

S. 2157

At the request of Mr. CLELAND, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 2157, a bill to amend the Small Business Act to increase the authorized funding level for women's business centers.

S. 2158

At the request of Mr. ROBERTS, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 2158, a bill to amend the Arms Export Control Act to provide that certain sanctions provisions relating to prohibitions on credit, credit guarantees, or other financial assistance not apply with respect to programs of the Department of Agriculture for the purchase or other provision of food or other agricultural commodities.

S. 2180

At the request of Mr. LOTT, the names of the Senator from Washington [Mrs. MURRAY], the Senator from Mississippi [Mr. COCHRAN], the Senator from Alabama [Mr. SESSIONS], and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of S. 2180, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify liability under that Act for certain recycling transactions.

S. 2234

At the request of Mr. DORGAN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 2234, a bill to require the Secretary of Agriculture to carry out a trade compensation assistance program if the President, any other member of the executive branch, or any other provision of law causes exports from the United States to any country to be suspended for reasons of national security policy, and to require the Secretary of Defense to reimburse the Commodity Credit Corporation for the cost of each such program.

S. 2245

At the request of Mr. LAUTENBERG, the names of the Senator from Massachusetts [Mr. KENNEDY], the Senator from New Jersey [Mr. TORRICELLI], the Senator from Connecticut [Mr. DODD], and the Senator from Rhode Island [Mr. REED] were added as cosponsors of S. 2245, a bill to require employers to notify local emergency officials, under the appropriate circumstances, of workplace emergencies, and for other purposes.

## SENATE JOINT RESOLUTION 50

At the request of Mr. BOND, the names of the Senator from California [Mrs. BOXER] and the Senator from Colorado [Mr. ALLARD] were added as cosponsors of Senate Joint Resolution 50, a joint resolution to disapprove the rule submitted by the Health Care Financing Administration, Department of Health and Human Services on June 1, 1998, relating to surety bond requirements for home health agencies under the medicare and medicaid programs.

## SENATE CONCURRENT RESOLUTION 103

At the request of Mr. MOYNIHAN, the names of the Senator from Wisconsin [Mr. KOHL] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of Senate Concurrent Resolution 103, a concurrent resolution expressing the sense of the Congress in support of the recommendations of the International Commission of Jurists on Tibet and on United States policy with regard to Tibet.

## SENATE RESOLUTION 193

At the request of Mr. REID, the names of the Senator from South Dakota [Mr. JOHNSON] and the Senator from Hawaii [Mr. INOUE] were added as cosponsors of Senate Resolution 193, a resolution designating December 13, 1998, as "National Children's Memorial Day."

## SENATE RESOLUTION 199

At the request of Mr. TORRICELLI, the names of the Senator from North Dakota [Mr. CONRAD] and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of Senate Resolution 199, a resolution designating the last week of April of each calendar year as "National Youth Fitness Week."

## AMENDMENT NO. 3013

At the request of Mr. CAMPBELL the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of amendment No. 3013 intended to be proposed to S. 1112, a bill to require the Secretary of the Treasury to mint coins in commemoration of Native American history and culture.

## SENATE CONCURRENT RESOLUTION 107—AFFIRMING U.S. COMMITMENTS TO TAIWAN

Mr. LOTT (for himself, Mr. TORRICELLI, Mr. MURKOWSKI, Mr. HELMS, Mr. LUGAR, Mr. MACK, Mr. GORTON, Mr. THOMAS, Mr. MCCAIN, Mr. GRAMM, Mr. HUTCHINSON, Mr. BOND, Mr. DOMENICI, Mr. KEMP THORNE, Mr. KYL, Mr. ABRAHAM, Mr. HATCH, Mr. BURNS, Mr. WARNER, Mr. COVERDELL, Mr. FAIRCLOTH, Mr. McCONNELL, Mr. CRAIG, Mr. SMITH of New Hampshire, and Mr. BROWNBACK) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

## S. CON. RES. 107

Whereas at no time since the establishment of the People's Republic of China on October 1, 1949, has Taiwan been under the control of the People's Republic of China;

Whereas the United States began its long, peaceful, friendly relationship with Taiwan in 1949;

