

“(f) SUPPLEMENT NOT SUPPLANT.—Each such agency shall use funds under this section only to supplement, and not supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this section.

“(g) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative expenses.

“(h) REQUEST FOR FUNDS.—Each local educational agency that desires to receive funds under this section shall include in the application submitted under section 5333 a description of—

“(1) the agency’s program to reduce class size by hiring additional highly qualified teachers; and

“(2) the agency’s proposed educational program under this section that is part of its local strategy for improving educational achievement for all students.

VOTE EXPLANATION

Mr. WELLSTONE. Mr. President, I was necessarily absent during the vote on the Warner amendment regarding tax relief for teachers. The amendment was No. 383 to S. 1, the elementary and secondary education bill. I would like the RECORD to show that if present I would have voted aye.

MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

GAO ZHAN’S BIRTHDAY

Mr. ALLEN. Mr. President, I rise to note what should be a happy occasion but is instead a somber, worrisome, troubling and disconcerting situation.

Today is the 39th birthday of Gao Zhan, a woman of Chinese descent who on her 38th birthday lived in Northern Virginia with her husband Dong Hua Xue and her 5-year-old son Andrew.

Far from spending this 39th birthday in the warm embrace of her loving family, maybe opening a present that her son Andrew made for her, or blowing out candles, she is somewhere else—enduring her 87th day of detention by the officials of the People’s Republic of China, some 7,000 miles away from home in an unknown location and in unknown condition, with no contact whatsoever with her husband and her son.

Gao Zhan, who has permanent resident status in the United States, is a scholar at American University studying women’s and family issues, especially as they relate to China and Taiwan. She was held for 43 days before she was even charged with a crime. At that time, the Chinese officials alleged that she was a spy for a foreign government but presented no evidence, aside from asserting that she had supposedly confessed.

Also very troubling was the fact that when she and her husband and son were attempting to leave Beijing after spending the Chinese New Year with her family, her husband and 5-year-old son were also detained and held separately from her for 26 days before being released. In fact, the 5-year-old son was held separately.

Indeed, the coerced separation of young Andrew, who is a U.S. citizen by birth, violated consular agreements with China. But according to Andrew’s father, this detention has also traumatized this youngster psychologically. This once outgoing, talkative little boy has turned inward. He literally clings to his father’s leg almost constantly, and he continues to suffer nightmares, emotional withdrawal, and other adverse effects. Sometimes he will be eating supper and he will ask his father, “Where is my mother?”

It is often said that we fear what we do not know. For 87 days, Gao Zhan’s family and friends have known precious little about her situation, and they are afraid. They don’t know her location. They do not know her physical condition. They do not know the basis for the charges against her. No one has been permitted to see her—not our consular officials, who have lodged more than a dozen official protests with the Chinese, not the lawyers in Beijing or New York, who are authorized to practice law in China, whom her husband hired. This denial is even a violation of Chinese law. They have not even allowed international humanitarian organizations, such as the Red Cross, to see Gao Zhan.

On April 5, I introduced legislation, S. 702, which would grant Gao Zhan her desire to become a U.S. citizen. Her son, as I mentioned previously, is also a U.S. citizen. Her husband recently completed his oath in the naturalization process—he took the oath 2 months ago—and is a U.S. citizen.

Gao Zhan has met all of the requirements necessary to become a citizen, except for one—raising her hand and taking the oath of allegiance to the United States. She has established residency for at least 5 years prior to her application. In fact, she has lived in the United States since 1989. She passed the INS test on U.S. history, government, and language. And she passed the FBI background investigation.

Gao Zhan has clearly demonstrated her intent and desire to become a U.S. citizen. S. 702 would help effectuate her desire in her absence. At the same time, I believe taking this unprecedented action might help afford her the full range of protections that are accorded to U.S. citizens all around the world.

The Immigration and Naturalization Service has notified the Senate that Gao Zhan meets the requirements for naturalization, including good moral

character. I therefore urge my colleagues, both on the Judiciary Committee and in the full Senate, to move this bill to make Gao Zhan a citizen as quickly as possible. While this legislation may not guarantee that China will begin respecting human rights of its own citizens and visitors, it might help reunite a wife and mother with her husband and child.

Gao Zhan’s detention is part of a larger and disturbing pattern of arrests, of which Senator JEFFORDS is well aware, in China and the pattern of arrests of United States-based academics and residents that predates the incident involving detention of our 24 Navy crew members. Over the past several months, we have become aware of the detention of two American citizens of Chinese descent and three Chinese-born holders of American green cards, including Gao Zhan and another scholar who is a resident of Hong Kong.

I have been made aware that one of these permanent U.S. residents, Liu Yaping, a businessman whom the Chinese have accused of fraud and tax evasion, is reportedly suffering from an aneurysm and his life could be in serious jeopardy. In addition, Gao Zhan also suffers from a chronic heart condition, and her family is understandably concerned about her health.

A number of my colleagues and I have already petitioned the Chinese Embassy for Gao Zhan’s release on humanitarian grounds, to no avail. At the very least, Gao Zhan and others being held in China deserve humane treatment, contact with our consular officials, their families, and legal representation.

This sort of treatment of U.S. citizens and residents over the course of the past several months is clearly not the way to mend the frayed and unsettling relations between China and the United States.

I call on our administration to continue doing everything in its power to seek Gao Zhan’s return. I ask my colleagues to support this legislation granting her citizenship, and I call on the Chinese Government to release Gao Zhan and return her to her family.

Knowing that the Chinese authorities do not allow any communications—even an e-mail, not even allowing a birthday card—wouldn’t it be nice to just get a birthday card signed by her 5-year-old son and her husband, to know that they are OK. Knowing that is not going to be allowed, on behalf of the freedom-loving people of this country and all around the world, I still express our happy birthday wishes and hope our thoughts and prayers and actions will result in Gao Zhan spending her 40th birthday back home with her friends and family, and especially her 5-year-old son who needs his mother.

I thank the Chair and yield the floor.
Mr. JEFFORDS. Mr. President, I thank the Senator from Virginia for