because those terms totally undermined Taiwan and its security. The President not only recognized Red China and dumped Taiwan, but he sought to terminate by his sole act the 1954 Mutual Defense Treaty with the Republic of China.

His power to act in this manner has and is being questioned, and ultimately will be determined by the Supreme Court of the United States in a case in which I and many others in this House have joined as plaintiffs.

Out of all this has come a new mythology, that Peking governs not only the mainland, but also Taiwan. That is just as unrealistic as the claim that Taiwan was the de facto government of the mainland. So today, there are no governmental relations between the United States and the Free Republic of China. Enormous legal complications are facing both nations and this legislation will not cure them. Taiwan has been placed in a position of insecurity, subject to possible economic strangulation by mainland China, and eventual armed attack. And, all of this has been done against the overwhelming support of the American people who in every major public opinion poll have said we should not abandon our ally on Taiwan.

Put aside for the moment the argument whether Red China should or should not have been recognized by our Government. There is always a case to be made for recognition of a de facto government, and that is why we should con-

tinue to recognize Taiwan. I personally disagree with the recognition of Red China but that is not the question here.

The certain question that we must face in the process of amending this legislation is what is best for the United States and what will preserve the freedom of 18 million Taiwanese.

Mr. Chairman, the United States of America has always been willing to stand for freedom. We have opposed communism and recognized it for the evil that it is. What could possibly justify such an abrupt change in our policies and our principles? What could require this act of abject appeasement?

What did we gain? First, we are told that this recognition of this new "reality" will bring us peace.

Yet, within a matter of weeks after the President's decision, Teng Hsia-ping paraded across the country like a rabid little panda, shamefully using his tour as a forum to stir up trouble between the Soviet Union and the United States. So blatant were his actions that he even caused embarrassment to our Government, which does not embarrass easily these days.

Within a matter of weeks the Red Chinese had attacked Vietnam, and how many people died or were injured we will not know for some time; yet another manifestation of their peacefulness.

Throughout Asia and the Pacific, nations with whom we have alliances are reviewing their relationship with the United States, questioning whether we are actually a trustworthy partner for the future. And I have no doubt even as we debate here today that plans already have been laid by the Government of Red China for eventual economic and military action against Taiwan despite the repeated bland assurances by the administration; assurances that have not come forth from Red China. If peace and stability were the goal, we might have expected that the President would seek and obtain a guarantee of peace between mainland China and Taiwan. As it turned out, not only was this request of Red China never made, the President of the United States clearly misled the people on this important point.

At his press conference on January 17, he made a direct response to a question in which he was asked, "Mr. President, did you at any point ask the Chinese to provide a binding written pledge that they would not try to seize Taiwan by force, and if you did request it why didn't you get it, and if you didn't get it, why didn't you ask for it?"

The President replied before a national audience, having dealt with this subject in intricate detail for months:

Yes, one of our goals in negotiation was to get a public commitment on the part of China that the differences with Taiwan would be resolved peacefully. This was not possible to achieve.

Administration officials later conceded that the President's answer was absolutely contrary to the facts. Taken together with the concealment of a U.S. pledge not to sell arms to Taiwan as well as other parts of the deal with Red China, one must question the sincerity of the President in presenting his case

to the country. So once again "Peace in our time," has an all-too-familiar ring.

Was there economic benefit to be achieved from this deal? We are being told that, indeed, we will benefit greatly from trade with Red China; but that hollow claim is certainly exposed in the light of the facts. Trade between Taiwan and the United States alone in 1978 amounted to nearly \$8 billion, making that nation our eighth largest trading partner in the world. This must be compared with less than a billion dollars in trade—exports and imports—with the People's Republic of China. In the last few days we have been informed by the international press that Red China has canceled abruptly without warning \$2½ billion worth of contracts that it has made with Japan, and yet we are told they are a potentially reliable trading partner.

And, what is to happen when cheaply made products produced by slave labor in Red China flood our markets and jeopardize American jobs?

No, for the foreseeable future, no great economic boom will occur in the United States due to Red China trade.

What the President has done is not to insure the independence of the Republic of China on Taiwan, but to assure its eventual destruction at the hands of Red China. The President chose not to recognize the reality of two Chinas but in effect he changed sides in the conflict between these two nations. In this instance he changed sides in the conflict between freedom and communism. And in so doing he has created new tension in Asia and undermined the credibility of the United States and its commitment to freedom everywhere in the world.

And now Congress is left to "pick up the pieces." You do not have to accept that characterization from the gentleman from Maryland about this legislation. It is the appropriate description supplied by the distinguished chairman of the Foreign Affairs Committee, for whom I have the greatest respect. He described the role that Congress has been assigned in this mess as "picking up the bits and pieces" and went on to say that the administration's suggestion for a private corporation (which is not really a private corporation) to deal with Taiwan was at best "Mickey Mouse." I think that it is a denigration of that famous although small American character to associate him with this endeavor, but that phrase has come to mean all that is flimsy, insincere, and frivolous.

I hope that the House will adopt strengthening amendments today which will retain government-to-government relations with the free Republic of China regardless of how much the Red dictators in Peking may object. I hope that we will specifically provide for the security interests and the defense needs of the people of Taiwan. I hope that we will fashion this legislation to assure that unilateral actions by the President will not be able to weaken further the position of our free allies.

Mr. Chairman, no amount of soft words, pious hopes or propaganda can remove the stain on American honor

that the President's actions have inflicted. It is left to us to try to salvage what we can.

□ 1205

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. QUAYLE).

Mr. QUAYLE. Mr. Chairman, I thank my distinguished colleague for yielding.

Mr. Chairman, first of all, I would like to commend the chairman and the members who have drafted this bill. This is a greatly improved bill from what we started with. But I would just like to put in perspective what has happened.

In late November, I have quotes that the State Department officials and the people in the administration referred to the normalization of relations with the PRC as being on the back burner.

□ 1210

I quote from a New York Times article: Officials stressed that in planning for an eventual normalization of relations with China, the Administration had assumed there would be a period of stability in China with the leaders in Peking strong enough to take the steps necessary to assure the U.S. that force would not be used to unite Taiwan to the mainland.

That was late November, ladies and gentlemen. On December 15 we moved forward with full diplomatic relations with the PRC. December 17 was the date we had the failure of the Camp David I peace accord. So, what did we gain by our new arrangement?

Let me read, and I quote from the context of the committee discussion on what we have gained:

... the U.S. would be able to continue "unofficial" relations with Taiwan and would be able to give the required 1-year notification of termination of the Mutual Defense Treaty, instead of instant abrogation.

In other words, we can go ahead and live with the treaty we had with Taiwan, and give the 1-year notification, but unofficial recognition. We could not have a liaison office. We cannot recognize a government that has been there for 30 years, because the PRC told us not to. That was a major concession as far as the PRC was concerned.

Other concessions were:

... The U.S. would be allowed to continue arms sales to Taiwan (however, it is likely those sales will be of less advanced or obsolete defense articles under PRC dictates).

... the PRC would not contradict the President's statement that the Taiwan issue would be concluded peacefully.

The latter is a very important concession, because we never even asked the PRC to give a formal statement to not use force against Taiwan.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 additional minute to the gentleman from Indiana (Mr. QUAYLE).

Mr. QUAYLE. We did not even ask that force would not be used, and yet this is supposed to be a substantive concession by the PRC.

And the fourth substantive concession:

... and China would refrain from re-

ferring to the "liberation" of Taiwan, but would instead call for the "reunification" of China.

Those Members of Congress, are the substantive concessions that moved this thing from the back burner last November. I leave you with this question, what have we gained? I think the answer will be that we have not gained, but perhaps in the eyes of the world we have lost.

Mr. ZABLOCKI. Mr. Chairman, I yield 3 minutes to our colleague and very highly respected friend, the distinguished chairman of the Committee on the Judiciary, the gentleman from New Jersey (Mr. RODINO).

(Mr. RODINO asked and was given permission to revise and extend his remarks.)

Mr. RODINO. Mr. Chairman, I have sought recognition in order to discuss several immigration-related provisions which are contained in the legislation now under consideration.

As the distinguished chairman of the Committee on Foreign Affairs (Mr. ZABLOCKI) knows, these matters are within the jurisdiction of the Judiciary Committee, particularly the Subcommittee on Immigration, Refugees and International Law, and I have asked the chairwoman of that subcommittee to join us in our brief colloquy.

I would ask the gentleman whether he can assure me that the inclusion of these provisions in this bill is not meant to impinge upon the jurisdiction of the Judiciary Committee and that it has been done without prejudice to our jurisdiction over these items or to our future legislative consideration and oversight of these provisions once they are enacted into law.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I thank the gentleman for yielding.

Mr. Chairman, I desire to thank the distinguished chairman of the Judiciary Committee for bringing up this issue. Certainly, I can assure the chairman and the gentlewoman from New York of the intent of the Committee on Foreign Affairs. It is not our intent to transgress or trespass on the jurisdiction of the Judiciary Committee on these matters of immigration.

□ 1215

I am sure that I can speak for the members of the Committee on Foreign Affairs when I say that we welcome the oversight of the gentleman's committee and review of the various immigration-related matters and provisions of this bill once they have been enacted into law. The Committee on Foreign Affairs, of course, will be exercising oversight jurisdiction and review of all provisions of the law within the jurisdiction of the Committee on Foreign Affairs. However, I can assure the gentleman from New Jersey (Mr. RODINO), the chairman of the Committee on the Judiciary, that it is not our intent to impinge on that committee's jurisdiction.

Ms. HOLTZMAN. Mr. Chairman, will the gentleman yield?

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Mr. RODINO. I yield to the gentlewoman from New York.

Ms. HOLTZMAN. I thank my distinguished chairman for yielding.

Mr. Chairman, I appreciate the remarks that have been made by the distinguished chairman of the Committee on Foreign Affairs (Mr. ZABLOCKI) as well as the comments made by my distinguished chairman (Mr. RODINO). As the new chairwoman of the Subcommittee on Immigration, Refugees, and International Law I have a keen interest in the immigration-related provisions of this bill and have every intent to conduct oversight hearings at some future time to insure the officials of the American Institute in Taiwan properly and efficiently administer the provisions of the Immigration and Nationality Act. In my judgment it is essential that consular services and visa issuance functions which are performed in Taiwan be done with the closest scrutiny of U.S. Government officials who are charged with the responsibility of carrying out the provisions of our immigration law.

Likewise the foreign state chargeability provisions in this bill would allow Taiwan to be considered as a country for purposes of the 20,000 per country limitation on immigration to the United States. Once again my subcommittee will closely monitor the implementation of this provision, particularly in view of the heavy demand for immigrant visas in the PRC, Taiwan, and Hong Kong.

The CHAIRMAN. The time of the gentleman from New Jersey (Mr. RODINO) has expired.

Mr. ZABLOCKI. Mr. Chairman, I yield 2 additional minutes to the gentleman from New Jersey.

Ms. HOLTZMAN. If the gentleman will yield further, may I ask the chairman if he knows whether the President, who is authorized to treat Taiwan as a separate country for purposes of the 20,000 limit, intends to exercise that function?

Mr. ZABLOCKI. Mr. Chairman, if the gentlewoman will yield, it is my understanding that there is no intention on the part of the executive branch to admit the 20,000 Taiwanese who could be given immigration visas under the provisions of this bill.

Ms. HOLTZMAN. I very much hope that if the President does exercise the authority granted to him in this bill, that he will make every effort to urge the Taiwanese to accept for resettlement Vietnamese refugees, because as of this time, the Taiwan Government has accepted less than 20 refugees from Indo-China, as I understand it.

Mr. ZABLOCKI. If the gentleman will yield further, Mr. Chairman, I am sure the gentlewoman from New York (Ms. HOLTZMAN) will agree that the President will take into consideration all aspects of the refugee program in exercising the immigration authority of the United States.

Ms. HOLTZMAN. Mr. Chairman, I thank the gentleman.

Mr. RODINO. Mr. Chairman, I thank the gentleman.

Mr. BROOMFIELD. Mr. Chairman, I yield 5 minutes to the distinguished gen-

tleman from Illinois (Mr. HYDE), a foreign policy expert.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. I want to compliment the committee, Mr. Chairman, for making the best of a very bad situation; and my remarks are in no way to be interpreted as any criticism of the committee.

Mr. Chairman, the Red Chinese wanted three things for normalization, and they got all three: remove our troops, No. 1; remove our Ambassador from Taipei, No. 2; and repudiate the defense treaty of 1954, No. 3.

I might point out that there is going to be a traffic jam on the Pacific Ocean as the ships withdrawing our troops from South Korea bump into the ships withdrawing our troops from Taiwan, as we withdraw, as we retreat, as we advance to the rear out there.

As for removing the Ambassador from Taipei and putting him in Peking, why did we not live up to the Shanghai communique, that authoritative document so often cited as the precedent for what has been done? Under the Shanghai communique we opened up a liaison office in Peking and sent Mr. Woodcock's predecessors there.

Why do we not open up a liaison office in Taipei and simply shift the Ambassador from one capital to the other?

We did not even give the Taiwanese the kind of treatment we gave the Red Chinese under the Shanghai communique.

Insofar as repudiating the defense treaty of 1954 is concerned, we are told that the situation is different out there now. In 1954 our adversaries were China and the Soviet Union.

□ 1220

Now it is just the Soviet Union. We can embrace Red China without any misgivings whatsoever.

In addition to repudiating the defense treaty, we also agreed, and this came out later, not to initiate any new contracts, any new arms sales, to Taipei, to Taiwan, during the remaining waning year of that defense treaty.

In addition, Mr. Chairman, we just settled our claims with Red China, 40 cents on the dollar. How did they make out? One hundred cents on the dollar. So out of about six or seven issues, we got zero and they got everything they wanted.

Taiwan—17 million people, with a healthy expanding economy, militant anti-Communists, an unsinkable aircraft carrier, with five nuclear plants over there. And do you know what we got? We got the right, maybe, to trade with 1 billion slave laborers and get access to some of their oil, which they are going to keep when they industrialize or sell to Japan. That is some big deal.

The failure to consult with Congress by the President was a more significant reassertion of the imperial presidency than Nixon dressing up his palace guard as chocolate soldiers. This was a profound reassertion of the imperial presidency.

Leaders and policies change in China.

It is almost like a business cycle. They go from the frown to the smile, from the smile to the frown. The most long lasting relationship that we had with a Communist country, the Soviet Union in World War II, has hardly been salutary or beneficial in the long term.

Ask Eastern Europe, ask the Middle East. We urge morality and high principle in fashioning our policies in the Middle East, but we get awfully pragmatic when it comes to Asia. We let Red China dictate the terms down to the last item.

Someone has described Woodrow Wilson at the Paris Peace Conference as a virgin in a bawdyhouse yelling for a glass of lemonade. I do not think our foreign policy has lessened its naivete since that time. Back in 1945 we told Chiang Kai-shek, "We are not going to give you any more aid until you broaden the base of your government. Get democratic. Bring in Mao Tse-Tung's agrarian reformers." He resisted, and we are about to finish the dissolution of anti-Communist China we started back then.

Does it sit well with the Members that we demand a high standard of human rights from all other countries that are pro-Western in South America or Africa, but we rhapsodize about normalization in mainland China? The one place one could go in the world up until December 15 where "Yankee go home" was not written on the walls was in Taipei. Our friendships become transient; they are illusory; and they are marked by duplicity. We let Red China pick our friends in Asia, and the terms of our friendship. That is an embarrassment and makes me less proud of my country than I was before this incident.

Mr. Chairman, I yield back the remainder of my time.

Mr. ZABLOCKI. Mr. Chairman, I yield 6 minutes to the gentleman from Pennsylvania (Mr. BAILEY).

Mr. BAILEY. Mr. Chairman, since the December decision by President Carter to accept mainland China as a separate and viable political entity, I have attempted to rationalize the administration's contemporaneous withdrawal of recognition from Taiwan. My concern has led me to speak with Dr. Brzezinski and other White House aides. Neither the wisdom nor the necessity of what might appear to be a questionably advantageous policy shift was apparent after my inquiry.

As I stated in a recent letter to the President, he is to be congratulated on accomplishing the long overdue and welcome recognition of mainland China as a member of the family of nations, but I fear we have corrected one error and committed another. Taiwan is a strong and viable nation which has long been our friend. Instead of withdrawing diplomatic relations with the Republic of China, we should have insisted on dual recognition. Moreover, I feel strongly that consultation with Congress would have placed more pressure on both Chinas and enhanced our bargaining position.

However, I will probably vote for the United States-Taiwan Relations Act to

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salvage what we can at this time and urge my colleagues to act accordingly.

A copy of my letter to the President is attached, and I would like to read it to you:

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 7, 1979.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I wish to congratulate you on accomplishing the long overdue and welcome recognition of Mainland China as a member of the family of nations. Although we may not endorse the desirability of much in Mainland China's history, nor recommend her human rights posture, it is a strong nation toward which necessity dictates the prudence of full and complete recognition. There is no harm in open communication nor in an accommodation of common sense, political reality.

I wonder, however, if we have not merely corrected one error and committed another. Taiwan is also a strong and viable nation. The arbitrary insistence by both the Mainland Government and Taiwan of the Chinese nation's singularity cannot be legitimized by an equally foolish naivete on our part.

There simply seem to be no reasons for the drastic steps we have taken. Taiwan may now, in all probability, endeavor to become one more member of the nuclear family, something for which few, least of all us, can criticize them. Worse yet, we have withdrawn recognition from a nation, long our friend, that will continue to exist with or without us. The human rights foundation of our foreign policy, which you have so forthrightly and admirably advanced, has been set aside for a simple change of sides. Simply stated, we have traded one political fiction for another, without even compelling, practical reasons.

I deeply fear the error of your decision, and would have preferred the insistence and practice of dual recognition with an equally strong official refusal to address the issue of singularity. There seems to be nothing to indicate even the diplomatic desirability in giving so much in principle and practicality for so little. Above everything, our human rights philosophy forms the cornerstone of our policy, and like most fundamental political ideas, is only useful when practiced as strongly as reasonably possible. In the long run, we would have gained more had we followed a more intellectually honest approach.

I sincerely hope the Congress will find the strength to alter your position for an additional reason. Executive prerogative and power notwithstanding, I feel the manner and timing of this move was very poorly advised. Consultation with Congress and/or the public would have placed more pressure on both Chinas and enhanced our bargaining position, something which many feel we have foolishly given away. I hope you will consider the possibility of allowing the political process in this nation, through the Congress, an opportunity to effect these policy changes which were hasty and ill-advised.

With deepest personal regret, I am, even though in disagreement,

Most sincerely yours,

DON BAILEY,
Member of Congress.

□ 1225

Mr. BROOMFIELD. Mr. Chairman, I yield 9 minutes to the gentleman from New York (Mr. GILMAN).

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, the official opening of the U.S. Embassy in

Peking last week signaled the termination of our Nation's long standing policies of the United States toward the Republic of China (Taiwan). By swift unilateral action, President Carter has committed our Nation to the extension of full diplomatic relations to Communist China while at the same time severing our official relations with Nationalist China. The reason given by the President for this hasty action was that "we are recognizing simple reality."

As pointed out in a recent editorial in the Omaha World Herald, there is substantial logic recognition of the mainland:

Red China is there. It is a world power. To recognize it formally is not to endorse its form of government.

At the same time, however, the Herald points out that we must also recognize that—

The "simple reality", to use the President's phrase, is that Taiwan is a self-supporting island nation which is not part of mainland, Communist China.

How incredibly inconsistent for the President of the United States to recognize "the simple reality" of Communist China's existence and, in the same speech, indicate that the United States will ignore the "simple reality" of Taiwan's separate, independent existence.

The issue at concern here is not our recognition of the Peking government or extending our friendship to all the people of the mainland. Closer relations and cooperation between Washington and Peking is no doubt in our national interest as a tool to advance world peace and world trade. The issue of concern resulting from the President's action is our continued commitment to Taiwan and the manner in which we intend to fulfill that responsibility.

For more than 20 years, the two great Communist giants, Russia and China, have faced each other on their common border. To the Chinese, the Soviets represent an ever-present threat to their very existence. Historical tensions and conflicts along that border coupled with recent Soviet inspired pressure along their southern boundaries have increased their fears of Soviet encirclement and hegemony.

Acting as a result of these fears, China has sought closer relations with the United States and her Western allies to act as a firm, reliable counterweight to Soviet pressure. In this manner, the Chinese would seek to increase western pressure on Russia in an effort to lessen the threat they now face from the Soviets.

To this end, the United States would share their concern about Soviet intentions and activities. We would share in the benefits of a closer relationship. The Soviet threat would be diminished by improved Sino-Western cooperation as well as increased economic benefits from trade. The critical question remaining is not one of mutual interest, but the terms under which such "normalization" and recognition are negotiated.

For many years, the Peking Government has insisted on three preconditions before it would accept any formal normalization of relations with the United

States. First, the United States must withdraw recognition of Taiwan and acknowledge Peking as the sole legitimate government of all of China. Second, we must also withdraw all U.S. troops from the island. Finally, we must terminate our mutual defense treaty with Taiwan. The United States for its part had refused to accept those terms until Peking was willing to guarantee a peaceful settlement of the Taiwan issue. Both sides acknowledged and accepted the position of the other and agreed to disagree while moving forward in all areas of cooperation since the historic Nixon visit.

It was from this position that President Carter took his step toward a "simple reality." His action, incredibly accepted all three of Peking's original demands while relinquishing our own demand for a peaceful solution guarantee for our long and faithful friends on Taiwan. As recently stated by the Honorable George Bush, the former head of the U.S. Mission in Peking:

The terms the Carter administration has accepted, and even trumpeted, are the same terms that have been available for the past seven years; but they were always refused before because we knew—just as the Chinese knew—that in the absence of sufficient guarantees, they were but a figleaf for an abject American retreat.

The next important question we must ask, is with whom have we made this new pact? The political situation in China suffers from the same instabilities and uncertainties that effect other Communist regimes. With no reliable succession procedures, what certainty do we have that with leadership change, we will not have a policy change? Should major policy decisions be based on an understanding with one man, particularly when that man's age, political support and past history call in to question his future influence. Yet, the President has by unilateral action placed the future of the 17 million people on Taiwan in the hands of just such a man with no assurances of their safety.

One of the major benefits that the United States is expected to achieve as a result of this action to normalize relations is the advantage of increased commercial and strategic ties. However, it has always been clear that with regard to foreign trade, China needs the United States and our technology much more than we need them. Their eagerness for such trade and technological assistance in the past had given the United States an important bargaining tool. If China's turn to the West is in fact a long-term commitment, then such leverage would have become even more significant in the future. Under the President's plan, unfortunately, that bargaining tool was cast aside.

Because of the Russian threat and their need for U.S. products and know-how, the move to normalize and settle the Taiwan problem was never an obstacle for the Chinese. The advances we are likely to continue making in the areas of commercial and strategic importance would for the most part have occurred anyway under the existing relationship, a relationship, I might add, that provided for a de facto political re-

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lationship, allowing both sides to work together while at the same time permitting us to maintain the integrity of our commitment to Taiwan.

Once again, I must stress that the issue here is not whether we should normalize relations with China or that the President has the right to do so. The question here is one of fundamental morality and international strategy. At a time when we have declared to the world that "human rights is the soul of our foreign policy," how can we abandon all official ties to more than 17 million people in favor of recognizing a Communist dictatorship.

We should be considering what kind of signals this action has sent to our friends and foes alike. If we treat an old and trusted ally in this manner, what reaction can we expect from other nations—large and small—with whom we share mutual security interests. The administration assurances do little to reassure Israel that strategic importance of Middle-East oil fields will never outweigh our moral commitment to their defense and survival. Unfortunately, the price we all paid for recognizing the People's Republic of China has not only diminished our credibility throughout the world, but also diminished the prospect for peace. China's recent invasion of Vietnam certainly underscores our questionable new relationship and our regard for stability and peace throughout the world.

Compounding these basic questions surrounding the new China policy are equally serious questions about the manner in which it was carried out. Congressional leaders were informed of the new policy at a time when the Congress was in recess and then only hours before its formal announcement to the rest of the world. But even more important than the administration's failure to consult with the Congress was the decision to terminate our defense agreements with Taiwan.

Despite a consultative procedure contained in security legislation passed last year, the President unilaterally decided to terminate our Mutual Defense Treaty with the Republic of China. In doing so, the President raised a constitutional question regarding the power the Chief Executive has to annul a treaty that required the Congress to approve. This decision is being challenged in courts with many serious questions hanging in the balance. As stated in a recent Richmond Times-Dispatch editorial:

If the courts uphold a Presidential right to break such treaties without the restraint of legislative concurrence, then the credibility of the United States as a stable, dependable ally will be thrown into greater doubt.

The White House contends that "the treaty makes no reference to the Senate or Congress, or the need for approval of the legislative branch in order for notice to be given of termination of the treaty." On the other side, however, no less an authority than Thomas Jefferson wrote:

Treaties being declared equally with the laws of the United States, to be the Supreme Law of the Land, it is understood that an act of the legislature alone can declare them infringed or rescinded.

The critical issue at stake in this dispute remains in the hands of the courts. Accordingly, the Congress must now act in this new "reality" to do what it can to assure Taiwan's safety and continued prosperity in conditions of freedom.

I submit that we can start by telling the 900 million people of the mainland that we seek peace and friendship and that we hope that our bonds of common interest will grow and that their government will evolve ways of allowing all of their citizens to participate in their national destiny. By the same token, we must emphatically state that as long as the people of Taiwan seek to retain their independence in the world and declare their unwillingness to be "reunited" with the Peking Government that we intend to respect and support those wishes.

The legislative vehicle to insure this support is currently before the House, H.R. 2479, the United States-Taiwan Relations Act. The prompt action taken by our House Foreign Affairs Committee in rewriting the administration's draft, strongly reflects the sentiment that the President should have consulted with Congress prior to making such an important decision. It emphasizes the concern that exists for the political, economic, and security independence of the people of Taiwan as well as the national security interests of the United States in the western Pacific.

The legislation now before the House is a significant improvement over the administration's bill. I urge my colleagues to study it carefully. Our actions on this issue may well have far greater impact on the future of our foreign relations with our remaining allies than on those with China.

For your information, the entire texts of the Omaha World-Herald and Richmond Times-Dispatch editorials follow: [From the Omaha World Herald, Dec. 17, 1978]

"SIMPLE REALITY": WE SOLD OUT TAIWAN

There was an almost incomprehensible inconsistency in President Carter's announcement that he will grant diplomatic recognition to Communist China and sever diplomatic relations with Taiwan (Nationalist China).

In recognizing mainland, Communist China, the President said, "we are recognizing simple reality."

There is logic in this. Red China is there. It is a major world power. To recognize it formally is not to endorse its form of government.

But there is no logic at all in the President's statement that the United States "acknowledges the Chinese position that there is but one China and Taiwan is part of China."

"The simple reality," to use President Carter's phrase, is that Taiwan is a self-supporting, independent island nation which is NOT part of mainland, Communist China.

How incredibly inconsistent for the President of the United States to recognize "the simple reality" of Communist China's existence and, in the same speech, indicate that the United States will ignore the "simple reality" of Taiwan's separate, independent existence.

Adding to the inconsistency is the fact that the United States proposed to continue to sell "defensive arms" to the Chinese on Taiwan.

So we break diplomatic relations with Taiwan and acknowledge Red China's position

that "Taiwan is part of China. Then why sell arms to the Taiwanese to help them continue an independent existence which the United States no longer acknowledges they are entitled to?"

We approve of the proposal to sell defensive arms to Taiwan. We simply point out the utter inconsistency in the President's position.

Why does the United States not follow the logical—and equitable—course of formally recognizing Communist China while continuing diplomatic relations with the independent Chinese Nationalist government on Taiwan?

The answer is simple:

Carter chose not to follow the course of logic and equity because the Red Chinese dictated otherwise.

The Carter administration's two-faced stance in regard to Taiwan is underscored by these facts:

The President said he has paid special attention to assuring that recognizing Communist China "will not jeopardize the well-being of the people of Taiwan."

But in a separate statement, not attributed to Carter, our government announced that our mutual defense treaty with Taiwan is being terminated.

It does not seem to us too harsh a judgment to say that the people of the United States, through our President, have sold out the 16 million non-Communist Chinese who live on Taiwan.

That, we suggest, is another "simple reality" with which this nation, to its shame, will have to live.

[From the Richmond Times-Dispatch,
Jan. 17, 1979]

THE TREATY STAKES

In the coming showdown in the federal courts between President Carter and Sen. Barry Goldwater on the legality of the president's unilateral abrogation of the Taiwan defense treaty, both sides marshal historical precedents and opinions of learned authorities in support of their positions. Neither can cite legal precedents, however, because no court has ever ruled on the question of a president's power to break a treaty without securing approval of the Senate or both houses of Congress.

All of which means the Taiwan cases should prove to be intensely interesting, as well as highly significant.

The White House press office has distributed a "fact sheet" that lists several examples of presidential termination of treaties. The sheet also notes that Article 10 of the 1955 Taiwan treaty states that: "Either party may terminate it one year after notice has been given to the other party."

Contending that President Carter acted properly because he issued the one-year notice, the White House observed that: "The treaty makes no reference to the Senate or Congress, or the need for approval of the legislative branch in order for notice to be given of termination of the treaty."

In a study he prepared for the Heritage Foundation last spring, Mr. Goldwater noted, however, that neither does the treaty say the president is the sole "party" to act on behalf of this country. "Party" means the government involved, and in the U.S. the treaty power is a joint one shared by the president and Congress, wrote the Arizona Republican, his party's 1964 presidential nominee.

Furthermore, in examining nine instances of presidents serving termination notice without securing congressional approval, Mr. Goldwater argued that a closer examination of the record does not support the idea of untrammelled presidential ability to annul treaties. In two cases, notice of termination was withdrawn. Two treaties were scrapped because they were inconsistent with more

recent laws passed by Congress and one was obviously superseded by obligations imposed by a later treaty. The remaining four, according to the Goldwater analysis, "appear to have been annulled or suspended after it became impossible to effectively carry them out."

Yet those cases were cited, without further explanation, by Mr. Carter's press agents as justification for the president breaking a treaty of his choosing. For example, the White House noted that in 1939, President Roosevelt gave notice of termination of a 1911 commerce and navigation treaty with Japan. But after examining that case more closely, Senator Goldwater pointed out that it was "persuasively argued in the Senate that the president was compelled to denounce the 1911 treaty with Japan because of our obligations under a later treaty, the Nine Power Agreement, committing the United States to respect the territorial integrity of China."

It must be conceded that the White House was able to muster an impressive display of quotes from various scholars to the effect that a president may break a treaty unilaterally.

Mr. Goldwater, however, was not without some lustrous support of his own. Thomas Jefferson, in compiling the first manual of rules of the Senate when he was vice president, wrote: "Treaties being declared equally with the laws of the United States, to be the Supreme Law of the Land, it is understood that an act of the legislature alone can declare them infringed or rescinded."

The president has overall authority to conduct this nation's affairs with other nations, of course, and that includes the right, undisputed by Mr. Goldwater, to establish or end diplomatic relations with others. The courts may well rule that Mr. Carter was within his constitutional prerogative in serving notice on Taiwan. What then?

Practically every major treaty to which the U.S. is a party has an abrogation clause similar to the Taiwan one. These include the North Atlantic Treaty Organization (NATO), and security treaties with Australia and New Zealand (ANZUS), South Korea, Japan, the Philippines, and non-communist Southeast Asian countries (SEATO). If the courts uphold a presidential right to break such treaties without the restraint of legislative concurrence, then the credibility of the United States as a stable, dependable ally will be thrown into greater doubt.

Then, too, some liberals who delight today in Mr. Carter's fast China shuffle could some day rue a future president having a free hand. Senator Goldwater said he feared no contradiction in predicting an uproar among his colleagues if, for example, president, without giving the Senate or Congress opportunity for deliberation, unilaterally violated the Nonproliferation Treaty and transferred nuclear warheads to South Africa.

□ 1230

Mr. KRAMER. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I yield to the gentleman from Colorado.

(Mr. KRAMER asked and was given permission to revise and extend his remarks.)

Mr. KRAMER. Mr. Chairman, today, as we debate the merits of this bill—the United States-Taiwan Relations Act—marks an important occasion in the modern history of our Nation. It is a date on which both the honor and credibility of the United States will be tested, before friend and foe alike. It is a date on which we as a Nation will either demonstrate, or fail to demonstrate, the moral fiber and firm resolve which must characterize a truly great Nation.

I wish that this were not so. I wish that we in the Congress were not faced with the difficult and complex situation which now challenges and confronts us. But hard fact is that we are. And the responsibility for this I would lay directly at the doorstep of this administration—for in its negotiations with the People's Republic of China the White House has seriously compromised the future security and well-being of our friends and allies on Taiwan, and with them has compromised the interests of the United States itself.

It is no exaggeration to say, I think, that in this deal with the People's Republic our Government "gave all and got nothing". We completely acceded to all three of Peking's principal conditions for the establishment of full diplomatic relations. Our troops have been withdrawn from Taiwan, notice has been given for the cancellation of our mutual security treaty with that country, and normal diplomatic relations have been totally severed.

In return we have received nothing but the unilateral right to declare that we will still sell arms to Taiwan, the right to use a circuitous fiction for what should normally be a close and friendly relationship with Taiwan, and the right to cut off Taiwan from its American security umbrella later than sooner.

I would hardly count these so-called "concessions" as major diplomatic achievements. On top of this, we have failed to wring from Peking even the faintest pledge that they will not use force to bring Taiwan under their political sway. Consistently, in this country and at home, Vice-Premier Teng has resisted our suggestions that he give such a pledge. To be so firm in his position is, of course, the Vice-Premier's political right. What I have to ask, however, is why our Government should have been so weak in asserting our own national rights and those of our allies. This, my friends, has proven a pathetic display of American political ineptitude.

This point is borne home all the more clearly by the fact that no sooner had Vice-Premier Teng returned to his country than Peking launched its military invasion of Vietnam. Obviously, our sacrifice of Taiwan has bought us precious little influence with our new Chinese "friends." On the other hand, China has succeeded in achieving normalization and placing the United States at its back before embarking on this new military adventure.

Not only this, but our Government is still proceeding with plans to open wide the doors of American trade and aid to Peking, even as the warfare in Vietnam continues.

It is not the establishment of full diplomatic relations with Peking that I challenge. This was desirable and perhaps inevitable. What I question is the terms on which this normalization was achieved.

I firmly believe, and have been advised by persons knowledgeable in the field, that had the United States exhibited some political will in its negotiations with Peking, we could probably have gained the clear right to a diplo-

matic liaison office in Taiwan. This seems even clearer in retrospect, given China's need for a neutralized United States in its worsening conflicts with Hanoi and Moscow, and its equally great need for American technology and resources to aid its ambitious modernization program.

All things considered—American trade, technology, and military support, and Taiwan itself for good measure—this action by our President may yet prove the biggest give-away of them all.

Obviously today we must look forward rather than back. What we are considering now is the future of our relationship with the Republic of China on Taiwan, and indeed the very future of that island republic itself. It seems to me that the bill which the White House originally sent to this Congress was totally inadequate to provide for either.

The bill now before us is a considerable improvement over that earlier version, but is still deficient, I believe, in a number of areas. A nonofficial, private corporation is, I believe, an inadequate vehicle for the conduct of our relations with Taiwan, our eighth-largest trading partner and a nation of some 17 million souls. In particular, in the absence of any official government-to-government relations the United States will lack any valid legal foundation which would permit it to come to Taiwan's aid in the event of political, economic, or military coercion by the PRC.

Cut adrift from the mainstream of normal diplomatic intercourse, Taiwan will in the absence of some form of government-to-government relations be left to drift alone on the political periphery, until it sooner or later is carried onto the shoals of political or military vulnerability. Should that happen, we in the United States, a longtime friend and ally of Taiwan, will have already unilaterally cut that one rope—governmental relations—which could remedy that situation.

We will, in other words, have not only abrogated a security treaty, but also a solemn relationship with a friendly people, built through years of mutual effort, cooperation, and a shared vision. This, my friends, is not a moral position worthy of a great nation.

If we should allow this to happen, I can only wonder at the impressions of our allies, as well. Israel, the nations of NATO, Korea—despite the bland and encouraging statements emanating from the State Department on the subject, I can only wonder whether privately the leaders of those nations must have shuddered on hearing of this government's plan for its former Chinese ally.

They too must be wondering and watching to see whether they themselves might be next in line for the junkheap of nations whose friendship and ties with the United States had become too inconvenient to either defend or acknowledge.

This bill, my friends, is an unfortunate event. We can, however, make it better—in ways which will help to reassure our friends in Taiwan of our continuing support and interest; our allies around the world of the firmness and value of

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American friendship; and our own people of this Nation's moral worth and political integrity.

We can provide for continued relations between the United States and Taiwan on a modified government-to-government basis; we can provide clear and strong security assurances to the people of Taiwan; and we can provide the personnel and agencies of the government of Taiwan with those forms of de facto recognition which will accord them the dignity and respect they deserve as responsible and productive members of the world community. As a great nation and a generous people, my friends, we can surely do no less.

Mr. BROOMFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. ASHBROOK).

(Mr. ASHBROOK asked and was given permission to revise and extend his remarks.)

Mr. ASHBROOK. Mr. Chairman, the report on H.R. 2479 from the Committee on Foreign Affairs expressed a sense of urgency about this legislation. Phone calls to our offices from the State Department and the administration have echoed this urgency. In fact, I am finding that there are many here in Washington who would like to see this Congress pass H.R. 2479 as soon as possible "to facilitate action on this important legislation which is urgently required to insure uninterrupted relations between the United States and Taiwan." My view of this pressure is that it is not so much a sense of urgency to bolster our commitment to a loyal ally as it is an attempt to ram a "bill of goods" through the Congress before the American people awaken to what a shambles this administration has made of one of the closest and strongest relationships this Nation has ever had with another country. If we fall for this ploy we will have made official a disastrous set of policies that should never have seen the light of day.

If the President was so concerned over having congressional action to help ease the transition to a new policy toward the Republic of China why did he announce his new policy, and begin to implement it when a lame duck Congress was adjourned? Why did he not attempt to adequately consult the Congressional leadership, of both parties, prior to his announcement? Why did he not wait until the Congress had acted before he wined and dined the Communist Chinese in our Capital and had gone ahead with appointing an Ambassador? His December announcement of the sell-out of a brave ally was not an act of courage or principle. It was a snide attack.

In addition why would the President want to go against the promises he made during his campaign? On October 6, 1976, during the Foreign Policy Debate with President Ford, Carter said:

We've lost, in our foreign policy, the character of the American people. We've ignored or excluded the American people and the Congress from participation in the shaping of our foreign policy; it's been one of secrecy and exclusion . . . We've tried to buy success from our enemies, and at the same time we've excluded from the process, the normal friendship of our allies.

