



# Washington REPORT

News and analysis from Washington, D.C. about key issues in U.S.-Asia Pacific Relations

Volume 6 November 2007

## The 'Century Of The Pacific' Presents Important Opportunities For U.S. Engagement

### USAPC Interview with Honorable Eni Faleomavaega (D., American Samoa)

*Hon. Eni Faleomavaega (D., American Samoa) assumed the chair of the House Foreign Affairs Subcommittee on Asia, the Pacific and the Global Environment in January 2007, although he has served on this panel since his election to Congress in 1988. He said recently that one of the things that surprised him in the late 1980s was that no one wanted to serve on this subcommittee. It only has been in the last three or four years that Congress has begun to pay more attention to the Asia Pacific region, Faleomavaega says, owing to myriad challenges caused by the rise of China, threats to regional stability posed by tensions in the Taiwan Strait, North Korea's nuclear ambitions, and human rights abuses in Burma, among other developments.*

*Congressman Faleomavaega reflects on issues that his subcommittee has examined this year, underscoring the importance of continued U.S. engagement in Asia.*

**USAPC: Do you think the United States is sufficiently engaged in Asia Pacific organizations?**

**Faleomavaega:** President Bush's abbreviated attendance at the Asia Pacific Economic Cooperation (APEC) forum this past September was a big slight to the other regional leaders. You may recall that President Bush and Secretary of State Condoleezza Rice left before the conference ended. That was an affront to the many regional leaders who had taken the time to attend the entire conference. I realize that all countries have priorities and emergency matters that must be addressed, but President Bush's actions were uncalled for.

**USAPC: Would you go so far as to say that the U.S. is**

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## Congress Explores Stronger Sanctions Against Burma's Junta

Members of the House and Senate reacted to the ruling Burmese military's brutal crackdown on pro-democracy demonstrators in late September by introducing a flurry of legislation—both binding and non-binding—which condemns the junta's action and calls for tougher economic sanctions. As lawmakers learned through subsequent hearings, however, it is unlikely that harsher U.S. punishment will have much of an impact on the ruling junta—much less force the Burmese generals from power.

**Condemnation.** By early October, non-binding resolutions had sailed through both chambers. These bills, which formally expressed the sense of the House and Senate about the situation in Burma, called for the release from house arrest of Aung Sang Suu Kyi, leader of the National League for Democracy (NLD), urged China to suspend military assistance to Burma, and called on the Association of Southeast Asian Nations (ASEAN) to suspend Burma's membership, among other demands.

**Stronger Sanctions.** Most of the

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## Official Washington

*In each issue, Washington Report will provide the names and contact information for selected executive branch officials with jurisdiction over economic, political, and security issues important to U.S.-Asia Pacific relations. This issue will focus on pertinent personnel from the Department of Defense.*

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## Faleomavaega

**abrogating regional leadership, particularly in the South Pacific, which is of special interest to you?**

**Faleomavaega:** Absolutely. U.S. policy toward the South Pacific focuses almost exclusively on Australia and New Zealand. When the prime minister of Australia or New Zealand visits Washington, he is wined and dined at the White House. But when four prime ministers and four heads of states of Pacific Island nations come to Washington—as they did in May 2007 for the Pacific Islands Conference of Leaders (PICL)—President Bush did not even grant them a courtesy call. Instead, they met Secretary Rice. To me, that is not right.

The leaders of France, Japan, and China have graciously hosted the leaders of the South Pacific nations. President Bush's behavior suggests that the nations of the South Pacific are not important to U.S. interests.

To help rectify Washington's negligence, this past July I introduced the "Pacific Island Economic and Educational Development Act of 2007." It would authorize funding needed to provide technical and other assistance to these countries through the U.S. Agency for International Development (USAID), provide Fulbright Scholarships

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### *Some House Members regard China as a monster, the next Soviet Union*

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for Pacific Island students, and promote other educational exchanges by increasing scholarship programs at institutions like the East-West Center in Hawaii. The bill passed the House in early September and is pending Senate consideration.

**USAPC: There is a good deal of anti-China sentiment in Congress owing to the fears expressed by constituents that they will lose their jobs as a result of the growing U.S.-China economic relationship.**

**What can be done to restore confidence in the American people about their jobs and the strength of the U.S. economy even as our economic relationship with China continues to broaden?**

**Faleomavaega:** Yes, some of my House colleagues will have nothing to do with China. They regard China as a monster, the next Soviet Union that we will fight in a global war.