Whereas since the enactment of the Taiwan Relations Act in 1979, the policy of the United States has been based on the expectation that the future relationship between the People's Republic of China and Taiwan would be determined by peaceful means;

Whereas in March 1996, the People's Republic of China held provocative military maneuvers, including missile launch exercises in the Taiwan Strait, in an attempt to intimidate the people of Taiwan during their historic, free and democratic presidential election;

Whereas officials of the People's Republic of China refuse to renounce the use of force against democratic Taiwan;

Whereas Taiwan has achieved significant political and economic strength as one of the world's premier democracies and as the 19th largest economy in the world;

Whereas Taiwan is the seventh largest trading partner of the United States and imports more than twice as much annually from the United States as does the People's Republic of China;

Whereas no treaties exist between the People's Republic of China and Taiwan that determine the future status of Taiwan: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) affirms its long standing commitment to Taiwan and the people of Taiwan in accordance with the Taiwan Relations Act (Public Law 96-8);

(2) affirms its expectation, consistent with the Taiwan Relations Act, that the future of Taiwan will be determined by peaceful means, with the consent of the people of Taiwan, and considers any effort to determine the future of Taiwan by other than peaceful means a threat to the peace and security of the Western Pacific and of grave concern to the United States;

(3) affirms its commitment, consistent with the Taiwan Relations Act, to make available to Taiwan such defense articles and defense services in such quantities as may be necessary to enable Taiwan to maintain a sufficient self-defense capability;

(4) affirms its commitment, consistent with the Taiwan Relations Act, that only the President and Congress shall determine the nature and quantity of defense articles and services for Taiwan based solely upon their judgment of the needs of Taiwan; and

(5) urges the President of the United States to seek a public renunciation by the People's Republic of China of any use of force, or threat to use force, against democratic Taiwan.

Mr. LOTT. Mr. President, this resolution does not break new ground with regard to Taiwan. It simply reaffirms our support of the principles of the 1979 Taiwan Relations Act. It calls on the President to seek a Chinese renunciation of the use of force to affect Taiwan's future.

President Clinton gave two impressive performances at Beijing University and at the joint press conference, but I am very much concerned about the perception of what he had to say, of what the effect is of what he had to say with regard to Taiwan. Instead of pressing Beijing to renounce the use of force against Taiwan, President Clinton accepted Beijing's position on Taiwan. By ending the ambiguity of the U.S. position, we have harmed democratic Taiwan's position.

Congress has pressed previous administrations to change its policies with regard to Taiwan. In fact, the Taiwan Relations Act of 1979 was a clear example of congressional restraint on executive actions on Taiwan. In 1995, we urged the President to grant a visa to Taiwan's President to enter the U.S. for a college reunion. The administration changed its position after Congress took that action.

This resolution is necessary to correct the effects of the statements that were made in Shanghai. Before Shanghai, U.S. policy was to acknowledge

Beijing's position. Now we have prepared to make Beijing's position our policy.

China refuses to take the use of force off the table. We should not unilaterally deny Taiwan membership to international organizations, and we should not take action in concert with the dictatorship in Beijing without even consulting the 21 million people under democratic rule in Taiwan.

Instead of undermining Taiwan, we should support our fundamental national interest in the peaceful resolution of differences. We do not want to see a war in the Taiwan Straits. Deterrence is the way to avoid such a possibility.

We should support the provision of missile defenses to Taiwan so that they can protect their democracy from a dictatorship's missiles. We should support Taiwan's membership in international organizations where they are willing and able to help an organization's goals—such as free trade and economic stability.

There is a second resolution, S. Con. Res. 30, on the issue of Taiwan's membership in the IMF and the World Bank. It has already been passed out of the Foreign Affairs Committee by unanimous vote. I hope we can pass that resolution this week.

I thank Senator TORRICELLI and the rest of our cosponsors. I urge other colleagues to join us because this is certainly a bipartisan issue. I look forward to rapid Senate action on the resolution to reaffirm our relationship with Taiwan and the primacy of the Taiwan Relations Act.