Was not this China deal accomplished by the exclusion of the American people and carried out in the secrecy of the type of diplomacy the President criticized not long ago? I submit to this House that we have probably not found out all there is to this China deal, and we should not act without a careful consideration of what we are doing to a loyal ally and to our own position in the world.

I wish to turn now to the bill that is before us. H.R. 2479 is a bill that so fundamentally alters our course in our relations with another nation that we should not leave any portion of this bill open to interpretation. We should make our mandate clear and precise. H.R. 2479, as presently reported fails to meet this critical need. What, for example, does the term "Western Pacific" mean? This bill says:

The people on Taiwan, as well as the people on the China mainland and all other peoples of the Western Pacific area.

What does this term mean? Are we including all mainland China areas in the phrase? Are we including North Korea? Vietnam? Why are we diluting the bill's focus so much? If we are to address our future relations with the Republic of China let us address that issue and leave regional concerns to another bill. The present legislation is far reaching enough without bringing all of Asia or the Pacific in on it.

Another example is the central subject of the bill, the Republic of China. The bill does not even use its proper name! Even if we decide to not recognize their government officially we do not have the right to rename their nation for them. We call our enemies by their rightful names (U.S.S.R., Libya, People's Republic of China, Uganda, et cetera) why can't we extend the same courtesy to one of our most faithful friends? A more subtle point that should be made is that every time we decline to recognize that there still exists a sovereign nation known as the Republic of China we are setting the stage for our Republic's further decline in the eyes of the world. It is sheer hypocrisy. This point has not been lost on the sell-out artists of the administration, and we should be ever alert for their clever ploys.

The vagueness that permeates this bill gives way to pure fantasy and charade in regard to the "designated entity." This is an agency formed at the direction of the State Department, it will be staffed by its own employees, it will be funded by our tax dollars, and it will be under this Congress oversight. It is an organ of our Government and should be identified as such. I would prefer that we have a diplomatic liaison office to conduct our relations, and I think we will have the opportunity to discuss this matter in more depth later on. Whatever "entity" we decide upon should be an official agency of our Government. The Republic of China deserves a better framework than it is receiving here. We should not place our future relations with it in the hands of something that is fiction.

We can take our time on this bill. The stakes are too high to rush into any aspect of it. Our "nonimperial" President has been fit to present us with a "fait accompli". He has severed relations, he

has established an "entity," he has sent formal memos to agencies on the future conduct of relations with the Republic, and he has set up an embassy and appointed an ambassador. This bill, therefore, is a vote of confidence, a congressional blessing for all that he has done. He has gone out on a limb that is about to break and he is shouting at us to go out there with him. He is hoping that with more people out on that limb the less foolish his initial act will look. We have a duty to the American people to not take any action that might encourage the President to seek more limbs. One of these times a limb will break and all of us will go crashing down with it.

Mr. Chairman, I would like to ask the distinguished chairman of the committee some basic questions because I think, in order to understand the legislation and what we are doing here, we have to start at the very beginning. I would like to ask one specific question:

Is the legislation, H.R. 2479, predicated on the fact that the Republic of China is a sovereign nation, or is it predicated on the allegation of the Carter administration that it is not a sovereign nation?

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I will be glad to yield to the chairman of the committee.

Mr. ZABLOCKI. Mr. Chairman, as the gentleman fully knows, the legislation is predicated on the basis that our Government does not at the present time recognize the Republic of China, Taiwan, diplomatically. Nevertheless, it is the desire and the intention of our Government and certainly the wish of the people of the United States to continue relations with the people on Taiwan as we would with countries with which we do have diplomatic relations. This is the purpose of the legislation.

□ 1235

Mr. ASHBROOK. I thank my colleague for an honest and direct answer, as he always gives to any question, no matter how hard.

I think we start to see, then—and I will ask several other questions—some of the problems that are opened up by this.

From my point of view, a fact of life is that the Republic of China is a sovereign nation. Let us take immigration. I noted with interest the response the Chairman gave to our subcommittee chairman, the gentlewoman from New York (Ms. HOLTZMAN), and our chairman, Mr. RODINO.

Let me pose a question: If the Republic of China is not a sovereign nation, what if the People's Republic of China would issue an edict saying the passports must be stamped in Peking, including, in their terminology, not mine, the province of Taiwan? What then would be the position of this Government? Would the State Department say "Well, that is an internal problem within China, we have nothing to say about that?" Would that be the position if indeed the Republic of China is not a government? If we recognize the People's Republic of China as the government of all China, what if they were to say, on immigration, "All passports must be stamped in Peking?" What would be the response of the chairman?

Mr. ZABLOCKI. If the gentleman will yield, it is the understanding of the gentleman from Wisconsin that if the People's Republic of China took such a position, we would not recognize that to be within the authority of the People's Republic of China, to control passports of people who are on Taiwan, who are in any foreign country. The passports for the people on Taiwan for immigration to the United States would have to be issued by Taiwan.

Mr. ASHBROOK. I thank my chairman for that assurance. I hope the State Department understands that is what we have in mind.

Mr. WOLFF. Mr. Chairman, will the gentleman yield at this point for a clarification?

Mr. ASHBROOK. I yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, we do not recognize that the laws of the People's Republic of China apply to Taiwan as such. In our unilateral declaration, the President did not recognize the laws of the People's Republic of China, as applying to Taiwan.

Mr. ASHBROOK. Let me say that if you do not do this, a snare may be planted in the bill. On page 10 it says:

... the term "Taiwan" includes, as the context may require, the islands of Taiwan and the Pescadores, the inhabitants of those islands, corporations and other entities and associations created or organized under the laws applied on those islands . . .

Here is where the snare is:

... and the authorities exercising governmental control on those islands . . .

The authorities exercising governmental control on those islands could be the People's Republic of China, because Mr. Carter has already indicated that the Republic of China is not a sovereign government and the sole legal authority is in Peking.

Mr. WOLFF. We have never recognized that the People's Republic of China can exercise any authority over the people on Taiwan.

Part of our unilateral declaration and part of the Shanghai communique indicated that there is but one China.

Mr. ASHBROOK. And the legal government is in Peking, is it not?

Mr. WOLFF. No. We did not say that.

Mr. ASHBROOK. That is what Jimmy Carter said, the President of the United States.

Mr. WOLFF. No, no. In the Shanghai communique, it was stated that we acknowledged that both sides of the Taiwan Strait indicate that there is but one China, and we do not challenge this.

Mr. ASHBROOK. The Shanghai Accord is not the question. The question is what the President said on December 15.

Mr. WOLFF. If the gentleman will yield further, in the subsequent declaration by President Carter there was no recognition of the fact that the laws on the mainland of China apply to Taiwan.

When we decided that the treaties that are in existence between the United States and the people in Taiwan will continue in force, we reaffirm that position.

Mr. ASHBROOK. It looks as if a snare has been planted in this bill. All we talk about is the people of Taiwan. We do not refer to the government of Taiwan. That is why I asked the chairman the specific question.

□ 1240

Yet, in definitions with reference to authorities exercising governmental control on that island, if indeed the Republic of China is not a government they cannot exercise governmental control. If Peking is the sole government for all of China, that is the only authority that exercises governmental control over the Republic of China. At least that would seem to be the import of the December 15 declaration coupled with H.R. 2479.

Mr. WOLFF. We never have recognized the fact that Peking is the sole government of all China.

Mr. ASHBROOK. But the gentleman is saying that the Republic of China is not a government and President Carter has said that Peking is the sole government of one, repeat, one China.

Mr. ZABLOCKI. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. GRADISON).

Mr. GRADISON. Mr. Chairman, I thank the distinguished chairman of the Foreign Affairs Committee for yielding. To preface, the course chosen by the administration in our China policy is not the one I would have chosen, nor is it the one that I think most of my colleagues would have chosen; nevertheless, we must face the reality that if we wish both to continue commercial, cultural, and other relations with Taiwan and to have normal diplomatic relations with the People's Republic of China, then we must opt for the diplomatic hocus pocus provided by this bill.

There are two issues I would like to raise about H.R. 2479, and I would appreciate the gentleman's comments. First, I am sure that the gentleman is aware that, under H.R. 2479, the United States will view with grave concern any embargo or boycott directed toward Taiwan. In fact, section 201(a) of this bill provides that no U.S. legal requirement, explicit or implicit, concerning existence of diplomatic relations or governmental recognition shall apply with respect to Taiwan. As I understand it, section 201(a) insures that section 4A of the Export Administration Act of 1969, which prohibits U.S. persons from complying with a foreign boycott directed against a friendly country, will apply to any boycott against Taiwan.

Mr. ZABLOCKI. Yes, that is the effect of the bill.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield on that point?

Mr. GRADISON. I yield to the gentleman from New York.

Mr. BINGHAM. I thank the gentleman for yielding to me.

The representatives of the State Department stated unequivocally at our hearings that the antiboycott provisions of the Export Administration Act would apply to a boycott attempted to be imposed by the People's Republic of China against trade with Taiwan.

Mr. GRADISON. I thank the gentleman for that clarification.

Mr. Chairman, it seems to me to be the intent of this bill to insure that the present flow of goods into Taiwan shall not be restricted in the future; however, there are certain goods, in particular defensive arms and nuclear energy materials and equipment, which require by U.S. law certain assurances to our Government from the government of the nation to which they will be exported before permission to export is granted. Conceivably, since the United States has embarked on a policy of dealing with Taiwan on an unofficial basis, these assurances will not be able to be made, and the flow of defensive arms and nuclear energy supplies may be severed.

Now, clearly, it is not the intent of this bill to deprive Taiwan of the right to purchase and receive arms from the United States. Nor do I think it is the intent of the bill or of Congress to deprive Taiwan of the right to purchase nuclear energy material and equipment, provided that Taiwan agrees to continue to honor the terms of the Nuclear Non-Proliferation Treaty.

It is my understanding that section 202(a)2 provides that Taiwan's dealings with the United States shall be by or through an unofficial instrumentality established by Taiwan in agreement with the President. If I read this section correctly, the President should determine that this instrumentality has the necessary authority under the laws of Taiwan to provide assurances and take other actions on behalf of Taiwan with respect to the U.S. Government before he agrees to the instrumentality Taiwan proposes.

I would assume, therefore, that the intent of this section is that once the President agrees to the instrumentality proposed by Taiwan, then the President or any department or any agency of the U.S. Government which is required to accept an assurance from Taiwan is expected to accept such assurance except as the President may otherwise provide.

I appreciate any thoughts the gentleman may have regarding the intent of section 202(a) (2). In particular, I understand that the committee, in drafting this section, took into consideration that the Atomic Energy Act and the Arms Export Control Act both require assurances from the government of a recipient nation to the U.S. Government before the export of defensive arms or nuclear energy materials and equipment will be permitted, and that the committee decided to address these requirements with this section.

Mr. ZABLOCKI. I thank the gentleman of Ohio for raising this issue. His reading of section 202(a) (2) of H.R. 2479 is correct, as is his assumption regarding its intent.

□ 1245

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. McCLODY).

(Mr. McCLODY asked and was given permission to revise and extend his remarks.)

Mr. LEACH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. McCLODY. I yield to the gentleman from Iowa.

(Mr. LEACH of Iowa asked and was

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given permission to revise and extend his remarks.)

Mr. LEACH of Iowa. Mr. Chairman, I would like at the outset to express my support for the President's decision to normalize our relations with the Peoples Republic of China. Recognition, after all, does not imply approval of a system of government. It only implies a realistic assessment of who controls what within a given political jurisdiction. In the case of mainland China, clearly the government of Peking effectively controls the apparatus of political decisionmaking for 950 million people.

The abrupt decision to recognize the Peoples Republic represents a traumatic change in direction for American policy and has produced understandable anxiety among the people of Taiwan. As we move forward with legislation to institutionalize our relationship with Taiwan, it is therefore important to insure that any actions taken at this time are fully consistent not only with American national interests but with the interests of the people of this fragile island. In this regard, I would like to comment briefly on certain aspects of the situation on Taiwan which I believe have not received sufficient notice.

In my judgment, the debate on normalizing relations with the government in Peking should occasion serious reconsideration of the support we have generated over the past 30 years to the less than democratic Nationalist Government of Taiwan. As this subcommittee knows, the population of Taiwan consists of two major elements: The native Taiwanese who constitute approximately 85 percent of the island's inhabitants, and those mainland Chinese who fled with Chiang Kai-shek to Taiwan who, along with their descendants, comprise the other approximately 15 percent.

Yet today, the Nationalist Government consists almost exclusively of members of Chiang Kai-shek's party, the Kuomintang. There is little opportunity for participation by native Taiwanese in national elections. The majority of seats in the National Assembly are held by individuals who theoretically represent the 35 Provinces of China, only 1 of which is Taiwan. They were elected from their respective Provinces 30 years ago when the Nationalist Government still exercised broad control over the mainland. This anachronistic arrangement adds up to stark underrepresentation for the people of Taiwan—even though the island now represents the total extent of Nationalist control. Since elections cannot be held in the 34 mainland Provinces, the Nationalist Government maintains that those who were elected 30 years ago from these Provinces—some of whom today reside abroad—have lifetime rights to their seats. This aged minority of former mainlanders therefore controls the legislative branch of the Nationalist Government.

Perhaps this situation would be more palatable if the Nationalist Government were benign and passive in nature. But in fact, it is a harshly repressive regime which for years has denied the majority

of people on the island the most fundamental human freedoms. Beyond that, police state tactics have been an accepted fact of life ever since martial laws as declared in 1948 purportedly for a temporary period to be in effect "during the period of communist rebellions." The martial law declaration is still in effect today and it has been reliably reported that there is frequently resort to secret arrests and secret trials as a means of dealing with political dissidents. Amnesty International reports that torture has been employed to gain "confessions" and the same organization states that "violations of human rights have been the prevailing practice in Taiwan." Indeed, for the past 30 years we have looked the other way when evidence of such repressive tactics has surfaced—preferring as a matter of expedience to place a higher value on Taiwan's status as an ally than on the fundamental rights of its citizens.

Interestingly, the widely respected Freedom House annually publishes a Comparative Survey of Freedom which ranks nations worldwide on the degree of freedom, using a scale of 1 to 7—with the higher numbers indicating increasing degrees of repression. In its ratings published this month, Taiwan received a 5, political rights, and a 4, civil liberties, rating while the PRC registered 6 to 6 on the Freedom House scale. This is compared to a 1 to 1 rating for the United States. Taiwan's rating reflects a narrowly controlled political system and is hardly impressive in its contrast with the PRC. While the basic political freedom and certainly economic opportunity are greater on Taiwan than the mainland, it can only be described as tragic that Taiwan has not adopted policies which would put it at the forefront of democratic expression.

It strikes me that we have in Taiwan, at this point in history, something resembling a people without a country and a government lacking a legitimizing basis of authority. Generally speaking, legitimacy derives from either historical claim or consent of the governed. There is a distinction between a government in exile and a government claiming to represent the political aspirations of the Taiwanese people. U.S. recognition of the PRC implies our assessment that the civil war in China is over. The Nationalist claim to the mainland would appear fictional and its basis of consent on the island lacking democratic test.

Accordingly, in considering the legislation which will establish new unofficial ties with the Taiwanese people, I would urge the members of this subcommittee to include language which will encourage the Nationalist Chinese authorities in Taiwan to come to terms with political reality themselves and to begin good-faith efforts to establish a new basis of legitimacy resting on the consent of the governed and to permit full establishment of constitutional liberties such as freedom of the press, freedom of expression, and the right to assemble. If we, as Americans, are truly sincere in our efforts to mold a new policy toward Taiwan, grounded in truth and reality, this

is the least we can do on behalf of a peaceful normalization of internal relations between the majority of native Taiwanese and the minority of Chinese from the mainland.

Just as it should be made clear to the PRC that the United States will not lightly countenance the use of force against Taiwan, it should be made clear to the Nationalist government that the United States does not easily condone the suffocation of basic individual freedoms on Taiwan. Accordingly, I would like to strongly endorse the language introduced in the other body by Senator PELL which underscores our concern for democratic rights on Taiwan. That language specifies that:

In carrying out its activities, the Institute shall take all appropriate steps to strengthen and expand the ties between the people of the United States and the people of Taiwan and to promote full human rights for all the people of Taiwan.

Regarding this language, I should like to stress that any effort on our part to encourage greater freedom and self-representation on Taiwan does not necessarily conflict with the administration's recent commitments to the PRC. On several occasions, Vice Premier Teng Hsiao-ping has expressed his willingness to accept Taiwan's own social and economic system as well as armed forces. But whatever steps are taken to resolve the international status of Taiwan it should be understood by all sides that the future of the Taiwanese people ought to be decided by those representing the majority of the people on the island, not by a government unwilling to open its doors to full popular participation.

In addition, it would be my hope that in any legislation dealing with the legitimate security needs of the Taiwanese people, a strong sense of the Congress should be established that the U.S. Government not transfer any weapons, such as riot control equipment, which are of a nature that appear primarily oriented to maintaining internal order as opposed to external security.

Unfortunately, the timing of President Carter's December 15 announcement regarding normalization of relations with the PRC had unsuspected implications for the domestic political situation on Taiwan. Within hours of the President's announcement, the Nationalist Government seized upon the normalization action as a pretext to indefinitely postpone local elections which had been scheduled for December 22 and decreed the suspension of all political activity on Taiwan. By many accounts these elections—although for a small number of seats in the general assembly—would have resulted in significant gains for political candidates opposing the Kuomintang Party. Those familiar with the internal political situation in Taiwan were keenly aware of the significance of this political event. The President's decision to announce normalization just 8 days before the election in Taiwan demonstrated great insensitivity to—or perhaps ignorance of—the internal affairs of the people of Taiwan and may have deprived the majority of the popu-

lation of any opportunity in the near future to exercise their right to speak out at the polls on their own destiny.

The consequences of President Carter's precipitous preelection announcement carries certain irony. For it is the native Taiwanese rather than their Government who have been most supportive of the U.S. normalizing relations with the PRC and who have always regarded the Nationalist claim to mainland China as fantasy. Unfortunately it is these native Taiwanese who were most affected by the timing of the external normalization decision and who now find that the modest movement toward internal normalization of the political process on Taiwan itself has been severely jeopardized.

The precarious situation of Taiwanese who dare to publicly oppose the policies of the Nationalist government was forcefully underlined in late January when one of the elder statesmen of the responsible political opposition, Yu Teng-fa, was arrested and charged with "sedition". This individual's crime appears to be that he intended to host a conclave of opposition political leaders, the primary purpose of which was to promote a December 25 proclamation which called for the realization of human rights, representative government and the general liberalization of Taiwanese politics, and an end to 30 years of martial law. This can hardly be termed a radical manifesto. Thus, it appears certain that the arrest of Yu Teng-fa was not for seditious activity but rather was an attempt by the ruling authorities to intimidate the non-Kuomintang opposition in general.

Finally, as the subcommittee considers the legislation dealing with our future relationship with the people of Taiwan, I would urge that the recent tragic developments of Iran be kept in mind. The provision of sophisticated weapons to a government does not in and of itself assure the security and stability of that government. It is time we begin to profit from experience and seek to insure that the United States not be too closely associated with regimes which are not based on the support of the majority of the people.

While such a policy may have short term advantages and may, indeed, be dictated by compelling circumstances at a given moment, we must recognize that governments which are not responsive to the aspirations of the majority of their people are living on borrowed time. In the case of Taiwan the subcommittee has the opportunity to build into the legislation language which will clearly demonstrate to the world and to the Taiwanese that the U.S. Congress is willing to go on record as encouraging authorities on the island to grant the native Taiwanese full democratic participation in the political process. Majority rule based on respect for individual rights is the lynch-pin of our own society as well as our human rights foreign policy. We should not shy away from advocating such a policy for the Taiwanese people.

Mr. McCLORY. Mr. Chairman, I am pleased to see legislation before us today directed at assuring continuation of

United States-Taiwan relations on subjects of our mutual security, trade, travel, and other important contracts.

The people of Taiwan have been our friends for more than three decades. They are one of our closest allies and I was gravely disappointed when President Carter announced his intention to recognize the People's Republic of China at the expense of our friends on Taiwan.

Mr. Chairman, my close observations—both from personal visits to Taiwan and through extensive study of the government and social and economic systems of Taiwan—convince me that this nation of more than 17 million people is representative of the very best in terms of an orderly and progressive society in the world today.

Although I feel this legislation could go further to insure future political, economic, cultural, and social relations with the Taiwanese, I do feel it is a distinct improvement over the original measure proposed by the administration.

The sale of defense articles and services to Taiwan is one step toward insuring the security interests of this proud country, as well as our own security. However, it is my view that we still need a stronger commitment to protect Taiwan should the use of military force or economic coercion endanger their security.

It appears to me that we will have an opportunity to strengthen one of the provisions of this bill through an amendment to establish a U.S. liaison office in Taiwan with a similar Taiwanese liaison office located in the United States—giving the Taiwanese office and personnel privileges and immunities similar to those extended to diplomatic missions and personnel of accredited foreign governments in the United States. My own resolution, House Resolution 108, requests that such an official organization be established. When we opened relations with the People's Republic in 1972, we afforded that Government such privileges.

Mr. Chairman, we should deal with Taiwan on an equal basis with other allies and foreign countries. Otherwise, Taiwan stands the chance of being politically abandoned by other countries of the world. The establishment of only a non-government entity to handle our relations with Taiwan would be an affront to these fine people—a mistake we should not make.

Mr. Chairman, I urge my colleagues to overwhelmingly pass this legislation with such an amendment and let our friends on Taiwan know that they have not been forgotten.

Mr. ZABLOCKI. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. AuCOIN).

□ 1250

(Mr. AuCOIN asked and was given permission to revise and extend his remarks.)

Mr. AuCOIN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of this bill as reported.

I just returned from a 12-day visit to the People's Republic of China and am

even more convinced than ever before of the wisdom of President Carter's move to normalize relations.

One of the primary dividends this action will yield is greater long-term stability in the Pacific Rim. And one of the primary beneficiaries of that stability should be Taiwan.

Normalization of relations between the United States and China recognizes the reality in the Far East, and it provides real security for Taiwan. We are now in a much stronger position to influence policy in Peking and, I'm persuaded that China sees much to gain by establishing practical working relations with Taiwan. It also has too much to lose now to take ill-conceived actions against Taiwan.

My trip to China also showed me that we as a Nation and a people have much to offer the Chinese—and we have much to learn from them in return. I also learned that Americans and Chinese have much in common, and that commonality should be nurtured so we both can grow and prepare for a new century of challenges.

The keynote for our relationship with China and Taiwan must be flexibility. We should not lock ourselves into frozen positions. Events are moving rapidly in the Far East, and as shifts occur, we must adjust.

Never has been a more golden opportunity for the United States to exert a constructive influence on this region than now. Our position has never been stronger, as we have friendly relations with the major powers in this region. Our constructive assistance to Japan and Taiwan following World War II is an example of world leadership not lost on China, which underwent a bitter experience with another example of world leadership whose aim was domination, not mutuality of benefits and equality.

We are not on the retreat in the Far East. Rather, we are moving forward, demonstrating responsible leadership. We have not deserted an ally. Our foreign policy in the Far East is evolving as a realistic, futuristic one. This bill is a key building block of that evolving foreign policy, and therefore merits your support.

I cannot predict, nor can anyone, whether full reunification of the mainland and Taiwan will occur and, if so, when and how. My instincts tell me, based on what I saw in China, that reunification will occur—peacefully, gradually and to the mutual benefit of both China and Taiwan.

Each has much in common with the other. At the moment, each has a common foe—the Soviet Union—who they both feel threatens the Far East. This common interest may very well serve as a starting point for real cooperation between the two.

As a number of Chinese officials told me privately during my recent trip: The two sides have worked together before against common enemies; there is no reason why they cannot again. The United States should not do anything to disrupt any natural reunification processes.

Despite China's recent invasion of

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Vietnam, I firmly believe China desperately needs peace if it is to succeed in its unprecedented modernization program. This invasion in one sense can be seen as a preemptive strike to keep the Soviet Union at bay and buy time for China to pull itself up by the bootstraps. But there is no evidence that China is mobilizing itself for war against Taiwan, or is about to launch a campaign of expansionism. There are too many pressing problems, and too many undeveloped acres, for that to occur, and I think responsible, rational Chinese leaders realize that—all too painfully.

This bill is vital if we are to keep our pledge to maintain viable economic and cultural ties with Taiwan. This legislation contains solid assurances for the continued security of Taiwan.

But as we consider this legislation and amendments today, I hope my colleagues will remember that the world exists as it is, not as we wish it to be.

Many wish there could be two Chinas. The fact is there is only one China, just as there is only one Chinese people, whether they live in Shanghai, Taipei or San Francisco. Being Chinese is a common heritage for an entire people, regardless where they live or under what government they exist. There is a heritage that has survived dynastic collapse, foreign occupation, famine, floods, aberrations of government policy such as the cultural revolution and the upheaval of civil war.

As I left China, I carried with me a great respect for the Chinese people. Through the ages, they have achieved and maintained a high level of civilization. That civilization perseveres today, even though China is scrambling to escape from widespread poverty and underdevelopment. I am convinced that if any underdeveloped nation can break through and modernize, it is China, because its people are committed to that goal.

□ 1255

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DANNEMEYER).

(Mr. DANNEMEYER asked and was given permission to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Chairman, the issue facing us today has an air of unreality about it. The Carter administration diplomatically recognized the regime on the mainland of China. One of the arguments by proponents of that move is that the United States is now recognizing the reality of the existence of 800 million people.

Without arguing the merits or demerits of that position, let us look at the other side of the coin. The Carter administration while recognizing the reality of the People's Republic of China is now denying the reality of the Republic of Taiwan and the 17 million people it governs. The Republic of China and its people have been a longtime ally of the United States and an important trading partner.

The legislation before us today is a definite improvement over the administration's bill and position but it is still trying to deal with the whole China issue

in a hypocritical fashion. There is in existence a Republic of China. It has a history. It does govern 17 million people on Taiwan, the Pescadores, and the offshore islands. In other words, it is a country. At the minimum we should have some form of government-to-government relations. That is why earlier this Congress I introduced legislation—H.R. 1925—which authorizes a U.S. liaison office to be instituted in Taipei, Taiwan. But the Carter administration is caught up in its own fiction that the governmental entity of the Republic of China does not exist.

This would be bad enough in itself, but, as we all know, there is more. The Carter administration is trying to build its foreign policy in Asia on a further fiction. That fiction is that our longtime friend and ally the Republic of China on Taiwan does not have to worry about the Communist rulers on the mainland trying to invade, coerce, or extort the people of Taiwan. Supposedly, we all know that the People's Republic of China has no desire to forcefully take over Taiwan.

Unfortunately, the leaders of the People's Republic of China do not quite go along with this fiction of the Carter administration. They have never ruled out force or any other means to take over Taiwan. Is it not nice how President Carter, his advisers, and the State Department are deciding for the people and Government of Taiwan what other countries' intentions are for them.

Of course, one only has to look at recent history to see just how peaceful the Chinese Communists are. This year they have invaded Vietnam. In the 1960's they got into a border conflict with India. In the 1950's they crushed the Tibetan people—a people that they had promised autonomy to. In the early 1960's the International Commission of Jurists found that the Chinese Communists had committed genocide against the Tibetan people. And of course, in the early 1950's there was the Korean war with the involvement of millions of troops from the supposedly peace-loving People's Republic of China.

In my opinion this is not much of a record for the leaders and people of Taiwan to feel secure about. Additionally, the Carter administration has agreed not to make any new sales of defensive weapons to Taiwan during 1979.

The Republic of China on Taiwan is a growing economic power in Asia. The standard of living of the people has continually improved. Compared to the mainland the people of Taiwan enjoy many freedoms and rights. President Carter's answer to all of this is to ignore it.

President Carter has basically told the leaders and the people of the Republic of China "trust me." While asking for trust, the Government of Taiwan has been treated shabbily at best. I Cheng-loh of the Republic of China's Embassy was forced to leave the United States after a letter of his appeared in several U.S. newspapers. According to reliable sources, the Government of the Republic of China was threatened to be cut off from even the unofficial American Institute if the Republic of China did not accept the Carter proposal. There has

been no guarantee from the Carter administration of continued U.S. support for Republic of China membership in such important economic institutions as the International Monetary Fund or the World Bank. What type of defensive weapons will the Carter administration be willing to sell to Taiwan?

It is our responsibility as Members of Congress to attempt to correct the injustice that has been perpetrated by the Carter administration. The interests and basic principles of our own country demand no less.

Mr. ZABLOCKI. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina (Mr. FOUNTAIN).

Mr. FOUNTAIN. Mr. Chairman, I rise in support of H.R. 2479, the United States-Taiwan Relations Act. As ranking majority member of the Foreign Affairs Committee, I was pleased to cosponsor this important legislation, and, with some reservations, to urge its adoption.

Despite my support for the bill, however, I believe its provisions can be responsibly made stronger in several respects, and I hope my colleagues will give serious attention today to any amendments offered which will reaffirm our rightful commitment to peace and freedom on Taiwan—for example, to establish an official liaison office there.

Mr. Chairman, this bill declares that peace and stability in the western Pacific—including China—are in our paramount national interest, and that continued relations of every type with Taiwan are, as a result, essential. Any attack against Taiwan would be—and ought to be—of grave concern to our country, and continued shipments of defensive arms to Taiwan as provided for in the bill are, therefore, necessary. In addition, the bill recognizes the responsibility to be shared by the President and the Congress to be prepared to take any additional appropriate action—military or otherwise—to resist serious threats to Taiwan's security.

H.R. 2479 reaffirms the existence of all treaties and international agreements in effect between the United States and Taiwan at the end of 1978 and provides that they will continue in force unless and until terminated under their own terms or otherwise in accordance with law. All U.S. laws and programs respecting Taiwan will continue to apply as if derecognition had not taken place. Also, several administrative and technical provisions—both substantive and procedural—are included in the bill.

Mr. Chairman, many of us in this House were, quite frankly, shocked and saddened by the President's decision last December to extend diplomatic recognition to the PRC without first arriving at a fair and responsible solution to the so-called Taiwan question. However, since former President Nixon's summit visit to mainland China in 1972 and the resulting Shanghai Communiqué, eventual diplomatic recognition of the PRC has been by and large a foregone conclusion in most minds.

Yet, that extension of recognition should not have occurred, as it did, at the total expenses of our longtime friends and allies—of more than 30 years'

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standing—on Taiwan. The Government and people of Taiwan deserved far better treatment than what they got—in effect, an eviction notice without a guarantee of due process.

This legislation, before us today, and the counterpart Senate bill now under debate in that body, are a legitimate and forthright congressional response to our being left—in practical terms—completely out in the cold by the administration's December action. The December 15 announcement, made without the prior consultation with the Congress called for in section 26 of last year's foreign aid bill, abrogated at least an understanding between the two political branches and has been seen by some as an example of executive arrogance—an attitude that says the executive branch on the one hand cannot trust the judgment and advice of the people's elected representatives here in the legislature, and on the other hand that the executive branch somehow can conduct business independently of the Congress, a coequal branch established by article I of our Constitution.

Mr. Chairman, there are those who claim that enactment of this legislation is unwise, that it will amount to congressional acquiescence in the President's China decision and will in fact establish a dangerous precedent for future unilateral terminations of mutual defense or security treaties with our allies. Others may argue against the legislation on the merits themselves, urging that the bill does not go far enough in guaranteeing defense and economic aid to Taiwan, and that the Congress should not by statute sanction unofficial, informal, and nongovernmental relations with Taiwan.

However, while I am sympathetic to those sentiments, I believe this bill is basically the best we can reasonably hope for, given the circumstances we face. For instance, I doubt seriously that the President's action will be overturned in the courts despite some intriguing legal arguments advanced by the plaintiffs in district court here in Washington who are challenging the constitutionality of that action.

Mr. Chairman, the Congress is often faced—regrettably—with a choice between half a loaf and none at all. What we have here today may amount to half a loaf, but it is at the same time at least an affirmative expression by the Congress that Taiwan is important, and that our Nation should take strong steps to insure the continued viability and free existence of the people there. Consequently, I ask my colleagues to embrace the concepts set forth in the bill, and to support these efforts on behalf of freedom in the western Pacific, an area of strategic importance to our own peace and security here at home.

□ 1300

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. PRITCHARD).

Mr. PRITCHARD. Mr. Chairman, I thank the gentleman for yielding this time to me.

I am not happy about how the administration has handled this issue. Today we cannot go back and un milk the cow. Today we must fashion an institute so that the people on Taiwan can do business with the people in the United States. We must carry on our ordinary commerce and continue relations.

Having been to Taiwan in January and having sat through the hearings of the subcommittee and the full committee, I am convinced at this point that the chairman of the committee (Mr. ZABLOCKI), and the ranking minority member, with the staff and the other members of the committee, have done as good a job as is possible to protect the people on Taiwan, under the restrictions that we are laboring under.

So I am going to support this bill. I want to commend the chairman of the committee and the members for doing the work they have done under most difficult conditions.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. PRITCHARD. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Chairman, my colleague said something that is very interesting. He said, "under the restrictions" we are under. It is my understanding we are a sovereign body and we can have a legislative input as we see fit consistent with the Constitution. I am wondering what restrictions we are laboring under.

Mr. PRITCHARD. Mr. Chairman, I think it is under the facts of life, because I do not believe we are going to be able to turn this thing over. I do not think we have that choice today. The gentleman from Ohio may think we do, but I do not. I believe we are doing the best we can under the circumstances.

Mr. ASHBROOK. Mr. Chairman, I thank my colleague for this explanation.

□ 1305

Mr. ZABLOCKI. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. VANIK).

Mr. VANIK. Mr. Chairman, I want to say at the outset that I want to commend the committee for developing this legislation. I support the goals that it seeks to reach.

Mr. Chairman, I am concerned, as I know a number of other Members of the House are, about maintaining the economic stability of Taiwan in light of our new relationship with the People's Republic of China. The United States has established over recent years strong economic ties with Taiwan, including trade relations, which are essential to its long-term economic strength and viability.

Does the distinguished chairman of Foreign Affairs concur my understanding that derecognition of the Taiwan Government will not affect, and H.R. 2479 will preserve and continue, the current eligibility of Taiwan to nondiscriminatory trade treatment (most-favored-nation status) and the generalized system of preferences (GSP) under U.S. trade laws. Consequently, restrictions under U.S. trade laws with respect to Com-

munist countries will not apply to Taiwan and exports from Taiwan to the United States will not be combined with those from the People's Republic of China in determining limitations under GSP and orderly marketing agreements.

Does the gentleman concur in that?

Mr. ZABLOCKI. If the gentleman will yield, the gentleman from Ohio, as most always, is absolutely correct in this interpretation of the provisions of the bill before us.

Mr. VANIK. Mr. Chairman, I would like to further say that Congress has traditionally reserved its constitutional authority to determine which countries should receive most-favored-nation tariff treatment, and under what conditions such treatment should be withdrawn. Therefore, I want to establish that H.R. 2479 does not provide in any way authority to the President or indicate any prior congressional approval for the President to withdraw most-favored-nation status at some future date. Rather, any change proposed in most-favored-nation trading status for Taiwan would be the subject of legislation referred to the appropriate committee of jurisdiction, affording the Congress the opportunity to judge the merits and economic consequences at the time.

I ask the distinguished chairman, are my understandings correct?

Mr. ZABLOCKI. The understanding of the gentleman from Ohio is eminently correct.

Mr. VANIK. During the course of our consideration of this legislation, the gentleman's committee sent the Committee on Ways and Means a letter concerning the next tax question.

I would like to ask the distinguished chairman of the Foreign Affairs Committee several questions so that he might confirm my understanding of the tax consequences of this legislation. First, as I understand it, the U.S. Government will deal with Taiwan through a nongovernmental entity designated by the President and that for tax purposes this entity will be treated exactly the same as the Federal Government is treated. Is that correct?

Mr. ZABLOCKI. The gentleman is correct. The sole activity of the designated entity will be to conduct the dealings with Taiwan which prior to derecognition were conducted by the U.S. Government, and for purposes of our domestic laws it will be treated, to the extent the President specifies, in the same manner as a Federal agency. It is contemplated, of course, that the President will specify that the designated entity will be treated as a Federal agency for tax purposes. Accordingly, it would be exempt from tax, and contributions to it would be deductible.

Mr. VANIK. Am I correct that employees of this entity will be treated in the same manner for tax purposes as Federal Government employees are treated?

Mr. ZABLOCKI. That is correct. The bill explicitly provides that its employees will be treated for tax purposes in the same manner as Federal Government employees are treated.

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Mr. VANIK. Finally, as I understand it, the severing of diplomatic relations with Taiwan will in no way affect the treatment of Taiwan for tax purposes. Now this would mean, for example, that Americans working on Taiwan for the necessary period would qualify for the deductions for excess foreign living costs, and income taxes paid to Taiwan would qualify for the foreign tax credit if the other requirements of the code are met. Also, as is true with foreign governments, the governing authority on Taiwan, or its agencies or instrumentalities, would be exempt as long as the income does not inure to the benefit of any private individual and it is not derived from commercial activities. Now this is a point that I want to be very clear on—am I correct that there is no way that any private individual or company could use any provision of the bill to escape U.S. tax under present law.

□ 1310

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. VANIK. I am happy to yield to the chairman.

Mr. ZABLOCKI. I thank the gentleman for yielding. This is definitely correct. The exemption from U.S. tax which would be available to Taiwan would only extend to governmental activities, and it would not apply in any sense where the income was derived from commercial activities or the income inured directly or indirectly to private interests.

Mr. VANIK. I want to thank the distinguished chairman of the Foreign Affairs Committee for his responses to these inquiries.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DORNAN).

(Mr. DORNAN asked and was given permission to revise and extend his remarks.)

Mr. DORNAN. Mr. Chairman, I will ask at the proper time to revise and extend my remarks so that I may put into the RECORD of the debate at this point the very moving farewell speech given at the Free China flag-lowering ceremony at Twin Oaks on last New Year's Eve by Mr. H. K. Yang, former Vice Minister of Foreign Affairs for the Republic of China.

Mr. Chairman, on December 15, 1978, President Jimmy Carter dramatically announced that he was going to sever diplomatic relations with an old and faithful ally, the Republic of China. He declared, furthermore, that he was going to establish diplomatic relations with the Communist regime and terminate the Mutual Defense Treaty with the Republic of China on January 1, 1979. Some Christmas present for the people of Taiwan.

