

106TH CONGRESS  
1ST SESSION

# H. R. 138

To condemn those officials of the Chinese Communist Party, the Government of the People's Republic of China, and other persons who are involved in the enforcement of forced abortions by preventing such persons from entering or remaining in the United States.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mrs. FOWLER introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To condemn those officials of the Chinese Communist Party, the Government of the People's Republic of China, and other persons who are involved in the enforcement of forced abortions by preventing such persons from entering or remaining in the United States.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3    **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the "Forced Abortion Con-  
5 demnation Act".

6    **SEC. 2. FINDINGS.**

7        The Congress makes the following findings:

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1           (1) Forced abortion was rightly denounced as a  
2 crime against humanity by the Nuremberg War  
3 Crimes Tribunal.

4           (2) For over 15 years there have been frequent  
5 and credible reports of forced abortion and forced  
6 sterilization in connection with the population con-  
7 trol policies of the People's Republic of China. These  
8 reports indicate the following:

9           (A) Although it is the stated position of  
10 the politburo of the Chinese Communist Party  
11 that forced abortion and forced sterilization  
12 have no role in the population control program,  
13 in fact the Communist Chinese Government en-  
14 courages both forced abortion and forced steri-  
15 lization through a combination of strictly en-  
16 forced birth quotas and immunity for local pop-  
17 ulation control officials who engage in coercion.  
18 Officials acknowledge that there have been in-  
19 stances of forced abortions and sterilization,  
20 and no evidence has been made available to  
21 suggest that the perpetrators have been pun-  
22 ished.

23           (B) People's Republic of China population  
24 control officials, in cooperation with employers  
25 and works unit officials, routinely monitor wom-

1           en’s menstrual cycles and subject women who  
2           conceive without government authorization to  
3           extreme psychological pressure, to harsh eco-  
4           nomic sanctions, including unpayable fines and  
5           loss of employment, and often to physical force.

6           (C) Official sanctions for giving birth to  
7           unauthorized children include fines in amounts  
8           several times larger than the per capita annual  
9           incomes of residents of the People’s Republic of  
10          China. In Fujian, for example, the average fine  
11          is estimated to be twice a family’s gross annual  
12          income. Families which cannot pay the fine may  
13          be subject to confiscation and destruction of  
14          their homes and personal property.

15          (D) Especially harsh punishments have  
16          been inflicted on those whose resistance is moti-  
17          vated by religion. For example, according to a  
18          1995 Amnesty International report, the Catho-  
19          lic inhabitants of 2 villages in Hebei Province  
20          were subjected to population control under the  
21          slogan “better to have more graves than one  
22          more child”. Enforcement measures included  
23          torture, sexual abuse, and the detention of re-  
24          sisters’ relatives as hostages.

1           (E) Forced abortions in Communist China  
2 often have taken place in the very late stages  
3 of pregnancy.

4           (F) Since 1994 forced abortion and steri-  
5 lization have been used in Communist China  
6 not only to regulate the number of children, but  
7 also to eliminate those who are regarded as de-  
8 fective in accordance with the official eugenic  
9 policy known as the “Natal and Health Care  
10 Law”.

11 **SEC. 3. DENIAL OF ENTRY INTO THE UNITED STATES OF**  
12 **PERSONS IN THE PEOPLE’S REPUBLIC OF**  
13 **CHINA ENGAGED IN ENFORCEMENT OF**  
14 **FORCED ABORTION POLICY.**

15       The Secretary of State may not issue any visa to,  
16 and the Attorney General may not admit to the United  
17 States, any national of the People’s Republic of China, in-  
18 cluding any official of the Communist Party or the Gov-  
19 ernment of the People’s Republic of China and its re-  
20 gional, local, and village authorities who the Secretary  
21 finds, based on credible information, has been involved in  
22 the establishment or enforcement of population control  
23 policies resulting in a woman being forced to undergo an  
24 abortion against her free choice, or resulting in a man or

- 1 woman being forced to undergo sterilization against his
- 2 or her free choice.