I ask unanimous consent, Mr. President, that editorials from the Wall Street Journal and the Washington Post be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 2, 1998]

#### SIDING WITH THE DICTATORS

The outlines of a deal are beginning to emerge. China gives President Clinton air time for his speech. Mr. Clinton says what China wants to hear on Taiwan. Then, in classic Clinton fashion, the White House tries to have things both ways, denying that U.S. policy has changed when in fact it has, and not for the better.

Past administrations recognized the Beijing government as the legitimate government of China and "acknowledged" China's position with regard to Taiwan. But "acknowledge" did not mean "accept." The ultimate fate of Taiwan was something for Taiwan and China to work out, peacefully. Beyond that, the United States deliberately left its policy shrouded in ambiguity.

But recently officials of the Clinton administration have explicitly adopted a "three no's" formula much more pleasing to the Communist Chinese: no support for one Taiwan-one China; no support for Taiwan independence; no support for Taiwan membership in international organizations such as the United Nations. Now Mr. Clinton has given that policy a presidential stamp of approval—and on Chinese soil, to boot.

Why does it matter? Because Taiwan's 21 million people have forged a prosperous de-

mocracy over the past decades. There is no justification for the United States to oppose their right eventually to determine their own future. It would be fine for U.S. officials to reiterate that such a determination must take place peacefully and to encourage Taiwan-China dialogue. It would be fine for U.S. officials to warn Taiwan not to expect U.S. support for a unilateral declaration of independence. What's not fine is for the United States at this time to rule out independence or any other option the Taiwanese people eventually might choose.

When China threatened Taiwan militarily in 1996, Mr. Clinton responded with admirable resolve. But now he is trading away the human rights of Taiwan's 21 million people and sending an unfortunate signal to other democracies that might hope to rely on U.S. moral support.

As a practical matter, he's also significantly weakening Taiwan's bargaining power if and when Taiwan and China begin negotiations. China's main card always has been the threat of force; Taiwan's has been its campaign to establish sovereignty through membership in world organizations and other means. By explicitly and needlessly slamming the door on that campaign, Mr. Clinton has sided with the dictators against the democrats. To pretend this is no change only heightens the offense.

[From the Wall Street Journal, July 2, 1998]

#### BILL'S KOWTOW

Just when we were giving President Clinton credit for sounding the right notes in China, he managed to turn his visit into a fiasco after all. His kowtowing to China's "three no's" over Taiwan is likely to set off a cycle of reactions and counterreactions that ultimately will damage rather than improve Sino-American relations.

The bedrock of U.S. policy toward Taiwan has always been the Shanghai Communiqué, issued in 1972 as the two nations began their rapprochement, and affirmed in later agreements and the Taiwan Relations Act of 1979. In this document the U.S. declared that it "acknowledges that all Chinese on either side of the Taiwan Strait maintain there is but one China and that Taiwan is part of China. The United States government does not challenge that position. It reaffirms its interest in a peaceful settlement of the Taiwan question by the Chinese themselves." This was careful ambiguity, for example in not dealing with the possibility that what the U.S. acknowledged might someday no longer be true.

A shred of this policy remained, of course, in President Clinton's remark that U.S. policy "has been" that reunification "has to be done peacefully." This is something short of a demand that China renounce the use of force. And Mr. Clinton's mouthing of the "three no's" formula took place only in a carefully choreographed exchange with a specially selected Chinese scholar, with National Security Adviser Sandy Berger rushing around with notes. That is to say, it was something the Administration was rather ashamed of, despite the claim that is was no change in previous policy.

On that point, consider the President's language: "We don't support independence for Taiwan; or two Chinas; or one Taiwan, one China. And we don't believe that Taiwan should be a member in any organization for which statehood is a requirement." Anyone who reads English can see that this is miles beyond the careful language Richard Nixon and Henry Kissinger crafted in 1972.

So President Clinton got access to Chinese TV for some statements about human rights and Tibet, giving him the aura he wanted back home, and we continue to believe, some

beneficial impact within China. Mr. Clinton also got a dollop of personal frosting with Jiang Zemin's public assurance that his government had investigated "the so-called political contributions in the United States" and discovered "there never was such a thing." There were also some trade contracts.

