

March 9, 2005

The Honorable TED STEVENS  
*President Pro Tempore of the U.S. Senate, Washington, D.C. 20510*  
The Honorable J. DENNIS HASTERT  
*Speaker of the House of Representatives, Washington, D.C. 20515*

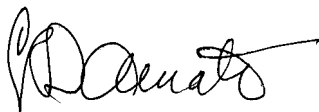
DEAR SENATOR STEVENS AND SPEAKER HASTERT:

On behalf of the U.S.-China Economic and Security Review Commission, we are writing to convey our concern regarding the widely-discussed plan of China's National People's Congress (NPC) to pass a so-called "anti-secession" law on or prior to March 14, 2005. Although the text of this legislation has not been released, descriptions of its nature and thrust have been circulated throughout the global international affairs community. It is apparent that its passage would needlessly inflame the China-Taiwan situation and complicate the task of maintaining stability in that relationship. The significant U.S. interest in maintaining the peaceful status quo in the region would be adversely affected. For these reasons, we recommend the Congress strongly and publicly urge China's NPC not to enact this legislation.

We are concerned that China's intent in enacting this law is to create a purported legal basis for it to take Taiwan by force if China determines Taiwan has taken steps toward independence. Such unilateral legal action is unlikely to have any practical effect pertaining to international law or policy, so its principal impact would be to destabilize the already-tenuous cross-Strait balance by (1) provoking Taiwanese reaction; (2) inflaming Chinese nationalist sentiments; and (3) limiting the political maneuvering room for China's leadership to take innovative steps that may lead to a lessening of cross-Strait tensions – all detrimental to U.S. interests in the region. It is likely to make it more difficult for the U.S. to facilitate an active cross-Strait dialogue that could promote the long-term, peaceful resolution of differences between the two sides. U.S. policy toward Taiwan and U.S.-China relations are intertwined, and Taiwan remains the key political and military flash point between the two countries. This legislation runs directly counter to the U.S. Government's position that neither side should try unilaterally to change the status quo. For these reasons, we believe Congress should immediately and strongly oppose its enactment. We note that two separate Concurrent Resolutions have been introduced in the House of Representatives addressing this matter, one of which, *inter alia*, urges the U. S. Government to oppose the anti-secession legislation and reaffirm its policy that the future of Taiwan should be resolved by peaceful means with the consent of the people of Taiwan, and the other of which, *inter alia*, recommends that the U.S. Government urge China not to enact anti-secession legislation and to renounce the use of force or threat against Taiwan.

This Commission will be closely following cross-Strait developments in the context of China's action on the "anti-secession" law, and will continue to advise you on this matter.

Sincerely,



C. Richard D'Amato  
*Chairman*



Roger W. Robinson, Jr.  
*Vice Chairman*