But the growing U.S.-China economic relationship is not the only source of constituents' fears about job safety. They also are concerned about overall U.S. economic

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- **“Trade and Globalization Assistance Act of 2007”**— On October 31, the House voted 264 to 157 to reauthorize the Trade Adjustment Assistance (TAA) program and to extend TAA to service workers and firms. Although TAA is a domestic program, House Democrats have tied their support for pending free trade agreements (FTAs)—including the U.S.-Korea FTA—to enactment of an updated TAA aimed at better meeting “the needs of American workers and communities affected by globalization.” The White House has threatened to veto the bill on grounds that it would “convert TAA from a trade-related program to a universal income-support and training program.” Senate Finance Committee Chairman Max Baucus (D., Montana) has introduced a similar bill. At press time, it was unclear when the Senate would take up the Baucus bill. Importantly, lawmakers did not appear willing to change the legislation to avoid a veto.

- **Baucus’ Trade Vision**—On October 2, Baucus further elaborated on a proposition put forth by pro-trade, centrist Democrats: globalization requires a new trade policy that addresses its domestic and international impacts. His vision for “a new Democratic trade policy” includes four key components.

First, the federal government must accept responsibility in the face of globalization by encouraging the development of fair exchange rate policies, beefing up trade enforcement tools, “aligning TAA with today’s economy,” and strengthening import safety. Second, the United States should “multiply our successes” by continuing to engage with China and growing the export market there. Third, the United States should calibrate its ambitions to its strengths and needs by concluding

trade agreements with “commercially significant economies,” like South Korea, Malaysia, Taiwan, Indonesia, India, and Japan. Finally, the United States should abandon its “compartmentalized policies.” This means, for example, crafting our competition and investment policies knowing that companies, policies, and policy outcomes have global consequences.”

- **North Korean Family Reunions**— The Senate approved the FY08 National Defense Authorization Act October 1. It includes a provision that requires the President to submit a report to Congress within six months on family reunions between U.S. citizens and their relatives in North Korea. It also calls on the President to describe any efforts by the U.S. government to facilitate such reunions. The House bill does not include a similar provision. It remains to be seen whether it will survive the House-Senate conference.

- **“North Korean Counterterrorism and Nonproliferation Act”**—Rep. Ileana Ros-Lehtinen, Ranking Member of the House Foreign Affairs Committee, apparently is concerned that the White House will act too quickly in removing Pyongyang from the terrorism list in an effort to realize progress in the Six Party Talks. Ros-Lehtinen’s bill, introduced September 25, would require the President to certify to Congress that Pyongyang has satisfied various preconditions before removing its terrorist designation. One such precondition is proof that North Korea no longer is transferring missile or nuclear technology to Iran, Syria, or any other country. Recent controversial reports that Pyongyang may have helped to develop a nuclear or missile production facility in Syria, if substantiated, could give this bill some momentum—not to mention undermine the Six-Party process.

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## Burma Sanctions

binding measures are aimed at strengthening economic sanctions already on the books. In 1997, President Clinton issued an executive order that prohibits new U.S. investment in Burma; in 2003, Congress passed the Burmese Freedom and Democracy Act, which bans all Burmese imports. The latter was renewed on August 1.

Immediately after the September 24 crackdown, the Bush administration went one step further by freezing the financial assets of 14 members of Burma’s ruling elite that are within U.S. jurisdiction. On October 19, the White House expanded the financial freeze to cover 12 additional senior Burmese officials.

**More Needed.** U.S. lawmakers welcomed the White House actions and applauded First Lady Laura Bush’s

complementary initiatives aimed at raising awareness about the situation in Burma. But some members argued that the freeze on assets alone would not necessarily stop the flow of wealth to top Burmese officials. For the past decade, the junta has been able to avoid U.S. economic sanctions by taking advantage of legal loopholes and laundering lucrative exports and related revenue through third countries, they maintained.