Yet even with the President in Shanghai, the on-again, off-again U.S. visit by a local opera company was definitely called off. This is not a trifle, since the pique of some petty official overrode contracts supported by both the Chinese parties and the U.S. parties. This is precisely the danger of business with China, as a visiting U.S. President should take time to notice.

President Jiang, by contrast, got his number one priority, Mr. Clinton carving the next slice of salami toward the Chinese goal of getting the U.S. to coerce Taiwan to join China, or alternatively to stand aside while China invades. Only two years ago, after all, the People's Liberation Army was "testing" its missiles over the Taiwan Strait, closing Taiwan's major ports and forcing the U.S. to dispatch two aircraft carrier battle groups to the area.

The issue of Taiwanese membership in international organizations is especially ridiculous. We can dismiss the United Nations as congenitally symbolic, and the sovereignty requirement would not preclude Taiwan's application to the World Trade Organization, which recognizes "customs territories." But Taiwan is already excluded from presumably serious organizations such as the International Monetary Fund and the World Bank, though it is among the world's top 20 economies and holds enormous monetary reserves. The world's remaining superpower should be acting to curb this ongoing farce, not entrench it.

Mr. Clinton climbed to the pinnacle of politics by pleasing the audience of the moment, but the ultimate impact of his démarche will depend on others offstage, on Taiwan and Capitol Hill. The Taiwanese are understandably upset, with their foreign ministry declaring that the U.S. and China "are in no position to conduct bilateral negotiations on anything related to our future." Even more to the point, Parris Chang, a leader of the pro-independence Democratic Progressive Party said, "It's wrong, morally and politically, for Clinton to collude with the Communist dictatorship to restrict the future of a democratic country, Taiwan."

The Democratic Progressives' position is that Taiwan is plainly a separate country, and that recognizing reality is always progress. They are already likely to form the next government in Taipei, and Mr. Clinton's acceding to the three no's almost surely improved their standing among Taiwan's voters. Back in Washington, Congress, historically supportive of Taiwan and already restive over its foreign-policy prerogatives, will resist Mr. Clinton's unilateral change in long-standing American policy.

Taiwan is now plainly a democratic nation, and has every right to determine its own future. In the end, the U.S. will not resist this principle, whatever Mr. Clinton said in Shanghai this week. The danger in Mr. Clinton's words is that the Chinese leaders who heard them will not only be disappointed but turn truculent.

Mr. LOTT. These articles, certainly newspapers that don't always take the same editorial positions, certainly agree in this case and express their concern about siding with Beijing on this very important issue relating to the freedom and the democracy of Taiwan.

I thank the handlers of this bill and the managers for yielding of this time. We wanted to get this submission done this afternoon.

I am glad to yield to Senator TORRICELLI.

Mr. TORRICELLI. I want to thank the majority leader for yielding the time. I am very pleased to join with the majority leader and my colleagues in offering this resolution regarding the commitment of the United States to Taiwan.

Like the majority leader, I, too, want to congratulate President Clinton for an extraordinarily successful visit to the People's Republic of China. He covered the issues of human rights, security, our economic relationships—I believe there was real progress made.

Mr. President, it is sometimes said that international conflicts begin more often from miscalculation than design. I believe it is of service to the Senate and to our country to make clear upon President Clinton's return both what was said and accomplished and, indeed, what remains in place with regard to the U.S. relations with the people and the government on Taiwan.

American policy toward Taiwan is governed by the Taiwan Relations Act. There are 4 principle components of this Act, accepted by this Congress, the bedrock policy of this country, and they remain unchanged.

First, the future of Taiwan will be determined by peaceful means. The Taiwan Relations Act does not say that the people of Taiwan and the mainland will be reunited by peaceful means. It says the future will be determined by peaceful means. That has not been altered.

Second, the United States affirms that one of its principle objectives is the preservation and enhancement of the human rights of the people of Taiwan.

Third, that the United States does not maintain as its policy the isolation of Taiwan, its government, or its people but there are many members of this institution, and, indeed, in this government, that believe it would enhance the security of the region and both peoples if Taiwan were admitted to international organizations.

Fourth, the United States remains committed to sell those defensive means necessary for the security of the people of Taiwan.

