

Introduced: 2/7/79
Referred: Judiciary

1 IN THE SENATE

BY ZIEGLER BY REQUEST

2 SENATE JOINT RESOLUTION NO. 17

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 Objecting to the termination of the
6 Mutual Defense Treaty with the
7 Republic of China.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 WHEREAS the people of the Republic of China have built a successful,
10 prosperous, free economy out of the ashes of a half century of revolution,
11 invasion and civil war and now serve as an important trading partner of the
12 American people; and

13 WHEREAS the people of the Republic of China have been among the most
14 trusted friends and allies of the people of the United States since the
15 founding of the Chinese Republic in 1912; and

16 WHEREAS the Republic of China is of strategic importance in the defense
17 of East Asia and the Pacific, has always utilized its military power in the
18 interests of the free world and has, since 1954, been a party with the United
19 States to a Mutual Defense Treaty; and

20 WHEREAS, as recently as September, 1978, the United States Congress,
21 without a dissenting vote, endorsed section 26 of the International Security
22 Assistance Act of 1978, incorporating a statement of the sense of the United
23 States Congress that there be consultation between the President and Congress
24 on proposed policy changes affecting the rights, obligations, and relation-
25 ships of the parties to the Mutual Defense Treaty of 1954; and

26 WHEREAS, in December, 1978, the President, without prior consultation
27 with Congress, announced termination of the Mutual Defense Treaty of 1954
28 with the Republic of China in connection with the federal government's recog-
29 nition of the People's Republic of China, effective January 1, 1979; and

1 WHEREAS unilateral executive renunciation of the provisions of the
2 Mutual Defense Treaty constitutes a challenge by the federal executive to the
3 rights and prerogatives of the Congress of the United States under the
4 Constitution and the International Security Assistance Act;

5 BE IT RESOLVED by the Alaska State Legislature that the United States
6 Congress explore all opportunities toward maintaining in full force and
7 effect existing treaties and agreements between the United States and the
8 Republic of China, and that every effort be made by Congress to encourage
9 strengthening of economic and trade relationships between the two nations;
10 and be it

11 FURTHER RESOLVED that the United States continue to recognize the
12 Republic of China by extending diplomatic and commercial relations usually
13 accorded other independent nations; and be it

14 FURTHER RESOLVED that the United States government use its best efforts
15 to assure that relations between the Republic of China and the People's
16 Republic of China occur without threat of force or aggression and that the
17 future of the people of the Republic of China on Taiwan is peaceful and
18 prosperous; and be it

19 FURTHER RESOLVED that Congress conduct a thorough inquiry of the precipi-
20 tous action taken by the President of the United States in unilaterally
21 terminating obligations with the Republic of China under the 1954 Mutual
22 Defense Treaty to assure that similar acts of the federal executive in contra-
23 vention of the authority of Congress and the rights of the American people
24 under the Constitution do not occur in the future.

25 COPIES of this resolution shall be sent to the Honorable Warren G.
26 Magnuson, President Pro Tempore of the U. S. Senate; the Honorable Thomas P.
27 O'Neill, Jr., Speaker of the U. S. House of Representatives; the Honorable
28 Frank Church, Chairman of the Senate Foreign Relations Committee; and to the
29 Honorable Ted Stevens and the Honorable Mike Gravel, U. S. Senators, and the

1 Honorable Don Young, U. S. Representative, members of the Alaska delegation
2 in Congress.

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