**Third Country Access to U.S. Banks**—Senators John McCain (R., Arizona) and Joe Biden (D., Delaware) and Rep. Tom Lantos (D., California) each have introduced a bill that is aimed at closing the junta’s spigot. All three measures not only would freeze the assets of the Burmese military elite, but also prohibit U.S. banks from maintaining accounts used by a foreign banking entity on behalf of these officials.

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## Faleomavaega

policy, which emphasizes free trade in a global economy.

We should face the fact that China, India, and Japan have emerged as three centers of economic activity that are very global in nature. These three countries reflect what is happening economically in the Asia Pacific region. The United States should be part of this dynamic economic activity. Our national leaders and policymakers in Congress should not put aside the Asia Pacific region as if it is something we can take care of at another time. This is the “century of the Pacific.”

China certainly serves as a magnet for economic activity with the United States as well as with its Asian neighbors. Recently, U.S. inspectors revealed that Chinese manufacturers used lead paint on toys. There also have been concerns about the safety of China’s food exports. China must tackle those administrative challenges if it

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*We should not put aside the Asia Pacific region as if it is something we can take care of at another time*

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wants to secure its place as a global economic power.

But the fact that 1.3 billion people live in China also means that it is potentially the biggest consumer market in the world. That is why so many countries are flocking to the Chinese market. U.S. business is not alone.

I must ask, however, how did China become the source for 80 percent of the toys sold in America? Why must we set up shop in China, particularly for U.S. industries that always have produced high-quality items? Something is amiss here. We need to seriously re-evaluate our basic economic policies and establish a greater sense of fairness and equity for the American worker.

**USAPC:** Regarding another China-related matter, on October 2, the House passed a non-binding resolution that urged the Bush Administration to sell F-16 fighter aircraft to Taiwan.

**The Bush Administration has blocked the sale to protest what it regards as provocative behavior by Taiwan President Chen Shui-bian. You also had problems with this resolution. Why?**

**Faleomavaega:** I did not think the resolution really was necessary. It is non-binding. Why then are we embarrassing China publicly with this resolution? Of course, there is a pending contract worth millions of dollars for the sale of F-16s to Taiwan for defensive purposes. Everyone knows that! Why do we have to re-state it? That

is like rubbing salt in China’s wound.

Taiwan is going through a lot of internal political problems. President Chen Shui-bian espouses freedom and independence for China. That is totally contrary to the “one-China” policy to which the United States and China adhere.

The other major political party in Taiwan, the Kuomintang (KMT), is open to peaceful negotiations with China perhaps ultimately aimed at unification, but in the meantime wants simply to maintain Taiwan’s current autonomous status. I have always said that whatever relationship Taiwan and China want to establish, this should be done by peaceful means.

Many people are not aware that Taiwan currently enjoys more than \$100 billion in trade per year with China. To me, that suggests that despite all of the occasionally hostile rhetoric one hears from either side of the Taiwan Strait, China and Taiwan cannot be that angry with each other! Millions of Taiwanese have traveled to mainland China, and Beijing, too, is promoting cross-strait tourism.

The people of Taiwan generally enjoy a good standard of living. Taiwan is one of the top 11 countries if the world in terms of economic standing—even though the United States and many other nations do not recognize it as a sovereign state.

So how does one define Taiwan’s situation? It is not independent. It is not sovereign. But Taiwan certainly is very blessed by healthy trading relations with many nations in Asia and elsewhere, and by the fact that 23 nations still deal with it on an official basis.

However, it would be a contradiction to expect that Taiwan would ever enjoy equal standing with China in the United Nations. Basically, that is what Chen Shui-bian is advocating.

**USAPC:** You have said that the United States is hypocritical in how it applies its sanction policy. Specifically, Washington has imposed sanctions on Thailand and Fiji, whose governments were overthrown by military coups, but not on Pakistan because we need its support in the war on terror. Will you introduce legislation to change U.S. sanctions policy?

**Faleomavaega:** I am definitely pursuing this area of concern and have used Pakistan as the basis for my work. U.S. law calls for sanctions to be imposed on any government that is overthrown via military coup until that government restores democracy to the country.

Eight years following Musharraf’s overthrow of the government of Prime Minister Nawaz Sharif, however, he still has not called elections or restored democracy to Pakistan. And on November 3, he declared a state of emergency, under which he has jailed opposition leaders,

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## Faleomavaega

clamped down on the media, and forced out several Supreme Court judges.