Now, the Communist regime is engaged in a bitter and dangerous war with their ancient enemies, the Vietnamese. Against the battle-hardened young veterans of the Vietnamese Army they are now making considerable headway in their punitive expedition in retaliation for the Vietnamese defeat of Communist China's ally, the bloody regime of Pol Pot in the devastated country of Cam-

bodia. The current demonstration of Chinese conventional power is not, in and of itself, awesome. But consider the possibilities if the Communists on the mainland were armed with the most sophisticated weapons. Consider the impact of their possession of high level technology on the stability of the international balance of power. In their legitimate fears of the Russian Bear, American foreign policy analysts and political scientists who favor the expansion of trade relations between the Chinese Communists and the West are doing nothing less than creating the proverbial Frankenstein monster, an enormous Leviathan which could, realizing its own incomparable demographic strength, break loose from the conventional bonds of international order and go on a rampage through Asia. This is not fancy. It is a very real possibility. In the euphoria of "normalization," the giddy camaraderie excited by Comrade Tengs journey to the shores of our republic, I think that we have lost sight of the awful potential of the new Middle Kingdom.

I am dismayed by the fact that this administration continually indulges in wishful thinking and optimistic theorizing. A classic example of this was the manner in which we broke diplomatic relations with Taiwan. When asked whether the Chinese Communists had given assurances that they would not use force against Taiwan, Secretary of State Cyrus Vance replied that he expressed the hope that such force would not be used and that the Chinese Communists did not offer any contradiction. What did that mean? Silence, on their part, told us nothing. But the President went on to assure the world that Red China had no intention of attacking Taiwan. In fact, the President already cut the ground from under himself when he agreed to Communist China's interpretation in the first place. By recognizing the Communist regime as the sole legitimate government of China, we have logically assumed that Taiwan is an internal affair. The Chinese, quite properly, replied that we had no right to determine how they were to settle their internal affairs.

On January 5, 1979, Vice Premier Teng Hsiao-p'ing publicly acknowledged that the Chinese were not going to restrict themselves to the wishes, hopes, or pleadings of a confused and desperately hopeful American administration. He declared that the Chinese Communists could not rule out the use of force in reuniting Taiwan with the mainland. He reiterated, once more, the point that the question of Taiwan is solely an internal matter.

Under what interpretation of national or international law, the custom and usage of states and nations, could the Carter administration possibly believe that the Chinese Communists have no legal or moral right to use force in the resolution of internal disorder or disturbances? The President had already given the proverbial game away.

The fundamental difference in perception between the administration analysts in the United States and the leaders of the Communist regime on the mainland is that the latter exhibit a fine-tuned

understanding of the uses of international power. Using the United States as a platform to warn of the real dangers of Soviet Russian imperialism, it was not surprising that Vice Premier Teng would talk openly of punishing the Vietnamese. He understands the psychological impetus of his new found relationships with the United States. He must likewise grasp the incredibly naive approach of administration foreign policy leaders—who received no concessions whatsoever, even in negotiating the blatant betrayal of an old, trusted, and faithful ally. Such behavior must, I think, excite his contempt.

Mr. Chairman, the President has said that he will veto legislation that would provide long-term assistance to Taiwan. Then, later, it was reported that he would agree to use force in the protection of the Taiwanese. What does that tell us? It tells us what we have suspected all along. This administration has no foreign policy. This administration makes ad hoc decisions and proposals in response to events; but there is little, if any, attempt to control events. There is no vision, no plan, no overall intellectual framework.

Mr. Chairman, does anyone in the White House remember human rights? I mean, does anyone, straining their crania, recall the vaunted importance of the principles of human rights and the dignity of men in our foreign policy. When the President announced his new China policy, he remarked that he was only "recognizing reality"—the reality of the Communist conquest of 900 million human beings. Well, I agree that we ought to "recognize" this reality—all of it, in all of its ugly and heart rendering dimensions.

Yes, Mr. Chairman, let us extend full, complete and unreserved diplomatic relations to reality. According to the Guinness Book of World Records, the regime on mainland China is responsible for more political murders than any other government in human history. Yes, more than Hitler, Pol Pot, or even Stalin. The Walker report published by the United States Judiciary Committee in 1971, estimated that the human cost of communism in China since 1949 ranges anywhere from a conservative estimate of 32,000,000 to a high of 61,000,000 human souls. It is worth noting that the Communist Chinese themselves have openly claimed on several occasions that they have been engaged in mass executions of so-called class enemies.

As with virtually every major totalitarian political experiment since Lenin seized power in 1917, the force labor concentration camp has become a standard apparatus of repression. While there are no official government estimates of dissidents or prisoners forced into what the Communists call Lao Dong Gai Zao—reformed through force manual labor—a 1964 estimate published by the Guinness Book of World Records was 16,000,000. Where was Teng Hsiao-ping during this period of Communist rule. He was in the center of the violence, literally wading in the blood of innocent victims. As I said there is no reason why we ought not to extend diplomatic relations

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to every facet of reality—even those we boast and toast.

On December 31, 1978, the day before the United States decided to derecognize its veteran friend in war and prosperous trading partner in peace, former Vice Minister of Foreign Affairs for the Republic of China, H. K. Yang, delivered a farewell address. It was a very moving speech. It revealed the bravery and determination of the fine people he represents, the very last bastion of the venerable culture of Confucius in the world today.

As I said, I think we ought to examine the whole of reality in all of its heart-rendering dimensions. Mr. Yang's speech, therefore, cannot be overlooked—even from the very high altitudes of the State Department.

I ask my colleagues to read it with full awareness of the tragic history our current administration is writing:

TWIN OAKS ADDRESS BY VICE-MINISTER OF FOREIGN AFFAIRS H. K. YANG OF THE REPUBLIC OF CHINA

(Delivered at the flag-lowering ceremony held at Twin Oaks, Washington, D.C. on December 31, 1978)

It is with a heavy heart that I am here to officiate the ceremony of the lowering of our national flag—the flag of the Republic of China.

I am grateful to all of you—friends and fellow citizens—who are gathered here at Twin Oaks to take one more look at our national flag before it is taken down. Your presence gives us strength and confidence. Your presence speaks eloquently of the fact that in our fight for a just cause we are not alone.

China and the United States exchanged ministers exactly a hundred years ago. Ever since 1912 when the Republic of China was brought into being, the first republic in Asia, our two countries have maintained close and cordial diplomatic relations. Throughout the long years, in war or in peace, I am not aware of a single occasion when the Republic of China did anything perfidious or wrong to the United States.

Our people, known for their trustworthiness, honesty and loyalty, have always endeavored to live up to the moral and ethical standards they set for themselves in their dealings with the people of the United States. It is therefore only natural that we feel distressed when we realize that our national flag is not to be raised here at Twin Oaks after the end of this year, because President Carter has decided that on January 1st, 1979, the United States will terminate diplomatic relations with us the Republic of China—a loyal friend, and ally of the United States, and establish relations with our enemy the Chinese Communist regime.

Beginning tomorrow, relations between the Republic of China and the United States of America shall undergo changes. Surely, there will be modifications and readjustments. Although the names of our respective embassies in Taipei and Washington, D.C. shall go into limbo, yet our many-faceted realistic and meaningful relations in trade and economic developments, in cultural and scientific exchanges, in people-to-people interflow will not only continue but also flourish.

The lowering of our national flag does not mean that we are giving up our fight against Communism. Fight we will. We in the Republic of China have the courage not to bow before the brutal forces of Communism. We fight against Communism not only for the seventeen million Chinese living in Taiwan, but also for more than twenty million overseas Chinese living in all parts of the world. And, what is more, we do it also for the

800 million Chinese who have been forced to live under an oppressive, totalitarian Communist regime. Indeed, we are continuing our fight against Communism for all freedom-loving people the world over.

We regret that the United States Government chooses to terminate diplomatic relations with us at a time when our people on the China mainland have begun to question the Communist regime, defiantly and courageously, why the economy on the mainland is not as good as it is in the Republic of China on Taiwan. Through such questions, the people are challenging Communism both as a form of government and as a way of life.

If the *raison d'être* of a government is the promotion of the welfare of the people, then I would say that my government, the Government of the Republic of China, can stand the test. For the Chinese people living under my government enjoy a standard of living at least four times higher than that of the people living under the Peiping regime. Moreover, the people in the Republic of China on Taiwan enjoy full freedom while on the China mainland the people are even denied the freedom of silence.

We as a government never pay lip service to grandiose ideas of certain political philosophies. Yet, I am proud to say that under the leadership of President Chiang Ching-kuo, politically ours is an open society; and economically we are moving, quietly but vigorously, in the direction of an egalitarian society. We have confidence in our leadership. We have confidence in our Government. And we have confidence in ourselves. I wish to assure you that, come what may, the Government and people of the Republic of China will continue to strive for freedom and democracy and peace with justice—a just cause to which all of us who are gathered here have long dedicated ourselves.

Dear friends and fellow citizens, we may be facing a long dark night. But as long as we can persevere and keep our chins up—and I am sure we can—we shall be able to come here again soon, with renewed conviction and dedication, to welcome a new dawn and a new era in the relations between the Republic of China and the United States of America.

Before concluding, I should like to assure all of you that with conviction and confidence, we shall return! And we shall return with this same flag—the national flag of the Republic of China.

Thank you.

I hope, during the coming debate on the Taiwan issue amendments that we discuss thoroughly the security of Taiwan, and the military preparedness condition in which their good friend, the United States of America, leaves them. I hope that no one refers to Taiwan as being "armed to the teeth." We must differentiate between the skill of trained soldiers, sailors and airmen, that is between the brave men and women of the Republic of China's defense forces and the aging, obsolete, inferior equipment we allowed them to purchase.

Please do not confuse this stupid expression "armed to the teeth" with the hardware we have left behind. Take their F-100 fighter aircraft for example. The 'Hun' was a great fighter when we brought it into our inventory in the fifties. I checked out in the F-100 aircraft over 22 years ago. Twenty-two years in fighter technology is more than a lifetime. The Air National Guard of the State of Arizona, for example, and of South Carolina and Tennessee picked up F-104 aircraft over 20 years ago and that plane is another in the Taiwan defense inventory. Our old F-100's and F-104's

make up about 50 percent of the small 222 fighter plane force of Taiwan.

The small F-5 fighter, again 1950 technology, makes up the rest of their Air Force. This small force is in no way capable of defending that island for more than a few hours.

The pathetic figure of only 222 defensive aircraft is undercut by the low number of small surface ships—only 111—just 111 surface ships, not one of which has a surface-to-surface missile of the modern type necessary for effective island defense. The Soviet "Styx"-type missile used against the Israelis to sink their largest ship, the destroyer *Elat*, in the 1973 war, is an example of what Communist navies have today in heavy numbers. Our ally Taiwan was given zero missiles by their great protector, the United States.

In other words, we in the first delegation to visit Taiwan after our administration cut them adrift pressed our military liaison people in Taiwan in January to give us a factual briefing about the military hardware we left them for defense. The answer was, a loud, clear, tragic. The Taiwanese are in a desperate situation and their obsolete U.S. planes and ships are wholly inadequate. So, I hope we will go into depth on their fragile security situation this afternoon.

Mr. BROOMFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. DERWINSKI).

(Mr. DERWINSKI asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Idaho.

(Mr. HANSEN asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Mr. Chairman, I strongly oppose the administration's plan to provide for a private institute for handling U.S. dealings with the Republic of China on Taiwan. A terrible tragedy is about to occur unless we act decisively to prevent 17 million free people who have fled and fought communism from being forced back into its jaws.

The Republic of China on Taiwan is our eighth largest trading partner—much greater than the Soviet Union and Red China combined.

American bankers and businessmen in Taiwan have billions at stake which must be protected, and American farmers and businessmen could well lose all or part of an \$8 billion market—one of the only world markets unsubsidized by U.S. taxpayers.

I have just returned from Taiwan. The people there want and need a continued official government-to-government relationship and a continuation of the Mutual Defense Treaty.

The institute proposal condemns the people of Taiwan to nonentity status among the family of nations giving the Communist Chinese Government a hunting license to absorb Taiwan when and as it will as a matter of internal politics, with relative immunity from serious challenge from other nations.

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The institute proposal has seriously disturbed and threatened the American business community concerned with Taiwan who fear loss of markets, loss of investments, loss of assets, and already evident Red Chinese intimidation in doing business with Taiwan.

We need more than resolutions of good intent in these critical times—we need firm—decisive action preserving our longtime official government-to-government relations with the Republic of China in Taiwan. There has been an official two-China policy for years, since President Nixon opened the mainland, with U.S. liaison offices in Peking and a U.S. Embassy in Taipei. I have the personal assurance from Republic of China Premier Sun that despite U.S. recognition of the Peking government, Taiwan has always desired and continues to desire full official diplomatic relations with the United States.

The issue requires a strong stand to protect America and Americans, and to help assure the independence and freedom of 17 million Chinese people on Taiwan.

Free China is not our enemy. Free China has not committed acts of hostility against the United States. Free China is only guilty of being our friend and ally in a world where faithful friends are often hard to find.

In the legislation we finally approve today we must act to protect American and free Chinese interests by preserving the international status of the sovereign Republic of China and balancing our relations with the two Chinas.

Mr. DERWINSKI. Mr. Chairman, I thank the gentleman for his statement. I know that the gentleman in the process delivered specific criticism of the administration, and many other Members have; and because they have, I will take the high road. I do not criticize the administration as much as I call the Members' attention to the fact that the passage of this bill is necessary by the action of the administration. I think the administration is wrong, but the damage is done. The facts of life are that unless we pass this bill and then solve whatever problems remain in conference with the Senate, then we would be letting down our friends in Taiwan.

I will have a number of amendments to insure the status of Taiwan in international organizations; to prevent the PRC's interference with the economy of Taiwan; to, and to strengthen the anti-boycott provisions in the bill.

□ 1315

Then I also have an amendment dealing with the ability of Taiwan to purchase defense arms without interference, political, or otherwise, from the government in Peking.

Mr. Chairman, I would like to point out to the Members the reality of the situation. "Reality" is a favorite word here in Washington these days, and there is reality in this discussion of the situation involving the Chinas.

My personal opinion is that we should not have normalized relations with the government in Peking unless they accepted the continuation of our relations with the government in Taipei. In my

personal opinion, there are two Chinas, just as there are two Koreas and there are two Germanys. The problem is compounded by the fact that neither of the Chinas accept the fact, but realistically, there are two Chinas.

I would like to discuss with the Members one of the Chinas, mainland China. We are going to give enough attention to the Republic of China this afternoon. I would suggest that one must keep in mind that the People's Republic of China is not necessarily the most stable regime in existence on the globe today, and that the method by which heads of state are changed there and the method by which wall posters change the political course of events would lead us to conclude that they are something less than an absolute reliable diplomatic or trade partner. In fact, in the last few weeks the People's Republic of China found it necessary to advise the Japanese that some of the fat contracts they expected will be nonexistent, and that should be a lesson to us.

Mr. Chairman, one of the speakers earlier in debate mentioned Chinese oil. I suggest that all of the Members do a little research into this question of Chinese oil. There is not going to be that much available, and the quality of Chinese oil is going to be a panacea to Therefore, if any Members think that Chinese oil is going to be a panacea to our energy problem, think again. It is not.

Mr. Chairman, looking at this situation realistically, I would suggest that in this legislation we express the intent of Congress in this fashion: First, that we want to insure the security of the people of Taiwan; and if that means from time to time dealing with their governmental entity, so be it. Second, we want to insure their presence in international organizations. We want to insure that they will not be subject, directly or indirectly, to any trade boycott; and then in the spirit of the President's great interest in human rights, I am sure all Members would agree with me that it would be an absolute tragedy and a blot on the record of this country if we in any way condoned the loss of rights which the 17 million people on Taiwan now enjoy.

Compared to the situation on the mainland, Taiwan is Utopia, not just in an economic sense, but in the political, social, and religious sense, and in every other way in which a comparison could be made.

Mr. Chairman, I believe it is the intent of Congress, fortified by public support, that regardless of this change of recognition in government, the public wants us to maintain the fullest possible cooperation with the people and the governmental entities on Taiwan so that their progressive way of life and their economic success story may continue and that their relations with the United States at all levels may continue. That will be in the best interests of our country as well.

Mr. BROCMFIELD. Mr. Chairman, to close debate on the minority side, I yield the balance of our time to the gentleman from Illinois (Mr. FINDLEY).

The CHAIRMAN. The gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. KELLY. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Florida.

(Mr. KELLY asked and was given permission to revise and extend his remarks.)

Mr. KELLY. Mr. Chairman, I rise in opposition to the bill.

Mr. Chairman, the purpose of these remarks is not to question the recognition of the PRC, but to oppose action by the Congress that will complete the abandonment of the defense interests of the United States in the Western Pacific.

The most disturbing aspect of the President's abrupt normalization of relations with the People's Republic of China is the apparent disregard of U.S. security interests in the Western Pacific.

For the past 30 years, Taiwan has been a key strategic link in the U.S. Western Pacific defenses. During most of that time, the United States did not even recognize the Communist government on the mainland.

My concern is that in our haste to recognize the "reality" of 1 billion Chinese on the mainland, we should not ignore the reality of 17 million free Chinese on Taiwan who represent an important U.S. defense ally. At best, the President's action would transfer the initiative for dealing with Taiwan to the Communists. At worst, it would deliver a free nation—in a shrinking world of freedom—over to communism.

Government-to-government relations between the United States and Taiwan must be reestablished, with the United States retaining the international standing in law to defend the Republic of China, Taiwan, against military aggression or economic sanctions.

Without government-to-government relations, the United States will have recognized Peking's sovereignty over Taiwan, and thereby will have conceded that any effort by Peking to absorb Taiwan, by any means, would be strictly an internal affair of Communist China, and any interference on our part would constitute an act of war against the PRC the same as though the PRC would interfere with Hawaii. I do not think the United States should be so willing to surrender our foreign policy flexibility to the Communists.

As we consider Teng's appeals to the United States to join with the PRC in an alliance against the Russian "polar bear," let us also consider that ideologically, Peking is much closer to Moscow than to Washington. An unmistakable reminder of that fact is that in T'ien An Men square, in the center of Peking, there are five pictures, each some 20 feet high. The men pictured are Mao, Stalin, Lenin, Marx, and Engels. Thomas Jefferson is not pictured.

Furthermore, while Teng was in this country pleading the commonality of interests between his country and ours, Communist insurgents trained and supported by the PRC continued their pressure on the free governments of Thailand, Burma, and Malaysia. This past

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Tuesday, after Teng left this country, President Carter received Thai Prime Minister Kriangsak Chomanan, whose country is one target of the insurgents, and told him:

Our nation . . . is deeply committed . . . to the freedom of Thailand.

In a recent interview, Vice-Premier Teng said that with respect to worldwide geopolitical considerations:

It is in the interest of the U.S. to maintain the status quo.

While the Vice-Premier would not agree, I think that his statement applies with special force to our relationship with Taiwan. It is not in this country's interest to abandon Taiwan—an important defense base and trading partner—in order to placate the PRC—a Communist nation.

The United States is a Pacific nation. Our 50th State, Hawaii, lies some 3,000 miles out into that ocean. Our largest State, Alaska, repository of untold wealth in minerals, oil, and gas, extends by the Aleutian Island chain hundreds of miles into the Pacific. California, our most populous State, has 800 miles of Pacific coast. The shipping lanes of the Pacific carry trade between the United States and Japan, which for years has been our largest overseas trading partner. United States Pacific defense strategy must begin with the protection of our friends in South Korea, Japan, the Philippines, and Taiwan. We should never voluntarily give up any of these allies.

Government-to-government status is essential to preserve this country's ability to protect its security interests in the Pacific and to protect our credibility among the nations of the free world.

This bill is an extension of the Carter administration's policy of retreat and not in the interest of the United States and freedom in the world.

Mr. FINDLEY. Mr. Chairman, first of all, I want to congratulate the chairman of the Committee on Foreign Affairs and his staff and his colleagues on both sides of the aisle for what I think is an excellent piece of work.

Most of the legislation we handle in this Chamber is really not made on Capitol Hill. It is made at the other end of Pennsylvania Avenue. This is a notable exception and a splendid example of congressional initiative far superior to the language which was suggested by the Department of State and which was first suggested at the other end of the Capitol Building. So it is a quality piece of legislation.

□ 1320

I will not discuss the circumstances that have led us to this day. To me the important thing is the bottom line, the fact that normal relationships have now been established with the most populous nation on earth, a nation of great importance to our own future. The normalization has been arranged in a way that, with the enactment of this legislation, creates a position of decency and, I think, reasonable security for the people on Taiwan. I believe that every district Representative in this Chamber has

people with a deep affection for the people on Taiwan and a deep concern about their future. That certainly is true in my case.

For me personally today is the culmination of a very long trail which began back in 1967 when I had the temerity to speak up for the entry of China into the United Nations, the opening of the door to China, the establishment of normal U.S. diplomatic relations with China. I believe I was the first Member of the House and Senate to do so, and this was not met with universal applause in my home district, I can assure the Members. I mention that because today is important to me personally, and I am gratified to have been able to serve in this body long enough to see this day come.

I am also pleased to note the important role that the Republican Party has had over the years in the development of China relations. John Hay, a Republican Secretary of State, opened the door to China many years ago. It was a Republican, Henry Kissinger, who made the first initiative on the China mainland leading to the establishment of a liaison mission there. It was a Republican President, Richard Nixon, who set in motion the orders, the process that led to the opening of the Liaison Office. And it was a Republican of continuing prominence, George Bush, who served as First Chief of the Liaison Office.

Much has been said and will be said later today about the quality of life or lack thereof in China, and I certainly hold no brief for the society that does exist there, or for the policies that that government carries out. To me that is not the important issue that we face today. The important issue we face today is the desirability of gaining the convenience of full diplomatic relations with a very important world power. The extension of diplomatic relations should not be viewed as conferring a compliment upon the regime in the Peoples Republic of China, nor approval of the policies that it is carrying out. Rather, it is a means of securing a convenience, a convenience of great importance to our Nation.

If we establish diplomatic relations only with countries whose societies we approve and whose policies we approve, we will deal with very few countries. If we have diplomatic relations only with those countries that enshrine human rights as I believe they are in this country, we will have very few embassies on the face of the earth; if we go that route, we will be shortchanged as a nation, unable to deal as effectively as we can given the presence of normal diplomatic relations in all major nations.

In a sense we are establishing by this bill a relationship with the government on Taiwan, but not calling the government on Taiwan a government. To that extent it is cosmetic but sometimes cosmetic treatment is important. In this case it helps to make possible this larger and, I think, very important goal of full diplomatic relations with the People's Republic of China.

The CHAIRMAN pro tempore. The time of the gentleman has expired.

Mr. ZABLOCKI. Mr. Chairman, I yield the remaining time on this side to close debate to the gentleman from New York (Mr. WOLFF) the chairman of the Subcommittee on Asian and Pacific Affairs of the Committee on Foreign Affairs.

□ 1325

Mr. ZABLOCKI. Mr. Chairman, I yield the remaining 7 minutes of our time to the gentleman from New York (Mr. WOLFF).

(Mr. WOLFF asked and was given permission to revise and extend his remarks.)

Mr. WOLFF. Mr. Chairman, I am pleased today to join with my chairman, Mr. ZABLOCKI, as we present the House with the United States-Taiwan Relations Act, H.R. 2479.

The chairman has already outlined the principal features of the bill. Let me add my strong endorsement of it for two general reasons:

First, our bill remedies a major omission of the administration bill—that is—the failure to address the issue of Taiwan's security.

Second, our bill remedies the administration's failure to adequately define the framework under which the private sector will continue its economic and social relationships with Taiwan and its people. Chairman ZABLOCKI has already covered this area.

In sum, then, our bill remedies the two major omissions of the administration bill in constructive ways which will both enhance normalization of relations between the United States and the People's Republic of China, and provide the people on Taiwan with the legal and psychological assurances they need to continue the traditional United States-Taiwan relationship.

As you know, I am the principal sponsor in the House of the Kennedy-Wolff bill on Taiwan's security, H.R. 167. More than 100 of our colleagues joined in cosponsoring this important legislation, as did more than 30 of our colleagues in the Senate.

I am pleased to be able to report to the House that Joint House Resolution 167 has been successfully incorporated into the bill before us today. From the outset, Chairman ZABLOCKI and I together with our colleagues on the Foreign Affairs Committee, were determined that the issue of Taiwan's security, as well as the overall American interest, be addressed in a responsible fashion in the omnibus legislation requested by the administration.

The Asian and Pacific Subcommittee has spent 3 full years discussing all the ramifications of normalization including the tripartite relationship, the political, security, and economic aspects as they affect the United States. We have spent many long hours, including some half-dozen hearings, this year, at the subcommittee and full committee level, going into every necessity and every nuance of the security issue.

We are satisfied that the language before you today represents the security interests of Taiwan in a manner which meets the needs of the people on Taiwan, and, most importantly, a manner which

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meets the interests of the United States.

Let me stress that the security language before the House today authorizes the President to take whatever action he deems advisable in the event of a threat to Taiwan's security, including the threat of economic blockade or boycott. The language does not exceed the language of the War Powers Act, a point I emphasize because I am afraid that some of our colleagues here today would urge upon us language which—and I will be frank—constitutes a virtual "Gulf of Tonkin resolution" on Taiwan.

I make this point for two reasons:

First, we have all learned the lesson, I think of the dangers of an open-ended grant to Presidential power. That is the purpose, and the virtue of War Powers, which I and Chairman ZABLOCKI fought so hard to make into law.

The second reason I would urge upon you is historical as well and that is take a careful look at the language of the mutual defense treaty signed in 1954 by John Foster Dulles. I think the acid test for any language proposed today as a substitute to the committee's work is to judge it in light of what was seemed necessary and appropriate in 1954. I think that you will agree the language of our bill meets the tests of history, and of commonsense in protecting the vital interests of the United States.

For those who are concerned that our language has no real "teeth," let me call your attention to testimony before the Subcommittee on Asian and Pacific Affairs which echoed the public remarks of President Carter that, if appropriate, he would not hesitate to use force to defend Taiwan.

Our subcommittee received detailed testimony from political and legal experts of the State Department that under international law, the President would have legal justification for the use of force if deemed necessary and concurred in by the Congress in defense of Taiwan. The legislation before you today provides the President with the flexibility he needs, while at the same time mandating that, under War Powers, he report to the Congress and receive the approval of Congress for his actions.

But I would point out that our bill goes even further to meet the concerns expressed by so many of us:

First, the bill specifically mandates a continued U.S. role in supplying Taiwan with defensive weapons, even after expiration of the Mutual Defense Treaty in December.

Second, the bill specifically directs the President to promptly inform the Congress of any danger to U.S. interests arising from threats to Taiwan, including, as I have already noted, the threat of economic boycott or blockade.

In sum, then, the bill before you meets any realistic, and, I feel, any possible threat to Taiwan, now and in the future, and I urge adoption of H.R. 2479. I further urge any of our colleagues who still feels an amendment to the security section is in order to carefully read pages 5 and 6 of the committee report spelling out the ideas I have briefly highlighted.

May I add the following important historical perspective:

I received a letter from former President Nixon, the author of the opening to China, which prompts today's debate. In that February 14 letter, Mr. Nixon made two points I would like to share with the House today:

In (Shanghai Communiqué) the U.S. "re-affirmed" its support of a peaceful resolution of the Taiwan issue. I consider that to be an unequivocal moral commitment. In my view U.S. policies toward the P.R.C. and Taiwan in the future should be formulated in a way to honor that commitment.

Mr. Nixon goes on to note:

... at a time when U.S. credibility as a dependable ally and friend is being questioned in a number of countries, it is also vitally important that the Taiwan issue be handled in a way which will reassure other nations—whether old friends, new friends or wavering friends—that it is safe to rely on America's word and to be America's friend.

Mr. Chairman, I would suggest that H.R. 2479 meets the tests suggested by Mr. Nixon—the twin tests of credibility and moral commitment.

The tests must be linked, for surely a moral commitment which is stated in unrealistic language does not meet the genuine security or national interests of the United States. Thus, a commitment of that nature can hardly serve as a credible commitment, no matter how well-intentioned.

In sum, then, H.R. 2479 is a credible, moral, and legal commitment precisely because it is also a realistic commitment, one which does not go beyond the bounds of American national interest.

Mr. HUTTO. Mr. Chairman, I feel it necessary to state for the Record why I will be absent for the vote on H.R. 2479, United States-Taiwan Relations Act, and also to state my view on this legislation.

I will be, at the time of this vote, on my way to Alaska with other members of the Merchant Marine and Fisheries Committee to view, firsthand, the lands in question under H.R. 39, the Alaskan lands bill. During the visit, we will be holding hearings to receive testimony directly from the many citizens who cannot bear the expense to travel to Washington. As you know, this legislation is of major importance to the people of the United States, the State of Alaska, and the future generations of America. I determined that this visit to Alaska was necessary after hearing numerous hours of testimony in the subcommittee and reading hundreds of pages of arguments, both pro and con, on this legislation. Due to my departure time, I must be absent at the time of the vote.

Let me now turn my attention to the legislation in question, the United States-Taiwan Relations Act.

As I have noted time and again, before this body and to my constituents, I have always supported a strong defense as a deterrent to aggression by our adversaries. We must remember though that our adversaries, those whose ongoing commitment is world domination, are philosophically opposed to us and our position and will leave no stone unturned in bringing us into their fold.

The United States has been a mainstay of the free world for many years. Our friends could always count on us; our strength, our compassion, and our assistance. It is disturbing to me as a citizen, as it must be to our many allies, when we capriciously abandon an ally who has fervently supported us even when things were darkest.

Other allies must now be reconsidering their policy toward the United States and the nondemocratic nations. How will other nations, both large and small, react when the United States calls upon them to stand tall against a major philosophical adversary? Were I a leader of one of these nations, I would surely consider my position should the United States abandon my nation. Let us hope that the United States not obtain the title of a "fair-weather friend" in international circles. I trust the President, the Department of State, and the Senate have considered these ramifications.

I further question the intelligence of using the hard earned technological advances of this great Nation to advance the nations committed to our downfall. As the administration views the world, free and Communist, with compassion, let them remember that in incident after incident, the nondemocratic nations have failed to follow our lead. When the time comes for a hard line disagreement on an issue and our adversaries have our technological advances available to them, will they be compassionate?

If the policy of the administration is to pursue these ties with Communist China, then let us insure that our close friends on Taiwan are guaranteed the right to maintain their free and democratic lifestyle. I believe that the United States owes this guarantee to a people who have been friends, through thick and thin, for many years. Let us not forget their friendship and let us pray to God that they will not abandon us.

Mr. RITTER. Mr. Chairman, the approach Congress takes in assuring the security of Taiwan will have major international implications. Our action here in considering the United States-Taiwan Relations Act will be a message to the entire world as to whether or not the United States can be trusted to honor its commitments and stand by our friends and allies around the globe.

The President's action in recognizing the People's Republic of China, as all Americans know, was taken without prior consultation with Congress. Like many of my colleagues, I was deeply disturbed at the way in which the President took that action without regard for the consent of the elected representatives of the people in Congress.

But since that action has already been taken, it is now Congress' obligation to make absolutely sure that the safety of the 17 million citizens of Taiwan is guaranteed by the nation Taiwan has stood by so faithfully for so long.

Unless we tell the world loud and clear that we will never tolerate any threat to our allies on Taiwan, we will give our adversaries the dangerous impression that aggressive acts will be permitted against our allies anywhere. We will also send a message to our allies that our will

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to protect American interests and honor our commitments has been destroyed.

I do not want to send that kind of message to the world, Mr. Chairman. Instead, I want this body to state our firmness in defense of our allies strongly enough that there will never be any doubt about its meaning.

So, I urge my colleagues to join me in supporting continued strong ties between this country and our Taiwanese allies.

Toward that end, I intend to support an amendment to this legislation that will insure that defense materials and services will be provided to Taiwan based entirely on Taiwan's needs, without regard for the views of the People's Republic of China.

I will also support the amendment to link the peaceful settlement of the Taiwan issue to continued U.S. recognition of the People's Republic of China.

In addition, I will support a provision for a more formalized relationship with Taiwan—such as the opening in Taipei of a consulate or liaison office. Government-to-government ties are necessary for both the needs of the United States and the needs of Taiwan.

I urge my colleagues to support these and other provisions which will strengthen Taiwan. This is the least we can do now for a friend and trusted ally.

Mr. DAN DANIEL. Mr. Chairman, there are few matters which will come before the Congress of greater long-term impact than what we consider today. Given the current international situation, our Government's actions relative to Taiwan have a potential significance far greater than the actions themselves.

On February 7, Adm. Edwin K. Snyder, U.S. Navy, retired, who was commander of the U.S. Taiwan Defense Command from 1974 into 1977 testified before a Senate Committee on Foreign Relations on the defense implications of abandonment of the Republic of China. I insert in the Record the points Admiral Snyder raises as they are important to our discussion and disturbing in their implications:

STATEMENT OF ADM. EDWIN K. SNYDER

Admiral SNYDER. Mr. Chairman, distinguished Senators of the Committee, it is an honor to be asked to testify before the Foreign Relations Committee on a subject that is very dear to my heart, the security and well being of some very dear friends, not only of mine, but of all of us, that is, the people of the Republic of China.

As Commander of the U.S. Taiwan Defense Command from 1974 to August 1977, I was responsible to the Joint Chiefs of Staff for contingency planning for the defense of the Republic of China including Taiwan and the Pescadores Islands.

My additional responsibilities as Commander U.S.T.D.C. included supervising the submission of the Republic of China five-year defense plan which was prepared by the Chief Military Advisory Assistance Group to the Republic of China.

As the ultimate consumer of any weapons systems purchased by the Republic of China I was vitally interested that they be the weapons that would be the most effective.

A third major responsibility of my staff was the oversight concern for the readiness of the Chinese and American forces that

would be placed at our disposal should the need to defend ourselves ever arise. In this regard we conducted frequent and regular joint training exercises with Republic of China forces including one large-scale war-game on an annual basis.

So much for background. Mr. Chairman, I presume that the purpose of my presence today is to present an assessment of the capabilities of the armed forces of the Republic of China to defend itself.

First, let me say that in the event of a determined attempt by the PRC to conquer the Republic of China by military force—without the aid of immediate and extensive U.S. aid, the ROC Air Force would be neutralized within two to three weeks, in my opinion, by the overwhelming numerical superiority of the communist fighter inventory.

This is not to say that the Republic of China Air Force would not take a massive, and perhaps unacceptable, toll of PRC aircraft. But a little over 200 modern fighters are no match for the 2,500 that are now in place facing Taiwan.

Second, let me say that the Republic of China Navy is no match for the increasing numbers of PRC OSA patrol boats and modern destroyers, both armed with STYX type, surface-to-surface missiles. The 20-odd World War II destroyers in the Republic of China Navy, armed with five inch guns, are woefully inadequate to defend themselves against such firepower.

I have yet to mention the greatest threat to the Republic of China Navy and the maritime lifelines of the Republic of China. The PRC submarine force consists of almost double the number of attack submarines that we have in our whole Pacific fleet. True, they are diesel submarines, but one must remember that our diesel submarines devastated the Japanese lines of communications against similar vintage anti-submarine capabilities in World War II.

It is my opinion that the PRC submarine force in concert with its surface and air forces could totally disrupt the lines of communications to Taiwan in short order should they ever get the order to do so.

I admit, Mr. Chairman, that I have given you a rather gloomy view of the Republic of China capabilities to "go it alone." I would point out, however, that until just several years ago, there was never any indication that they would be required to "go it alone."

In the past few years, the Republic of China government has been exerting superhuman efforts and spending vast amounts of money to prepare itself. However, you don't just develop an effective ASW capability overnight, nor an air defense, nor any other military capability. Today's weapons systems are too frightfully complex and expensive.

An additional problem is that, in my opinion, several vital weapons that Taiwan really needs have been withheld from them for political reasons.

On the brighter side, I would close with one final observation. The armed forces of the Republic of China are superbly led. They are fierce fighters and they are completely loyal to their government.

In spite of my foregoing comments, there is no doubt in my mind that any fight the PRC should pick with the ROC would be a very painful and costly undertaking.

○ Mrs. HOLT. Mr. Chairman, we have before us an agonizing bill. It is agonizing because the administration has forsaken a long and loyal friend—the Republic of China. I recently came across a translation of a Chinese poem which poignantly expresses how our wounded friends—the Free Chinese on Taiwan—feel about it all. I would like to share that translation with my colleagues:

TRANSLATION OF A CHINESE POEM
(Translated by Kenneth Wu)

When a friend turns his back and leaves us, what we have lost is nothing but friendship that has long ago changed its character; but we have not lost faith in ourselves.

Because, the Yellow River flows in our blood stream and there are Chinese people of the five mountains in our bones—our feet are the ones that have dared to tread on thorns, and our eyes are the eyes that are not willing to shed tears.

Who can deny that there is winter plum in the snow? It does not exist because it is recognized and it does not perish because of denial. It embraces its own fragrance, it upholds its own purity, and it is a twig of plum that stands by itself.

In Taiwan there are 17,000,000 living souls, together eating the rice of the great earth, together drinking the waters given by Heaven, and together drawing from the ancient well endowed with a 5,000-year old culture, and together bathing under the sunshine that stretches for thousands and thousands of miles in boundless glory. Such 17,000,000 people do not need the recognition or derecognition by others.

Who has the right to examine our blood line and on what grounds?

On what basis can others determine our nationality?

We accept only the affirmation of the Chinese people to ourselves. We accept only the recognition of history.○

Mr. EDGAR. Mr. Chairman, in light of our Government's recognition of the People's Republic of China, it is necessary for the United States to redefine its relationship with Taiwan. The United States-Taiwan Relations Act, H.R. 2479, establishes an excellent legal framework which will permit our economic, trade, and political contacts with the people of Taiwan to continue, even though we formally now recognize the legitimacy of the mainland Chinese government.

By establishing the American Institute in Taiwan, the Congress will be following the example set by Japan, which has maintained and even enhanced its relationship with Taiwan under the framework of "unofficial" institutions. H.R. 2479 as reported establishes a very careful framework for new United States-Taiwan contacts. Taiwan will benefit, and the United States will benefit.

Today, as the House considers this bill, attempts will be made to change the carefully drawn language in H.R. 2479. I support the bill as written, and I will oppose amendments—even those which, on the surface, sound eminently reasonable. The bill as written represents careful negotiations between the administration and the foreign affairs committees of the Congress. We are working in a very sensitive diplomatic environment when we discuss the China question, and in my opinion this environment is not conducive to the political posturing and flag-waving showmanship that characterizes many of the attempts to amend this bill.

□ 1330

The CHAIRMAN. All time for general debate has expired.

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Mr. BAUMAN. Mr. Chairman, I believe one quorum call is in order in the Committee of the Whole, and, therefore, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair has just counted the House and 58 Members are present. Obviously a quorum is not present.

The Chair announces that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

□ 1335

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to clause 2, rule XXIII, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

Pursuant to the rule, the Clerk will read the bill by titles.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "United States-Taiwan Relations Act".

