

FOR THE RELIEF OF WEI JINGSHENG

OCTOBER 11, 2000.—Referred to the Private Calendar and ordered to be printed

Mr. SMITH of Texas, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany S. 11]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (S. 11) for the relief of Wei Jingsheng, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

S. 11 would allow Wei Jingsheng to adjust to permanent resident status.

BACKGROUND AND NEED FOR THE LEGISLATION

Wei Jingsheng is a native and citizen of the People's Republic of China. Mr. Jingsheng is internationally recognized as a pro-democracy activist. Mr. Jingsheng has spent a total of 29 years in prison and labor camps in China as a result of his pro-democracy activities. In 1997 he was released to seek medical treatment in the United States.

In November 1997, Mr. Jingsheng entered the U.S. on a visitor visa. In 1998, Columbia University filed a petition to change his status to an Exchange Visitor. That petition was granted and then expired in June 2000.

Mr. Jingsheng is single and currently lives in New York City. Because he is such a well-known pro-democracy activist, it would be dangerous for Mr. Jingsheng to return to China.

COMMITTEE CONSIDERATION

On October 11, 2000, the Committee on the Judiciary met in open session and ordered reported favorably the bill S. 11 without amendment by voice vote, a quorum being present.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 2(1)(3)(A) of rule XI of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

COMMITTEE ON GOVERNMENT REFORM FINDINGS

No findings or recommendations of the Committee on Government Reform and Oversight were received as referred to in clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 2(1)(3)(B) of House Rule XI is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, the Committee believes that the bill would have no significant impact on the Federal budget. This is based on the Congressional Budget Office cost estimate on S. 11. That Congressional Budget Office cost estimate follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 11, 2000.

Hon. HENRY J. HYDE, *Chairman,*
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed 11 private relief acts, which were ordered reported by the House Committee on the Judiciary on October 11, 2000. CBO estimates that their enactment would have no significant impact on the federal budget. These acts could have a very small effect on fees collected by the Immigration and Naturalization Service and on benefits paid under certain federal entitlement programs. Because these fees and expenditures are classified as direct spending, pay-as-you-go procedures would apply. The act reviewed is:

- S. 11, the Wei Jingsheng Freedom of Conscience Act;

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226–2860. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

Sincerely,

DAN L. CRIPPEN, *Director.*

cc: Honorable John Conyers Jr.
Ranking Democratic Member

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to rule XI, clause 2(1)(4) of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article 1, section 8, clause 4 of the Constitution.

AGENCY VIEWS

The comments of the Immigration and Naturalization Service on S. 11 are as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, DC, May 25, 2000.

Hon. ORRIN HATCH, *Chairman,*
Committee on the Judiciary,
United States Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to your request for a report relative to S. 11, for the relief of Wei Jingsheng, there is enclosed a memorandum of information concerning the beneficiary.

The bill would grant the beneficiary permanent residence in the United States as of the date of the enactment and upon payment of the required visa fees. It would also direct visa number deductions be made.

Sincerely,

GERRI L. RATLIFF, *Acting Director,*
Congressional Relations.

cc: Department of State—Private Bill Staff
District Director, NYC—FYI
NYC Investigations—S.A. William Giaimo—NYC

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE: S.11

The beneficiary, Wei Jingsheng, A74 295 598, a native and citizen of the People's Republic of China, was born on May 20, 1950. Mr. Jingsheng is single and resides at New York, New York.

While in China, Mr. Jingsheng finished senior middle school (equivalent of high school in the United States.) Since arriving in the United States, Mr. Jingsheng has received Honorary Degrees from Niagara University, Hunter College of the City of New York, and Bard College.

Mr. Jingsheng is an internationally recognized pro-democracy activist and an acclaimed international luminary on Chinese politics with a focus on human rights issues. Mr. Jingsheng has authored

a book, *The Courage to Stand Alone*, a compilation of letters written during his eighteen-year prison term in China.

Since June 1998, Mr. Jingsheng has been employed as a visiting scholar at Columbia University's Center for the Study of Human Rights, where he is conducting research on human rights issues and provides commentary for Radio Free Asia. He is paid about \$48,000 a year from the University and receives about \$1,000 from Radio Free Asia for each guest appearance, lecture, or speech. Additionally, Jingsheng was a visiting scholar at the University of California at Berkeley until the end of 1998. Mr. Jingsheng maintains financial accounts indicating a balance of about \$142,000 on deposit.

Since 1979 in China, Mr. Jingsheng has been sentenced twice to a total term of 29 years in prison and labor camps for his pro-democracy political activities. After service 18 years, save a 6-month break in 1993, he was released in 1997 to seek medical treatment in the United States.

On November 16, 1997, Mr. Jingsheng was admitted to the United States at Detroit, Michigan as a visitor. In 1998, Columbia University petitioned the Immigration and Naturalization Service to change his status to an Exchange Visitor, expressing their desire to employ him as a research scholar. The petition was granted September 10, 1998, and is due to expire in June 2000. On December 13, 1999, Mr. Jingsheng's attorney filed an Alien Worker Immigration Petition on his behalf. The petition is pending at this time.

Since his entry into the United States, Mr. Jingsheng has accepted many worldwide invitations and has traveled extensively, both foreign and domestic, for appearances, lectures and speeches. Many countries have issued travel documents to Mr. Jingsheng allowing him to visit their country for these appearances. It should be noted that while visiting Berkley, California on August 27, 1998, Mr. Jingsheng's Republic of China passport was stolen.

Although Mr. Jingsheng's mother, Peijun Du, is deceased, his father, Zilin Wei, remains in China with Mr. Jingsheng's brother, Wei Xiao Tao. His sister, Wei Shanshan, resides in Germany. Mr. Jingsheng's with his other sister, Wei Ling, A75 971 805, and her daughter, Xia Fan, A75 971 806, reside with him in New York, New York. Both have been granted permanent residency based upon their approved political asylum petition.

National agency checks, as well as fingerprint checks for the beneficiary were negative.