Mr. President, at a time of economic turbulence in Asia, it is notable that there is one government and one people that are a bedrock of economic stability. Taiwan is a model of development of democratic capitalism. It is a leader in technology and international trade, with a standard of living obtained for its people that is the envy of Asia. It is also notable that at a time when it is necessary for the President of the United States to discuss human rights with other countries, to discuss their means of government, that Taiwan remains a stable democracy, respecting the freedom of religion and of

speech and of expression, where people choose their own leadership.

For all these reasons, Mr. President, it is important that there not be any miscalculation. The policy of this country toward Taiwan is governed by the Taiwan Relations Act. We remain committed to that democracy and to its security. This is not of some small moment. This is, after all, the 19th largest economy in the world. Taiwan is the seventh largest trading partner of the United States—a vibrant democracy in the family of democratic nations.

There are many of us who believe that in future years the security of the region would be enhanced by Taiwan's enhanced relationship with the United Nations, by its entry into the World Trade Organization and the Asian Development Bank, where its economic power could be heard and, indeed, enhance its economic stability.

Mr. President, for all those who have watched this recent trip to Asia, it bears reminding that this Congress wrote the Taiwan Relations Act. The Taiwan Relations Act governs the relationship between the United States and all issues affecting the future of Taiwan and its people. Only this Congress can change the Taiwan Relations Act.

Mr. President, we are all proud of President Clinton's trip to China. I believe that he came home with real substantive accomplishments. I believe it is also useful, as the majority leader has pointed out, to make clear both what has changed and what has not. The American commitment to Taiwan has not changed. It will not change. It is a bedrock of the American commitment to maintain special relationships with nations that choose their own leaders and live in the democratic family of countries.

I thank the majority leader for his leadership on this issue. I am proud to join with him on this concurrent resolution.

Mr. MURKOWSKI. Mr. President, I rise to speak on the issue of Taiwan and the events concerning Taiwan which transpired during our President's trip to China. While President Clinton maintains that he did not make any concessions on Taiwan, or in any way alter our longstanding policy towards Taiwan, I am concerned that, indeed, he may have; and I think the facts back me up and show that President Clinton may have, in no small way, initiated changes in our policy towards Taiwan.

I am specifically concerned with two incidents, Mr. President. First, during a question-and-answer period at Beijing University, President Clinton responded to a question on Taiwan. He remarked that "when the United States and China reached agreement that we would have a one China policy, we also reached agreement that reunification would occur by peaceful means."

Well, Mr. President, to my knowledge, the United States and China have

never reached an agreement that the Taiwan question would be resolved through reunification. While the United States has not ruled out reunification as a possibility, we have also not ruled out the possibility that the question of Taiwan could be resolved in some other manner, as long as it was done peacefully. So there is a difference.

Our Federal law on this question is quite clear. Section 2(b)(3) of the Taiwan Relations Act states that "The future of Taiwan will be determined by peaceful means." The United States has also signed three joint communiques with the People's Republic of China which further elaborate our position on Taiwan. While they all speak to the peaceful resolution of the Taiwan question, none—none—go so far as to speak to the question of reunification.

So why am I concerned with the President's choice of words while he was in China? Because I think it is misleading, dangerously misleading. It indicates to the Chinese and the Taiwanese that our policy on Taiwan has changed, when the President says it has not.

The second incident which raises concern, Mr. President, is when President Clinton seemingly adopted the "Three-No's" policy long advocated by China. The "Three-No's" policy states the United States does not support one Taiwan, one China; the United States does not support Taiwan independence; and the United States does not support Taiwan's membership in nation-state based international organizations.

As the July 2, 1998, editorial in the Washington Post correctly points out, the United States has long "acknowledged" China's position on Taiwan, but has never ever accepted China's position on Taiwan. There is a significant difference.

I ask unanimous consent that a copy of this editorial be printed in the CONGRESSIONAL RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.  
(See Exhibit 1.)

Mr. MURKOWSKI. Considered collectively, which I know the Chinese Government is doing, this could appear to be a major concession by the United States on the issue of Taiwan. My guess is that the Chinese now believe that if the Taiwanese people declare independence, the United States will not support them. What does that say for democracy and the ideals that we have sworn to uphold and support?