DECLARATION OF PRINCIPLES GOVERNING UNITED STATES POLICY WITH REGARD TO TAIWAN

SEC. 2. United States policy with regard to Taiwan shall be governed by the following principles:

(1) The United States desires to preserve and promote friendly relations between the people of the United States and the people on Taiwan, as well as the people on the China mainland and all other peoples of the Western Pacific area.

(2) Peace and stability in the area are in the political, security, and economic interest of the United States, and matters of international concern, and must be maintained.

(3) Continued extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan must be assured.

(4) The future of Taiwan must be determined through peaceful means without prejudice to the wellbeing of the people on Taiwan.

(5) Any armed attack against Taiwan, or use of force, boycott, or embargo to prevent Taiwan from engaging in trade with other nations, would be a threat to the peace and stability of the Western Pacific area and of grave concern to the United States.

Mr. ZABLOCKI (during the reading). Mr. Chairman, I ask unanimous consent that these sections be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AMENDMENT OFFERED BY MR. QUAYLE

Mr. QUAYLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUAYLE: Page 3, after line 5 insert a new subsection (6) to read:

"The United States will maintain its capacity to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan."

(Mr. QUAYLE asked and was given permission to revise and extend his remarks.)

Mr. QUAYLE. Mr. Chairman, this amendment simply strengthens our concern against an armed attack against Taiwan, or any kind of coercion, other than peaceful resolution of that country.

In the bill that the committee has produced, paragraph (5) reads:

Any armed attack against Taiwan, or use of force, boycott, or embargo to prevent Taiwan from engaging in trade with other nations, would be a threat to the peace and stability of the Western Pacific area and of grave concern to the United States.

□ 1340

Mr. Chairman, "of grave concern" can mean many things. It is of grave concern that China has invaded Vietnam; it is of grave concern that Iran is in an unstable situation. The Middle East situation is of grave concern. Political unrest throughout the world is of grave concern. Of grave concern is a very ambiguous term we read every day in the newspapers. I think that our support for Taiwan and in our enthusiastic hope that we will have a peaceful resolution, that we should put in, in addition to that language, this language of the amendment:

The United States will maintain its capacity to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. QUAYLE. I will be glad to yield to my very distinguished chairman of the Foreign Affairs Committee.

Mr. ZABLOCKI. Mr. Chairman, the gentleman from Indiana has shared his amendment with the committee. We have studied the amendment. As the gentleman knows, the executive branch bill did not mention security for Taiwan at all. The committee, in inserting the language, "of grave concern," certainly intended that if force was employed against Taiwan or an economic boycott or embargo were imposed to prevent Taiwan, as we say in the report on page 5, " * * * from engaging in foreign trade," that it would threaten peace and stability in the region and be of grave concern to the United States.

Studying the gentleman's language, he puts in the legislation to a broader extent the intent that the committee had. On this side, we are ready to accept the gentleman's amendment.

Mr. QUAYLE. I thank the distinguished chairman.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. QUAYLE. I yield to the gentleman from Michigan, and perhaps we may be able to expedite the matter.

Mr. BROOMFIELD. Mr. Chairman, we on the minority side have had a chance to review the gentleman's suggested amendment. We have no objection on the minority side.

Mr. QUAYLE. With that, Mr. Chair-

man, I yield back the balance of my time.

(Mr. QUAYLE asked and was given permission to revise and extend his remarks.)

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. QUAYLE).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to section 2?

AMENDMENT OFFERED BY MR. HANSEN

Mr. HANSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANSEN: Page 2, line 21, insert new section as follows:

In interpreting boycott under the provisions of this section, the Republic of China shall be considered "a country which is friendly to the United States" under the terms of title II of Public Law 95-52 (91 Stat. 244).

Mr. HANSEN. Mr. Chairman, my amendment is very simple. It just elaborates on the intent of the bill by clarifying the reference to boycott, as provided by previous law.

□ 1345

To reiterate, Mr. Chairman, the amendment reads as follows:

In interpreting boycott under the provisions of this section, the Republic of China shall be considered "a country which is friendly to the United States" under the terms of title II of Public Law 95-52 (91 Stat. 244).

Mr. Chairman, this reaffirms the commitment of the United States to the anti-boycott provisions of Public Law 95-52 by applying it specifically to the Republic of China on Taiwan and insisting on language from the law to insure clarity in reference to the Republic of China.

I might mention further, Mr. Chairman, that title II of the Export Administration Amendments of 1977 prohibits Americans from participating in or supporting a trade boycott initiated by a foreign country against a nation friendly to the United States. At the time it was written this title was designed to apply specifically to the Arab boycott of Israel. Neither the Arab States nor Israel is mentioned by name, however; and the language is therefore applicable to boycotts directed by any foreign country against any nation friendly to the United States.

The Committee on Foreign Affairs has directed that it be written in its report that the Arab boycott amendments are considered applicable to any PRC boycott of Taiwan.

Inasmuch as language in the House report has little real psychological or legal effect, and we have seen this on many occasions before, Mr. Chairman, this understanding should be placed in the text of the bill itself to assure that it is properly understood and legally applicable.

Mr. Chairman, I urge the adoption of this amendment.

Mr. BINGHAM. Mr. Chairman, I rise in opposition to the amendment.

As was indicated earlier, the applicability of the antiboycott provisions of the Export Administration Act to

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Taiwan is not just an interpretation of the bill set forth in the committee's report, it is clear in the bill itself that the antiboycott provisions of the Export Administration Act would apply to any boycott sought to be imposed against Taiwan by the People's Republic of China.

The amendment, however, would change the whole thrust of this legislation because the amendment refers to the Republic of China. The term "Republic of China" is a reflection of the claim by the government on Taiwan that it is still the government of all of China. That is its claim, and many of the remarks which have been made during the debate have failed to reflect that fact. It is not just the island of Taiwan that the authorities there they claim to represent. In fact, the reference several times during the debate to the nation of Taiwan is an incorrect statement because the "Republic of China," the government on Taiwan, claims to be the government of all of China. Therefore, to use this phraseology in this amendment would be to contravene the entire thrust of this legislation.

Consequently, Mr. Chairman, the amendment is unacceptable.

Mr. HANSEN. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I am glad to yield to the gentleman from Idaho.

Mr. HANSEN. Mr. Chairman, as I understand, the People's Republic of China contends that they own all the real estate in Taiwan and on the mainland, and the Republic of China makes a similar contention.

We are talking about realities. This has been stated all the way through.

It seems to me that we do not need to worry about internal contentions. We can recognize them just as we have the People's Republic of China. I think that we, as a sovereign nation, the United States of America, could make our recognitions on our own terms.

The name of the government operating from the island of Taiwan is the Republic of China. That is all we are saying. There is no other recognized name. We would otherwise be talking about an island, and I think that it is perfectly in order to refer to a government by its proper name, which in this case is the Republic of China, and also to give it the assurance that the United States reaffirms its commitments with respect to the antiboycott provisions of the present law.

Mr. BINGHAM. Mr. Chairman, if I could reclaim my time, the gentleman is well known for being opposed to what the administration has done. He has made a national campaign against it.

□ 1350

The phraseology used in this bill has been very carefully worked out so as not to appear to attempt to reverse the action taken by the President that he was recognizing the PRC as the Government of China. That is why the bill refers throughout to Taiwan, the authorities on Taiwan, the people on Taiwan, and so forth. To refer to the Republic of China would be to give credence to the claim of

that Government that it is still the representative of all the 900 million people on the mainland and on Taiwan.

Mr. SOLARZ. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

I think that this is a well-intentioned but totally unnecessary amendment. The committee, when it considered this legislation, was fully cognizant of the need to protect Taiwan against the possibility of a Peking-inspired boycott designed at some time in the future to bring Taiwan to its economic knees. We wanted to make sure that in the event the People's Republic of China should attempt to impose a boycott on Taiwan that American citizens and corporations would be legally prohibited from cooperating with such a boycott in precisely the same way they are now prohibited by law from cooperating with the Arab boycott against Israel. Thus it was that the committee on page 4 of the bill, beginning on line 3, adopted language in the text of the bill which says that the laws of the United States shall apply with respect to Taiwan in the manner that the laws of the United States applied with respect to Taiwan prior to January 1, 1979. That means in plain language that to the extent the antiboycott provisions of the Export Administration Act were already applicable to Taiwan, they would continue to be applicable to Taiwan once this legislation was adopted. If there was any remaining doubt about the intent of the committee to make the relevant provisions of the antiboycott sections of the Export Administration Act applicable to Taiwan in the future, it utilized language on page 8 of the committee report from which I now quote:

One such provision of particular importance is section 4A of the Export Administration Act of 1969 which prohibits U.S. persons from complying with a foreign boycott directed against a friendly country. The bill will ensure that those prohibitions would apply with respect to any boycott against Taiwan.

I would submit that it is, therefore, crystal clear, both in the text of the bill itself as well as in the language of the committee report, that the relevant sections of the Export Administration Act are already applicable and there is, therefore, absolutely no need whatsoever to add this language to the bill since the purposes the gentleman seeks to achieve have already been accomplished by the committee in this legislation.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. SOLARZ. I yield to the gentleman from New York.

Mr. WOLFF. I thank the gentleman for yielding.

Let me say I support fully what the gentleman has indicated and alert the House to the situation that exists under this amendment, and probably other amendments that will be forthcoming. This amendment actually should be called the "Two-China Policy" Amendment because it now sets up language that is totally different from the intent of the bill in setting up a country as well as dealing with the Republic of China.

Unfortunately, there are many friends of the old Republic of China who would like to be more Chinese or more Taiwanese than the Taiwanese themselves. They, the Taiwanese, have accepted certain portions of the negotiation that have gone on. The bill that we have before us is an attempt to help resolve those problems that still exist with the people of Taiwan.

□ 1355

Mr. SOLARZ. I would simply add to what the gentleman just said that the only thing this amendment does which is not already provided for in the legislation is to gratuitously insert into the text of the bill the phrase, "The Republic of China," which, as my other good friend, the gentleman from New York (Mr. BINGHAM) pointed out, could create problems for us in terms of our ability to proceed with the policy of normalization.

Mr. DERWINSKI. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

(Mr. DERWINSKI asked and was given permission to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Chairman, I would like to have the record show that I rose to debate this subject immediately after the comments of my good friend, the gentleman from New York (Mr. SOLARZ). It is always my view that if you are going to debate, take on a heavy-weight.

I compliment the gentleman from New York (Mr. SOLARZ) for his great leadership in foreign affairs accurate as well as occasionally inaccurate as it is.

I would like to point out to my good friend the gentleman from New York, that the gentleman really has not argued against the amendment. The only argument I heard is that the amendment is superfluous. There is no claim that the amendment does damage to the legislation, no claim made that the amendment in any way guts the bill, which is a normal phrase.

The point was made by the gentleman from New York that the committee report covers this subject, and therefore the language in the bill and in the committee report makes this amendment unnecessary.

I would like to point out to the Members that using that age-old gimmick of saying "it is in the report" really does not answer the question. The report, as we know, is nothing but detailed commentary produced by the staff and signed by Members. If reports were as valuable as we claim they are, we would legislate by report, so as a matter of principle, I take the position that hiding behind the language of a report is a weak argument against an amendment.

I looked at the amendment of the gentleman from Idaho (Mr. HANSEN). All he does is spell out more distinctly what we all want to do. I do not see anything in this amendment that does a disservice to the intent of the President, the intent of the executive branch or the intent of Congress.

Frankly, it would be far better for the floor managers of the bill to accept these

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positive, helpful amendments, than to oppose them as they do in this case.

Mr. Chairman, I now yield to my friend, the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM. Mr. Chairman, I do not know if the gentleman was on the floor when I spoke. I did not make the argument that the amendment was unnecessary. The thrust of my remarks was rather that the wording of the amendment is entirely contrary to the main thrust of the bill, because the amendment refers to the Republic of China as a country. That is precisely what this bill is intended not to do.

For that reason, the amendment is objectionable. It is more than unnecessary. It is profoundly objectionable.

Mr. DERWINSKI. Mr. Chairman, I would like to remind my friend, the gentleman from New York, that earlier in the debate I referred to the reality of the situation. The reality is that, whether we call it a country or not, there is a Republic of China and it is a sovereign state. As we know, a rose by any other name will smell as sweet. We could call it Taiwan. We could call it an entity. We could call it an institute. It is for all practical purposes, the functioning government on the island. We could play games with nomenclature, but I do not think that this bill will be damaged by the language offered by the gentleman from Idaho. All this really does is clarify what otherwise might be legally doubtful.

Quite frankly, if I had any leverage in the State Department, I would suggest that this kind of language helps their position. It certainly does not hurt it.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield for a question?

Mr. DERWINSKI. Yes, of course.

Mr. BINGHAM. Mr. Chairman, does the gentleman feel that the government on Taiwan is the government of all of China?

Mr. DERWINSKI. No; all I am saying is that if they want to call themselves the Republic of China, if they want to claim that they represent all of China, while the reality is not quite that, I do not quarrel with what I understand is their technical position.

Mr. BINGHAM. The reality is not that.

Mr. DERWINSKI. The reality is not that, but the nomenclature is, they are the Republic of China as far as they are concerned.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, the gentleman in his opening remarks indicated he supports the purpose of the bill in order to facilitate the problems that the people of Taiwan are faced with.

Would the gentleman object to an amendment to the amendment?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

(By unanimous consent, Mr. DERWINSKI was allowed to proceed for 2 additional minutes.)

□ 1400

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. Yes, of course, I yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, would the gentleman object or would the offer of the amendment object to an amendment to the amendment which deletes the words, "the Republic of China" and inserts "the People on Taiwan"? Or is it the purpose here to inject the two-China policy, not the boycott?

Mr. DERWINSKI. Mr. Chairman, this is getting to be a Tinkers-to-Evers-to-Chance routine, and since the gentleman is directing his question to the author of the amendment, I will yield to the gentleman from Idaho (Mr. HANSEN).

Mr. HANSEN. Mr. Chairman, I thank the gentleman for yielding.

If it would ease the pain among some of the Members who are opposed to this legislation, I think that we might arrive at some language that might be mutually agreeable. I do not know that we can change the quote out of the previous law which refers to a "country," but I would think, if we wanted to refer to "the government on Taiwan," I could go for that. That is a little more general, if that would help the gentleman.

Mr. WOLFF. Mr. Chairman, will the gentleman yield further?

Mr. DERWINSKI. I yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, in keeping with the language of the bill, we continually talk about Taiwan and the people on Taiwan, but we do not refer to it as a country. In this amendment we refer to it as a country and also as the Republic of China. Those seem to be the two objectionable parts, because the rest of the matter has already been covered in the report and is fully consistent with the language and the object the gentleman seeks to achieve.

Mr. HANSEN. Mr. Chairman, I understand, but the gentleman is talking about a collection of people, and we have to refer to them as something. My interpretation, I would think, if the gentleman does not want to refer to them as the Republic of China, is that we should refer to them as "the government on Taiwan" as a minimum. That would be my interpretation.

Mr. WOLFF. Mr. Chairman, will the gentleman yield further?

Mr. DERWINSKI. Yes, of course.

Mr. WOLFF. Mr. Chairman, throughout the bill we define what we had named as "the people on Taiwan" or "the existing authorities on Taiwan."

The CHAIRMAN. The time of the gentleman from Illinois (Mr. DERWINSKI) has again expired.

(By unanimous consent, Mr. DERWINSKI was allowed to proceed for 1 additional minute.)

Mr. DERWINSKI. Mr. Chairman, I will yield to one or the other of the gentlemen.

Mr. WOLFF. Mr. Chairman, certainly I cannot speak for the committee, I can speak only for myself, but I am asking for clarification in order to keep it con-

sistent with the rest of the bill and so it will conform to the language of the rest of the bill, rather than present new language, which would create great problems for us.

Mr. HANSEN. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. Yes, of course.

Mr. HANSEN. Mr. Chairman, on page 10 of the bill, as I understand it, there is reference to authorities on Taiwan. Is that correct?

Mr. WOLFF. Yes; that is correct.

Mr. HANSEN. Let me ask the gentleman, what line is it on?

Mr. DERWINSKI. Mr. Chairman, may I suggest that my time is probably running out. I would hope that the two gentlemen will take additional time and reach an agreement. I would just like to state for the record that I am not the floor manager of the bill and I am not the spokesman for the administration on this bill, but if any of the Members want free advice, I will be near the minority table all afternoon ready to give it to them.

Mr. Chairman, I yield back the balance of my time.

Mr. ZABLOCKI. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, if the Members of this body would read the bill and the report, they would know the purpose of the bill.

Now, we are not dealing here with our relations with the PRC and we are not dealing with legislation as to whether we are approving the normalization with the People's Republic of China. We are dealing with a bill to continue our relations with Taiwan.

This amendment, Mr. Chairman, I submit, would make it impossible for those relations to continue.

This amendment deals with a key aspect of the normalization which the President has negotiated with the People's Republic of China. One of the conditions of the normalization was that we do not recognize the Republic of China or Taiwan as a government. Whether this was right or wrong is not the question now. The question is whether we as a people can carry on the same activities as a government agency would or as officials would, so that our relations on Taiwan can continue in a normal fashion.

Adopt this amendment, Mr. Chairman, and we defeat the bill and defeat the very purpose that we are trying to achieve, to support the people of Taiwan. I say to the gentleman from Maryland, save the pieces.

Mr. BAUMAN. The "bits and pieces" was the gentleman's phrase.

Mr. ZABLOCKI. Bits and pieces.

Mr. Chairman, I hope the amendment will be defeated.

□ 1405

Mr. BAUMAN. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Maryland.

Mr. BAUMAN. I thank the gentleman for yielding.

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Mr. Chairman, I want to disagree heartily with the gentleman's statement that what is at issue here is not the position in which the government on Taiwan, which is the Republic of China, finds itself. The gentleman said the issue before us is not whether the President's decision to derecognize—if that is now a word—the Republic of China, is not the issue. He says the issue of that decision is neither right nor wrong for the purpose of this debate. It was wrong. It is wrong. And this House's hands cannot be tied by Teng Hsiao-ping or Jimmy Carter. We are here to exercise our independent judgment. The gentleman does not surely mean we have no right to vote on and discuss the fundamental issue that this legislation embodies—why our Government should be throwing away an ally and embracing a Communist dictatorship.

Mr. ZABLOCKI. Mr. Chairman, I cannot quarrel with the gentleman's observation. But the question, in the final analysis, remains whether the President will veto this bill, and then there will be no vehicle to deal with the people, call it, if you wish, the Government of Taiwan, no vehicle, to have continuing relations between the United States and Taiwan.

The purpose of the bill before us is to do just that. And this is the issue here. Defeat our efforts, and you are defeating the purposes of this bill and will only harm Taiwan, not the PRC. You will not be punishing the People's Republic of China; you will be punishing the people of Taiwan. You will be punishing our own country, our own people, our business interests, our cultural exchanges and the relations we would have if we would have normal diplomatic relations. This bill is intended to provide the authority for the President to continue virtually all of the relations with Taiwan as have been going on for the last 30 years, up to January 1, of this year.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. I thank the gentleman for yielding.

Mr. Chairman, I merely rise to support the chairman of our committee. I think the question of whether we agree with normalization is not the question here. Obviously, if this language was in the bill, it would obviously bring about a veto. I think you would be doing a disservice, obviously, to the people of Taiwan, our business arrangements there, and so forth. It would not be in the best interests of our country.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. ZABLOCKI) has expired.

(By unanimous consent, Mr. ZABLOCKI was allowed to proceed for 2 additional minutes.)

Mr. ZABLOCKI. Mr. Chairman, I yield further to the gentleman from Michigan (Mr. BROOMFIELD).

Mr. BROOMFIELD. Mr. Chairman, I merely feel that this is a bad amendment and would not be in the best interests of our country.

As I say, if I had any opportunity be-

fore the normalization went into effect, I probably would have insisted on a liaison operation. But that is beside the question now. The question is: Are we going to do the best for the people on Taiwan?

This amendment, in my judgment, would work to the defeat of that.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

This particular amendment achieves no useful objective that is not already achieved in the bill. The ostensible purpose of the amendment is to protect Taiwan under the antiboycott provisions of U.S. law. And yet, if you will look on page 4, and beginning at the bottom of page 3, the guarantee is contained in the bill that the laws of the United States shall apply with respect to Taiwan in the manner that the laws of the United States applied with respect to Taiwan prior to January 1, 1979.

Those laws, of course, include the antiboycott provision. There is utterly no need for the amendment if that is its purpose.

□ 1410

This bill is an extremely important initiative in the foreign relations of our country.

It creates the only possible mechanism by which the United States can establish diplomatic relations with that one-fourth of the human race which lives on mainland China and at the same time maintain the friendship, the respect and the integrity of our relations with our true and proven friends on the island of Taiwan.

An official "two-China policy" has been rejected by both Taiwan and mainland China. Both maintain that they are part of the same nation. For 30 years both have consistently declared a two-China policy unacceptable.

Within that framework of their mutual sensitivities, this legislation seems the only creative way in which we can cultivate the friendship of mainland China without abandoning the friendship of Taiwan.

For every practical purpose, the legal entity created by this bill possesses every attribute of an official agency of the U.S. Government. This bill insures that our relations with Taiwan will continue essentially unchanged.

We shall continue to provide such military weapons as may be necessary for that island's defense. We shall continue the economic relations between us in every mutually beneficial aspect. We shall continue in force the 55 international agreements that exist between us, including trade credits, private investment insurance and every other U.S. program for which Taiwan and its people have been eligible in the past.

The clear and unequivocal language in this bill leaves no room for doubt that it is our official policy to oppose any effort from any source whatever to subject this island state and its people to military attack.

We state in no uncertain terms that if the government on mainland China wishes to benefit from good relations with this country, there must be peace between the mainland and Taiwan.

The Congress of the United States is here asserting its full partnership in foreign policy. To do more would be to vitate the opening door with mainland China and to forgo any prospect of friendship and peaceful relations with the largest and most populous nation on Earth.

To do less would be to commit a craven abandonment of an old and proven friend and to raise questions everywhere about our own reliability as an ally.

The representatives of Taiwan who have talked personally to me are anxious that we shall pass this bill expeditiously. Since the beginning of this month, our relations with Taiwan have been in a state of legal limbo. To allow them to remain so through our inaction would be politically irresponsible and morally indefensible.

This is not the bill which the President sent to Congress; it is our own creation. It goes further in several particulars than he would have desired. Under the circumstances, I believe it is the most that we can do; and it is the least that we can do. I trust that the House will reject any amendments which would upset the basic structure of the legislation, and will approve this bill by an overwhelming vote today.

□ 1415

Mr. LAGOMARSINO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it appears to me that we are really talking about two things here. One, we are talking about whether or not we should put specific antiboycott language into the bill. I do not think there should be any argument about that. I think that since the issue has been raised, we should put it in. Furthermore, the report recognizes that that is what we should do. I do not believe there should be any argument about that.

There is an argument, however, about the language which the gentleman from Idaho (Mr. HANSEN) uses. It would seem to indicate a two-China policy. Personally, I think we should have a two-China policy; but I do not think this is the place to do it.

Mr. Chairman, I would like to yield to the gentleman from Idaho. I understand he has an idea for an amendment which might satisfy both concerns here. Therefore, I yield to the gentleman from Idaho (Mr. HANSEN).

Mr. HANSEN. Mr. Chairman, I thank the gentleman for yielding.

Since there is concern about the use of the word "country" at this point, which is in the quote from the previous law, and since there seems to be concern about the use of the words "Republic of China," and since throughout the bill reference is made to Taiwan per se, then perhaps other amending language would be in order, something to the effect that "in interpreting boycott under the provisions of this section, Taiwan shall be considered 'friendly to the United States' under the terms of title II of Public Law 95-52 (91 Stat. 244)."

Mr. Chairman, does anyone among the opposition have anything to say about that suggestion?

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Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the gentleman from New York.

Mr. BINGHAM. Mr. Chairman, I would like to ask the author of the amendment a couple of questions about it before responding to his question.

His amendment is to insert a new section at page 2, line 21; and I think that that is an erroneous reference. I think the gentleman probably intended page 3, line 5; is that correct?

Mr. HANSEN. If the gentleman will yield further so that I may respond, this has been brought to my attention, and I ask herewith unanimous consent to be permitted to amend the amendment so as to read "page 2, after line 22, insert a new section and redesignate succeeding subsections accordingly."

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho?

Mr. BINGHAM. Reserving the right to object, Mr. Chairman, may I point out to the gentleman that the only reference to "boycott" in section 2 occurs in subsection (5). There is no reference to "boycott" until we reach subsection (5), so I am going to suggest that the kind of amendment the gentleman has in mind would be appropriate, if at all, in subsection (b) of section 201, where we are referring to the applicability of certain laws.

With reference to the term "boycott" in subsection (5), that has no reference to the anti-boycott legislation. It is simply a statement of one of the acts that would cause us grave concern in this country. Also, title II of the Export Administration Act does not apply to subsection (5) in any way, to Taiwan or to any other country. It does apply to Taiwan under the terms of subsection (b) of section 101, so I would suggest, if I might respectfully, that the gentleman take those facts into consideration.

Mr. HANSEN. Mr. Chairman, if the gentleman from California will yield further, so that I might inquire if I should withdraw this amendment as now offered and reoffer it at the point the gentleman from New York suggests, on the next page, would it be more in order and more acceptable to him under these conditions altered as I have suggested?

Mr. BINGHAM. Speaking for myself, providing we can arrive at acceptable language to specifically refer to the anti-boycott provisions of the Export Administration Act, to include that specifically in subparagraph (b) on page 4, I would see no objection to that.

Mr. HANSEN. Mr. Chairman, if I might respond, under those considerations, I ask unanimous consent to be permitted to withdraw my amendment at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The CHAIRMAN. The gentleman's amendment is withdrawn.

Mr. HANSEN. Mr. Chairman, I do wish to offer the amendment at the appropriate time.

The CHAIRMAN. The Chair will state that it is too early at this time.

Mr. HANSEN. I thank the Chair.

AMENDMENT OFFERED BY MR. ASHBROOK

Mr. ASHBROOK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: Page 2, line 20, immediately after "cultural," insert "defensive, political,".

□ 1420

Mr. ASHBROOK. Mr. Chairman, after being in this Body for a number of years I find that preambles, declarations of purpose, and our extensive statements of what we intend to do in legislation often are meaningless. At other times they do mean something. I would like to point out to the members of the committee that this is one of those times where I think the Declaration of Principles does mean something. I call the Members' attention to several very carefully phrased sentences in the "Declaration of Principles Governing U.S. Policy With Regard to Taiwan." If the Members will look at subparagraph (2), we are interested in peace and stability in the area. Of course, the area is defined as including "the people on the China mainland and all other peoples of the Western Pacific area." Yet when we get to Taiwan itself, if the Members will go down to subparagraph (3), we are interested only that "continued extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan must be assured."

I understand we have an interest in the defense and the security of Taiwan. The gentleman from Texas (Mr. WRIGHT), our majority leader, indicated we wanted to keep those defensive concerns and commitments in place and that they would unravel if we unduly amended this bill. I think it would be a far clearer statement of what we want to do in our principles if we would have subparagraph (3) read as follows:

* * * extensive, close, and friendly commercial, cultural, defensive, political, and other relations between the people of the United States and the people on Taiwan * * *

Whom are we trying to fool? If we are only talking about commercial and cultural relations with Taiwan, and we specifically put that in the principles governing the U.S. policy with regard to Taiwan, that is a message about as clear as can be sent anywhere that our main interest is only commercial and cultural, ballets and balance sheets.

The Members may say that is not that important.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from New York.

Mr. WOLFF. I thank the gentleman for yielding.

Does the gentleman imply that we should become involved in the political affairs of the people on Taiwan?

Mr. ASHBROOK. To the extent that they want to maintain their freedom, I would say.

Mr. WOLFF. What about the native

Taiwanese? There are a great number of native Taiwanese on the island. Does the gentleman believe that we should inject ourselves into the political machinations that might take place to provide the Taiwanese the equipment or the ability to overthrow the existing government,

Mr. ASHBROOK. I do not believe that that is a policy that I would support at all. We are talking about defensive and political.

Mr. WOLFF. The gentleman included "political" as well.

Mr. ASHBROOK. Yes. That is correct. Generally when we talk in terms of political rights we mean civil rights and human rights. It does not necessarily mean the protestations of the leaders and what they want to do. We talk about the people on Taiwan, the political rights, and the defensive rights of the people on Taiwan.

Mr. WOLFF. The defensive rights are covered in other portions of the bill. However, the one element that really disturbs me is getting involved in the internal political affairs of Taiwan. I take it the gentleman is at the present time satisfied with the present authorities on Taiwan.

Mr. ASHBROOK. Compared to what is on the mainland, I would say I am abundantly satisfied.

Mr. WOLFF. I just raise this point because this political element here raises all sorts of questions as to how we should proceed in the future.

Mr. ASHBROOK. I think the word "politically" does not extend in the areas my friend, the gentleman from New York is indicating. I think all of us know when we have cultural-commercial, cultural-political relations with a country, what we are talking about. We have had political relations with the people on Taiwan. I think we should continue those, and to state in our Declaration of Principles that we are only really interested in close, friendly, commercial, and cultural relations I think belies what the gentleman is saying he wants to do in the rest of the bill. This is certainly not to throw a snare, a time bomb, or to unravel anything.

□ 1425

The CHAIRMAN. The time of the gentleman from Ohio has expired.

(By unanimous consent, Mr. ASHBROOK was allowed to proceed for 1 additional minute.)

Mr. ASHBROOK. Mr. Chairman, that is precisely what I am trying to inject into this amendment in the declaration of principles; but if my colleague, the gentleman from New York and others, only think we should have commercial and cultural relations and not defensive and not political contacts, then possibly they should vote against the amendment.

Mr. MARKS. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

(Mr. MARKS asked and was given permission to revise and extend his remarks.)

Mr. MARKS. Mr. Chairman, I rise in opposition to the proposed amendment. I do so in light of the fact that the amendment, I believe, could be inter-

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preted without much question to force us into a defensive treaty with Taiwan and force us, therefore, to send American troops, men and women, to defend that island, which is against, in my opinion, the public policy of this country and against the feeling of the majority of the American people.

Mr. Chairman, I also call to the attention of the House, if I may very respectfully, the fact that the amendment proposed by the gentleman from Indiana (Mr. QUAYLE) some time ago, and accepted by this body, should be reconsidered to some degree as a result of these words, and I will read them:

The United States will maintain its capacity to resist any resort to force.

I suggest very strongly that although that amendment was accepted by both sides of the aisle, and I certainly do not say this in any criticism to the chairman for whom I have great, great respect, or to Congressman BROOMFIELD on our side of the aisle, but I do suggest that there may be more to be read into that amendment than most of us would desire.

I was not on the floor at the time, but I suggest in light of what has now been offered by the gentleman from Ohio (Mr. ASHBROOK) that we may be leading ourselves into a very deadly trap.

Mr. Chairman, it is my belief that the motivation, the timing, and the method employed in normalizing relations with the People's Republic of China were and are proper and justified.

Normalization of relations with the People's Republic is in our self-interest, economically, politically, and, I suggest, strategically.

I would suggest also that this may be the first time in too many years that we have allowed, rightfully, those considerations to guide our foreign policy.

Like it or not, admit it or not, we live in an increasingly interdependent world that includes not only the free Western nations, but the Eastern Communist nations as well; and we enter this era because of our past reticence with less than an enviable world stature.

The efforts to recognize the People's Republic of China, a government representing fully one-quarter of the world's population, has my full support because it is evident to our friends and our foes that we are shedding those rose-colored glasses and are preparing to protect our interests through the best methods available.

In normalizing ties with the People's Republic, we have neither found a new friend nor befriended an old enemy. We have simply renewed our acquaintanceship which has for too long been neglected.

We do not stand to profit enormously in the short run from expanded sales of agricultural or manufactured exports, nor from cheaper imports of a new and ready source of oil.

□ 1430

We make no mistake, the Chinese are bright and tough negotiators. Our basic purpose must be, however, to keep open the international system in which the exchange of goods, capital and ideas

among nations can continue to expand so that the United States can continue to expand not only around the globe but at home as well.

With such sudden attention to the so-called "super powers," it may appear to some that the Taiwanese have been lost in the aftermath, if not that they are the losers outright. I dare say they are not.

The CHAIRMAN. The time of the gentleman from Pennsylvania (Mr. MARKS) has expired.

(By unanimous consent, Mr. MARKS was allowed to proceed for 2 additional minutes.)

Mr. MARKS. Mr. Chairman, today's bill affirms the determination of the United States not to forget the friends that we have on that island. Their right to engage in lucrative international commerce and ability to remain secure have been insured. Our relationship with the authorities on Taiwan will continue in fact, if not in appearance, just as before recognition of the People's Republic of China. I would even venture to estimate that Taiwan stands to benefit from the markets which Sino-American trade will open up and from the enhanced security which normalization will bring to this area of Southeastern Asia.

It is the prerogative and duty of the Congress to define the new authority on Taiwan and to assert its intentions to see that the people on Taiwan are allowed to pursue their lives in peace and prosperity. Today's bill clarifies the entity with which we will have dealings with Taiwan, sets forth the mechanisms by which this country can continue to deal fairly with Taiwan, and restates a sense of commitment to the people of Taiwan.

Mr. Chairman, I not only oppose this amendment but support H.R. 2479, believing that it satisfies all of the parties affected by our new enlightenment in an age of realistic foreign policy.

Mr. Chairman, may I once again call the attention of this body to the fact that the amendment agreed to and offered earlier by the gentleman from Indiana (Mr. QUAYLE) may be a venture—some one and may be in itself a dangerous one. I hope we will have the opportunity of discussing that at some future time, perhaps in the very near future.

Mr. FINDLEY. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment offered by the gentleman from Ohio (Mr. ASHBROOK).

Mr. Chairman, I will just take a moment to explain my reasons for opposing the amendment. It is obvious to anyone who has read the bill that this bill does deal with political relations between the people of the United States and the people of Taiwan. It also deals with defense relations between the people of Taiwan and the people of the United States. That is obvious. Anyone who reads the bill will see that.

But we also must recognize that the political relationship and the defense relationship are of a very unusual nature. If we want to take the room or the space required at this point in the bill to define the unusual nature of this political rela-

tionship and the unusual nature of this defense relationship, we can do it, and do it safely.

But I feel that the balance of the bill gives a sufficient elaboration of the political and defense relationships that we are by this bill establishing, and it is unwise and unnecessary to add these words at this juncture.

Mr. EDWARDS of Oklahoma. Mr. Chairman, I move to strike the requisite number of words.

(Mr. EDWARDS of Oklahoma asked and was given permission to revise and extend his remarks.)

Mr. EDWARDS of Oklahoma. Mr. Chairman, I rise in support of the amendment and I rise because I am concerned about the direction of some of the debate up to this point.

Many of us who are not opposed to the recognition of the People's Republic of China do not necessarily agree with all of the steps that are embodied in the legislation that is now before us. While I recognize that constitutionally the President has the sole power to recognize a nation or not to recognize a nation—and he has undertaken to employ that power properly, although I would not have done it in the same way—as a separate and equal branch of government we are elected to exercise our judgment in terms of specific legislation implementing how that policy is going to be carried out, and we are not here for the purpose of merely rubber-stamping whatever comes down from the White House.

As I heard that suggested from the Democratic side of the aisle I was concerned about what seems to me to be a continuing apparent abdication of the rights of this House so as not to upset the executive branch down at the White House.

□ 1435

I would like to have commented, if the gentleman from Pennsylvania (Mr. MARKS) had had the time to yield to me that I was surprised by one of the things the gentleman said during the argument against this amendment when he expressed the great fear, the great concern, that this amendment could lead to sending American men and women to fight on Taiwan. I do not want to see that happen either. But I would say that from everything I have heard coming out of the White House and from the other side of the aisle, I thought we were going forward here on the assumption that we had been assured that there is not going to be an invasion. We are told that constantly. We are told it is not in the best interest of the People's Republic of China or of Teng Hsiao-ping to invade Taiwan so we should relax and not worry about it.

Isn't the gentleman's concern misplaced, since we have already been told—and I would assume the gentleman agrees, from the position he takes—that there is no danger of an invasion of Taiwan. So I think that is not really a valid argument at this point.

Mr. MARKS. Mr. Chairman, will the gentleman yield?

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Mr. EDWARDS of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. MARKS. The position of this Member is that this amendment, whatever one may have perceived the White House as saying, or other person as saying, since we are talking about this amendment, I suggest that this amendment is dangerous because it states, in straightforward language, that this Nation would send its young men and women to defend Taiwan. I suggest that under no circumstances that I can envision since the Vietnam war would we have ever sent American young people, men and women, to defend Taiwan, which is one of the great, great reasons why the President's China decision was so dramatic and so outstanding. It finally told the world, that if anybody was under any illusion, that that would happen.

Mr. EDWARDS of Oklahoma. Mr. Chairman, if I may reclaim my time, I will simply say that we have apparently been operating on the assumption that everybody can relax. We have proceeded to do away with the defense treaty, the Mutual Defense Treaty of 1954, because we are told we can rest assured that there is going to be no attack against Taiwan from the PRC.

While I say I understand the gentleman's concern, we have been told it is not necessary.

Mr. MARKS. Since the gentleman referred to me again, will the gentleman yield?

Mr. EDWARDS of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. MARKS. I thank the gentleman for yielding.

The gentleman from Oklahoma has suggested something that is not factual.

At no point in time has anybody ever laid down a guarantee to the gentleman from Oklahoma, or to anyone else, that Taiwan would not be invaded by anyone, including the People's Republic. And therefore, to suggest that the President, or anyone else, is guaranteeing that that won't happen, does him and us an injustice.

Mr. EDWARDS of Oklahoma. If I may reclaim my time, I thank the gentleman for saying that. I think he has made a very good point and makes the point that perhaps we ought to seriously consider some of these amendments that are being offered now, now that we are aware that there is a real possibility that we should be concerned about the possibility of an invasion of Taiwan.

The CHAIRMAN. The time of the gentleman from Oklahoma (Mr. EDWARDS) has expired.

(By unanimous consent Mr. EDWARDS of Oklahoma was allowed to proceed for 1 additional minute.)

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Oklahoma. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Chairman, if my friend, the gentleman from Pennsylvania (Mr. MARKS), will stay near the microphone, I will say to the gentleman that if he is worried about what I would do in my amendment, in subparagraph 3, look at what is in paragraph 2. It says the

peace and stability in the area or in the political security or economic interest of the United States are matters of international concern and must be maintained.

My only point is that I am not adding anything that would even be that strong. My point is that we are talking about the area where peace must be maintained. But when we talk about Taiwan, we are only saying continuing commercial and cultural interests.

My friend, the gentleman from Pennsylvania, if he is upset at what I am saying in the third paragraph, ought to hit the ceiling with what is in subparagraph 2, because that is really a Tonkin-type declaration.