Yet [at press time] the United States has not imposed sanctions on Pakistan. This is because there is a clause in U.S. sanctions law that allows the President to waive sanctions for national security reasons.

However, Washington did impose sanctions against Fiji following the military overthrow of the government in December 2006. Basically, the sanctions brought to a halt \$2.5 million in primarily military-related assistance, precluded new economic assistance programs under the Foreign Operations Appropriations Act, including the Millennium Challenge Account, and denied visas to coup and interim government leaders.

We imposed these sanctions despite the fact that Fiji has been a close ally in the South Pacific. State Department officials who testified before my subcommittee in August even noted that Fiji was quick to condemn the attacks of 9/11 and has been a strong supporter of U.S. efforts to build an international coalition against global terrorism. Nevertheless, our sanctions law required that sort of response.

**USAPC: The 2008 election year is right around the corner. What would be your advice to the next president about U.S. policy toward Asia?**

**Faleomavaega:** It is very important for the United States to engage with the nations of the Asia Pacific owing to the massiveness of our own standing internationally. In particular, I have always believed we should pursue broader economic and political relations with China. Educational and cultural exchanges also are important. As I said earlier, some of Members of Congress are very apprehensive about China's rise. But to me, the engagement process is very important.

In that regard, I think APEC has done an excellent job serving as a forum in which the United States and the other 20 member economies can interact on an annual basis. The fact that APEC policy objectives are voluntary and non-binding encourages the nations of the Asia Pacific to participate. And this forum provides the heads of government, including the U.S. president, opportunities for both bilateral and multilateral discussions. It is important that APEC facilitates dialogue, and we should support this organization if we want to continue to be a meaningful player in the Asia Pacific region. ♦

*An expanded version of this interview is available at <http://www.eastwestcenter.org/ewc-in-washington/us-asia-pacific-council/>. Click on newsletter link.*

## Burma Sanctions

**Gemstones and Hardwoods.** In addition, the bills clarify that the prohibition on Burmese imports encompasses gemstones and hardwoods, including materials that are "mined or harvested in Burma but shaped, cut or assembled in other countries not subject to current U.S. sanctions." Lantos argued that Burmese rulers will earn more than \$300 million from the sale of gems, in part, because nearly all Burmese gems enter the U.S. market via China, Thailand, and India.

**Gas Revenue.** The McCain bill would prohibit investment in Burma by U.S. companies, including investment agreements reached prior to the 1997 sanctions. This is aimed at closing a loophole that grandfathered in the minority interest of Unocal (now Chevron) in Burma's Yadana natural gas project. Sales of natural gas account for the single largest source of income for the ruling junta. Critics charge that Chevron's interest in the Yadana fields therefore is helping to enrich the Burmese military.

**Questionable Effectiveness.** However, expert witnesses who appeared for House and Senate hearings on Burma questioned both the effectiveness and the feasibility of some of the proposed sanctions. In the financial area, although many suspect that the junta uses banks in Singapore, witnesses maintained it would be difficult to identify specific banks there given privacy policies. Thus, targeting and freezing specific accounts would entail an ambitious diplomatic effort not only with the government of the banks in question, but also with the global community at large to monitor subsequent efforts by Burmese officials to move the money around, they said.

Similarly, witnesses suggested that investment restrictions may do little to harm the junta. Closing the pre-1997 investment loophole certainly would force Chevron out of the Yadana project. But investors from Burma's two energy-hungry neighbors, China and India, no doubt would eagerly move in to ensure that natural gas continues to flow absent American participation.

**Progress?** For these and other reasons, not a few observers were skeptical that the threat of stronger U.S. sanctions had much of an impact on the junta's decision on November 8 to allow Aung San Suu Kyi to meet executives of the NDL. To the contrary, they worried that Burmese leaders ultimately would undermine the "process leading to substantive dialogue" negotiated by United Nations special envoy Ibrahim Gambari.