In 1996, when the Chinese military conducted military exercises off the coast of Taiwan in order to influence Taiwan's national Presidential elections, President Clinton rightly responded; swiftly and with resolve. He showed that the United States will not tolerate the threat of the use of force against Taiwan, just as we will not tolerate the use of force against Taiwan.

Mr. President, I am concerned that the President's statements made in

China have now sent the wrong message, and one that could be destabilizing both to Taiwan and to the entire Asian theater.

I think the United States should pursue our own "three-no's" policy on the question of Taiwan, and they are: We will not accept any nonpeaceful resolution of the Taiwan question; we will not force Taiwan to the table with China, nor will we be an intermediary in resolving this dispute; and we will not turn our backs on democracy and the right of the Taiwanese people, or any people, to live according to free democratic principles.

So finally, Mr. President, well in advance of President Clinton's trip to China, I and a number of colleagues in the Senate sent a letter to the President urging him to press the Chinese Government on renouncing the threat of the use of force against Taiwan.

I ask unanimous consent that a copy of this letter be printed in the CONGRESSIONAL RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 2.)

Mr. MURKOWSKI. I, again, call on the President to insist that the Chinese Government renounce the threat of the use of force against Taiwan and take great effort to clarify that our position in support of Taiwan and our commitment to Taiwan has not changed.

Mr. President, I yield the floor, and I thank the floor manager, Senator BOND, for the courtesy extended me at this time.

Mr. BOND. Mr. President, I thank the Senator from Alaska.

I ask unanimous consent that I be added as a cosponsor to the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXHIBIT 1

##### SIDING WITH THE DICTATORS

The outlines of a deal are beginning to emerge. China gives President Clinton air time for his speech. Mr. Clinton says what China wants to hear on Taiwan. Then, in classic Clinton fashion, the White House tries to have things both ways, denying that U.S. policy has changed when in fact it has, and not for the better.

Past administrations recognized, the Beijing government as the legitimate government of China and "acknowledged" China's position with regard to Taiwan. By "acknowledge" did not mean "accept." The ultimate fate of Taiwan was something for Taiwan and China to work out, peacefully. Beyond that, the United States deliberately left its policy shrouded in ambiguity.

But recently officials of the Clinton administration have explicitly adopted a "three no's" formula much more pleasing to the Communist Chinese: no support for one Taiwan-one China; no support for Taiwan independence; no support for Taiwan membership in international organizations such as the United Nations. Now Mr. Clinton has given that policy a presidential stamp of approval—and on Chinese soil, to boot.

Why does it matter? Because Taiwan's 21 million people have forged a prosperous democracy over the past decades. There is no justification for the United States to oppose their right eventually to determine their

own future. It would be fine for U.S. officials to reiterate that such a determination must take place peacefully and to encourage Taiwan-China dialogue. It would be fine for U.S. officials to warn Taiwan not to expect U.S. support for a unilateral declaration of independence. What's not fine is for the United States at this time to rule out independence or any other option the Taiwanese people eventually might choose.

When China threatened Taiwan militarily in 1996, Mr. Clinton responded with admirable resolve. But now he is trading away the human rights of Taiwan's 21 million people and sending an unfortunate signal to other democracies that might hope to rely on U.S. moral support.

As a practical matter, he's also significantly weakening Taiwan's bargaining power if and when Taiwan and China begin negotiations. China's main card always has been the threat of force; Taiwan's has been its campaign to establish sovereignty through membership in world organizations and other means. By explicitly and needlessly slamming the door on that campaign, Mr. Clinton has sided with the dictators against the democrats. To pretend this is no change only heightens the offense.

#### EXHIBIT 2

UNITED STATES SENATE,  
Washington, DC, May 21, 1998.

Hon. WILLIAM J. CLINTON,  
*The President, The White House,*  
Washington, DC.

DEAR MR. PRESIDENT: As you prepare for your summit with the leaders of the People's Republic of China in Beijing, we thought it appropriate to share with you our thoughts regarding U.S. relations with the people and the government of Taiwan. We believe Taiwan has made extraordinary progress in recent years as the Republic of China has moved to establish a vibrant democracy with free elections, free press, and improved trading practices.