Mr. MARKS. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. MARKS. Mr. Chairman, I suggest, if I may, to the gentleman from Ohio (Mr. ASHBROOK) that he makes two points: One is that his amendment is unnecessary, since he has pointed out that even stronger language is already in the bill; and, two, that I am concerned about the statement that the gentleman from Ohio pointed out.

I am concerned about this entire process which, quite frankly, it seems to me, was brought about because some Members in this House seemed to feel that their turf was taken over by the responsible action of the President of the United States.

□ 1440

Therefore, I agree with the gentleman that I am concerned about what he read, but more so about his amendment.

Mr. ASHBROOK. Mr. Chairman, will my colleague yield for one last statement?

Mr. EDWARDS of Oklahoma. Certainly.

Mr. ASHBROOK. We are talking about what the people of Taiwan want. If there is anything they have made clear, it is that they do not want our troops. They do not want our men. They do not want our defensive capabilities. They want to purchase and pay for that, incidentally. They do want spare parts, but they do not want our troops.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

(At the request of Mr. WOLFF and by unanimous consent Mr. EDWARDS of Oklahoma was allowed to proceed for 2 additional minutes.)

Mr. WOLFF. Mr. Chairman, will the gentleman yield.

Mr. EDWARDS of Oklahoma. I yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, I should not like the legislative history to stand on the question that was raised by the gentleman just a moment ago with reference to unilateral action by the President in committing troops of the United States anywhere in the world.

The point has been made, and made time and again, that all the applicable laws of the United States are in force, and this in no way dissuades us from that position. The war powers resolution is the guiding principle here, and the President

cannot act in committing any troops of the United States without the full consent of the Congress.

Mr. EDWARDS of Oklahoma. Let me just reiterate the point that I made earlier, because I hope that we can proceed in this debate, arguing the merits or demerits of the amendments, without constantly hearing people fall back to the fact that the President may veto this or that the President made an agreement or that the President worked this out. The President is another branch of government. He is an equal branch of government, and I do not want us to continue to proceed on the assumption that it is the responsibility of this House to abdicate its responsibilities in the international affairs of this country.

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Oklahoma. I yield to the gentleman from California.

Mr. LAGOMARSINO. I thank the gentleman. I would like to follow up on what Chairman WOLFF was saying a moment ago. I think one thing to keep in mind is the language on page 3, in the second part of section 101(b), which says:

The President and the Congress shall determine, in accordance with constitutional processes, appropriate action by the United States in response to any such danger.

So, no matter what we have in this bill, any action in response to that is going to be—or at least the bill says—in consideration of consultation between the President and the Congress in accordance, I assume, with the War Powers Act and all the other statutes.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

(At the request of Mr. LAGOMARSINO and by unanimous consent Mr. EDWARDS of Oklahoma was allowed to proceed for 2 additional minutes.)

Mr. LAGOMARSINO. I would like to point out that although perhaps only a few Members of this House would agree with the administration that it had consulted with Congress as required by the Security Assistance Act of 1978, that the administration testified before our committee and made it very plain that should there be any action that would affect the security interests of ourselves or Taiwan, that they would consult with Congress before taking any appropriate action. At least in that instance, I certainly believe they would.

Mr. KELLY. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

Mr. Chairman, I think that it would be extremely important to try and regain perspective regarding exactly what this legislation does and does not do. There is not one thing in this bill that guarantees the security of Taiwan or the defensive interest of the United States in the Western Pacific.

□ 1445

Mr. Chairman, if there is anything in here that does either of those things, then I would be glad to yield to any member of the committee or any Member of the House who would point out for us where anything in this bill provides for the security of Taiwan or for

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the defense interests of the United States in the Western Pacific.

What this bill is merely an extension of the policy of retreat which caused this House to take up this matter at this time.

Having established clearly that that is the case so that the American public will not be deluded in any way by statements to the contrary. I would then like to point out that the amendment of the gentleman from Ohio will help to cause the bill to be somewhat more beneficial than it is; but even with the gentleman's amendment, it is still going to be a policy of retreat in continuation.

Mr. ZABLOCKI. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

I will only take a minute or two.

I rise, Mr. Chairman, to ask the sponsor of the amendment, my very distinguished, able colleague, the gentleman from Ohio (Mr. ASHBROOK), who I know to be a very astute legislator, if he will advise the gentleman from Wisconsin as to what is the intent or the purpose of this amendment, including the words "defensive" and "political"?

Is my understanding correct that the amendment tries to put government-to-government provisions in the bill?

Mr. ASHBROOK. Mr. Chairman, if my colleague will yield, I think he knows that I would do that if I could; but my answer would be that I do not think those two words add that, no. I do not believe that by inserting the word "political", one could talk about government-to-government because we are talking about the people on Taiwan. I think my amendment would be considered in the context of the whole bill. It is very clear that that does not mean government-to-government.

Again, I would say that I would like to, but I do not think that language would do it.

Mr. ZABLOCKI. I am sure the gentleman from Ohio understands the purpose of the legislation before us, that is, to provide authorization for continuing relations between the United States and Taiwan. That is the purpose of the bill.

Would the gentleman from Ohio advise me as to what is the purpose of his amendment?

Mr. ASHBROOK. If the gentleman will yield further, I would say, as I tried to explain in my brief statement in introducing the amendment, it seems to me that the declaration of principles governing our policy with regard to Taiwan is cast in a rather negative role when we indicate that we are interested in the peace and stability of the area, but actually we are only interested in continued, close, friendly commercial and cultural relations with the people of Taiwan.

Mr. ZABLOCKI. And other relations which go far beyond political and defensive considerations.

Mr. ASHBROOK. Right.

Mr. ZABLOCKI. Very many other kinds of relations.

Mr. ASHBROOK. I would say to my

colleague that that is why I inserted the word and did not cut out "and other relations."

However, I think the gentleman will admit that standing alone, it sounds as though we are only interested in their ballets and their business, not necessarily in their political or defensive well-being. That is exactly why I worded the amendment that way.

Mr. ZABLOCKI. Mr. Chairman, for the purpose of legislative history, does the gentleman from Wisconsin understand correctly that the intent of the Ashbrook amendment in including "defensive" and "political" is in no way to mean a government-to-government relationship; is that correct?

Mr. ASHBROOK. That was not my intention. I may endeavor to offer that kind of amendment later, but it cannot be done here in the preamble.

I just merely thought that standing as it does, it sounds a little bit negative and a little bit demeaning to the people of Taiwan. For that reason, I wanted to elevate the language, so to speak.

Mr. ZABLOCKI. Mr. Chairman, I thank the gentleman from Ohio.

I wanted this on the record just in case, by any chance, his amendment should carry.

Mr. Chairman, I urge that the amendment be defeated.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, I thank the gentleman for yielding.

There is one factor to be taken into consideration if the gentleman is really concerned about the defense of Taiwan. He does not want it in the preamble, necessarily, to the bill; he wants it, in fact, in the bill itself.

Mr. Chairman, I refer the gentleman to page 3 of the bill which goes beyond the Mutual Security Treaty in defending Taiwan.

The Mutual Security Treaty states as follows:

Each Party recognizes that an armed attack in the West Pacific Area directed against the territories of either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

The bill itself states clearly that any armed attack against Taiwan or use of force or boycott or embargo to prevent Taiwan from engaging in trade with other nations would be a threat to the peace and stability of the Western Pacific area and of grave concern to the United States.

It goes on to say the following:

(b) The President shall promptly inform the Congress of any danger to United States interests arising from any threat to the security of Taiwan. The President and the Congress shall determine, in accordance with constitutional processes, appropriate action by the United States in response to any such danger.

□ 1450

Mr. ASHBROOK. Mr. Chairman, will my colleague, the gentleman from Wisconsin, yield?

Mr. ZABLOCKI. I yield to the gentleman from Ohio very briefly.

Mr. ASHBROOK. I thank the gentleman for yielding.

Stipulating all that is true, stipulating, as I would, that all that is true, my only question is why would my learned friend, the gentleman from New York (Mr. WOLFF) object to upgrading slightly our Declaration of Principles?

The CHAIRMAN. The time of the gentleman has expired.

Mr. ZABLOCKI. Mr. Chairman, I ask for a "no" vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. ASHBROOK).

The question was taken; and on a division (demanded by Mr. ASHBROOK), there were—ayes 34, noes 40.

So the amendment was rejected.

The CHAIRMAN. Are there other amendments to section 2?

AMENDMENT OFFERED BY MR. HANSEN

Mr. HANSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANSEN: Page 3, immediately after line 5, insert new section as follows:

(6) In interpreting boycott under the provisions of this section, and in the remainder of the bill, Taiwan shall be considered "friendly to the United States" under the terms of title II of Public Law 95-52 (91 Stat. 244).

Mr. HANSEN. Mr. Chairman, I ask unanimous consent that if this amendment is agreed to, all succeeding subsections be redesignated accordingly.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. HANSEN. Mr. Chairman, this was pretty much aired earlier. I will read the amendment again because I think we have ironed out some of the language that seemed to bother some of the Members.

In interpreting boycott under the provisions of this section, and in the remainder of the bill, Taiwan shall be considered friendly to the United States under the terms of title II of Public Law 95-52 (91 Stat. 244).

□ 1455

Mr. HANSEN. The purpose of this amendment is to reaffirm the commitment of the United States to the anti-boycott provisions of Public Law 95-52 by applying it specifically to Taiwan and insisting on language from the law to insure clarity in reference to Taiwan.

By handling it like this, I think that we have ironed out any problems regarding the designation of the entity of Taiwan. We are now talking specifically about reassurance that Taiwan will be included under the anti-boycott provisions of the law, as was stipulated already in committee language in the report.

I think it is the concern of many Members that this protection against boycotts be officially included in the language of the bill. Therefore, I submit this amendment and ask that it be approved.

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ZABLOCKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we heard an extensive debate on the gentleman's proposal when the gentleman introduced his amendment prematurely. As I said before, I think it is absolutely unnecessary.

Mr. Chairman, does the gentleman believe, does anybody believe, that Taiwan is unfriendly to the United States? Why must we say in this legislation that it must be considered friendly to the United States?

I think it would be insulting to the Taiwanese, to the people on Taiwan, and to the government of the people on Taiwan.

Mr. **HANSEN.** Mr. Chairman, will the gentleman yield?

Mr. **ZABLOCKI.** Yes. Does the gentleman believe there is any doubt in the gentleman's mind that we consider Taiwan a friendly ally?

Mr. **HANSEN.** Mr. Chairman, I think when a government like the United States severs diplomatic relations with another nation, it would be considered that we are committing an unfriendly act, not the Government of Taiwan. I think it hurts nothing for us to have in this legislation a reassurance to them that we consider them a friendly nation, not so much because we are concerned about their attitude; perhaps they need to know what our attitude is officially.

Mr. **ZABLOCKI.** Mr. Chairman, if the gentleman had read the legislation he would know that throughout the entire bill, we refer to friendly relations, to friendly people, to friendly commercial and cultural relations. The wording is replete in the legislation. I think the amendment is absolutely unnecessary.

Mr. Chairman, I submit the best way we could demonstrate to the people on Taiwan that we are concerned for them and are friendly to them is to pass this legislation unhampered with amendments.

Mr. Chairman, I hope the amendment is defeated.

Mr. Chairman, I yield back the balance of my time.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Idaho (Mr. **HANSEN**).

The question was taken; and on a division (demanded by Mr. **HANSEN**) there were—ayes 37, noes 28.

So the amendment was agreed to.

The **CHAIRMAN.** Are there other amendments to section 2?

Mr. **WON PAT.** Mr. Chairman, I move to strike the last word.

(Mr. **WON PAT** asked and was given permission to revise and extend his remarks.)

Mr. **WON PAT.** Mr. Chairman, I rise in strong support of the bill at issue, H.R. 2479, and ask unanimous consent to revise and extend my remarks.

I am proud to add my support to that of many of my colleagues for H.R. 2479, a bill which seeks to redefine U.S. relations with Taiwan (formerly the Republic of China). This action is urgently needed in light of recent American actions to strip Taiwan of its legitimate political ties with this Nation in favor of political ties with mainland China.

The bill now before us declares that under the principles of our relationship with Taiwan, it is in the best long-range interests of this country that Taiwan and the United States enjoy close commercial, cultural, and other ties. Further, the measure states quite clearly, that any armed attack, boycott, or embargo against Taiwan would be an implicit threat to the peace and stability of the Western Pacific and thus of immense concern to this country.

Mr. Chairman, as the Delegate from America's most westerly territory in the Pacific, Guam, I cannot help but feel strongly about this measure. The Chairman of the House Foreign Affairs Committee, my good friend and colleague, the Honorable **CLEMENT ZABLOCKI**, and his colleagues are 100-percent correct when they expressed their concern over the rapidly deteriorating conditions in the Western Pacific.

Since the recent decision by the administration to forsake Taiwan in favor of a new relationship with China that is of dubious benefit to this country, thousands of Americans, including my own constituents, have become increasingly concerned about the future of Taiwan. Let it be quite clear that I share this concern.

This is not to say that the United States should not enjoy the closest possible political ties with Peking. No right thinking person wants American foreign policy to return to the days of the "cold war." It is right and proper that this Nation do all within its power to cement new and permanent ties with the world's largest body of people. Anything less would not be in the best interests of this country or the world at large.

I do protest, however, the belief that we must forsake our past ties with Taiwan. They deserve our continued support. They have time and time again proven to be our good friend and ally even when others have wavered in their support of us during times of stress.

Although I will not take the time here to recount the many key provisions of this highly crucial measure, I do believe its most salient aspect is the assurance it gives to our friends in Taiwan that we in Congress will not permit the United States to readily terminate a relationship which has proven mutually beneficial since 1949.

To those who would say that mainland China represents a new "miracle" market for American goods, I say they are fooling themselves. Peking wants to modernize, but they will not do so in a reckless manner. They want high technology and arms: not Coca-Cola, Fords, and frisbies. They will be careful on how they spend their limited foreign exchange and they will not hesitate to cancel contracts that may conflict with national policy as was shown several days ago when Peking canceled \$2.5 billion worth of contracts with Japanese firms.

I and almost every single economic expert in the world believe that our economic ties with Taiwan will continue to bring more jobs to Americans than will mainland China.

In my own home island of Guam, we

are fortunate to have hundreds of former residents of Taiwan living, working, and making a vital contribution to the economy and well-being of that territory. They are worried about the welfare of their families in Taiwan, and stated as much in a recent open letter to the community which was carried in the March 1, 1979, Pacific Daily News. The letter read:

AN OPEN LETTER

DEAR FRIENDS: We, members of the Chinese Community on Guam, would like to register our indignation and feeling of bewilderment over the Carter Administration breaking diplomatic relations with the Republic of China on Taiwan as the price for "normalizing" relations with Communist China.

We firmly believe that the freedom and peace loving Chinese people all over the world share the same sentiments. We are confronted by a situation where a government built upon high ideals and principles has been betrayed by her long-time friend and ally for the sake of expediency.

We recognize that it is beyond our ability to alter the course the Carter administration has been pursuing, yet we would like to take this opportunity to make clear that we love and admire the Republic of China. Furthermore, we firmly support the Government of the Republic of China simply because of the fact that what she has done in Taiwan reflects a spirit of human endeavor which must be admired by free people everywhere. The Republic of China stands as a torch of light beaming into the hearts of all our brethren on the Chinese mainland who live in the darkness of Communism.

We are also confident that the Communist hierarchy on the Chinese mainland will eventually collapse. Therefore, the future of China must be a free and united one based upon the high principles of Nationalism, Democracy, and Social Wellbeing as set forth by our nations' Founding Father, Dr. Sun Yat-sen.

PARTIAL LIST OF SPONSORS

The United Chinese Association; Chinese School of Guam USA; Guam International Travel; Guam Marine Products Inc.; First Commercial Bank of Taiwan; Hsing-Lung Investment Co. Ltd.; Tumon Bay Shopping Center; Unity Development Corp.; Winner Investment Development Corp.; Central Amusement Corps;

Johnson Yee & Associates (Guam); Investment Overseas Corp., Dededo Furniture Mart; Kallay Int'l (Guam) Inc; Pioneer Enterprises; Belen's Supermarkets; Rsea Guam International Corp.; Peter Woo Co., Guam Ltd.; Maxim's Corp;

Chinese Acupuncture; General Supply Inc.; King-Hua Restaurant; Smart Enterprise Inc.; Hafa Adal Textile Co.; S.K. International Inc.; Cosmos Enterprise; V-Lights Ent., Inc; L.K. Lucky Store; Hu's Furniture;

Meaning Enterprises; Eastern Furniture; L & T (Guam) Corp.; Ida Trading Co.; Tung Hua Trading Co.; Hoi Ming Printing; Pacific Accounting Service Inc.; B'B Furniture; Seven Sea Ent.; Peking Restaurant;

Cheng's Furniture; Lin's Company; Rattan Furniture; "Q" Furniture Inc.; Pacific Furniture; Thunderbird Travel; Formosa Int.; Hwa An Corp.; A One Store; MG (Guam) Co.;

Genghis Khan Inc.; MSZ Inc.; Shining Ent. Corp; Union Corp.; China Insurance Co.; Howard Kung Co.; Four Seas Inc.; Goodwill Corp.; Genul Enterprise; and Chio's Optical.

It is clear that Congress has the responsibility to do its duty in the matter of protecting Taiwan. The image of America in the Pacific is at stake. Our

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friends wonder out loud if we will abandon them too when the going gets too rough or when it proves to be to our "best" interests to befriend others.

As a Guamanian, I also am deeply concerned about the implications of our actions toward Taiwan in recent months. Will Peking take our refusal to publicly defend Taiwan as a signal to seize what it regards as Communist territory?

We in Guam have suffered greatly because of a failure to keep war out of the Pacific. We do not want to see renewed armed struggle in an area that is all too ripe for war. And we do not want to see our island become another battle ground over the interests of major super powers.

I salute Chairman ZABLOCKI and his Foreign Affairs Committee colleagues for their keen understanding of the critical nature of the situation in Taiwan. I share their fear of the future and their desire to take a strong stand now for our friends in Taiwan.

Finally, I must note that I have urged the Secretary of State and this Congress to do everything within its power to have Taiwan establish an economic office in Guam. This action would greatly facilitate the maintenance of economic ties with that country.

□ 1500

Mr. ZABLOCKI. Mr. Chairman, I move to strike the last work.

Mr. Chairman, several Members have asked me whether it is our intention to complete consideration of the bill today. Yes, it is our intention to complete the bill today, no matter what the hour is.

The CHAIRMAN. Are there other amendments to section 2?

There being none, the Clerk will read title I.

The Clerk read as follows:

TITLE I—PROMOTION OF SECURITY IN THE WESTERN PACIFIC
PROTECTION OF UNITED STATES SECURITY INTERESTS

SEC. 101. (a) In furtherance of the principles set forth in section 2 of this Act, the United States will make available to Taiwan defense articles and defense services for its defense against armed attack.

(b) The President shall promptly inform the Congress of any danger to United States interests arising from any threat to the security of Taiwan. The President and the Congress shall determine, in accordance with constitutional processes, appropriate action by the United States in response to any such danger.

□ 1505

AMENDMENT OFFERED BY MR. LAGOMARSINO

Mr. LAGOMARSINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAGOMARSINO: Page 3, line 13, after of, insert the following: "threats to the peace and stability of the Western Pacific area and of".

Page 3, line 15, immediately before the period insert the following: ", including any threat resulting from actions described in paragraph (5) of section 2".

(Mr. LAGOMARSINO asked and was given permission to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Chairman, this amendment requires the President

to inform the Congress if specific threats, listed earlier in the bill, impinge on Taiwan's security, or the peace and stability of the Western Pacific.

Those threats are the "use of force, boycott, or embargo to prevent Taiwan from engaging in trade with other nations."

The amendment clarifies and strengthens the current language so that there is no doubt about what Congress considers a "threat to the security of Taiwan." By listing the various scenarios, Congress can also demonstrate its vital concern for the autonomy and independence of the Republic of China.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I thank the gentleman for yielding.

Mr. Chairman, the gentleman from California (Mr. LAGOMARSINO) has made his amendment available to the committee, and we had an opportunity to review it. The gentleman's amendment includes language that deals with threats to the peace and stability of the Western Pacific area, as well as to Taiwan.

Mr. LAGOMARSINO. That is correct.

Mr. ZABLOCKI. And includes any threat resulting from actions described in paragraph (5). In my opinion the amendment clearly spells out the intent of the committee when it adopted this amendment. Therefore we have no objection on our side.

Mr. LAGOMARSINO. I thank the gentleman.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the gentleman from Illinois.

Mr. DERWINSKI. I thank the gentleman for yielding.

Mr. Chairman, it had been my intention to offer an amendment on page 3, line 15, which is the exact point where the gentleman is amending the bill. I would have added, after the phrase "the security of Taiwan" the phrase "or the resort to discriminatory trade practices, boycotts, embargoes, and other similar measures."

The gentleman from Wisconsin had indicated he had no objection to that. In effect, the gentleman from California (Mr. LAGOMARSINO) is covering the same point I had intended to cover. I have no particular pride in authorship and language, so I commend the gentleman for his amendment and I support him. I will not be offering my amendment.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, we, also, on the minority side, accept the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. LAGOMARSINO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KRAMER

Mr. KRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KRAMER.
TITLE I

SEC. 101(a) On page 3, line 12, after the period insert the following: "Such article shall include, if requested by Taiwan, defense materials incorporating the highest available technology."

Mr. KRAMER. Mr. Chairman, the intent of this amendment is to strengthen our commitment to preserve the peace and the stability of the Western Pacific area by making available to Taiwan, if necessary, the kind of equipment required to defend itself against armed attack and to protect its interests.

I offer this amendment to insure our friends on Taiwan that they will be able to purchase the best and most advanced military equipment needed for their defense.

It has been pointed out that Taiwan has already been refused much of our sophisticated military technology, such as F-4 Phantoms, F-16 and F-18 fighters, F-5G planes, and missiles.

Our refusal to sell Taiwan this equipment has been based on the contention of the State Department that such material is not purely "defensive," since these more advanced forms of aircraft are capable of striking the Chinese mainland, and other equipment is potentially adaptable to offensive uses. We must remember, however, that in the future Taiwan will face a serious problem as the PRC continues to modernize its armed forces, with the aid of our NATO allies. The F-5E, Taiwan's mainstay fighter at present, is not an all-weather aircraft, and is capable of no more than a few minutes of sustained combat over the mainland. In other words, should the PRC choose to invade Taiwan in poor weather conditions, that nation's air force, so highly touted by the administration, would be effectively grounded. At the same time, even given good weather, Taiwan's planes would be incapable of striking those same coastal airfields from which the PRC's attacks are being launched.

Moreover, Taiwan needs very badly the harpoon antiship missile and advanced antisubmarine warfare equipment. Being highly dependent on foreign trade, Taiwan needs this equipment to assure that the sea lanes into and out of the island will remain open, and to defend itself against the PRC's large submarine fleet. A similar argument can be made on behalf of Taiwan's need for new destroyers and modern radar equipment.

We should not forget that Taiwan is separated from the Chinese mainland by only 110 miles of water, and that its ability to control the Taiwan strait is the key factor which will determine that nation's future security and economic viability. We can do no less, I believe, than to assure the people of Taiwan that we in the United States will sell them the equipment they so badly need for their effective defense. This cannot be antiquated, outmoded equipment; it must be up-to-date and capable of meeting any offensive threat which might be posed against it. Our decision to sell that equipment must be made with regard to both our own interests and

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of Taiwan, and must not be influenced by our fear of upsetting the sensitivities of our new so-called "allies" in Peking.

This is why I feel it is imperative that the Congress specify, here in this bill, that it is our intention that Taiwan be permitted to purchase from us the best military equipment available, sufficient to meet its defense requirements. I strongly urge, therefore, that this amendment be adopted.

□ 1510

We are not talking about offensive weapons. We are talking about defensive weapons here.

Mr. SKELTON. Mr. Chairman, will the gentleman yield?

Mr. KRAMER. I yield to the gentleman from Missouri.

Mr. SKELTON. The gentleman is intending to insert the phrase, "the highest technology," is that correct?

Mr. KRAMER. That is correct.

Mr. SKELTON. Would the gentleman tell this body which other country, which other ally we have in this world, there is where we are required by law to share with them the highest technology?

Mr. KRAMER. Well, I cannot answer the gentleman's question.

Mr. SKELTON. As a matter of fact, there is no other such ally. There is no such other friend where we are required by law to give them the highest technology that we have available to us? Is that not correct?

Mr. KRAMER. Well, as I said before, I cannot answer the gentleman's question, but I do not think that detracts from the merits of the argument we are making. If we are sincerely interested in protecting the ability of Taiwan to defend itself under the circumstances it is presently situated in, I think we ought to have the opportunity of furnishing it with the highest technology defensive equipment, because if we are not willing to do that, what would be involved, in my judgment, is an exercise in futility.

Mr. SKELTON. Does the gentleman not think we should have the right for our Commander in Chief to make the decision of what technology is used for what ally?

Mr. KRAMER. Talking about offensive weapons, I cannot agree with the gentleman more. In defensive weapons, we are talking about an entirely different situation.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. KRAMER. I yield to the gentleman from New York.

Mr. WOLFF. Does the gentleman realize what he is saying in this amendment? Would he provide them with nuclear weapons?

Mr. KRAMER. We are talking about defensive weapons.

Mr. WOLFF. Well, there are some people who consider nuclear weapons as defensive weapons. How about the F-14, is that defensive or offensive? What about our own needs in this country? Do we furnish them to Taiwan first, before we can have them in our own supply?

Mr. KRAMER. The limitations and quantities and numbers are not specified

in this amendment, but I would ask the gentleman this question: If the requirements he has written into this bill, lines 10 to 12, will make available to Taiwan defense articles and defense services for its defense against armed attack, what are we talking about there? Are we talking about horse-drawn equipment, or are we talking about an aircraft left over from World War II? I think if we are really serious about providing appropriate defense equipment, we have got to provide the best and most effective that is available.

Mr. WOLFF. I think the point the gentleman makes is a strong one against his amendment, because we do have in here the provision that we will have appropriate defense, appropriate action, and appropriate weaponry for the defense of Taiwan. I think if he is talking about the the highest technology, he is going far beyond the realm of what is possible for us to be able to, in reality, perform.

Mr. KRAMER. Would the gentleman answer one of my questions? He indicates that we have explicitly provided to the people of Taiwan appropriate defensive weaponry in light of their particular situation. Might I ask where we have done that?

Mr. WOLFF. In the area that we will take appropriate action in response to any danger.

Mr. KRAMER. Might I ask where we have talked about where we are somehow defining what constitutes appropriate defensive equipment?

The CHAIRMAN. The time of the gentleman from Colorado has expired.

(At the request of Mr. KELLY and by unanimous consent Mr. KRAMER was allowed to proceed for 2 additional minutes.)

Mr. KELLY. Would the gentleman yield?

Mr. KRAMER. I would like to get an answer to the question from the gentleman from New York.

Mr. WOLFF. The United States is continuing in its pipeline this year alone, even though we have had a hiatus in new equipment that we are giving to them or selling to them, we have \$850 million in the pipeline alone of sophisticated weaponry.

□ 1515

To establish the legislative history here, we do not mean that we will deliver to them outmoded, outdated, horse-drawn vehicles. We mean that we will deliver to them appropriate equipment which is necessary to the defense of Taiwan.

Mr. KRAMER. Does the gentleman have language that he would offer to substitute for mine to provide that?

Mr. WOLFF. I would be delighted to find it in the report, in an attempt to enlarge upon the instructions that are given in the bill itself.

Mr. KRAMER. The only point I would make to the gentleman is this, that if anyone were in the situation in which Taiwan finds itself now, and a statutory provision of this country said that we would make available to them defensive arms and defensive services, they would have to have some really serious reservations about what that

meant, about what that constituted, and whether they could really assume that they could be adequately protected and be able to protect their interests based on supplies coming from this country without some definition of what that statutory provision means.

Mr. WOLFF. If the gentleman will yield further, in the language of the report, on page 6, it states the following:

It is the committee's intent that the United States will continue to make available modern weapons for Taiwan, and not shift to a policy of supplying only obsolete weapons. In fact, the United States should make available those types of conventional weapons and equipment needed for Taiwan's defense and not upon the reaction that supplying such defense articles or defense services might stimulate.

The CHAIRMAN. The time of the gentleman from Colorado (Mr. KRAMER) has expired.

(On request of Mr. KELLY and by unanimous consent, Mr. KRAMER was allowed to proceed for 1 additional minute.)

Mr. KRAMER. Mr. Chairman, I would only make the comment to the gentleman from New York (Mr. WOLFF) that if the report provides for modern weaponry, what is modern weaponry? To me, modern weaponry is weaponry which is of the highest available technology.

Mr. KELLY. Mr. Chairman, will the gentleman yield?

Mr. KRAMER. I yield to the gentleman from Florida.

Mr. KELLY. Mr. Chairman, I think the gentleman's amendment is well taken because we all will notice that there was nothing specific about what would be provided. For instance, are we going to get any answers to these questions? Is there air-to-ground capacity so that the defense of Taiwan could start at the embarkation points on the mainland of China, and will there be antisubmarine warfare equipment and the real means of defending a nation?

There is nothing to indicate that Taiwan has those weapons now, that they are in the pipeline, or that the United States intends to give those weapons to them. There is no assurance in this bill which indicates that, and it is a sham. As far as any reference to the security of Taiwan or of the Western Pacific defenses of the United States is concerned, that is what this bill is, a sham; and I think the gentleman's amendment has pointed that out.

Mr. KRAMER. Mr. Chairman, I thank the gentleman for his remarks.

Mr. KELLY. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

(Mr. KELLY asked and was given permission to revise and extend his remarks.)

Mr. KELLY. Mr. Chairman, I would like to pose a question to the gentleman from Colorado (Mr. KRAMER).

Does the gentleman intend by his amendment that the highest available technology has reference to conventional weapons, or is he including atomic weaponry in what he describes?

Mr. KRAMER. If the gentleman will yield, Mr. Chairman, I would say to the

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gentleman that I think that there are various arguments which could be made on both sides of the question of what constitutes that type of weaponry. My judgment is that what we are looking at is defensive weaponry only.

Mr. KELLY. Is the gentleman talking about conventional weapons only or is he suggesting that this language would require the United States to provide the officials on Taiwan with atomic technology?

Mr. KRAMER. I have to say to the gentleman that, in all candor, I could not really list for the gentleman what might be considered as defensive atomic weaponry. It seems to me that most nuclear weaponry is of the offensive type.

□ 1520

Mr. KELLY. All right, then the gentleman would intend this to be limited to conventional weapons?

Mr. KRAMER. That is correct. That would be my thought at this point. There may be some technology I am not aware of that in effect would make nuclear technology defensive, but I am not aware of any such at this point.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. KELLY. I yield to the gentleman from Florida.

Mr. FASCELL. I thank the gentleman for yielding. What the gentleman has done is define the amendment to have a different definition from the definition that is already in the bill, and now I am really confused here. "Highest available technology" does have a meaning or it does not have a meaning. But the proponent of the amendment in responding to the interrogator is now trying to delineate the definition.

Mr. KELLY. Mr. Chairman, I would like to regain my time.

Mr. FASCELL. The gentlemen used my time before. I am just trying to get some of mine back.

Mr. KELLY. I think the gentleman is in the right place to be confused.

Mr. FASCELL. The gentleman asked the question. I was just listening to the answer.

Mr. KELLY. It is an institutional disease, and the purpose of the remarks of the gentleman from Florida (Mr. KELLY) is to try and help straighten it out. There is not one person who is going to get up on this floor and represent to the Members of this House, or to the people of the United States, that Taiwan has the weaponry at the present time to defend itself adequately. There is not one person who is going to get up and pledge the President of the United States to provide such weapons. There is nothing in this bill that provides for it. The language in this bill is just vague generalizations that are designed to delude the American people to cause them to believe that Taiwan and the defense of the United States are secure; do not worry about anything; we will just keep retreating and we will not disturb the world or anything that is important to the United States, which is all a great piece of nonsense.

The world of freedom is shrinking. This is a reason for it. It is retreating in the face of communism. That is all it amounts to. What the House is doing by

this bill is just simply closing the deal completing the surrender.

The administration by its policy of abdicating the interests of the United States in the Western Pacific just simply is having that program and policy extended by this legislation. This is the final chapter in this particular episode, and that is all it is. There is nothing in this bill that provides any protection for our interests or Taiwan's, and I just want to keep reminding everybody of that.

The CHAIRMAN. The time of the gentleman has expired.

AMENDMENT OFFERED BY MR. WHITE AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. KRAMER

Mr. WHITE. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITE as a substitute for the amendment offered by Mr. KRAMER: Page 3, line 11, delete all of sentence after "Taiwan", and insert in lieu thereof the following: "conventional defense articles and services of modern technology in such quantity, and maintained by a program of continual equipment modernization, as can be effectively utilized for its defense against armed attack."

(Mr. WHITE asked and was given permission to revise and extend his remarks.)

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from Florida.

Mr. FASCELL. I thank the gentleman for yielding.

Did the gentleman offer an amendment to the amendment, or is he offering a substitute? I am sorry, I missed that.

Mr. WHITE. I am offering a substitute for the amendment offered by the gentleman from Colorado.

The CHAIRMAN. It is more properly a substitute. It will be considered as a substitute for the amendment offered by the gentleman from Colorado (Mr. KRAMER).

PARLIAMENTARY INQUIRY

Mr. FASCELL. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. FASCELL. The substitute is subject to an amendment, is it not, whereas an amendment to an amendment is not; is that correct?

The CHAIRMAN. The gentleman is correct.

Mr. WHITE. The reading of the amendment itself conveys the meaning and the purpose of my amendment as a substitute for the amendment offered by the gentleman from Colorado (Mr. KRAMER). It says:

Conventional defense articles and services of modern technology in such quantity, and maintained by a program of continual equipment modernization, as can be effectively utilized for its defense against armed attack.

This eliminates the question that has been raised as to whether or not we would give nuclear weapons to Taiwan. This is talking in terms of conventional weaponry only. I know there is a provision in the report saying that it is the

intention of the committee to provide modern weapons and not go into furnishing of obsolete weapons.

□ 1525

I think it should be in the bill and explicitly stated. I have seen the weapons on Taiwan and I can state the weaponry on Taiwan, particularly in their aircraft, is in many instances obsolete and not adequate to modern technology, modern defense against a nation which does have modern technology.

I think this particular amendment reflects the wishes of the American public. All we are talking about is modern defensive weaponry of a conventional nature to preserve the integrity and sovereignty of Taiwan as it now stands, preserve it from attack from abroad.

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from California.

Mr. LAGOMARSINO. Mr. Chairman, I thank the gentleman for yielding. I think the gentleman's amendment is very apt. We should address this concern. One of the things that concerns me about what has happened is that the President did not go into the aspect of nuclear armaments, the nuclear non-proliferation treaty and so on, in his negotiations and agreements with the People's Republic, nor with Taiwan.

I think one of the great dangers we face in that area of the world is that Taiwan, feeling completely isolated, might go ahead and develop atomic weapons. I, for one, do not think they will do so; they deny any such intention.

I believe they have the capacity and know-how to produce atomic devices. By assuring them we will provide them with conventional weapons of the latest technology, we can avoid that; so I support the gentleman's amendment offered as a substitute for the amendment of the gentleman from Colorado.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Chairman, the gentleman from Texas (Mr. WHITE) has introduced a substitute amendment. On this side we have an opportunity to review the substitute amendment. Truly, it spells out harmony with the provisions of the Military Arms Export Control Act. We find no objection to it. It is such an improvement over the amendment offered by the gentleman from Colorado that, on this side, we accept the substitute.

Mr. BROOMFIELD. Mr. Chairman, before I accept the amendment, I would like to yield to the gentlewoman from New Jersey for a question.

Mrs. FENWICK. Mr. Chairman, I wanted to ask if I have understood the gentleman's amendment correctly. I have not seen a copy, are we to furnish as requested "such weapons and such quantities." Suppose they just say, "send it," without paying?

Mr. WHITE. Well, the President would have discretion. This is merely assuring that whatever is furnished of a conventional nature is modern.

Mrs. FENWICK. Mr. Chairman, if the

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□ 1530

gentleman will yield further, it does not mean we have to send them if they order them?

Mr. WHITE. Oh, no.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, I am happy to accept the amendment.

Mr. KRAMER. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from Colorado.

Mr. KRAMER. Mr. Chairman, I thank the gentleman for what I think is quite good language to clarify any ambiguity I had in my amendment. I hope the gentleman's amendment will be supported.

Mr. KELLY. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from Florida.

Mr. KELLY. Mr. Chairman, the gentleman certainly intends by this language that they would have such air-to-ground missile capacity as would be reasonable for defense; that is, for them to be able to attack embarkation points on the mainland if an invasion was in progress?

Mr. WHITE. I did not have in mind interdict attacking troops by ships or barges or ships of that nature.

Mr. KELLY. Mr. Chairman, if the gentleman will yield further, that would include the same type of capacity, would it not?

Mr. WHITE. Ground to air and air to ground necessary in order to defend.

Mr. KELLY. The gentleman specifically intends that that be included in this amendment?

Mr. WHITE. Yes, to that extent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. WHITE) as a substitute for the amendment offered by the gentleman from Colorado (Mr. KRAMER).

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. KRAMER), as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DERWINSKI: Page 3, immediately after line 18, insert the following new subsection:

"(c) The President shall ensure that in determining the number and kinds of defense articles and defense services to be made available to Taiwan, such determination shall be made without regard to the views of the People Republic of China with respect to the provision of such articles or services. The President and the Congress shall determine the nature and quantity of such defense articles and services based on the needs of Taiwan and determined by the military authorities of the people on Taiwan. Such determination of Taiwan's defense needs shall be reviewed by United States' military authorities for forwarding with their recommendation to the President and the Congress."

(Mr. DERWINSKI asked and was given permission to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Chairman, basically my amendment would provide that in assuming, as we have in the earlier amendment and in the debate, that we are speaking of defense articles and defense services for Taiwan, these sales of supplies and of these defense items from the United States, under the provisions of this bill, would be made—and now I quote specifically from my amendment—

Without regard to the views of the People's Republic of China with respect to the provision of such articles or services.

The amendment then goes on and states that the determination of Taiwan's defense needs shall be reviewed by United States military authorities for forwarding with their recommendation to the President and the Congress. That is standard procedure.

I think we all recognize the realities of the situation. At some point down the line, not with the pipeline but 1, 3, or 5 years from now, the authorities in Peking are well apt to come to whatever administration is in power in the United States and pointedly object to some article that we have agreed to sell to Taiwan.

All my amendment spells out is the fact that in the sale of defense articles and defense services, this determination shall be made without regard to the views of the People's Republic of China. I do not think we want to give the political or military authorities in Peking a veto power over what we decide we will provide Taiwan under this bill.