**Outlook.** By mid-November, it appeared unlikely that Congress would pass Burma legislation in 2007. FY08 spending bills will take precedence in the remaining weeks of the first session. But Members no doubt will redirect their attention to Burma's plight in 2008—particularly if Gambari's initiative collapses and the junta clamps down on the NDL leader once more. ♦

# Paulson, Schwab Urge China To Act Effectively On Product Safety

The “Made in China” brand has been sorely tarnished by the spate of recalls of tainted food and consumer products, “causing fear and uncertainty in American consumers,” Treasury Secretary Paulson told the 2007 George H.W. Bush U.S.-China Relations Conference on October 23 in Washington. He suggested that the outcry about China’s “unsafe imports” is not simply the latest manifestation of “China-bashing” by Americans who regard China’s rise as a potential threat to their livelihoods. Rather, Paulson warned that a failure by China to manage product safety issues effectively would have much broader implications, potentially affecting “the integration of China into the global trading system and the sustainability of China’s economic growth trajectory.”

U.S. Trade Representative Susan Schwab also came down hard on the Chinese about product safety at the October 23 conference. She admonished Beijing for lashing out at the United States with counter-allegations of substandard U.S. exports. This was “an ill-considered initial response, conveying defensiveness and a failure to understand the seriousness of these issues, rather than a commitment to regain consumers’ trust,” Schwab charged.

By the same token, Schwab commended the Chinese government for its subsequent remedial actions. These have included the creation of a safety campaign headed by the Vice Premier Wu Yi, who is highly respected in Washington for her management of U.S.-China economic issues. “The U.S. government stands ready to work with China to help it take the tough steps needed to regain public confidence,” Schwab said.

**Bilateral Forums.** The remarks of Paulson and Schwab effectively previewed the U.S. position on this latest irritant in U.S.-China economic relations at two upcoming meetings. The U.S.-China Joint Commission on Commerce and Trade (JCCT), a Commerce-led dialogue focused on trade, investment, and business development issues, will convene in Beijing on December 12–13.

Shortly thereafter, the U.S.-China Strategic Economic Dialogue (SED), also will meet in Chinese capital. The SED, led by the Treasury Department, serves as a cabinet-level forum for consideration of long-term structural issues. The fact that both forums will grapple with trade effects of China’s domestic regulatory shortcomings highlights the growing interdependence of the two economies. Washington also no doubt is trying to head off a protectionist backlash. “We need to make sure that policymakers in both countries are focused on science-based

safety decisions, not protectionism or retaliation,” Paulson told U.S.-China conference attendees. In the same vein, Schwab bluntly warned that China “has become the poster child for [a] rising sense of protectionism.” Critics of China’s trading practices may seize upon the product safety issue as a reason to pass legislation that would impose tariffs on Chinese imports, she suggested.

**Administration Plan.** The JCCT and SED also will provide opportunities for U.S. officials to brief their Chinese counterparts on the Bush Administration’s new import safety plan, unveiled on November 7. The plan was developed by the Interagency Working Group on Import Safety, which the White House formed in July following a series of recalls of Chinese-made products.

A key element of the plan calls for posting officials of the U.S. Food and Drug Administration (FDA) and U.S. Consumer Product Safety Commission (CPSC) overseas to help train foreign inspectors as well as work with foreign manufacturers on U.S. safety standards.

In addition, the plan recommends: (1) conclusion of “strategic information sharing” agreements with key foreign governments to facilitate timely exchange of import and recall data; (2) stronger penalties against foreign and domestic entities that sell unsafe products; and (3) incentives to importers to adopt best practices to improve product safety.

**Legislation.** Concurrently, the House and Senate have been considering their own product safety bills. While they include some of the same elements as the administration’s plan (e.g. increased penalties), they call for a more sweeping overhaul of the CPSC’s operations than envisioned by the White House. The bills do not include China-targeted sanctions per se, but Chinese toy makers clearly were on the minds of lawmakers who crafted severe restrictions on lead levels in toys. Spurred on by the release of the administration’s plan, Congress may pass these bills before the year’s end. ♦

## Program Highlights 30 Years Of U.S.-ASEAN Relations

The East-West Center, the Institute of Southeast Asia Studies (ISEAS), and The Stanley Foundation co-sponsored a special luncheon program on Capitol Hill on October 25. The purpose of the program was to commemorate 30 years of U.S.-ASEAN relations by exploring current issues in U.S.-Southeast Asia relations.

Ambassador K. Kesavapany, director of ISEAS, Ambassador Rodolfo C. Severino, ISEAS senior research fellow, and Catharin Dalpino of Georgetown University were the featured speakers. Dr. Satu Limaye, director of East-West Center in Washington, served as moderator.