We believe the American people are united in their support for freedom and democracy in Taiwan. Time and again, Congress has made clear our commitment to Taiwan, beginning with the 1979 Taiwan Relations Act, and through many resolutions and bills since then.

Although we do not know what will be on the summit agenda, we do know that the PRC is often eager to try and persuade the United States to compromise our support for Taiwan and its democracy. Mr. President, we urge you to oppose any efforts at the summit by the PRC leadership to diminish American support for Taiwan. We believe it is important for the United States to make clear at the summit that while the U.S. supports a peaceful dialogue between Taipei and Beijing, the U.S. has committed not to pressure Taiwan on this issue and to not play any mediation role. You should reiterate statements made recently by members of your administration calling on the PRC to renounce the use of force or the threat of force against Taiwan.

Further, we urge you to reject any plans for a "Fourth Communique" on issues related to Taiwan; to not weaken our defensive arms sales commitment to Taiwan (either by agreeing to set an end date or by agreeing to hold prior consultations with the PRC); to not make any commitment to limit future visits by the elected representatives of the Republic of China; to not agree to revise the Taiwan Relations Act; and to not alter the U.S. position regarding sovereignty over Taiwan.

We in Congress are prepared to reiterate the commitment of the American people to freedom and democracy for the people and

government of Taiwan. We look forward to your reassurance on these issues in advance of the summit.

Sincerely,

FRANK H. MURKOWSKI.  
ROBERT G. TORRICELLI.  
TRENT LOTT.  
JESSE HELMS.

ALFONSE D'AMATO.  
TIM JOHNSON.  
TOM DASCHLE.  
CRAIG THOMAS.  
CHUCK HAGEL.  
LARRY E. CRAIG.  
CONNIE MACK.

#### AMENDMENTS SUBMITTED

#### PRODUCT LIABILITY REFORM ACT OF 1998

##### FEINGOLD AMENDMENT NO. 3061

(Ordered to lie on the table.)

Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill (S. 648) to establish legal standards and procedures for product liability litigation, and for other purposes; as follows:

After section 302, add the following:

##### TITLE IV—EQUAL ACCESS TO JUSTICE REFORM

##### SEC. 401. EQUAL ACCESS TO JUSTICE REFORM.

(a) SHORT TITLE.—This title may be cited as the "Equal Access to Justice Reform Amendments of 1998".

(b) AWARD OF COSTS AND FEES.—

(1) ADMINISTRATIVE PROCEEDINGS.—Section 504(a)(2) of title 5, United States Code, is amended by inserting after "(2)" the following: "At any time after the commencement of an adversary adjudication covered by this section, the adjudicative officer may ask a party to declare whether such party intends to seek an award of fees and expenses against the agency should such party prevail."

(2) JUDICIAL PROCEEDINGS.—Section 2412(d)(1)(B) of title 28, United States Code, is amended by inserting after "(B)" the following: "At any time after the commencement of an adversary adjudication covered by this section, the court may ask a party to declare whether such party intends to seek an award of fees and expenses against the agency should such party prevail."

(c) HOURLY RATE FOR ATTORNEY FEES.—

(1) ADMINISTRATIVE PROCEEDINGS.—Section 504(b)(1)(A)(ii) of title 5, United States Code, is amended by striking all beginning with "\$125 per hour" and inserting "\$125 per hour unless the agency determines by regulation that an increase in the cost-of-living based on the date of final disposition justifies a higher fee);".

(2) JUDICIAL PROCEEDINGS.—Section 2412(d)(2)(A)(ii) of title 28, United States Code, is amended by striking all beginning with "\$125 per hour" and inserting "\$125 per hour unless the court determines that an increase in the cost-of-living based on the date of final disposition justifies a higher fee);".

(d) PAYMENT FROM AGENCY APPROPRIATIONS.—

(1) ADMINISTRATIVE PROCEEDINGS.—Section 504(d) of title 5, United States Code, is amended by adding at the end the following: "Fees and expenses awarded under this subsection may not be paid from the claims and judgments account of the Treasury from funds appropriated pursuant to section 1304 of title 31."