Mr. Chairman, I think this is a practical amendment. I would hope that the logic of it is obvious to the Members, and I would welcome any support I can generate.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Chairman, let me express my belief that the gentleman has come up with an excellent amendment.

We have heard so much about agreements, upsetting agreements, and negative aspects of this bill that I think the gentleman's words should be repeated because they are positive in nature. We should not give the PRC a veto power. The United States should be able to act independently if we are truly interested in the security of the Pacific area and in Taiwan. I do not know how any Member can vote against this amendment, and I thank the gentleman for offering it.

Mr. DERWINSKI. Mr. Chairman, I am grateful for the support of the gentleman from Ohio (Mr. ASHBROOK).

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, I, too, think this is a very good amendment. It is really what we want in order

to give the authority to the Taiwanese people to make their own determinations as far as their defense needs, and obviously, as the gentleman from Ohio (Mr. ASHBROOK) points out, we are taking away the veto power of the People's Republic. This is a good amendment, and I support it.

Mr. DERWINSKI. Mr. Chairman, I appreciate the fact that for the people in Foggy Bottom this could be a little worrisome so I specifically provided in this amendment that the determination of Taiwan's defense needs shall be reviewed by U.S. military authorities "for forwarding with their recommendation to the President and the Congress."

In other words, we still have the normal review of the capability we think they need. The President has his judgment and the Congress has its judgment, based on the recommendation of our military authorities, the point being that the authorities, military and political in Peking, will not be calling the shots on what we agreed or disagreed to in providing supplies and services to Taiwan.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, is the gentleman stating that his amendment would preclude the President of the United States from considering whatever factors the President wants to consider when he authorized the delivery of defense equipment or services?

Mr. DERWINSKI. No, just the opposite. I am saying that my amendment provides that the President shall take into account the recommendations to him by our military authorities. But I specifically stated in making the determination this will be made without regard to the views of the People's Republic of China. In other words, our President makes his own determination.

Mr. FASCELL. In other words, the gentleman is trying by legislation to preclude that factor being considered by the President of the United States?

□ 1535

Mr. DERWINSKI. No. I am trying to preclude a situation where the People's Republic will attempt to exercise a veto.

Mr. FASCELL. The gentleman knows they do not have any veto. The President decides after considering all factors.

Mr. DERWINSKI. They would have a veto, if the alleged political or trade leverage that they might have could be considered as such.

The CHAIRMAN. The time of the gentleman from Illinois (Mr. DERWINSKI) has expired.

(On request of Mr. WOLFF and by unanimous consent, Mr. DERWINSKI was allowed to proceed for 1 additional minute.)

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, does the gentleman mean to infer that the Arms Export Control Act would not prevail in this case?

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Mr. DERWINSKI. No, no.

Mr. WOLFF. It would prevail?

Mr. DERWINSKI. Yes, it would.

Mr. WOLFF. Then the amendment, basically, could not be operative except for portions of it, the portions of it with which I would agree. But certain portions of it would not actually be operative or could be operative.

Mr. DERWINSKI. Would the gentleman be specific?

Mr. WOLFF. Yes. Let me read:

The President and the Congress shall determine the nature and quantity of such defense articles and services based on the needs of Taiwan as determined by the military authorities of the people on Taiwan.

That is in contradistinction to the Arms Export Control Act.

Mr. DERWINSKI. That is an attempt to use the language of the bill, where you keep referring to the people on Taiwan.

Mr. WOLFF. I am indicating that they would have the determination as to this, and if it came to contradistinction with the act, it would be different.

Mr. ZABLOCKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have carefully read the amendment offered by the gentleman from Illinois, and he provides in his amendment "that in determining the number and kinds of defense articles and defense services to be made available to Taiwan, such determination shall be made without regard to the views of the People's Republic of China."

Nowhere in the bill, Mr. Chairman, do we imply, or in any way indicate, that such views are to be our guidance in making the determination.

However, the gentleman's amendment goes on to state that the nature and quantity of defense articles and services we supply shall be "as determined by the military authorities of the people on Taiwan."

I am amazed that the gentleman from Illinois would be presenting such an amendment to the committee for consideration. I am sure that the gentleman from Illinois does not intend by his amendment to create a new mechanism for security assistance, military assistance, and defense services for Taiwan, on a basis far and beyond any other ally that we supply this military assistance under the existing law.

Indeed, if the gentleman intended or not, that is exactly what his amendment would do, Mr. Chairman.

Am I not correct on this interpretation? I will yield to the gentleman to answer that question.

Mr. DERWINSKI. The gentleman's interpretation is not correct.

Mr. ZABLOCKI. It is not correct?

Mr. DERWINSKI. Let me point out the fact that the gentleman is doing a great job under adverse circumstances, and in his zeal to help the administration in a most difficult situation I believe the gentleman is innocently reading more into my amendment than he finds there.

But let me point out that after the announcement by the President of the change of recognition of China, sometime later, if the gentleman recalls, the

announcement was made by the Department of State that inadvertently information which should have been made available on December 15 was not. That information had to do with restrictions that the administration had agreed with the People's Republic as to delivery of military supplies in the pipeline for Taiwan.

So all I am saying now is that the reality is that there has already been interference by Peking authorities with arms shipments, defense arms destined for Taiwan.

The facts of life are that, years down the road, they are going to try it again. Insofar as I am concerned, this simple little amendment will protect what I know is the real intent of Congress.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from New York.

Mr. BINGHAM. I thank the gentleman for yielding.

Mr. Chairman, the gentleman from Illinois (Mr. DERWINSKI) was so persuasive that when I listened to him in the well I thought he had a reasonable amendment. But as I read the amendment I am, frankly, astonished by it. It includes the following sentence:

The President and the Congress shall determine the nature and quantity of such defense articles and services based on the needs of Taiwan as determined by the military authorities of the people on Taiwan.

□ 1540

That is incredible.

Mr. DERWINSKI. No, it is not.

Mr. BINGHAM. As the Chairman said, we do not do that—

Mr. DERWINSKI. If the gentleman will yield further—

Mr. ZABLOCKI. I yield to the gentleman from New York.

Mr. BINGHAM. I believe the gentleman from Wisconsin has yielded to me.

Mr. DERWINSKI. OK, fine.

Mr. BINGHAM. All I want to say is that the clear implication of that sentence is that the judgment of the military authorities of the people on Taiwan would be conclusive.

Mr. ZABLOCKI. It is mandatory. It is "shall", not "may". The gentleman from Illinois says, "shall".

Mr. DERWINSKI. If the gentleman from New York would just adjust his bifocals and read the following sentence, it says:

Determination of Taiwan defense needs shall be reviewed by United States military authorities for forwarding with their recommendation to the President and the Congress.

It covers the President properly; it covers the Congress.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield to me?

Mr. ZABLOCKI. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. DERWINSKI, I think, is pointing to a quality of the last sentence which, clearly contradicts the quality of the preceding sentence. If both are allowed to stand in the amendment, one would certainly put a cloud over the effectiveness of the other. So, I

am sure Mr. DERWINSKI does not want any doubt left as to the effect of that sentence.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

(By unanimous consent Mr. ZABLOCKI was allowed to proceed for 3 additional minutes.)

Mr. ZABLOCKI. Mr. Chairman, as I stated earlier, the amendment would create a new mechanism for security assistance to Taiwan. The Arms Export Control Act provides specifically that arms transfer policy is a foreign policy matter for which the Secretary of State has primary responsibility. The President's policy of arms transfer constraint is also implemented under the leadership of the Secretary of State. Excluding the civilian authorities on Taiwan and in the United States on arms transfer processes, as the amendment of the gentleman from Illinois would provide, would deprive the President and the Congress from relevant information concerning proposed transfers.

The bill as reported, as explained in the committee report, deals adequately with this subject. Therefore, Mr. Chairman, I hope the amendment is defeated.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, the chairman's analysis is absolutely correct, in my judgment. This is a most dangerous and mischievous amendment. It sets up by law a new decisionmaking process within the executive branch of Government, and is doing it under the guise of trying to protect an ally. I am not even sure that the Congress can invade the Executive jurisdiction by law, but it certainly raises a very, very serious question for the President.

Mr. ZABLOCKI. I thank the gentleman from Florida for articulating my views so adequately and so succinctly. It would set up a new system, and I hope the amendment is defeated.

Mr. FINDLEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wonder if my friend from Illinois (Mr. DERWINSKI) would be agreeable to an amendment to his words:

As determined by the military authorities of the people on Taiwan.

That would then make the second-to-the-last sentence read:

The President and the Congress shall determine the nature and quantity of such defense articles and services based on the needs of Taiwan.

The Chairman, may I offer an amendment to the amendment which strikes the words, "As determined by the military authorities of the people on Taiwan," from the second-to-the-last sentence?

□ 1545

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, one of

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the problems left if the gentleman tries to amend the amendment in that fashion is that we still leave the internal executive decisionmaking process with the United States because the amendments specifically excludes the other agencies of government.

Mr. FINDLEY. Mr. Chairman, if the gentleman will permit me, I recognize that there are other defects in the amendment. However, this would certainly correct one of the problems.

The CHAIRMAN. If the gentleman will suspend, the Chair does not believe that the debate currently is addressed to pending amendments.

Is the gentleman from Illinois (Mr. FINDLEY) offering an amendment to the amendment?

Mr. FINDLEY. Mr. Chairman, I do not have it in writing. Therefore, I will yield back the balance of my time.

Mr. BAUMAN. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, I thank the gentleman for yielding.

I think it is important to note that not only did the administration agree with the People's Republic of China to repudiate the Defense Treaty of 1954, but then it later came out that the administration agreed not to initiate any new arms sales contracts with Taiwan during the final terminal year of the Defense Treaty. Therefore, we effectively did provide a veto. We acceded to their request not only to tear up the treaty, but not to initiate any new sales contracts, so it is this veto authority which seems to be residing in Peking which I think this amendment is addressed to.

Mr. BAUMAN. Mr. Chairman, the gentleman from Illinois (Mr. HYDE) is precisely correct. That is why some language is necessary to reinforce the pious hope expressed in this section of the bill that defense materials will be provided to Taiwan. That is all it is, and already the track record is as it has been described.

The President not only sought to terminate the 1954 treaty, as the gentleman says, but he will not even live by its terms for the last year of its existence. Then he has the gall to come before the American public and say that that was a Red Chinese concession, that he did not terminate the treaty immediately, as the Chinese had wanted but waited a year as the treaty provided.

We have already seen, in those instances, major interventions by the Red Chinese into the U.S. process of providing defensive weapons to the free Chinese. If the Red Chinese have made such demands once as part of the original negotiation, undoubtedly they will do it repeatedly in the future.

We are being told that we do not need a law to guard against what is already happening. Obviously, we do need it.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. FINDLEY AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. DERWINSKI

Mr. FINDLEY. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY as a substitute for the amendment offered by Mr. DERWINSKI: Page 3, immediately after line 18, insert the following new subsection:

"(c) The President shall ensure that in determining the number and kinds of defense articles and defense services to be made available to Taiwan, such determination shall be made without regard to the views of the Peoples Republic of China with respect to the provision of such articles or services. The President and the Congress shall determine the nature and quantity of such defense articles and services based on the needs of Taiwan. Such determination of Taiwan's defense needs shall include review by United States' military authorities for forwarding with their recommendation to the President and the Congress."

Mr. FINDLEY. Mr. Chairman, I have been informed by the gentleman from Illinois (Mr. DERWINSKI) that he has no objection to this substitute language.

It deals with the two points at issue. First of all, it takes out the phrase "as determined by the military authorities of the people on Taiwan."

It strikes that phrase completely.

Then, the next sentence is changed to state as follows: "Such determination of Taiwan's defense needs shall include review by United States military authorities," and so forth, thereby not excluding other normal channels of review.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Chairman, frankly, I am flattered that the gentleman from Illinois (Mr. FINDLEY) is trying to help me by perfecting the amendment.

I accept his amendment in the constructive spirit in which it was offered.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, I appreciate what the gentleman is trying to do. However, I would just like to ask one question: Which takes priority, the needs of the people on Taiwan or the needs of the people of the United States?

Mr. FINDLEY. I am sure the perception of Congress and of the President would take into account the interests of the United States as well as the weapons needs of Taiwan.

□ 1550

I certainly would want to clarify the legislative history with this amendment.

Mr. WOLFF. I just would refer back to the language: "The President and the Congress shall determine the nature and quantity of such defense articles and services based on the needs of Taiwan." I do think we ought to clarify that the needs of the United States come first.

Mr. FINDLEY. Of course.

Mr. WOLFF. One aspect of this is the shipment out of this country of defense

material that is necessary to the security interests of the United States. These interests must be considered prior to the interests of any other nation.

Mr. FINDLEY. I agree with the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. FINDLEY) as a substitute for the amendment offered by the gentleman from Illinois (Mr. DERWINSKI).

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. DERWINSKI), as amended.

The amendment, as amended, was agreed to.

The CHAIRMAN. Are there other amendments to title I?

AMENDMENT OFFERED BY MR. KRAMER

Mr. KRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KRAMER: On page 3, line 15, strike all after the period through line 18 and insert in lieu thereof the following: "The United States hereby reaffirms the position taken in article V of the mutual defense treaty signed by the United States on December 2, 1954 and entered into force on March 3, 1955, to wit, 'that an armed attack in the West Pacific Area, directed against Taiwan 'would be dangerous to its own peace and safety' and that the United States 'would act to meet the . . . danger in accordance with its constitutional processes.' In response to any other danger to United States interest, the President and the Congress shall determine appropriate action in accordance with constitutional processes."

Mr. KRAMER. Mr. Chairman, I think, in sum, what this amendment does is really nothing more than to restate what our position would be in the event of armed attack against Taiwan compared to that which it would have been had our Mutual Defense Treaty continued in effect after January 1 next. I believe this amendment is necessary because despite this bill, or this bill notwithstanding, there is a great deal of uncertainty about our defense commitments as a result of the President's unilateral action to terminate our Mutual Defense Treaty with Taiwan. There have been doubts expressed by our allies separate and apart from Taiwan about the extent to which the United States today is willing to continue to honor its defense obligations and its commitments. There is overwhelming support among our own citizenry for continuing some of the obligations that we agreed to in our Mutual Defense Treaty with Taiwan. For example, a poll conducted by Daniel Yankelovich earlier this year indicated that a majority of Americans favor the continuation of our Mutual Defense Treaty with Taiwan by a 57 percent to 12 percent margin. A Harris survey released in September 1978 revealed similar findings by a margin of 64 percent to 19 percent, the American people favor continuing our defense treaty with Taiwan.

In light of these facts, Mr. Chairman, I believe that it is imperative that the position of the United States in terms of

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the security and defense interests of Taiwan be clarified. I think this amendment does nothing more than do that. I would point out that it does not in any way attempt to readopt the Mutual Defense Treaty. All it does is clarify that the obligations that the United States incurred under the terms of that treaty to act in the case of armed attack against Taiwan continue after the treaty is terminated next January 1.

I do not see how we can do any less today that we did 25 years ago in recognizing the threat represented to our own interests by an armed attack against Taiwan and declaring publicly our commitment to take appropriate action in response to such a threat. This amendment does not commit us to take any specific action. Rather, it simply puts forth clearly the position of the United States that a threat to the security of Taiwan constitutes a threat to the peace and stability of the West Pacific Area and hence to the interests of the United States.

By this clarification, it is my intention that the amendment would further preserve the peace and stability of the area by discouraging any potential aggressors against Taiwan who might otherwise suffer under an illusion that armed attack against Taiwan would be of little consequence to the United States. I hope the Members of this body will support this amendment.

□ 1555

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. Nenzl) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Chiridon, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

UNITED STATES-TAIWAN RELATIONS ACT

The Committee resumed its sitting.

Mr. FINDLEY. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, this amendment goes to a very fundamental point in the normalization process. The question it raises is whether the United States should continue after January 1 of next year the defense treaty obligation that is being terminated as a result of the President's decision of this past December.

The language that the gentleman from Colorado (Mr. KRAMER) would insert in the bill includes the very critical word "act". In the event that any armed attack directed against Taiwan, it would be the policy under this amendment for the United States to act to meet the danger.

Now, it does not define what form the action could take. It does not say by nonmilitary means or by all measures short of war or any other such delimitation; so it must be assumed it leaves open the possibility of a military response as a form of action to meet this danger.

In fact, I assume that is what the gentleman means by putting it in the bill; so it raises this very fundamental question: Do we want to continue the defense obligation that the President seeks to terminate by his decision of last December; that is, the termination of the defense obligation under the Mutual Defense Treaty.

Now, to be sure, it has the phrase:

In accordance with its constitutional process;

But that is the very phrase that is in the defense treaty which is in the process of termination.

Now, maybe other Members of this body want to retain this defense obligation beyond next January 1. I, for one, do not.

In fact, even in the absence of the President's decision to normalize relations with Peking, I would have favored terminating this defense obligation, because I have long felt it was outdated; it was a relic of the past. It ought to have been scrubbed from the statute books.

Mr. Chairman, I would hope my colleagues would join me in voting down this amendment.

Mr. SOLARZ. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, I would like to associate myself, first of all, with the remarks of the distinguished gentleman from Illinois on this amendment. I think it is very clear that if this amendment is adopted it would scuttle the entire policy of normalization. If we were to adopt legislation with this amendment in it, Ambassador Woodcock would be given his walking papers the day after news of it arrived in Peking.

There is an old Brooklyn saying which goes as follows:

If it looks like a duck, if it sounds like a duck, if it walks like a duck, it is a duck.

The gentleman from Colorado can argue that we are not readopting the Mutual Defense Treaty with the gentleman's amendment. But the fact of the matter is that by taking the operative paragraph of the Mutual Defense Treaty and putting it in the language of this resolution, we are doing precisely that. That is exactly how it would be interpreted by Peking. It would be completely incompatible with the policy of normalization.

Therefore, I think we ought to reject the amendment and rely instead on what are the perfectly adequate assurances to Taiwan and the very strong signals we send to Peking in this legislation, where we make it clear that any effort to resolve the problem of Taiwan by force would be a matter of grave concern to the United States and where we make it clear that any threat to the peace and stability of the Western Pacific would be

a danger to the interests of the United States.

Mr. STRATTON. Mr. Chairman, will the gentleman from New York yield to me?

Mr. SOLARZ. Mr. Chairman, I am always happy to yield to my good friend from upstate.

Mr. STRATTON. Mr. Chairman, I find it a little bit hard to understand some of the differences in language. The gentleman from Illinois (Mr. FINDLEY) who spoke a moment ago said that the amendment offered by the gentleman from Colorado was dangerous because it used the word "act".

□ 1600

Yet on page 3 of the legislation we are now considering at line 17, the language is that in the event of an attack on Taiwan, "the President and the Congress shall determine, in accordance with constitutional processes, appropriate action by the United States in response to any such danger." And in fact the whip notice uses the word, "act," rather than "action."

What is the difference between this kind of action and the kind of action referred to in the pending amendment? I do not see any difference.

Mr. SOLARZ. Mr. Chairman, I was not the one who made the point about the word, "action," to which the gentleman just referred. But the fundamental difference between the word, "action," on page 3 of the pending bill and the language in the amendment offered by the gentleman from Colorado (Mr. KRAMER) is that the language in the amendment offered by the gentleman from Colorado comes explicitly and clearly right out of the text of the mutual defense treaty. It is an effort to insert into the language of this legislation the mutual defense treaty obligations which have been terminated pursuant to the terms of that treaty by the President.

Mr. STRATTON. Mr. Chairman, if the gentleman will yield further, that is exactly the language which is in this legislation. Maybe an "i-o-n" is in there instead of just "act." In other words, this legislation is being sold to the House on the basis that if there is an attack against Taiwan we have exactly the same rights and privileges under our constitutional processes to take whatever action is necessary, and that is all that the amendment offered by the gentleman from Colorado (Mr. KRAMER) says, as I see it.

So I do not see the difference. Whether the gentleman has borrowed the word from the dictionary or from the previous treaty does not make any difference.

Mr. SOLARZ. Mr. Chairman, the language of the amendment specifically says—and I now quote—

The United States hereby reaffirms the position taken in article V of the mutual defense treaty signed by the United States on December 2, 1954,

And

I would submit that it is perfectly obvious that if this amendment is adopted, and this language is put in the bill, thereby reaffirming obligations that existed under the terms of the treaty, it

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will scuttle the policy of normalization and it will obviously be unacceptable to Peking. One of the conditions of the policy of normalization was our termination of the defense treaty; and, if we redo it now, we will have reneged on our part of the bargain with the People's Republic of China.

The CHAIRMAN. The time of the gentleman from New York (Mr. SOLARZ) has expired.

(On request of Mr. STRATTON, and by unanimous consent, Mr. SOLARZ was allowed to proceed for 1 additional minute.)

Mr. STRATTON. Mr. Chairman, will the gentleman yield further?

Mr. SOLARZ. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Chairman, in other words, what the gentleman is really objecting to is any reference to the treaty itself; but as far as what we can do under the terms of either this legislation or the treaty, there seems to be no real difference. Is that not right?

Mr. SOLARZ. If the gentleman can come up with language which does not explicitly come from the text of the mutual defense treaty and which itself is not incompatible with normalization, then I would be perfectly prepared to accept it, but an explicit reference to the mutual defense treaty in this amendment, which we would be reaffirming through the adoption of the amendment, would be completely incompatible with normalization.

Mr. STRATTON. Mr. Chairman, if the gentleman will yield once again, I think we are at the guts of what is really involved in this pending legislation. We are really asserting here is the right to do exactly what we would have done under the former treaty; but we do not want to mention the treaty because we have already abrogated it. That is the only basis, as I understand it, on which this legislation is being accepted by the House.

Mr. WOLFF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to continue the colloquy with the gentleman from New York (Mr. STRATTON).

I believe that the point that is involved here is that we have gone far beyond the mutual defense treaty in this particular bill because we consider not only an armed attack as a threat to the security but a boycott or an embargo, and, therefore, the language that is contained in the bill goes beyond actually even the mutual defense or security treaty.

The other fact involved here is that we have enlarged upon the very basis of the term, "Taiwan," itself and have included economic acts against Taiwan as a threat that we would make an act.

Now, on that basis, what is happening here is the injection of the words, "Mutual Defense Treaty," and the exact language that has been in that treaty does violence to the basic premise we are trying to achieve here, and yet the actions we are taking in order to meet those threats are fully articulated within the bill.

This language is totally unnecessary

inasmuch as it has already been outlined very clearly in the bill to its fullest extent and even goes beyond that.

□ 1605

Mr. STRATTON. If the gentleman will yield, the gentleman said that he wanted a "colloquy" with me.

Mr. WOLFF. Yes.

Mr. STRATTON. I have been listening to the gentleman. I still cannot see how the references that the gentleman has made really have any application to the issue we were discussing.

The opposition to the amendment, as stated by the gentleman from Illinois (Mr. FINDLEY), was that it was going to get us into some kind of terrible military action and, therefore, we should not put it in.

The fact of the matter is still that the wording of this legislation is almost identical to the terms of the former treaty. And, in fact, the only way that you are going to get the House to support this legislation is if you convince the House and the American people that if there is an attack on Taiwan we can do under this legislation whatever we would have been able to do before. Considering the mood of this Congress, if there had been an attack on Taiwan 6 months ago we probably would not have done anything except issue a statement of some sort and let it go at that.

But we do have our constitutional processes and, under this language, we could do exactly the same thing.

Mr. WOLFF. Would the gentleman feel we would not go beyond what we would have gone a year ago?

Mr. STRATTON. I am not sure. I think the language that is being proposed is exactly the same language, and so we can do whatever we want to. To suggest that somehow putting in the word "act" is going to do terrible damage to our relationship is nonsense. Either we are going to retain our military capabilities or we are not.

Mr. WOLFF. The question is not the word "act" or "action," because that is contained in the bill already. The point that has been made in this amendment is that the United States reaffirm the Mutual Defense Treaty. If we are going to reaffirm it, we would not have terminated the treaty.

Mr. STRATTON. That is what I said to the gentleman from New York. The only thing he is referring to is killing any reference to the treaty. We want to kill the treaty but we still want the same capabilities to react that we had before.

Mr. LAGOMARSINO. Mr. Chairman, I move to strike the requisite number of words.

Mr. KRAMER. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the gentleman from Colorado.

Mr. KRAMER. I thank the gentleman for yielding.

Mr. Chairman, I think the arguments we have heard here illustrate exactly the reason for the necessity for this amendment.

One gentleman from New York says that this is going to impose on the United

States certain obligations to act that we do not want to be responsible for, that we do not want to live with.

I would suggest that if we do not want to live with the realization that we have to take some action or to act in the event of an armed attack on Taiwan, what we are dealing with here is a sham. The bill before us, under those terms, has no significance.

The other gentleman from New York takes the contrary position. He says that what we have done in the bill is to go far beyond what we provided in the Mutual Defense Treaty by reference to economic matters, such as boycotts or embargoes.

The question in my mind, and my motivation for attempting to insert this language, is that I am not exactly sure what we are agreeing to do in this bill by way of taking action, in light of any future endangerment of Taiwan. I do not think Taiwan will know, or the people of this country will know, or anyone else will know, if we pass this bill as it is presently structured.

I am suggesting that we pass this bill not that we repress the Mutual Defense Treaty. I am not asking to do that. I am simply asking that we reaffirm to the U.S. citizenry and to the people of the world and the people of Taiwan that, in case of an armed attack against Taiwan, we are going to take the same action in accordance with our constitutional processes that we would have taken had that treaty remained in effect. If we are not willing to do that, I submit to the Members that we are not willing to do anything at all.

□ 1610

Mr. WOLFF. In the first place, there is nothing in this act that precludes the President from taking whatever action he deems necessary in line with the constitutional process to react to any attack that exists. That is point No. 1.

The second point I should like to ask the author of the amendment is, does he consider an attack upon Quemoy a threat to the safety of the United States?

Mr. KRAMER. Yes, I do.

Mr. WOLFF. The gentleman goes far beyond what the people of the United States were willing to accept years ago.

Mr. KELLY. Mr. Chairman, I move to strike the last word, and I rise in favor of the amendment.

(Mr. KELLY asked and was given permission to revise and extend his remarks.)

Mr. KELLY. Mr. Chairman, I think that at this time, in light of this amendment, it is important to try and dispell another myth about this whole situation. By the action of the President, the United States has no standing at the present time to move in and out of Taiwan as they now do except by the grace of the PRC. Somehow or another, the predicate for all this discussion seems to presuppose that we are at liberty to do what we want to do with regard to Taiwan, just as we were before; but, that is not the situation.

Unless we have the understanding that the PRC can move around Hawaii and Alaska and New York Harbor with its

gunboats at will. One of the things that the President of the United States did in his recognition process was recognize the PRC as the sole and legal government of China. Now, what happens in and about Taiwan at this juncture, by our own admission, by what our Government has established, is an internal matter of the People's Republic of China. We have no more right to make an appearance in the waters of Taiwan or on Taiwan than we do to interfere in the affairs of Peking itself.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. KELLY. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. I do not know how the gentleman can draw that conclusion if he will read again the top of page 3. Any armed attack against Taiwan, or by the use of boycott or embargo to prevent Taiwan from engaging in trade, and so forth, is a threat to the peace and stability of the Western Pacific. Really what this amendment is trying to do, in my judgment, is to reestablish in this legislation the obligations of the bilateral Mutual Defense Treaty we had prior to the normalization.

Mr. KELLY. If I can regain my time back, the significant language in the amendment is this, that they would act to meet the danger in accordance with the constitutional process. I think the point is that because our President has, on behalf of this Nation, recognized the sovereignty of Communist China over Taiwan, if we do anything with regard to Taiwan it will be an act of war against China, and we should follow a constitutional process. I think it is important that this language be in the bill.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. KELLY. I yield to the gentleman from New York.

Mr. WOLFF. The gentleman is making a statement regarding the President's action of establishing the sovereignty of the People's Republic of China over Taiwan. Never has the President said this. Never in any communication that has been issued, or communicate that has been issued, have we acknowledged what the Chinese have said. We have not accepted that as our own principle. I do not think the legislative history should show that we have ever accepted that.

Mr. KELLY. I do not think it makes any difference what the legislative history shows. I think the fact that I referred to is established, and anything we say is not going to change that. The President of the United States has recognized the People's Republic of China as the sole and legal government of China, which includes Taiwan. The Shanghai communique established that that was the situation, and the President reversed the role of the parties. As far as we stand here right now, we have no standing to deal with Taiwan under the commitment and situation developed by the United States.

Mr. WOLFF. Would the gentleman point out to me in either the Shanghai communique or in the subsequent communique that was issued by the President where those facts are borne out?

□ 1615

Mr. KELLY. The Shanghai communique provides that there is one China and that Taiwan and mainland China are part of it.

Mr. WOLFF. May I read to the gentleman what the Shanghai communique says?

Mr. KELLY. Will the gentleman read all of it?

Mr. WOLFF. The whole communique? If I had the time, I would be delighted to.

Mr. KELLY. Just the appropriate part.

Mr. WOLFF. Let me read the pertinent area with respect to the U.S. position.

Mr. KELLY. No. If the gentleman is going to refer to the Shanghai communique, then let us have the language of that; not what the gentleman's unilateral interpretation of it is.

Mr. WOLFF. I am not. I am giving the gentleman the language.

The CHAIRMAN. The time of the gentleman from Florida (Mr. KELLY) has expired.

The question is on the amendment offered by the gentleman from Colorado (Mr. KRAMER).

Mr. KRAMER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-six Members are present, not a quorum.

The Chair announces that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

□ 1620

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to rule XXIII, clause 2, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business before the Committee is the demand by the gentleman from Colorado (Mr. KRAMER) for a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 149, noes 221, not voting 62, as follows:

[Roll No. 26]

AYES—149

Abdnor
Applegate
Archer
Ashbrook
Badham
Bafalis
Barnard
Bauman
Beard, R.I.
Bereuter
Bethune
Biaggi
Bouquard
Brinkley
Brown, Ohio
Broyhill
Buchanan
Burgener
Butler
Campbell

Carney
Chappell
Cheney
Clausen
Clay
Cleveland
Clinger
Coleman
Collins, Tex.
Corcoran
Courter
Crane, Daniel
Daniel, Dan
Daniel, E. W.
Dannemeyer
Davis, Mich.
Deckard
Derwinski,
Devine
Dickinson

Dornan
Dougherty
Duncan, Tenn.
Edwards, Okla.
English
Erdahl
Evans, Del.
Gilman
Gingrich
Ginn
Goldwater
Goodling
Gradison
Gramm
Grassley
Grisham
Guyer
Hagedorn
Hall, Tex.

Hammer-
schmidt
Hance
Hansen
Harsha
Hinson
Hollenbeck
Holt
Hopkins
Howard
Hyde
Ichord
Jeffords
Jeffries
Jenkins
Kelly
Kemp
Kindness
Kramer
Lagomarsino
Leach, La.
Leath, Tex.
Lent
Levitas
Lewis
Livingston
Lloyd
Loeffler
Long, Md.
Lott
Lujan

Lungren
McClory
McDonald
Marlenee
Marriott
Martin
Mathis
Mattox
Miller, Ohio
Montgomery
Moore
Moorhead,
Calif.
Mottl
Myers, Ind.
Nelson
Nichols
Oakar
Quayle
Quillen
Rhodes
Rinaldo
Ritter
Robinson
Roth
Rudd
Runnels
Santini
Satterfield
Sawyer
Schulze

Sebellius
Sensenbrenner
Shelby
Shumway
Shuster
Smith, Nebr.
Snowe
Snyder
Solomon
Spence
Stangeland
Stenholm
Stump
Symms
Taylor
Thomas
Trible
Vander Jagt
Walker
Watkins
White
Whittaker
Whitten
Wilson, Bob
Wilson, C. H.
Wyatt
Wydler
Wylie
Young, Fla.
Zerfetti

NOES—221

Addabbo
Akaka
Albosta
Alexander
Ambro
Anderson,
Calif.
Andrews, N.C.
Annunzio
Anthony
Ashley
Aspin
Atkinson
Bailey
Baldus
Barnes
Bedell
Bellenson
Benjamin
Bennett
Bevill
Bingham
Blanchard
Boggs
Boland
Boner
Bonior
Bonker
Bowen
Brademas
Brodhead
Brooks
Broomfield
Burlison
Burton, John
Burton, Phillip
Byron
Carr
Carter
Cavanaugh
Chisholm
Coelho
Collins, Ill.
Conte
Conyers
Cotter
Coughlin
D'Amours
Danielson
Daschle
Davis, S.C.
Derrick
Dicks
Diggs
Dixon
Dodd
Donnelly
Downey
Drinan
Duncan, Oreg.
Early
Eckhardt
Edgar
Emery
Erlenborn
Ertel
Evans, Ind.
Fary
Fascell
Fazio
Fenwick

Ferraro
Findley
Fish
Fisher
Fithian
Florio
Foley
Ford, Mich.
Ford, Tenn.
Forsythe
Fountain
Fowler
Frenzel
Frost
Garcia
Gaydos
Gephardt
Giaino
Gibbons
Glickman
Gonzalez
Gore
Gray
Green
Guarini
Gudger
Hall, Ohio
Hamilton
Hanley
Harkin
Harris
Hawkins
Heckler
Hefner
Heftel
Hightower
Holtzman
Hubbard
Hughes
Jacobs
Jenrette
Johnson, Calif.
Johnson, Colo.
Jones, Okla.
Jones, Tenn.
Kastenmeier
Kazen
Kildee
Kogovsek
Kostmayer
Latta
Leach, Iowa
Lederer
Lehman
Leland
Long, La.
Lowry
Luken
McCloskey
McCormack
McEwen
McHugh
McKay
Maguire
Markey
Marks
Matsui
Mavroules
Mazzoli
Mikulski
Mikva

Miller, Calif.
Mineta
Mish
Mitchell, Md.
Moakley
Moffett
Mollohan
Moorhead, Pa.
Murphy, Ill.
Murphy, N.Y.
Murphy, Pa.
Murtha
Myers, Pa.
Natcher
Neal
Nedzi
Nolan
Nowak
O'Brien
Oberstar
Ottinger
Panetta
Patten
Paul
Perkins
Peyser
Pickle
Pryer
Price
Pritchard
Rangel
Ratchford
Regula
Reuss
Richmond
Roberts
Rodino
Roe
Rosenthal
Rostenkowski
Russo
Sabo
Seiberling
Shannon
Simon
Skelton
Slack
Smith, Iowa
Solarz
Spellman
St Germain
Stack
Staggers
Stanton
Stark
Steed
Stewart
Stratton
Studds
Synar
Tauke
Thompson
Ullman
Vanik
Vento
Volkmer
Walgren
Wampler
Waxman
Weaver
Whitehurst

March 8, 1979

CONGRESSIONAL RECORD—HOUSE

H 1191

Whitley
Wilson, Tex.
Wolf, N.Y.

Wolpe, Mich.
Wright
Yates

Yatron
Young, Mo.
Zablocki

NOT VOTING—62

Anderson, Ill.	Holland	Rahall
Andrews,	Horton	Rallsback
N. Dak.	Huckaby	Rose
AuCoin	Hutto	Rousselot
Beard, Tenn.	Ireland	Roybal
Bolling	Jones, N.C.	Scheuer
Breaux	LaFalce	Schroeder
Brown, Calif.	Lee	Sharp
Conable	Lundine	Stockman
Corman	McDade	Stokes
Crane, Philip	McKinney	Swift
de la Garza	Madigan	Traxler
Dellums	Mica	Treen
Dingell	Michel	Udall
Edwards, Ala.	Mitchell, N.Y.	Van Deerlin
Edwards, Calif.	Obey	Weiss
Evans, Ga.	Pashayan	Williams, Mont.
Flippo	Patterson	Williams, Ohio
Flood	Pease	Winn
Fuqua	Pepper	Wirth
Hillis	Pursell	Young, Alaska

□ 1640

The Clerk announced the following pairs:

On this vote:

Mr. Breaux for, with Mr. LaFalce against.
Mr. Beard of Tennessee for, with Mr. Corman against.
Mr. Young of Alaska for, with Mr. Fuqua against.
Mr. Rousselot for, with Mr. Mica against.
Mr. Phillip M. Crane for, with Mr. Rahall against.

Mr. COELHO and Mrs. BYRON changed their vote from "aye" to "no". Messrs. HOPKINS, SNYDER, and NELSON changed their vote from "no" to "aye".

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1645

Mr. ZABLOCKI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, during the rollcall several Members inquired whether it is the intention to complete this bill today. I advised them, as the Speaker at his press conference advised the press, that it was the intention of the leadership that the House complete this legislation today. The majority leader in a colloquy with the minority leader as to the calendar for next week and the business of today had advised the minority leader that we intend to finish it today.

Mr. Chairman, I again announce that it is our intention to finish this bill today. It is my understanding that we have one more amendment to title I, and several amendments to title II. There are no more than two or three major amendments, however, which could be controversial.

Mr. Chairman, I would urge our colleagues to remain on the floor, and I am positive that we can finish this bill in time for those Members who have plane reservations to make them.

The CHAIRMAN. Are there other amendments to title I?

AMENDMENT OFFERED BY MR. LAGOMARSINO

Mr. LAGOMARSINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAGOMARSINO: Page 3, at the end of line 18, insert the following sentence: "Among the responses to be considered to such a danger should be all appropriate actions, including the possibility

of withdrawing United States diplomatic recognition of the People's Republic of China."

(Mr. LAGOMARSINO asked and was given permission to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Chairman, I will try to be brief. I think we can handle this amendment expeditiously.

Mr. Chairman, this amendment would require the President to consider the possibility of withdrawing U.S. recognition from the People's Republic of China if it threatens Taiwan's security.

The report of the committee makes it very apparent and very clear that at the very least the United States should seriously consider withdrawing recognition of the PRC if that should occur.

□ 1650

The real effect of the amendment would be to emphasize that recognition is not necessarily permanent. It would indicate to the PRC that our recognition is dependent upon the good behavior of the Peking government. I think the recent international adventures of that government alone should be enough justification for approval of this amendment. President Carter says that, at least in part, his decision to recognize the PRC was based on his understanding that the PRC would not attack Taiwan and would not use force to liberate Taiwan. Peking should be aware that the reverse could be true also, that is, that there could be derecognition should they breach the faith that the President has in them, rightly or wrongly.

I would like to stress also that the amendment only lists derecognition as an alternative for the President. It does not require him to take that action and it does not preclude him from taking stronger steps if he so wishes. It simply is a statement of congressional concern that our recognition be based on the behavior of the PRC. I think they are symmetrical. As I say, the agreement or the decision to recognize the PRC was based at least in part on the President's understanding that they would not use force to liberate Taiwan. I think the reverse should be considered.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the gentleman from New York.

Mr. WOLFF. I thank the gentleman for yielding.

