

United States Senate

WASHINGTON, DC 20510

February 10, 2012

President Barack H. Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama:

We write to you today in anticipation of the upcoming White House visit of the Vice President of the People's Republic of China (PRC), Xi Jinping. We strongly urge you to use this opportunity to press Vice President Xi, who as you know is very likely to become the next President of the PRC, on a number of key areas of concern in the U.S.-China relationship.

First, we are troubled by China's aggressive military modernization and the lack of transparency regarding the strategic purposes behind it. Many of China's neighbors, including U.S. allies, are rightly concerned about China's military buildup and its territorial ambitions. In recent years, China's belligerent rhetoric and destabilizing actions in the resource-rich South China Sea, coupled with an official defense budget that has grown by an average of 12.1 percent each year since 2000, have raised understandable questions regarding China's long-term intentions in the region. Therefore, during Vice President Xi's visit, we ask you to publicly reinforce the strong stance taken by Secretary of State Clinton at the 2010 ASEAN Ministerial Conference – that the United States “supports a collaborative diplomatic process by all claimants for resolving the various territorial disputes without coercion. We oppose the use or threat of force by any claimant.”

Second, we call on you to reinforce to Vice President Xi the strong U.S. support for the vital security interests of our key strategic partner Taiwan, whose robust democracy continues to flourish across the Taiwan Strait. Also, to demonstrate our steadfast commitment to Taiwan and its security, we ask that you announce the next defensive arms sale package to Taiwan prior to Vice President Xi's visit. According to the Department of Defense, China's large-scale military modernization has “a focus on Taiwan contingencies,” with an offensive build-up of more than 1,000 short-range ballistic missiles opposite Taiwan, and China's air force remains primarily focused on “building the capabilities required to pose a credible military threat to Taiwan and U.S. forces in East Asia.” It is past time for China to end its longstanding campaign of subtle military intimidation of Taiwan.

Senior Chinese authorities must deal with the democratically-elected government of Taiwan on the basis of equality, because their continued denial of the existence of Taiwan under its current Republic of China constitutional framework only fosters mistrust and complicates peaceful development in China-Taiwan relations. Additionally, in the interest of peace and stability in the Asia-Pacific region, Vice President Xi should renounce the use of force by China to resolve its political differences with Taiwan and take tangible measures to reduce China's aggressive

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military posture opposite Taiwan. Taiwan's future must be decided in Taipei, not in Beijing. To that end, we ask you to make it clear that the United States has not only a statutory obligation under the Taiwan Relations Act, but an unwavering commitment to provide Taiwan with the tools necessary for its self-defense – and that no coercion or threatened aggression from China will be allowed to dictate U.S. policy toward our friend and ally, Taiwan.

Third, we are displeased with China's continued undermining of U.S. and international sanctions against Iran, and we urge you to communicate these concerns to Vice President Xi. Iran's continued drive to attain nuclear weapons represents a grave threat to our national security and that of the region, and China continues to undercut the broad international effort to impose strict sanctions on Iran by insisting on a robust economic relationship with the Iranian regime. We specifically request that you call upon Vice President Xi to reduce China's imports of Iranian oil and to join responsible nations in cutting off Tehran's access to the international financial system. In addition, Secretary of State Clinton singled out China last year for not enforcing international sanctions that bar the sale of most nuclear-related equipment to Iran, and other State Department officials have indicated that Iran may be working with Chinese firms to obtain sensitive technology that is useful for nuclear weapons development. This situation represents a serious obstacle to the improvement of U.S.-China relations.

Fourth, we ask you to press Vice President Xi to put an end to the increasing volley of cyber-attacks and cyber-theft emanating from China. "Chinese actors are the world's most active and persistent perpetrators of economic espionage," according to an October 2011 report by your Administration's Office of the National Counterintelligence Executive. This report highlights that "computer networks of a broad array of US Government agencies...were targeted by cyber espionage; much of this activity appears to have originated in China." The growing number of cyber-attacks and cyber-thefts originating in China demand a strong response. Such aggression is unacceptable and does serious damage to U.S.-China relations.

Similarly, we are deeply concerned about China's clear failure to protect intellectual property rights (IPR). Our two nations have a shared interest in promoting strong IPR protection, because technology holds the key to solving many pressing global issues in health, education, energy, and other areas. Last May, the U.S. International Trade Commission published an important report on the effects of China's IPR theft on the U.S. economy. The numbers were staggering, especially in terms of job losses to our manufacturing and other sectors. Nearly a million jobs could be created in the United States if China respected IPR to the same extent the United States does. China aspires to be an innovation economy, and its senior leaders have recognized publicly that China's lack of IPR protection will hinder that effort. While they have taken some steps in the right direction, much more needs to be done, including ensuring that all Chinese State-Owned Enterprises – which include some of the biggest and wealthiest corporations in the world – respect IPR.

Finally, we urge you to convey to Vice President Xi the United States' strong opposition to China's ongoing human rights abuses, particularly political and religious repression. According to the State Department's most recent Human Rights Report (2010), a "negative trend" in China's human rights record continues, "as the government took additional steps to rein in civil

society..." Human rights violations committed by the Chinese government include extrajudicial killings; enforced disappearance; prolonged illegal detentions at unofficial holding facilities known as "black jails;" torture of prisoners; detention and harassment of journalists, writers, dissidents, and others; and severe religious oppression. In addition, China's coercive "one-child policy" has led to forced abortion and forced sterilization in some situations. Such state-sanctioned practices are repugnant and must be condemned. In order to convey the gravity of this situation and the United States' untiring support for human rights, we call on you to meet publicly with Chinese dissidents in the United States while Vice President Xi is here. Doing so would demonstrate a stark contrast between the Chinese government's policies of oppression and the rights and freedoms upon which our great nation is founded.

In light of these serious and growing concerns, we urge you to use Vice President Xi's visit to address them. This visit stands as a meaningful opportunity to demonstrate to China that serious improvements will be necessary if the long-term U.S.-China relationship is going to develop in a positive way.

Sincerely,

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