## Asia Pacific Dialogue

### Asia Development Bank:

*Asian Development Outlook (ADO) 2007 Update*—The *ADO Update*, issued September 17, foresees growth in Asia and the Pacific of 8.3 percent in 2007, up from an earlier estimate of 7.6 percent. Although potential problems in global financial markets and worries about the health of the U.S. economy may constrain growth in 2008 somewhat, these factors are not likely to precipitate a sharp dive in Asia's economic growth, the report says. "Developing Asia . . . can weather a slowdown in the United States. The region's growth prospects will continue to depend on how well the countries address their internal challenges," says Ifzal Ali, ADB's Chief Economist. See <http://www.adb.org/Documents/Books/ADO/2007/Update/default.asp>.

*Emerging Asian Regionalism: Ten Years After the Crisis*—At least 30 prominent economists from throughout the Asia Pacific region met November 1–2 in Tokyo, Japan to explore the prospects for regional cooperation and integration a decade after the 1997 Asian financial crisis. Participants examined financial market integration, management of macroeconomic interdependence, productivity and competitiveness, and "inclusiveness and social protection," among other topics. USAPC members Prof. Peter Petri, Brandeis University, and Prof. Hugh Patrick, Columbia University participated.

### Pacific Economic Cooperation Council (PECC):

*Infrastructure Development in the Pacific Region*—This book is a compilation of studies conducted by the Japan Committee for Pacific Economic Outlook (PEO) Structure, one of PECC's Task Forces that deals with longer-term structural issues of macroeconomics in the Asia Pacific region. Among its many findings, the report determined that the governments of emerging Asian economies are coordinating more with the private sector in infrastructure development. Copies may be purchased at <http://www.tandf.co.uk/books/>.

### Key Official Meetings, November–December 2007:

- U.S. Secretary of Defense Robert Gates met Chinese Defense Minister Cao Gangchuan, November 5–7, Beijing, China, and Masahiko Komura, Japan's Minister of Defense, November 8–9, Tokyo, Japan.
- Song Min-soon, South Korean Minister of Foreign Affairs and Trade, met Secretary of State Condoleezza Rice, November 7, Washington, D.C.
- Japanese Prime Minister Yasuo Fukuda will meet President Bush, November 16, Washington, D.C.
- Leaders of the 10 members nations of ASEAN will convene their 13th summit, November 18–22, Singapore.
- Leaders of 16 Asia Pacific nations will convene the 3rd East Asian Summit, November 21, Singapore.

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The Burmese ruling junta's brutal crackdown on pro-democracy demonstrators dominated the dialogue between the speakers and the audience of U.S. government officials, congressional staff, and Southeast Asia policy experts. The implications of the ASEAN Charter on regional economic integration and the outlook for the East Asian Summit also generated thoughtful questions and discussion.

One of the more thought-provoking propositions put forward was that while the Burmese military definitely is the problem, it also must be part of the solution because it effectively holds together a country of more than 100 ethnic groups. U.S., EU and other international pressure to end the junta risks "creating another Iraq," which remains riven by Sunni/Shia sectarian violence long after Saddam Hussein's demise.

The speakers suggested that the best hope for Burma's future may be via a "middle way," which would involve incremental changes rather than a wholesale dissolution of the ruling junta. However, it could be difficult to win broad support for such an approach. Policymakers

in Congress and the Bush administration likely would regard efforts to forge a "middle way" as backing down. With Burma's two largest economic benefactors—China and India—unlikely to intervene in a meaningful way, the speakers proposed that resolution of the Burma conundrum ultimately may hinge on a future Buddhist-led implosion combined with unified external pressure via the United Nations.

Concerning the East Asian Summit (EAS), the third meeting of which will take place in Singapore on November 21, the speakers said it would take another two-to-three years to know whether the EAS can develop into a viable regional institution. Further, they suggested the time is not ripe for U.S. inclusion in a regional integrative scheme. The entrance of the United States, given its power and scale, will have major implications for a still-nascent organization, according to the speakers.

For additional details about this program, see [www.eastwestcenter.org/apb](http://www.eastwestcenter.org/apb). ♦



# United States Asia Pacific Council



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