I think the gentleman is well-intentioned certainly with his amendment, but does the gentleman really want that sort of response as the prime response? That we put in the bill that as the result of an attack upon Taiwan, we would withdraw recognition of the People's Republic of China?

Mr. LAGOMARSINO. I think that ought to be one of the things that is in the bill, yes.

Mr. WOLFF. But I do believe that the gentleman is centering attention on what perhaps could be the least desirable action.

Mr. LAGOMARSINO. I would find it highly unlikely that this administration would take that action in any event, so I do not think that it would really hurt

anything to have it in the bill. I think it is well worth stating.

Mr. Chairman, I yield back the remainder of my time.

Mr. ZABLOCKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, although in my explanation of the provisions of the bill in the debate, I would say that if the People's Republic of China were to use force to attack Taiwan, or use force in an embargo to stop Taiwan's trade, the very least that we should do in response—and it should be an adequate response—should be the consideration of severing diplomatic relations with the PRC.

Mr. Chairman, we discussed it, and the gentleman from California discussed it, in committee, and the gentleman from California proposed the amendment when we were in the markup stage. The amendment was defeated on the basis that we did not want to single that out as the only or the priority response. We would prefer to have in this particular part of the bill no mention of the proposal for the discontinuing or severing of diplomatic relations with the PRC as a response. We do mention on page 6 of our report that this should be considered as one of the options, but I hope that the amendment will be defeated because I do think it would be counterproductive for the purposes that the gentleman from California (Mr. LAGOMARSINO) intends it to be.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to my colleague, the ranking minority member, the gentleman from Michigan (Mr. BROOMFIELD), who has been helpful and so cooperative in preparing this legislation and bringing it to the stage of perfection it is so that we can now have it for consideration before the committee.

Mr. BROOMFIELD. Mr. Chairman, I reluctantly also rise in opposition to the amendment offered by my friend, the gentleman from California. I think that there is a question, a serious constitutional question, regarding this proposed amendment. The granting or withdrawing of recognition of a foreign government is a prerogative of the President of the United States as head of state and certainly does not fall in the realm of the Congress.

□ 1655

So, therefore, I would urge the Members to oppose this amendment.

Mr. ZABLOCKI. Mr. Chairman, I yield back the balance of my time and call for a "no" vote.

Mr. DERWINSKI. Mr. Chairman, I move to strike the requisite number of words and I rise in support of the amendment.

Mr. Chairman, may I point out to the Members that they really should take a good look at this. Let me read just the opening phrase:

Among the responses to be considered.

The gentleman from California is not mandating anything. The gentleman is not tying the President's hands. The gentleman is merely indicating that one of the practical responses that might be considered is the withdrawal of U.S.

diplomatic recognition of the People's Republic if they wage aggression against Taiwan.

Now, let me point out, and this is where I would like to forget the politics of the day and point out something that might intrigue those Members who are historians. Members will appreciate the fact that both Chinas claim they are the one China; the People's Republic claims Taiwan is a province; the Republic of China claims they are the legitimate government for all the mainland; so if they attack each other, it is a civil war.

In our own civil war, we caused great diplomatic problems in the countries of Europe who were torn between the legal status of the Union and their need for Confederate cotton.

I think we could all agree that our Chief Executive, whether it is the present beloved Chief Executive or someone less exalted who might follow down the road, should be guided by the Congress.

All we are saying in this case is that whoever the Chief Executive is at the time, one of the responses to be considered might be the possibility of withdrawing recognition. I think this is a tool a President could use. He could use this as a weapon to convince the authorities in Peking not to invade their lost province.

Mr. Chairman, I think this is a positive amendment. I think it ought to be accepted. I think in the long run it would be welcomed by the executive branch.

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from California.

Mr. LAGOMARSINO. Mr. Chairman, I thank the gentleman for yielding.

I think the gentleman said it very well. This does not mandate the President to do anything. It provides an alternative for him to consider. It is what he talked about when he recognized the PRC. I think it makes a lot of sense. It is symmetrical. I would hope the Committee would adopt it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. LAGOMARSINO).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. LAGOMARSINO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 169, noes 197, not voting 66, as follows:

[Roll No. 27]

AYES—169

Abdnor	Buchanan	Courter
Ambro	Burgener	Crane, Daniel
Applegate	Butler	D'Amours
Archer	Byron	Daniel, Dan
Ashbrook	Campbell	Daniel, R. W.
Badham	Carney	Dannemeyer
Bafalis	Carter	Davis, Mich.
Barnard	Chappell	Deckard
Bauman	Cheney	Derwinski
Beard, R.I.	Clausen	Devine
Benjamin	Cleveland	Dickinson
Bereuter	Clinger	Dornan
Bethune	Coleman	Dougherty
Bouquard	Collins, Tex.	Duncan, Tenn.
Brinkley	Conte	Edwards, Okla.
Brown, Ohio	Corcoran	Emery
Broyhill	Coughlin	English

Erdahl	Leach, La.
Evans, Del.	Leath, Tex.
Fish	Lent
Fountain	Lewis
Frost	Livingston
Gibbons	Loeffler
Gilman	Long, La.
Gingrich	Long, Md.
Glickman	Lott
Goldwater	Lujan
Goodling	Lungren
Gradison	McClory
Gramm	McDonald
Grassley	McEwen
Grisham	McKay
Gudger	Marlenee
Guyer	Marriott
Hagedorn	Martin
Hall, Tex.	Mathis
Hammer-	Miller, Ohio
schmidt	Montgomery
Hance	Moorehead,
Hansen	Calif.
Harsha	Motil
Heckler	Murphy, Pa.
Hollenbeck	Myers, Ind.
Holt	Nelson
Hopkins	Nowak
Hyde	O'Brien
Jacobs	Paul
Jeffries	Pickle
Jenkins	Quayle
Jones, Okla.	Quillen
Kelly	Regula
Kemp	Rinaldo
Kindness	Ritter
Kramer	Robinson
LAGOMARSINO	Roth
Latta	Rudd
Leach, Iowa	

NOES—197

Addabbo	Findley	Miller, Calif.
Akaka	Fisher	Mineta
Albosta	Fithian	Minish
Alexander	Florio	Mitchell, Md.
Anderson,	Foley	Moakley
Calif.	Ford, Mich.	Moffett
Andrews, N.C.	Ford, Tenn.	Mollohan
Annunzio	Forsythe	Moorhead, Pa.
Anthony	Fowler	Murphy, Ill.
Ashley	Frenzel	Murphy, N.Y.
Aspin	Garcia	Murtha
Atkinson	Gaydos	Myers, Pa.
AuCoin	Gephardt	Natcher
Bailey	Ginn	Neal
Baldus	Gonzalez	Nedzi
Barnes	Gore	Nichols
Bedell	Gray	Nolan
Beilenson	Green	Oakar
Bennett	Guarini	Oberstar
Bevill	Hall, Ohio	Ottinger
Blaggi	Hamilton	Panetta
Bingham	Hanley	Patten
Blanchard	Harkin	Pease
Boggs	Harris	Perkins
Boland	Hawkins	Peyster
Boner	Hefner	Preyer
Bonior	Heftel	Price
Bonker	Hightower	Pritchard
Bowen	Hinson	Rangel
Brademas	Holtzman	Ratchford
Brodehead	Howard	Reuss
Brooks	Hubbard	Rhodes
Broomfield	Hughes	Richmond
Burlison	Ichord	Roberts
Burton, Phillip	Jenrette	Rodino
Carr	Johnson, Calif.	Roe
Cavanaugh	Johnson, Colo.	Rosenthal
Coelho	Jones, Tenn.	Rostenkowski
Collins, Ill.	Kastenmeier	Russo
Conyers	Kazen	Sabo
Cotter	Kildee	Seiberling
Danielson	Kogovsek	Shannon
Daschle	Kostmayer	Sharp
Davis, S.C.	Lederer	Simon
Derrick	Lehman	Skelton
Dixon	Leland	Slack
Dodd	Levitass	Smith, Iowa
Donnelly	Lloyd	Solarz
Downey	Lowry	St Germain
Drinan	Luken	Stack
Duncan, Oreg.	McCloskey	Staggers
Early	McCormack	Stark
Eckhardt	McHugh	Steed
Edgar	Maguire	Stewart
Erlenborn	Markey	Stratton
Ertel	Marks	Studds
Evans, Ind.	Matsui	Swift
Fary	Mattox	Thompson
Fascell	Mavroules	Ullman
Fazio	Mazzoli	Vanik
Fenwick	Mikulski	Volkmer
Ferraro	Mikva	Walgren

Waxman	Wirth	Yates
Weaver	Wolff, N.Y.	Yatron
Whitehurst	Wolpe, Mich.	Young, Mo.
Whitley	Wright	Zablocki

NOT VOTING—66

Anderson, Ill.	Fuqua	Pursell
Andrews,	Glaimo	Rahall
N. Dak.	Hillis	Rallsback
Beard, Tenn.	Holland	Rose
Bolling	Horton	Rousselot
Breaux	Huckaby	Roybal
Brown, Calif.	Hutto	Scheuer
Burton, John	Ireland	Schroeder
Chisholm	Jeffords	Spellman
Clay	Jones, N.C.	Stokes
Conable	LaFalce	Traxler
Corman	Lee	Treen
Crane, Philip	Lundine	Udall
de la Garza	McDade	Van Deerlin
Dellums	McKinney	Weiss
Dicks	Madigan	Williams, Mont.
Diggs	Mica	Williams, Ohio
Dingell	Michel	Wilson, C. H.
Edwards, Ala.	Mitchell, N.Y.	Wilson, Tex.
Edwards, Calif.	Obey	Winn
Evans, Ga.	Pashayan	Young, Alaska
Flippo	Patterson	
Flood	Pepper	

□ 1710

The Clerk announced the following pairs:

On this vote:

Mr. Young of Alaska for, with Mr. Pursell against.

Mr. Philip M. Crane for, with Mr. Flood against.

Mr. McDade for, with Mr. Rose against.
Mr. Mitchell of New York for, with Mr. Ireland against.

Mr. Rousselot for, with Mr. Weiss against.
Mr. Conable for, with Mr. Pepper against.
Mr. Beard of Tennessee for, with Mr. Fuqua against.

Mr. Breaux for, with Mr. LaFalce against.

Mr. JONES of Oklahoma and Mr. CONTE changed their vote from "no" to "aye."

Mr. YATES changed his vote from "aye" to "no."

So the amendment was rejected.
The result of the vote was announced as above recorded.

□ 1715

The CHAIRMAN. Are there other amendments to title I? If not, the Clerk will read title II.

The Clerk read as follows:

TITLE II—MAINTENANCE OF COMMERCIAL AND OTHER RELATIONS

APPLICATION OF UNITED STATES LAWS TO TAIWAN

SEC. 201. (a) No requirement, whether expressed or implied, under the laws of the United States with respect to maintenance of diplomatic relations or to recognition of a government shall apply with respect to Taiwan.

(b) (1) The absence of such relations and such recognition shall not affect the application of the laws of the United States with respect to Taiwan, and the laws of the United States (including laws relating to rights, obligations, standing to sue and be sued, legal capacity, or eligibility to participate in programs and other activities under the laws of the United States) shall apply with respect to Taiwan in the manner that the laws of the United States applied with respect to Taiwan prior to January 1, 1979.

(2) Notwithstanding paragraph (1) of this subsection, for purposes of the Act of June 27, 1952, Taiwan may be treated in the manner specified in the first sentence of section 202(b) of that Act.

(3) Pursuant to paragraph (1) of this subsection, interests in property, tangible or intangible, acquired by the Republic of

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China prior to January 1, 1979, shall not be affected in any way by United States recognition of the People's Republic of China.

(c) All treaties and other international agreements which were in force between the United States and the Republic of China on December 31, 1978, shall continue in force between the United States and Taiwan unless terminated in accordance with their terms or otherwise in accordance with the laws of the United States.

MAINTENANCE OF RELATIONS

SEC. 202. (a) Except as the President may otherwise provide—

(1) dealings of the United States Government with Taiwan shall be conducted by or through such nongovernmental entity as the President, after consultation with Taiwan, may designate (hereafter in this Act referred to as the "designated entity"); and

(2) dealings of Taiwan with the United States Government shall be conducted by or through such instrumentality established by Taiwan as the President and Taiwan agree is the instrumentality which is appropriate for such dealings and which has the necessary authority under the laws of Taiwan to provide assurances and take other actions on behalf of Taiwan with respect to the United States Government.

(b) (1) The laws of the United States which apply with respect to agencies of the United States Government shall, to the extent the President may specify, apply with respect to the designated entity as if the designated entity were an agency of the United States Government.

(2) Any agency of the United States Government may sell, loan, or lease property (including interests therein) to, and perform administrative and technical support functions and services for the operations of, the designated entity upon such terms and conditions as the President may direct. Reimbursements to agencies under this paragraph shall be credited to the current applicable appropriation of the agency concerned.

(3) Any agency of the United States Government may acquire and accept services from the designated entity upon such terms and conditions as the President may direct, without regard to the laws and regulations normally applicable to the acquisition of services by such agency.

(c) Upon the granting by Taiwan of comparable privileges and immunities with respect to the designated entity and its personnel, the President is authorized to extend with respect to the Taiwan instrumentality described in paragraph (2) of subsection (a), and its personnel, such privileges and immunities (subject to appropriate conditions and obligations) as may be necessary for the effective performance of their functions.

SEPARATION OF GOVERNMENT PERSONNEL FOR EMPLOYMENT WITH THE DESIGNATED ENTITY

SEC. 203. (a) (1) Under such terms and conditions as the President may direct, any agency of the United States Government may separate from Government service for a specified period any officer or employee of that agency who accepts employment with the designated entity.

(2) An officer or employee separated by an agency under paragraph (1) of this subsection for employment with the designated entity shall be entitled upon termination of such employment to reemployment or reinstatement with such agency (or a successor agency) in an appropriate position with the attendant rights, privileges, and benefits which the officer or employee would have had or acquired had he or she not been so separated, subject to such time period and other conditions as the President may prescribe.

(3) An officer or employee entitled to reemployment or reinstatement rights under paragraph (2) of this subsection shall, while

continuously employed by the designated entity with no break in continuity of service, continue to participate in any benefit program in which such officer or employee was participating prior to employment by the designated entity, including programs for compensation for job-related death, injury, or illness; programs for health and life insurance; programs for annual, sick, and other statutory leave; and programs for retirement under any system established by law or regulation, except that such employment shall be the basis for participation in such programs only to the extent that employee deductions and employer contributions, as required, in payment for such participation for the period of employment with the designated entity, are currently deposited in the program's or system's fund or depository. Death or retirement of any such officer or employee during approved service with the designated entity and prior to reemployment or reinstatement shall be considered a death in service or retirement from Government service for purposes of any employee or survivor benefits acquired by reason of service with an agency of the United States Government.

(4) Any employee of an agency of the United States Government who entered into service with the designated entity on approved leave of absence without pay prior to the enactment of this Act shall receive the benefits of this section for the period of such service.

(b) Any agency of the United States Government employing alien personnel in Taiwan may transfer such personnel, with accrued allowances, benefits, and rights, to the designated entity without a break in service for purposes of retirement and other benefits, including continued participation in any system established by law or regulation for the retirement of employees in which the alien was participating prior to the transfer to the designated entity, except that employment with the designated entity shall be creditable for retirement purposes only to the extent that employee deductions and employer contributions, as required, in payment for such participation for the period of employment with the designated entity, are currently deposited in the system's fund or depository.

(c) Employees of the designated entity shall not be employees of the United States and, in representing the designated entity, shall be exempt from section 207 of title 18, United States Code.

(d) The salaries and allowances paid to employees of the designated entity shall be treated in the same way for tax purposes under the Internal Revenue Code of 1954 as salaries and equivalent allowances paid by agencies of the United States Government.

SERVICES TO UNITED STATES CITIZENS IN TAIWAN

SEC. 204. (a) The designated entity may authorize any of its employees in Taiwan—

(1) to administer to or take from any person an oath, affirmation, affidavit, or deposition, and to perform any notarial act which any notary public is required or authorized by law to perform within the United States;

(2) to act as provisional conservator of the personal estates of deceased United States citizens; and

(3) to assist and protect the interests of United States persons by performing other acts authorized to be performed outside the United States for consular purposes by such laws of the United States as the President may specify.

(b) Acts performed by authorized employees of the designated entity under this section shall be valid, and of like force and effect within the United States, as if performed by any other person authorized to perform such acts.

DEFINITIONS

SEC. 205. For purposes of this Act—

(1) the term "laws of the United States"

includes any statutes, rule, regulation, ordinance, order, or judicial rule of decision of the United States or any political subdivision thereof; and

(2) the term "Taiwan" includes, as the context may require, the islands of Taiwan and the Pescadores, the inhabitants of those islands, corporations and other entities and associations created or organized under the laws applied on those islands, and the authorities exercising governmental control on those islands (including agencies and instrumentalities thereof).

IMPLEMENTING REGULATIONS

SEC. 206. The President may prescribe such regulations as he deems necessary to carry out this Act.

EFFECTIVE DATE

SEC. 207. This Act shall be effective as of January 1, 1979.

Mr. ZABLOCKI (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

Mr. BAUMAN. Reserving the right to object, Mr. Chairman, could the Chairman tell us how many amendments are at the desk?

The CHAIRMAN. The Chair will state that there are 11 amendments at the desk.

Mr. BAUMAN. There are 11 amendments at the desk, and the chairman of the committee has characterized at least 3 of those as major. Yet, he has said on several occasions that he expects to finish the bill tonight. I would hope that there would not be any attempts to restrict debate on a matter of this importance.

As a matter of fact, Mr. Chairman, we have done very little all week. This bill was scheduled for Thursday, at a time when it is most inopportune for most Members who plan to leave on Thursday. It easily could have been considered yesterday or on Tuesday or Monday.

However, if I could get some assurances about not cutting off debate, I certainly would not object to the reading.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. BAUMAN. Yes, I yield to the distinguished gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Chairman, the gentleman from Maryland (Mr. BAUMAN) knows that the gentleman from Wisconsin is interested in saving time. For that reason and that reason alone I asked that this title be considered as read and open to amendment at any point.

Certainly the gentleman knows that the pattern I follow and my policy, as demonstrated today, is not to cut time at all. Pressure was put upon the gentleman from Wisconsin by other Members because they want to go home tonight.

Mr. BAUMAN. Precisely. If it was only the gentleman from Wisconsin of whom I had to ask this question, I would not worry so much about it; but I do think this issue is too important for us to jam it through at the end of this week's consideration.

Again, if we have this many amendments, I would like some assurance that we will debate them fully without cutting off the time.

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There is no business scheduled for Monday, by the way.

Mr. ZABLOCKI. If the gentleman will yield further, I might say that we have been on this bill for 6 hours. We have not jammed any part of the bill down the throats of anybody. We have fully tried to explain it and have given ample opportunity for debate, ample opportunity for Members to debate amendments.

It is my understanding, Mr. Chairman—and I may be in error—that the two major controversial amendments are at the end of the bill.

Mr. BAUMAN. Will there be any attempt to cut off debate?

Mr. ZABLOCKI. I will be reasonable about it. I do not intend to cut off debate unreasonably.

Mr. BAUMAN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Clerk will continue the reading of title II.

(The Clerk continued the reading of title II.)

□ 1720

Mr. ZABLOCKI (during the reading). Mr. Chairman, on consultation with the gentleman from Maryland (Mr. BAUMAN), my good friend and an amicable Member of this body, I renew the unanimous-consent request that the title be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

Mr. BAUMAN. Reserving the right to object, the gentleman from Wisconsin (Mr. ZABLOCKI) has been good enough to suggest that there is a possibility we might conclude by 7 o'clock. There are two major amendments, one dealing with the Liaison Office and the other with government-to-government relations, and then there are several others, at least nine others at the desk. I am wondering whether or not we can reasonably expect to finish that many by 7 o'clock or whether it might not be better to conclude our business, rise, and come back to this on Monday.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. BAUMAN. Yes, of course I yield.

Mr. ZABLOCKI. I thank the gentleman from Maryland for yielding.

I firmly believe that without dilatory tactics and with some cooperation by the Members of the House, and, of course, with some reasonable limitation of debate to a half hour or 45 minutes, we can finish by 7 o'clock. But if we have unlimited debate, if the gentleman is going to insist that the gentleman from Wisconsin at some point cannot reasonably limit time, and it obviously appears there will undoubtedly be full debate on the amendment, then we will not finish by 7 o'clock. But it is my hope, and I am sure that it is feasible, that we can finish by 7 o'clock.

Mr. BAUMAN. I again express my concern that debate on an issue of this magnitude in a session in which we have done virtually nothing for 2 months would be literally pushed into an hour and a half, but I do not wish to discom-

mode the gentleman and, most of all, the House.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

□ 1725

The CHAIRMAN. Are there amendments to title II?

AMENDMENTS OFFERED BY MR. QUAYLE

Mr. QUAYLE. Mr. Chairman, I offer amendments, and ask unanimous consent that the amendments be considered as read, printed in the RECORD, and considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The amendments are as follows:

Amendments offered by Mr. QUAYLE: Page 5, strike out line 1 and all that follows through line 17 on page 6 and insert in lieu thereof the following:

MAINTENANCE OF RELATIONS THROUGH LIAISON OFFICES

SEC. 202. (a) Except as the President may otherwise provide with respect to those types of dealings which are not normally conducted through diplomatic or other official missions—

(1) dealings of the United States Government with Taiwan shall be conducted through a United States Liaison Office on Taiwan; and

(2) dealings of Taiwan with the United States Government shall be conducted through a Taiwan Liaison Office in the United States.

(b) Upon the granting by Taiwan of comparable privileges and immunities to the United States Liaison Office on Taiwan and its personnel, the President is authorized to extend to the Taiwan Liaison Office in the United States, and its personnel, privileges and immunities (subject to corresponding conditions and obligations) comparable to those extended by the United States to accredited diplomatic missions of foreign countries, and the members of such missions.

Page 6, strike out line 18 and all that follows through line 4 on page 10 and redesignate sections 205, 206, and 207 as sections 203, 204, and 205, respectively.

Mr. QUAYLE. Mr. Chairman, this amendment establishes a liaison office on Taiwan. It simply reverses the situation which we have had for the past 7 years where we have had full diplomatic relations with Taiwan and a liaison office on the PRC. I do not think that the issue before us, are we going to have full diplomatic relations with the PRC? Obviously we are. The issue before us is what kind of relationship are we going to have with Taiwan.

There are a number of Members of Congress who would like to see full diplomatic relations for both Taiwan and the PRC. This amendment does not call for full diplomatic relations, it only calls for the establishment of the liaison office.

Why would we want to put at least a liaison office in Taiwan? First of all there is an ongoing government in that country. It is a government we have recognized for 30 years. There are 17 million people in that country. Taiwan has been one of our top ten trading

partners and as I have said, Mr. Chairman, we have had full diplomatic relations with Taiwan. Now, we are trying to reverse the situation.

I know there will be argument saying that this is going to wreck the deal, this is going to perhaps hurt Taiwan. In the spirit of bipartisanship and in the spirit of cooperation among the branches of Government, we have always worked in concert in dealing with not only recognition of other countries but in our foreign policy endeavors.

The Shanghai Communique in 1972 established a liaison office on the PRC. Now we have decided to change our course in foreign policy. I think it should at least establish this liaison office on Taiwan.

Concerning the negotiating practice that took place between our Government and the PRC, we have been told there was never a request to not use force. We have been told there was some discussion of the liaison office but I would imagine if the President would tell the Vice Premier, or the proper person in the PRC that it is the will of Congress to have at least a liaison office, that it just may be a reality rather than just a lot of talk.

Mr. Chairman, in conclusion I would urge the adoption of this amendment. It is not full diplomatic relations, it does establish a liaison office and simply reverses the situation.

Mr. SKELTON. Mr. Chairman, will the gentleman yield?

Mr. QUAYLE. I yield to the gentleman from Missouri.

Mr. SKELTON. Is the gentleman aware of the fact Taiwan has already established its corporate agency for work with our like corporate agency? Is not the gentleman aware of that?

Mr. QUAYLE. Yes, sir, I will tell my friend from Missouri, I am aware of that. As a matter of fact, I asked Mr. Christopher in one of our committee hearings concerning the establishment of this institute. I asked him, "What if Taiwan does not establish this institute by February 28 or the March 1 deadline?"

I said, "Would it be possible for those people to be deported from that country if they did not follow instructions from our Government?"

His answer was in the affirmative.

I do not think it was a question of whether it was established but under what kind of circumstances it was established.

□ 1730

I would hasten to say it was established probably under a cloak of intimidation, if not threat, from our Government that this would have to take place.

Mr. SKELTON. Mr. Chairman, this amendment in and of itself is in all likelihood unconstitutional because there are two rights established by the Constitution that belong solely to the President of the United States. The first one is the right of pardon; the second is the right to recognize or to receive ambassadors. This comes under that category. We are invading the President's right to receive ambassadors and establish any type of diplomatic relations.

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I sympathize with the gentleman's position and understand it, but I think in all sincerity the amendment is unconstitutional, because we are invading the sole right of the President of the United States.

The CHAIRMAN. The time of the gentleman from Indiana (Mr. QUAYLE) has expired.

(By unanimous consent, Mr. QUAYLE was allowed to proceed for 1 additional minute.)

Mr. QUAYLE. Mr. Chairman, I would just say that I am not a constitutional lawyer, but I would say that we have always worked in cooperation with the executive in these particular areas. The Senate passed a resolution by a vote of 94 to 0 that there should be some sort of consultation concerning what to do with Taiwan.

There has been a discussion of a liaison office, and I think if the Congress works its will and a provision for a liaison office is put on the President's desk, it could become a reality.

Mr. SKELTON. Mr. Chairman, if the gentleman will yield further, regardless of the discussions, we cannot change the Constitution of the United States. It says what it says. We have to live by it here in Congress, as well as elsewhere.

Mr. Chairman, I thank the gentleman for yielding.

Mr. QUAYLE. Mr. Chairman, I would just say that throughout the course of debate in the committee the constitutional aspect was never raised.

Mr. ZABLOCKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this identical amendment was introduced and considered in committee during the markup, and it was defeated by a vote of 12 to 5.

Now, I fully realize that a committee action is not necessarily an action to be followed by the full House. But the committee has studied this issue very carefully, and I must say this, Mr. Chairman, as to the amendment offered by the gentleman from Indiana (Mr. QUAYLE), with whom I would have some sympathy on his proposal:

Indeed, Mr. Chairman, if I were called for counsel by the executive branch prior to the negotiation agreement, I would have expressed my preference that we have a relationship with the Republic of China on the basis of a liaison office, while having full diplomatic relations with the PRC. We would then follow, as we did for 7 years with the PRC, and have relations with the ROC with a liaison office. But I was not consulted, and the situation has been negotiated.

Today we have just two choices: either we have the opportunity to take the steps and approve a bill which would continue our U.S. relations with Taiwan and with the people on Taiwan, as they had been prior to January 1, 1979, but on a non-governmental basis; or we would not pass this legislation and not give the President the authority to continue these activities with Taiwan. If we did accept the gentleman's amendment, we must remember that the committee, as the gentleman well knows, was told by the executive branch that the President

would veto this bill, and by this type of action, by adopting the gentleman's amendment, we would not be helping Taiwan.

I am sure, as the gentleman admitted earlier in the colloquy, that this is water over the dam. Not only have we an agreement and a commitment but this amendment would cause some problems in keeping the commitment we made with the PRC, and it would also cause difficulties with our ally, Taiwan, since they have already agreed and created an entity similar to ours called the Coordination Council for North American Affairs.

Now, this Taiwan agency is already prepared to deal with its U.S. counterpart. The proposed amendment would destroy this arrangement.

Certainly, upon further thoughtful reading of the gentleman's amendment, we can come to but only one conclusion: Even though we may not agree with what the executive branch and the President have done in normalizing, or the terms under which that normalization was agreed to, everybody or, I would say, most everybody, in this country applauded the normalization of diplomatic relations.

□ 1725

The only quarrel that we have, some concern that Members of the Congress have, is that it should not be done at the expense and should not have been done at the expense of Taiwan and the people of Taiwan. In order that it will not be done at the expense of the people of Taiwan, is why we have this legislation. This change from an entity to a liaison office is both provocative and unnecessary. The legislation as now constituted would allow us to operate through the American institute in Taiwan in an entirely acceptable manner. Taiwan has agreed to set up its counterpart organization to handle its business here. Let us not disrupt the proceedings and the arrangements as they are now and which appear to be workable.

Mr. Chairman, I hope the amendment will be defeated.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. ZABLOCKI) has expired.

(On request of Mr. BUCHANAN and by unanimous consent, Mr. ZABLOCKI was allowed to proceed for 5 additional minutes.)

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Alabama.

Mr. BUCHANAN. I thank the gentleman for yielding.

Mr. Chairman, I would like to say that the distinguished chairman of the Committee on Foreign Affairs has spoken, as usual, wisely and well. I think the Members of this committee and of this House ought to understand that there are no better friends to the Republic of China or to the people on Taiwan than the distinguished chairman of this committee and its ranking minority member, the gentleman from Michigan (Mr. BROOMFIELD). I know from long personal experience of the friendship of this com-

mittee and of its leadership to the people on Taiwan.

This is not something that all of us have received with celebration, the change in China policy. The arrangement that was made was not to our complete liking or that which a number of us would have done. Yet we are taking this action to try to protect the people on Taiwan, to offer our friends the protections they need to provide the continuation of the relationship that is in the interest of the United States and of Taiwan. I do not believe we can take any other action and still protect that interest.

Mr. Chairman, if the gentleman would be kind enough to yield further, I want to go on record personally as expressing my appreciation for the gentleman's leadership through the years in support of the people of Taiwan and for the leadership of my ranking minority member, and to say that I fully share that position of support and would not think of supporting this bill if it were other than what it is.

Mr. ZABLOCKI. I thank the gentleman for his contribution and particularly his kind remarks about my efforts.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, I would also like to add appreciation to the chairman of our committee for his leadership. I consider this one of the most controversial amendments that will be offered on this bill. I happen to believe that, had the gentleman from Wisconsin (Mr. ZABLOCKI) and myself at least been asked for our advice prior to normalization, both of us would have insisted on a liaison office for Taiwan. This was not done. I can assure all the Members that their committee has worked very, very hard, in the absence of this liaison office, to do everything we possibly could to protect the interests of the people of Taiwan, and I think that the bill, as it has been presented here with the amendments, is an excellent piece of legislation.

Again, I think that had the administration afforded some of the Members who are in support of foreign affairs an opportunity to express themselves in consultation before normalization, possibly some of these issues could have been resolved. Since I was not afforded the opportunity to insist upon a liaison office for Taiwan, due to the absence of consultation by the administration, I believe that given the circumstances at this time, in view of the fact that Taiwan has set up a council of North America to handle its affairs, it is important that we keep the committee language in the bill pertaining to the maintenance of a relationship between Taiwan and the United States.

□ 1740

I strongly urge that the Members oppose this amendment so that this bill can be passed.

Mr. ZABLOCKI. I thank my friend

and colleague from Michigan (Mr. BROOMFIELD) for his contribution. I want to take, Mr. Chairman, just a moment to express my deep appreciation again for his counsel and advice as we were working on the legislation. There were no less than eight versions before it became a bill ready for introduction. I ask for a "no" vote.

Mr. BAUMAN. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

Mr. Chairman, it turns my stomach to stand here and listen to the characterization of people, who are offering amendments on this floor to help the people of Taiwan, as the enemies of Taiwan. The kind of rubbish that the administration sent down here cries out for a decent amendment as proposed by the gentleman from Indiana (Mr. QUAYLE), establishing a liaison office. A liaison office was good enough for the Red butchers in Peking for 6 years, but you say it is not good enough for our allies of 50 years' standing.

Who are you kidding? Who are the enemies of Taiwan and who are its friends? With this amendment we are trying to maintain a government-to-government relationship with a strong and longtime ally. Has this House become a rerun of Alice in Wonderland? Have you turned the whole world upside down? Do we not know what we are doing today? Will we stand here and allow the President to dictate this fundamental betrayal of an ally? Are we going to follow him down the same road?

Those are the issues the gentleman from Indiana is raising. Now, this bill—this bill is a monstrosity; only slightly less monstrous than the administration bill.

This bill proposes a shameful policy for this Nation. We are told this American-Taiwan corporation will be a private entity but that it is not really a private entity; it will be run by Federal Government employees, but they are not really Government employees; it is not financed by the taxpayers; but it is financed by the taxpayers.

Not in our entire history is there anything like this; the United States sneaking around in international back alleys. At least the gentleman would substitute an official liaison office. This is absolute madness, this whole debate. I have to say to the ranking minority member and to the chairman that I am sorry that these two friends of Taiwan who over the years have, indeed, fought for a free China, who wanted to extend freedom to the mainland and not accept communism, have been placed in an unenviable position of having to support this legislation. They do not relish this dirty assignment and they have said it many times on the floor. But let us not throw out a good and decent amendment that will restore at least partially the tarnished honor of this country.

I hope Members will vote for this amendment. I cannot see how they can go home having voted that 18 million people be consigned to live under communism. There was a time when America opposed communism. Now, you embrace it, you accept it. That is what the issue is. We

ought to adopt the amendment regardless of what Red China wants.

(Ms. HOLTZMAN asked and was given permission to revise and extend her remarks.)

Ms. HOLTZMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am very much in favor of recognition of the People's Republic of China: I think we should have established diplomatic relations a long time ago.

But I am troubled by title II of this bill, and I am troubled not so much, because of the effect it has on the People's Republic of China or the effect it has on the Government of Taiwan, but because of the effect it has on the United States as a sovereign nation with sovereign dignity.

I am very concerned that for the first time we are going to be conducting governmental activities through subterfuge, and I am concerned that a sovereign power and a great nation like the United States cannot conduct its governmental activities in its own name.

I find it disturbing and regrettable. I am also concerned about the constitutional precedent for this, and whether the committee has examined the constitutional basis. Perhaps the chairman, in terms of resolving my doubts on this issue, can tell me whether or not the committee has studied whether or not in fact it is constitutionally permissible to conduct governmental activities of this kind through a private agency.

□ 1745

Mr. ZABLOCKI. Mr. Chairman, will the gentlewoman yield?

Ms. HOLTZMAN. I am more than happy to yield to the gentleman from Wisconsin, the distinguished chairman.

Mr. ZABLOCKI. Mr. Chairman, may I say to the gentlewoman that the committee has studied this matter and did seek counsel. Indeed, it has obtained counsel or advice from some of the most prestigious legal firms here in Washington and elsewhere, not specifically on the issue of constitutionality, but on the creation of this entity which would continue relations, exchanges, and activities between the United States and Taiwan.

However, since I am not a lawyer and certainly not a constitutional lawyer, if there are any such shortcomings in the bill, our legal advice has been in error; and then that, of course, only the courts could correct.

In answer to the gentlewoman from New York as to whether there is any precedent, the one which comes to mind most readily, although it is not identical to the creation of a nongovernmental entity, would be Comsat which could be compared in concept to what we are doing here.

Ms. HOLTZMAN. I thank the chairman for his comments.

As long as I have the time, I wonder whether I could ask the chairman a question about title I regarding the definition of the term "defense services."

Does that mean that the Government of the United States could in any way provide troops or military forces to aid Taiwan, or is this in any way an author-

ization for the use of force to assist Taiwan.

Mr. ZABLOCKI. If the gentlewoman will yield further, I will say no, the term "defense services or defense articles" does not authorize the use of force to aid Taiwan.

The definition, as intended in the law, would be the same as the definition of "defense articles and defense services" as contained in section 47 of the Arms Export Control Act. That definition is as follows:

... "defense article", except as provided in paragraph (7) of this section, includes—

(A) any weapon, weapons system, munition, aircraft, vessel, boat, or other implement of war,

(B) any property, installation, commodity, material, equipment, supply, or goods used for the purposes of making military sales,

(C) any machinery, facility, tool, material, supply, or other item necessary for the manufacture, production, processing, repair, servicing, storage, construction, transportation, operation, or use of any article listed in this paragraph, and

(D) any component or part of any article listed in this paragraph,

but does not include merchant vessels (as defined by the Atomic Energy Act of 1954) source material, byproduct material, special nuclear material, production facilities, utilization facilities, or atomic weapons or articles involving Restricted Data;

(4)⁸⁰ "defense service", except as provided in paragraph (7) of this section, includes any service, test, inspection, repair, training, publication, technical or other assistance, or defense information (as defined in section 644(e) of the Foreign Assistance Act of 1961⁸⁰), used for the purposes of making military sales;

(5)⁸⁰ "training" includes formal or informal instruction of foreign students in the United States or overseas by officers or employees of the United States, contract technicians, or contractors (including instruction at civilian institutions), or by correspondence courses, technical, educational, or information publications and media of all kinds, training aid, orientation, training exercise, and military advice to foreign military units and forces;

Nowhere is there any intention to authorize the use of force in the definition as set forth in our bill.

The CHAIRMAN. The time of the gentlewoman from New York (Ms. HOLTZMAN) has expired.

(By unanimous consent, Ms. HOLTZMAN was allowed to proceed for 2 additional minutes.)

□ 1750

Ms. HOLTZMAN. I thank the Chairman. I would like to say I appreciate the reassurances, but I still have a reservation about the fact that title II represents a humiliation of the United States and demeans the dignity with which we conduct our governmental activities abroad. I am also concerned about the timing of this legislation, because at this very moment Chinese troops have invaded another country. We should not in any way be condoning that act of aggression.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. LAGOMARSINO. Mr. Chairman, I move to strike the last word.

(Mr. LAGOMARSINO asked and was given permission to revise and extend his remarks.)

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Mr. LAGOMARSINO. Mr. Chairman, I rise in strong support of the Quayle amendment. I have the highest respect for the chairman of the committee, the chairman of the subcommittee, as I pointed out earlier, and, obviously, the ranking Republican member on the committee. But I must say that maybe if I were in their place, I would feel differently about this, but I am not. If they are not outraged about what happened to them—to all of us, but particularly to them—in the leadership positions they hold, I am outraged for them.

The law that was passed by this Congress last year, the International Security Assistance Act, very clearly points out what the President was supposed to do. Let me read to the Members section 26.

The Congress finds that—

(1) the continued security and stability of East Asia is a matter of major strategic interests to the United States;

(2) the United States and the Republic of China have for a period of twenty-four years been linked together by the Mutual Defense Treaty of 1954;

(3) the Republic of China has during that twenty-four-year period faithfully and continually carried out its duties and obligations under that treaty; and

(4) it is the responsibility of the Senate to give its advice and consent to treaties entered into by the United States.

(b) It is the sense of the Congress that there should be prior consultation between the Congress and the executive branch on any proposed policy changes affecting the continuation in force of the Mutual Defense Treaty of 1954.

