

CONTINUATION OF WAIVER UNDER THE TRADE  
ACT OF 1974 WITH RESPECT TO CHINA

---

COMMUNICATION

FROM

**THE PRESIDENT OF THE UNITED STATES**

TRANSMITTING

NOTIFICATION OF HIS DETERMINATION THAT A CONTINUATION OF A WAIVER CURRENTLY IN EFFECT FOR THE PEOPLE'S REPUBLIC OF CHINA WILL SUBSTANTIALLY PROMOTE THE OBJECTIVES OF SECTION 402, OF THE TRADE ACT OF 1974 (PRESIDENTIAL DETERMINATION 2001-16), PURSUANT TO 19 U.S.C. 2432 (c) AND (d)



JUNE 5, 2001.—Referred to the Committee on Ways and Means and ordered to be printed

---

U.S. GOVERNMENT PRINTING OFFICE



THE WHITE HOUSE,  
*Washington, June 1, 2001.*

Hon. J. DENNIS HASTERT,  
*Speaker of the House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: I hereby transmit a report, including my reasons for determining that continuation of the waiver currently in effect for the People's Republic of China under subsection 402(d)(1) of the Trade Act of 1974 (the "Act"), as amended, will substantially promote the objectives of section 402 of the Act.

Sincerely,

GEORGE W. BUSH.

THE WHITE HOUSE  
WASHINGTON

June 1, 2001

Presidential Determination  
No. 2001-16

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended -- Continuation of Waiver Authority for the People's Republic of China

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

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



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

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

Freedom of Emigration Determination

China's relatively free emigration policies have continued during the past twelve months. In FY-2000, 28,993 U.S. immigrant visas were issued to Chinese nationals abroad, up 8 percent from the FY-1999 total of 26,901. Numbers were made available to immigrants from China up to the numerical limitation under U.S. law. The figure of 28,993 includes only immigrant visas issued at U.S. consular offices abroad, and does not take into account adjustments of status at INS offices in the United States.

In FY-2000, 245,537 U.S. visas were issued worldwide to tourists and business visitors from China, a 27 percent increase from the FY-1999 total of 193,948. The number of nonimmigrant combination business/tourist visas issued to Chinese nationals increased by 30 percent in FY 2000 (from 177,171 to 230,274), while the number of business visas decreased by 32 percent (from 3,889 to 2,648) and the number of tourist visas decreased by 2 percent (from 12,894 to 12,615). These figures reflect the switch to the combined business/tourist visa.

Also in FY-2000, 38,768 student visas (including exchange visitor visas) were issued, a 24 percent increase from the FY-1998 total of 31,327.

The volume of visas issued in these categories generally reflects the overall 16 percent increase in non-immigrant visa applications (including issuances and refusals) at U.S. consular offices in China in FY 2000 from FY 1999 levels (345,379 to 401,263).

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