In my opinion—and there really was not a very good defense of this bill by administration witnesses—there was no such consultation. I think one member of our committee said he had been consulted satisfactorily in his opinion. The chairman said he was not. As a matter of fact, he made the comment that the last consultation or talk about the situation was when he was told that the whole situation was on the back burner—his exact words: "On the back burner."

The gentleman from Michigan (Mr. BROOMFIELD) said the same thing. I know that I was never consulted as a member of the committee.

The question is, What are we going to do about it? We can roll over. We can say, "Oh, gee, that is too bad. If we had been consulted, we would have said so and so."

We have a duty to perform. We have our role and function as an equal branch of this Government. I think one thing we can do is to provide what we would have done had we been consulted. I think there is little doubt that had we been consulted, we would have at least recommended a liaison office. All we are doing is turning around what the situation was before December 15 when we recognized the ROC and had a liaison officer in Peking.

Let me point out one other thing. Right now we have an intersection, a formal, official Government body, Government personnel on the Government payroll—there is no question about it—in Cuba—in Cuba. Just a week ago the President reiterated his opposition to renewing normal diplomatic relations with

Cuba while they had troops running all over Africa. Here we are treating our friends, our longtime friends on Taiwan, in a different sort of a way.

It has been pointed out that Taiwan has set up an institute. That is true. They have set up an institute, and my understanding is they did it, because they were told if they did not do that, if they did not go along with this bill, they would get nothing.

Mr. Chairman, are we going to be put in a position of being blackmailed, or are we going to do what we think is right? We might not think it is right to have a liaison office, fine. Vote that way, then. But certainly if we think it is the right thing to do, we should vote that way and let the administration know.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the gentleman from New York.

Mr. WOLFF. I thank the gentleman for yielding.

I would just like to add to a couple of points the gentleman has made. I was opposed to what the administration did in the timely fashion it did. However, we are faced with circumstances that are virtually unalterable.

I might say on the question of the intercession we have in Cuba, that is with a Swiss embassy, and it is not a separate entity. That is point No. 1. Second, on the question of the Mutual Defense Treaty, and the ability of the President to terminate that treaty and the statement that the gentleman from California made, this is a statement from the Georgetown Law Center:

□ 1755

Recognition of the People's Republic of China, as that of any other nation, is an exclusive function of the Presidency beyond the reach of the Congress.

Mr. KELLY. I move to strike the requisite number of words and I rise in support of the amendment.

Mr. Chairman, I find this is another one of those junctures where it is important to try to get some perspective on what is going on here.

There can be no doubt, Mr. Chairman, that the interests of the United States are really what is being debated here. It is oftentimes sidetracked with some reference to the fact that what we need to do is, we need to do what is in the best interest of Taiwan and we must keep our word to Taiwan.

It has been mentioned here several times that there is some question about what the United States would do in the event there was an attack on Taiwan. The groundwork is being laid here right now by what we are doing to be certain that the United States will do nothing.

As the situation exists right now the Government of the United States by its joint communique has acknowledged the Chinese position that there is but one China and that Taiwan is part of that China.

Mr. Chairman, I can hear the argument right now that really we should not do anything about the military attack on Taiwan by the Communist Chinese, we should not in any way do anything about an economic blockade

to try to starve and strangle to death the free Chinese on Taiwan, because it is an internal matter, it is a matter purely to be controlled by the Chinese Government in Peking. That will come later.

Clearly we have a situation in the Western Pacific where our defenses are involved. What is at stake here is not the security of Taiwan for the sake of the people on Taiwan, it is not to try and maintain our commitment and our credibility in the world, but we are a Pacific nation. Our 50th State is 3,000 miles into the Pacific. The Aleutian Islands, a part of Alaska, extend into the Pacific for hundreds of miles. Much of our seacoast is in the Pacific.

Mr. Chairman, if we do not at this time establish that the U.S. Government has a right to deal with Taiwan as a free nation, if we do not do that right now, the time will have passed when we can ever do it. If we do not do that then clearly the argument is going to be that any altercation between mainland China and Taiwan is an internal matter.

The security of the United States depends upon a string of defenses that includes North Korea, Japan, Okinawa, Taiwan, and the Philippines. No invasion force can move into the Pacific area if it must go by that string of defenses.

□ 1800

If we lose Taiwan, the defensive line is compromised. So what we are dealing with is the defense interest of the United States of America. We are not primarily concerned with what is in the best interests of Taiwan; we are right now trying to maintain that we have a right to have an interest and a flexibility in our foreign policy to do what is in our best interest with regard to the Taiwan question.

Mr. Chairman, by doing what the President has done, all we are going to do is give over the options to the Communists, and that is not in the interest of the people.

Mr. LIVINGSTON. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendments.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Indiana to establish an official U.S. liaison office on Taiwan.

Mr. Chairman, the decision last December by the administration to suddenly recognize mainland China came without the consultation of Congress and its accompanying action, and, in my opinion, was just a simple case of the United States giving our faithful ally, Taiwan, a good "kick in the pants."

Mr. Chairman, I realize the present and future importance of the People's Republic of China in international affairs. There is no doubt that open relations with China will result in increased economic activity in the United States which will ultimately be beneficial in reducing our present trade deficit. However, the fact of the matter remains that in reaching an agreement with China

our administration simply did some bad "horse trading."

With the Soviet Union at China's front door, Russian support of Vietnam's military conquests at China's back door, and the great desire by China for American technology, the administration concluded an agreement with the People's Republic which did not guarantee Taiwan security, and, most importantly, disrupted the confidence other countries had in the American alliance system. It seems that the forsaking of bonds with our loyal allies is typical of the confusion which has beset this administration's foreign policy since it entered office in 1977.

The establishment of a liaison office on Taiwan is the least the United States can do to clearly demonstrate to Taiwan and the rest of the free world, America's commitment to a philosophy of government that insures economic and political freedom for all.

Mr. Chairman, we have heard many arguments that this bill is in effect a fait accompli, that we should take it or leave it. I understand the problems and the pressures upon the distinguished chairman of this committee and upon the ranking minority member, but it seems to me that this committee is called upon to offer constructive amendments to correct what would otherwise be a very—and it will be—regretful moment and episode in American history.

For these reasons, Mr. Chairman, I believe it is imperative that the House approve the amendment offered by the gentleman from Indiana (Mr. QUAYLE), and I urge the committee to give it its support.

Mr. MATTOX. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendments.

(Mr. MATTOX asked and was given permission to revise and extend his remarks.)

Mr. MATTOX. Mr. Chairman, let me say to the Members that I very seldom take the well to speak, but as a Democrat I rise in support of this amendment.

I would like to associate myself with the words of the gentlewoman from New York when she was speaking about the disgrace over the way the United States is about to conduct its relationships.

I have heard Members stand up today and beat their chests and tell about their friendship for Taiwan, but let me say that my mother used to tell me, "You have to test a man's friendship."

When all the cards are against you, and you know when it is really hard to fight back. Today Members have been saying, "All of us are friends, but what they are really saying is "we don't want to fight back right now."

Let me tell you this: "You are not much of friends if you don't fight back when the going gets tough". That is the test. It is a real test.

I was listening to one of the speakers awhile ago talk in terms of how we want to maintain our dignity with the people of Taiwan.

□ 1805

Well, that is a bunch of nonsense. The people of Taiwan have great respect for this body. They are angry with the Presi-

dent. They have great respect for the American people.

The reason that Taiwan consented to this so-called corporation is because they have been told that the Congress will not stand up beside them. That is the reason Taiwan was coerced into accepting it. What the administration told them appears to be right. It appears to be right because we will not stand. But if we do stand, I can assure the Members that it is a long way before this battle is over. We can get the administration to change. I guarantee that we will do a lot more good if we do it. I have listened to some of the really strong supporters of the state of Israel stand up here. And what they are doing is abandoning one of our allies, a small island of 17 million people, and they are saying the administration has to do this. What happens if the administration turns its back on Israel tomorrow and you have 3 million people who are allies and they are sitting out there on an island surrounded by hostile nations? Are you going to say, "But this administration has done it, we are not going to fight back?" You will stand here and scream and holler and fight back. I can call you by name, but that would not be proper. You know as well as I do that you should stand, and the time is now for Republic of China.

I remember the first time I went to the Chinese Embassy in 1967. I was an intern for a Congressman of this House. At that time I went in and I thought that it was the most foolish thing in the world to think that that Embassy was for Mainland China. I was then and am now in favor of two-China policy. But to go through this charade and think that the people of Taiwan and the people of the United States are for this change in policy is wrong. You ask the people in the neighborhoods. They will tell you they do not want you to forsake our allies. I would stand and ask for full diplomatic relations. But that is not possible. In the meantime, the thing we can do is to establish a government-to-government relationship with our seventh largest trading partner. They had a \$2.3 billion favorable balance-of-payments last year. Are you not going to recognize them? That is foolishness. It really is. We need to recognize both of these countries and, in the meantime, we ought to have the kinds of relationships established by this amendment. You should be real friends. You know, the old saying, "when the going gets tough, the tough get going." I will tell you, I do not want any friends if they do not stand with me when I need the help. I ask you to stay with the Republic of China.

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman yield?

Mr. MADDOX. I yield to the gentleman from California.

Mr. LAGOMARSINO. Mr. Chairman, I want to congratulate the gentleman on his statement. I think that is one of the most clear and precise statements, putting this right where it ought to be, right in our lap, and if we will not stand up to the challenge we do not deserve to be here.

Mr. Chairman, I commend the gentleman.

Mr. MADDOX. I thank the gentleman for his remarks.

Mrs. HECKLER. Mr. Chairman, I move to strike the requisite number of words.

(Mrs. HECKLER asked and was given permission to revise and extend her remarks.)

Mrs. HECKLER. Mr. Chairman, on September 13, 1976, candidate James Earl Carter was asked by U.S. News & World Report, "Would you envisage moving quickly to normalize relations with Peking—perhaps involving recognition?" To which he replied, "No, I don't envision that." And on December 15, 1978, President Carter announced that as of January 1, 1979, 15 days later, the U.S. and PRC would formally recognize one another. This precipitous action was taken without meaningful prior consultation with Congress and without the open diplomacy to which candidate Carter committed himself. While I agree with the essence of normalization, in the process of finalizing the status of representation for Taiwan should have been discussed and advocated by the President through the forum of open diplomacy which candidate Carter advocated. That was the appropriate time to raise the issue of the liaison office in Taiwan. Therein lies the crux of the problem.

Rather in the aftermath of the finalized agreement we in Congress should realize that upgrading the status of our diplomatic relations with Taiwan, as proposed in this amendment would be a retreat from the irrefutable reality of mainland China and the People's Republic of China. Moreover, such a step would in no real way reassure the Taiwanese as to their future. Whatever that future may hold, we best guarantee its benevolence for the Taiwanese by steady and thoughtful suasion with the Chinese Government, not by a theatrical and provocative switch-play in one of the most sensitive diplomatic exercises in our recent experience.

Unless clearly understood at the time of recognition of the Chinese People's Republic, upgrading of our presence in Taiwan now to mission status would in my judgment have four undesirable effects. First, it would be a gratuitous provocation to our historically important new contacts on the mainland, whether they are perceived as acquaintances or as friends; second, it would be of no real practical benefit to the Taiwanese since alternative methods currently exist for the preservation and further development of mutually beneficial economic relationships; third, it might be directly damaging to the Taiwanese themselves, since prospects for carefully developed and adequately reinforced guarantees for their future could be compromised, and fourth, it could be dangerous for the United States itself, for falling in the wake of the Iranian debacle, this kind of broken-field running might well jeopardize further already damaged U.S. prestige and influence throughout the world. For all these reasons, Mr. Speaker, I urge the defeat of what is in essence an attempt to second guess the delicate and tentative diplomatic understandings thus far reached.

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It seems to me that we are in a significant stage in world history. It will now be possible to provide support for a long-time ally, the Taiwanese, in the face of a changed world situation, and simultaneously to proceed with fostering a new friendship with the People's Republic of China. The two friendships need not be mutually exclusive.

However gropingly, Mr. Speaker, our country has taken an important step into the future.

Let us not undermine it by passing this amendment.

□ 1810

Mr. SKELTON. Mr. Chairman, I move to strike the last word.

(Mr. SKELTON asked and was given permission to revise and extend his remarks.)

Mr. SKELTON. Mr. Chairman, if this were a matter of friendship, that would be one thing. If this would be a matter of expressing dignity, that would be another. However, those are not the issues before us today. The strength of our friendship and the strong feelings we have for those who live in Taiwan is not the issue before us. We have heard many moving and persuasive debates today, but I think the thing we should look at is the bill we have before us and the amendment we have before us, and the Constitution that we are sworn to uphold.

The Constitution gives the sole and exclusive right to receive Ambassadors to the President of the United States, not to the Congress. Were we, any one of us or all of us collectively, to be the President and to make that decision, it might have been a different one, but the President has chosen in his sole and exclusive right not to receive an Ambassador. The extension of that right, of course, is not to have a liaison office or an Embassy in Taiwan. Consequently, the ball game is not in that court.

□ 1815

The ball game is whether we accept the bill before us.

I say this, Mr. Chairman, that if we are truly friends of Taiwan, we should accept this bill because it is the only thing which the administration backs. It is the only thing which the administration will accept.

We are not in a position to choose whether there should be a liaison office or an Embassy. We are here to do the only thing we can under law.

If we are their friend, we defeat this amendment and pass this bill. If we are not their friend, we adopt this amendment because if we adopt this amendment, the whole bill goes down the drain. Then we have no relations with them. We have no way to give them defensive arms. We have no way to have cultural relations with them. We have no way to have any type of communications with them whatsoever.

Consequently, Mr. Chairman, our choice boils down to having to vote against this amendment.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. SKELTON. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, would the gentleman agree that it was really incumbent upon the President, if not legally binding, that he consult with Congress before this package of commitments and withdrawals was finalized with the mainland Chinese?

Mr. SKELTON. Of course, that does not say that he consult with every Member of Congress.

Mr. HYDE. Perhaps the chairman of this committee.

Mr. SKELTON. I understand he did consult with some Members of Congress. Who they were I cannot specifically say, but I do know that he did consult with some Members.

Mr. HYDE. If the gentleman will yield further, I would suggest that by passing this amendment we are providing him with advice and consent and the views of this body, which he neglected to seek in December because we were not in session, that we prefer a liaison office. That would leave him isolated then, suggesting that we have this quasi, semi, pseudo corporation represent America over there, but then the issue will be starkly drawn, and he will have the benefit of our advice and consent.

If he wishes to veto it, then we will have to consider it at that time.

Mr. SKELTON. The gentleman is saying that the bill says something other than what it does. The President does not ask us for our advice and consent.

Mr. HYDE. But he should.

Mr. SKELTON. The law says that he should consult Members of Congress, which he did.

Mr. HYDE. If the gentleman will yield further, he may accede to the wisdom of our collective judgment that we should at least give Taiwan what we gave the People's Republic of China under the Shanghai Communiqué.

Mr. SKELTON. Were I the President of the United States, my decisions might well be different, but I am not.

Mr. HYDE. I hope the gentleman will be some day.

Mr. SKELTON. It was the President's decision not to choose to have a liaison office there. We have nowhere to go except to defeat this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendments.

(Mr. SENSENBRENNER asked and was given permission to revise and extend his remarks.)

Mr. SENSENBRENNER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Indiana (Mr. QUAYLE).

Adoption of this amendment is essential if the United States is to maintain the same relationship with the government of the Republic of China on Taiwan as it did with the Peoples Republic of China before January 1.

Our country maintained a liaison office in Peking for several years before President Carter decided to normalize relations with the Peoples Republic of China. With the upgrading of the office in Peking to embassy status, the American people expect that our Government will

treat the Taiwanese Government no differently under our new relationship that it treated the Peking Government under our former relationship.

Administrations of both political parties saw nothing wrong in establishing and maintaining a U.S. governmental presence in Peking through the liaison office. All the arguments in support of that office—that it was necessary to improve political, cultural and trade relations—apply with respect to opening a liaison office in Taipei.

Mr. Chairman, fair is fair. What was fair to Peking before normalization of relations with the Peoples Republic of China should also be fair to Taiwan under the present circumstances. Adoption of this amendment can prove this country's good faith to the people of Taiwan in a meaningful way.

□ 1820

Mr. HANSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is a critical amendment, but it is tough for many of us to get up in the well of the House and discuss this matter because it puts us in awkward contradiction with some of our very esteemed and respected colleagues.

I might mention I have the deepest regard for the chairman of the Foreign Relations Committee. I think he has done an admirable job under the pressures that are on him from all sides. And I have the deepest respect for those other ranking members of the committee on both sides who are also operating under great pressure.

But, more important, I have a great deal of concern about the inadequacy of this legislation.

This legislation without the amendment, Mr. Chairman, is similar in analogy to attempting to rescue a drowning man with a rowboat that is tied to the dock. We are operating under impossible restraint and that is just about as successful as we are going to be in doing anything for the people on Taiwan with this kind of legislation. I think that their enemies know this, and they are encouraging this weak-kneed approach. We need to do something to repair this situation, and this is the time to do it.

I am convinced that a terrible tragedy is about to occur unless we act now and act decisively. The case is at hand; it is not for us to decide next year or the year after. Are we going to prevent 17 million free people, who have fled and fought communism, from being forced back into its very jaws?

Let me tell the Members, Mr. Chairman, when I was in Taiwan recently I interviewed some refugees from the mainland. If the Members of this Body do not think this is serious business, let me recite a couple of interviews.

There was one young fellow, 22 years old, who, in trying to get away from communism and the so-called blessings that some seem to extoll on the mainland, swam the Straits into Hong Kong. It is a hard 4-hour swim which only one out of ten survives. Escaping is no easy thing personally or for your family. His brother was beheaded and his mother was starved to death. That was the penalty

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for escaping that great haven of human rights, the Red Republic of China.

Another person related how the famous sayings of Mao were used in awesome exercises in intimidation. He told of a friend who was arrested who contested the right of the government to arrest him because he had done nothing to be arrested for. He was informed that according to Mao the Power State is absolute; "are you challenging the authority of the State?" He said, "But I have done nothing wrong." They then said, "According to Mao, no one is perfect, not even Mao; are you better than he?" They intimidate and intimidate until they break you.

Another man, who contended he was the only person among the refugees on Taiwan who had served time in a Red prison and survived, said, "Mr. Hansen, I am 63 years old. I was a schoolteacher on the mainland right across the Straits from Taiwan when the Red Chinese Government took over. They put me in a prison in Manchuria, because they apparently thought I was too much a part of the old establishment, even though I was not political. I spent 15 years there. They forced my wife to marry, another. They starved my mother to death. When I was released I went back to my village, and they then paraded me before the people to show me as an example of what not to be. I could have taken this. But then they told me that because I as imperfect, my son was also imperfect, and my grandchildren would be imperfect too. For my family there was no hope. I escaped and took my son and my grandson with me."

The point I am making is we are pushing these people, by making a governmental nonentity out of them, back into the jaws of the Red Chinese. We are giving a hunting license to the Red Chinese to do whatever they want to do to conquer or absorb these people, whether it is by economic oppression, military action, or whatever. I do not think there is any way we in the Congress of the United States can justify treating people this way, people who have been our traditional and faithful friends.

The Republic of China, Mr. Chairman, is not our enemy. These people have committed no acts of hostility against the United States. They are not guilty of being anything but our faithful friends and allies in a world where faithful friends and allies are hard to find.

The least we can do is give them reciprocal status, give them a liaison office even though the big recognition of an embassy goes to the Red Chinese. At least, this way they will have some government-to-government recognition, which will provide some real and tangible reason for their enemies to believe that we are not going to stand idly by and witness international cannibalism and gangsterism where Taiwan is concerned.

□ 1825

Mr. LUNGREN. Mr. Chairman, I move to strike the requisite number of words.

(Mr. LUNGREN asked and was given permission to revise and extend his remarks.)

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. LUNGREN. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Chairman, I wonder if we could have an indication of how many more speakers there are?

It is my intention to let everybody who wants to speak on this amendment do so. It would be helpful however, if we had some idea as to how many Members want to speak. Therefore, Mr. Chairman, could we have an indication of how many Members want to speak?

The CHAIRMAN. The gentleman from California (Mr. LUNGREN) is recognized.

Mr. LUNGREN. Mr. Chairman, in 16th century England, a liveryman named Thomas Hobson required customers to take the next available horse rather than permitting them to make a choice among horses in his stable. For this, Mr. Hobson went down in history as the originator of the "Hobson's Choice." When Mr. Hobson was alive, a Hobson's Choice meant the difference between taking the horse he chose * * * or walking. Today it means a choice between two unpalatable alternatives.

President Carter has presented Congress with a Hobson's Choice in the measure before us today. Three months ago, the President exercised his inherent authority in deciding to recognize the Peoples Republic of China. In the process, he also derecognized the Republic of China. Yet there was no substantive consultation with Congress before the President made this decision. The legislation before us today, the United States-Taiwan Relations Act, implements the decision that the President made and announced last December.

If Congress passes this legislation intact, we will be acceding to a tragic political sell-out. If, on the other hand, we refuse to be party to this decision, we leave the Republic of China and her 17 million souls almost completely isolated. This bill is the ultimate example of the "just hold your nose and vote" school of legislating.

I find it difficult to support this bill because it implements a policy with which I personally disagree. In the years since World War II—when American blood and wealth brought freedom and independence to unprecedented millions we have seen a steady erosion of American repute around the world. Former allies oppose us. Former adversaries become friends and then adversaries again, meanwhile shaking their collective heads in bewilderment. Nations which would not exist without our support regularly attack us at the United Nations and other forums.

In all these years, the one nation that has been our friend and supporter without fail is the same nation we are about to turn into a political nonentity. The nation that will benefit from all this has been our most persistent opponent, even to the point of entering into armed conflict with us during the early 1950's. It is a nation with a human rights record punctuated by sheer barbarism.

Mr. Chairman, I do not believe that every nonsocialist government is entirely good or that every socialist government is entirely bad. But, at the same

time, I do not believe that sending high officials over here to drink Coca-Cola, eat at bar-b-ques and wear Texas hats gives a nation absolution from a history of human rights abuse. I find it difficult to meld President Carter's statement that "human rights is the soul of our foreign policy" with the untimely actions he took in December and the measures he asks us to condone today.

President Carter defends his action in several ways. He correctly points out that the United States can no longer afford to ignore one-fourth of humanity. I agree; full diplomatic relations with the Peking Government is justified. But what is not justified is the not so thinly veiled abandonment of the Republic of China. Government-to-government relations with both the PRC and the Republic of China would strike an equitable and appropriate balance. It would tell the millions around the globe who depend upon us that we are not the sort of people who dump old friends.

The time of the gentleman from California (Mr. LUNGREN) has expired.

Mr. LUNGREN. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. ZABLOCKI. Mr. Chairman, I reserve the right to object. I shall not object; but I ask unanimous consent at this time that all debate on these amendments end at 6:35 p.m.

□ 1830

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, under that reservation I would like to ask the chairman of the committee, the very distinguished gentleman from Wisconsin (Mr. ZABLOCKI), who at least up until now has been a good friend of mine—maybe not after this—this question: I ask the gentleman why it is that we can "goof off" around here all week long, spend 2 hours on the floor yesterday, and then come in here and spend a long evening on this bill?

There are Members who have had to change travel plans and schedules they have made back in their districts, and now, once that is all accomplished, here comes the gentleman at 6:30 and he wants to cut off debate in 5 more minutes.

What is logical about that? What is fair about that? There are a lot of Members who wanted to catch airplanes at 6:15 but who could not do it and who have now decided they want to get into the debate.

Mr. O'NEILL. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. Yes, I yield to the distinguished Speaker.

Mr. O'NEILL. Mr. Chairman, we had agreed on both sides of the aisle with the leadership and with the chairman of the committee that we would rise after this amendment. We did not appreciate the fact that the debate on the amendment would just continue and continue and continue. As soon as this amendment is finished—and the Members know this—the committee will rise at that particular time, and then we will bring the legislation up next week.

March 8, 1979

CONGRESSIONAL RECORD—HOUSE

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. Yes, certainly I yield to the chairman of the committee.

Mr. ZABLOCKI. Mr. Chairman, I do not know to whom the gentleman was referring when he said we "goof off" here. Maybe the gentleman knows. But I have been working Monday through Friday every week and everyday since the 96th Congress convened. If the gentleman has "goofed off," I have not.

Mr. YOUNG of Florida. Mr. Chairman, may I ask the gentleman, how much time did the House spend in session yesterday?

Mr. ZABLOCKI. The gentleman knows the answer as well as I do.

Mr. YOUNG of Florida. Why, certainly. How much did the House spend in session the day before that?

Mr. O'NEILL. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. Yes, I yield to the Speaker of the House.

Mr. O'NEILL. Mr. Chairman, I feel that I have a responsibility to answer the question asked by the gentleman. I do not think the House is "goofing off" at all. The gentleman knows the way and the manner in which we have set up the scheduling.

The scheduling is so set up that the committees will be able to do their work and so that we will be able to have at some time, probably 2 or 3 weeks from now, full schedules everyday. But this has always been the case, and customarily we are just following the normal procedure in that we are trying to get as much legislative work done in the committees as we can, and when we are working in the committees, it is impossible to schedule the legislation on the floor.

I am sure the gentleman from Maryland agrees with that because I have heard him make that statement many times.

Mr. BAUMAN. Mr. Chairman, I agree with the Speaker. I always agree with the Speaker of the House.

Mr. O'NEILL. Not always, but perhaps in this respect he does.

Mr. Chairman, I hope that answers the question. I feel that I cannot let that statement go unchallenged, the remark that we are "goofing off," because we are not "goofing off." The sooner we vote on this amendment, the sooner the Members will be able to catch their planes.

The CHAIRMAN. Does the gentleman from Florida (Mr. Young) object to the request of the gentleman from Wisconsin (Mr. Zablocki) that all debate on these amendments end at 6:35?

Mr. YOUNG of Florida. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard. There is now pending a unanimous-consent request for 1 additional minute by the gentleman from California (Mr. Lungren).

Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. Lungren) is recognized for 1 additional minute.

Mr. LUNGREN. I thank the Chair.

Mr. Chairman, if President Carter's China policy reflects some mysterious "playing of the China card," as some commentators have characterized it, Mr. Carter would be better advised to take up dominoes. That game has more to do with his foreign policy than any form of poker.

In summary, this measure, if not amended, presents us with two unpalatable paths. I, for one, reject the two paths presented to us as a fait accompli by a shallow and disorganized administration. I will support this legislation only if it is improved to provide for a continued American governmental presence in Taiwan. To do less is to delude the international community, our allies and ourselves.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I really had not intended to get into this debate until we saw the direction it had started to take. I just want to get my 2 cents worth in, and there are some who think that is all it is worth—2 cents.

But I look around the world and I notice that it is changing. I think maybe we are responsible for a lot of the changes. One of the changes that we see right here in our own hemisphere, for example, is the Russian Mig-23's they are sending down to Cuba as well as the Russian troops and Russian pilots there, and we see Cuban troops all over Africa. And who knows where else the Cuban involvement is being felt in an attempt to subvert the free world to communism or to Soviet influence?

Mr. Chairman, I say to my distinguished colleagues in this House that if we do not agree to this amendment here tonight, Cuba will enjoy a higher level of recognition by the United States than the 18 million people on Taiwan who have been our friends for such a long time.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I am happy to yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, I will ask the gentleman, does he know how many Russian troops are on the Chinese border?

Mr. YOUNG of Florida. I do not know exactly. Can the gentleman tell me?

Mr. WOLFF. Yes, I can. There are about a million troops on the Chinese border right now, and let me say that we are not playing the "Chinese card" or anything like that, but if there is anything that is going to stop the Soviets from their moves around the world, it may be the Chinese in that particular area.

□ 1835

Mr. YOUNG of Florida. I would say to my friend, the gentleman from New York, that I am not talking about the Soviet troops. I am talking about the Cubans. And what I am saying is that the Cubans have been involved as proxies for the Russians in many parts of the world. What we are fixing to do, we are preparing to recognize Cuba at a higher level

than we will be recognizing our friends on Taiwan if we do not pass this amendment.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I thank the gentleman for yielding.

Mr. Chairman, I am sure the gentleman from Florida (Mr. Young) does not intend to mislead the members of the committee, our colleagues, as to the United States having diplomatic relations with Cuba. We do not have diplomatic relations with Cuba. We have an interest section in the Embassy of Switzerland in Havana and the Cubans have an interest section in the Czech Embassy here in Washington. So the gentleman is wrong when he says that.

Mr. YOUNG of Florida. Mr. Chairman, I want to reclaim my time, because I know the gentleman will not let me have an extension because I would not let him cut off debate.

I did not say that we have diplomatic relations with Cuba. I said our recognition of Cuba will be at a higher level than it will be with Taiwan if we do not pass this amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Indiana (Mr. Quayle).

The question was taken; and on a division (demanded by Mr. Quayle) there were—ayes 41, noes 66.

RECORDED VOTE

Mr. QUAYLE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered. The vote was taken by electronic device, and there were—ayes 172, noes 181, not voting 79, as follows:

[Roll No. 28]

AYES—172

Akaka	Duncan, Tenn.	Kildee
Anthony	Edwards, Okla.	Kindness
Applegate	Emery	Kramer
Archer	English	Lagomarsino
Badham	Erdahl	Leach, La.
Bafalis	Erlenborn	Leath, Tex.
Bailey	Evans, Del.	Lederer
Barnard	Fish	Lent
Bauman	Forsythe	Levitass
Beard, R.I.	Fountain	Lewis
Bereuter	Frenzel	Livingston
Bethune	Frost	Lloyd
Blaggi	Gilman	Loeffler
Bouquard	Gingrich	Long, La.
Brinkley	Glickman	Lott
Brown, Ohio	Goldwater	Lujan
Burgener	Gooding	Lungren
Butler	Gradison	McClory
Byron	Gramm	McDonald
Campbell	Grassley	McEwen
Carney	Grieham	Marlenee
Carter	Guyer	Mariott
Cheney	Hagedorn	Martin
Clausen	Hall, Tex.	Mathis
Cleveland	Hammer-	Mattox
Clinger	schmidt	Miller, Ohio
Coleman	Hance	Montgomery
Collins, Tex.	Hansen	Moore
Conte	Harshe	Moorhead,
Corcoran	Hightower	Calif.
Coughlin	Hinson	Mottl
Courter	Hollenbeck	Murphy, Pa.
Daniel, Dan	Holt	Myers, Ind.
Daniel, R. W.	Holtzman	Myers, Pa.
Dannemeyer	Hopkins	Nelson
Daschle	Howard	Nichols
Davis, Mich.	Hyde	Nowak
Deckard	Ichord	O'Brien
Derwinski	Jacobs	Panetta
Dickinson	Jeffries	Paul
Donnelly	Kazen	Pickie
Dornan	Kelly	Quayle
Dougherty	Kemp	Regula

Rinaldo
Ritter
Roberts
Robinson
Roe
Roth
Rudd
Runnels
Santini
Satterfield
Sawyer
Schulze
Sebellus
Sensenbrenner
Shelby

Shumway
Shuster
Smith, Nebr.
Snowe
Snyder
Solomon
Spence
Stangeland
Stanton
Stenholm
Stockman
Stump
Symms
Synar
Tauke

Taylor
Thomas
Trible
Vander Jagt
Walker
Wampler
Watkins
Whittaker
Whitten
Wilson, Bob
Wyatt
Wyder
Yatron
Young, Fla.
Zeferetti

□ 1855

The Clerk announced the following pairs:

On this vote:
Mr. White for, with Mr. McCormack against.
Mr. Breaux for, with Mr. Rahall against.
Mr. Abdnor for, with Mr. Fuqua against.
Mr. Ashbrook for, with Mr. LaFalce against.
Mr. Michel for, with Mr. Pepper against.
Mr. Quillen for, with Mr. Williams of Montana against.
Mr. Roussetot for, with Mr. de la Garza against.
Mr. Wylie for, with Mr. Weiss against.
Mr. Latta for, with Mr. Charles H. Wilson of California against.
Mr. Beard of Tennessee for, with Mr. Flood against.
Mr. Conable for, with Mr. Stokes against.
Mr. Daniel B. Crane for, with Mr. Diggs against.
Mr. Philip M. Crane for, with Mr. Dellums against.
Mr. Devine for, with Mr. Early against.
Mr. Horton for, with Mr. Corman against.
Mr. McDade for, with Mr. Traxler against.
Mr. Mitchell of New York for, with Mr. Roybal against.
Mr. Young of Alaska for, with Mr. Rostenkowski against.

So the amendments were rejected.
The result of the vote was announced as above recorded.
Mr. ZABLOCKI, Mr. Chairman, I move that the Committee do now rise.
The motion was agreed to.
Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. DANIELSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 2479, to help maintain peace, security, and stability in the Western Pacific and to promote continued extensive, close, and friendly relations between the people of the United States and the people on Taiwan, had come to no resolution thereon.

GENERAL LEAVE

Mr. ZABLOCKI, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill and any amendments considered today to the bill, H.R. 2479, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FURTHER LEGISLATIVE PROGRAM

(Mr. ZABLOCKI asked and was given permission to address the House for 1 minute.)

Mr. ZABLOCKI, Mr. Speaker, I understand that this legislation will be scheduled Tuesday next as the first order of business.

The SPEAKER. There is no business scheduled for Monday, so we will take up this bill as the first item of business on Tuesday.

CREATING INTERNATIONAL DEVELOPMENT COOPERATION ADMINISTRATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 96-70)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:
As required by Title III of the International Development and Food Assistance Act of 1978, I am writing to inform you of the steps I have taken and propose to take to strengthen the coordination of U.S. economic policies affecting developing countries.

I propose to create an International Development Cooperation Administration (IDCA) as an independent agency within the executive branch. The IDCA Director would report both to me and to the Secretary of State, and would serve as our principal international development advisor. The Director would receive guidance concerning the foreign policy of the U.S. from the Secretary of State. He would submit his budget to the Office of Management and Budget after consulting with the Secretary.

The principal responsibilities of the IDCA Director would be to ensure that the varied instruments by which the U.S. contributes to development abroad are utilized effectively and in concert, and that the efforts of U.S. bilateral programs and those of the multilateral development institutions are complementary. To carry out those responsibilities, the IDCA Director would establish and control the budgets and policies of IDCA's several component agencies, and make recommendations to me concerning the appointment and removal of senior officials of each component. IDCA would contain:

- The Agency for International Development.
- The Overseas Private Investment Corporation, of whose Board of Directors the IDCA Director would become Chairman.
- A new Institute for Technological Cooperation designed to promote scientific and technological research in the developing countries, which I have proposed through legislative amendment.

In addition:
—Lead responsibility for policy and budget for our voluntary contributions to the following international organizations will be transferred to IDCA: UN Development Program; UNICEF; OAS Technical Assistance Funds; UN Capital Development Fund; UN Educational and Training Program for Southern Africa; UN/FAO World Food Program; FAO Post Harvest Losses Fund; and UN Disaster Relief Organization.

—Existing arrangements with regard to the multilateral development banks (MDBs) would be modified so that the Secretary of the Treasury will consult with the IDCA Director in the selection of candidates for the U.S. Executive Director and

Addabbo
Albosta
Alexander
Ambro
Anderson, Calif.
Andrews, N.C.
Annunzio
Ashley
Aspin
Atkinson
AuCoin
Barnes
Bedell
Bellenson
Benjamin
Bennett
Bevill
Bingham
Blanchard
Boggs
Boland
Boner
Bonior
Bonker
Bowen
Brademas
Brodhead
Brooks
Broomfield
Buchanan
Burlison
Burton, John
Burton, Phillip
Carr
Cavanaugh
Chisholm
Clay
Coelho
Collins, Ill.
Cotter
D'Amours
Danielson
Davis, S.C.
Derrick
Dicks
Dixon
Dodd
Downey
Drinan
Duncan, Ore.
Eckhardt
Edgar
Ertel
Evans, Ind.
Fary
Fascell
Fazio
Fenwick
Ferraro
Findley

NOES—181

Fisher
Fithian
Florio
Foley
Ford, Mich.
Ford, Tenn.
Fowler
Garcia
Gaydos
Gephardt
Gialmo
Ginn
Gray
Green
Guarini
Gudger
Hall, Ohio
Hamilton
Hanley
Harkin
Harris
Hawkins
Heckler
Hefner
Heftel
Hubbard
Hughes
Ireland
Jenkins
Jenrette
Johnson, Colo.
Jones, Okla.
Jones, Tenn.
Kastenmeier
Kogovsek
Kostmayer
Leach, Iowa
Lehman
Leland
Lowry
Lukens
McCloskey
McHugh
Maguire
Markey
Marks
Matsui
Mavroules
Mazzoli
Mikulski
Mikva
Miller, Calif.
Mineta
Minish
Mitchell, Md.
Moakley
Moffett
Mollohan
Moorhead, Pa.
Murphy, Ill.
Murphy, N.Y.

Murtha
Natcher
Neal
Nedzi
Nolan
Oakar
Oberstar
Ottinger
Patten
Pease
Perkins
Peyser
Preyer
Price
Pritchard
Rangel
Ratchford
Reuss
Rhodes
Richmond
Rodino
Rosenthal
Russo
Sabo
Seiberling
Shannon
Sharp
Simon
Skelton
Slack
Smith, Iowa
Solarz
Spellman
St Germain
Stack
Staggers
Stark
Steed
Stewart
Stratton
Studds
Swift
Thompson
Ullman
Vanik
Vento
Volkmer
Walgren
Waxman
Weaver
Whitehurst
Whitley
Wilson, Tex.
Wirth
Wolff, N.Y.
Wolpe, Mich.
Wright
Yates
Young, Mo.
Zablocki

NOT VOTING—79

Abdnor
Anderson, Ill.
Andrews, N. Dak.
Ashbrook
Baldus
Beard, Tenn.
Bolling
Breaux
Brown, Calif.
Broyhill
Chappell
Conable
Conyers
Corman
Crane, Daniel
Crane, Philip
de la Garza
Dellums
Devine
Diggs
Dingell
Early
Edwards, Ala.
Edwards, Calif.
Evans, Ga.
Flippo

Flood
Fuqua
Gibbons
Gonzalez
Gore
Hillis
Holland
Horton
Huckaby
Hutto
Jeffords
Johnson, Calif.
Jones, N.C.
LaFalce
Latta
Lee
Long, Md.
Lundine
McCormack
McDade
McKay
McKinney
Madigan
Mica
Michel
Mitchell, N.Y.
Obey

Pashayan
Patterson
Pepper
Pursell
Quillen
Rahall
Rallsback
Rose
Rostenkowski
Roussetot
Roybal
Scheuer
Schroeder
Stokes
Traxler
Treen
Udall
Van Deerlin
Weiss
White
Williams, Mont.
Williams, Ohio
Wilson, C. H.
Winn
Wylie
Young, Alaska