

Haiti meets all three of these requirements for designation; and yet, not once have Haitian nationals qualified for TPS.

Madam Speaker, there are currently nine countries that are protected under the TPS provision: Nicaragua, Honduras, El Salvador, Burundi, Somalia, Sudan, and Liberia. Within the past year, all nine countries have obtained status renewal for an additional twelve months because it has been determined by the Department of Homeland Security that the country in question is unable to handle the return of its nationals due to varying circumstances.

Last year, during the 109th Congress, I wrote to the Department of Homeland Security (DHS) regarding the unfair treatment of Haitian nationals by current U.S. Immigration policies.

In response to my letter, DHS stated that before they could make a decision to grant TPS to Haiti, they had to determine whether there was "(1) an ongoing armed conflict within the foreign state posing a serious threat to the personal safety of the country's nationals if returned there; (2) an environmental disaster, such as an earthquake, flood, drought, or epidemic in the state; or (3) extraordinary and temporary conditions in the foreign state that prevent nationals from returning safely."

After assessing the aforementioned factors as they apply to Haiti, DHS has taken the following stance: "Decisions on these requests will be made on a case-by-case basis based on the specific circumstances involved when requested."

Madam Speaker, Haiti's recent political, civil, and governmental crises, as well as the extraordinary and temporary conditions caused by several natural disasters, easily make Haitian nationals currently in the United States eligible for TPS.

Any major storm that hits Florida almost always crashes through Haiti first, taking lives and leaving cities already impoverished from the previous year's storms, further devastated.

Throughout Haiti, vast deforestation leaves the country extremely vulnerable to mudslides from heavy rains. It is now 2007 and Haiti still remains severely devastated by the aftermath of Tropical Storm Jeanne, Hurricane Ivan, and serious floods throughout the region that occurred in 2004. The loss of life in Haiti is all but too common, and unfortunately overlooked, when natural disasters whip through the region.

The death toll that resulted from the combination of these natural disasters reached over 7,500. In addition, an estimated 250,000 people were left homeless across the country and at least 4,000 homes were destroyed, with thousands more damaged as a result of the storm.

The Haitian government's ability to provide basic governmental services—clean water, education, passable roads and basic healthcare—is still severely compromised by these natural disasters. Repatriating Haitians at this time imposes an additional burden on government resources that are already stretched too thin.

Concerning stability and overall safety, Haiti is still in dire need of an adequate policing force to maintain order and halt the escalation in kidnappings that are plaguing the nation.

As of January 2007, the Department of State continues to advise Americans that current conditions in Haiti make it unsafe to travel due to the potential for looting, the possibility

of random violent crime, and the serious threat of kidnapping for ransom. The warning goes on to state that more than 50 American citizens, including children, have been kidnapped over the past year.

Madam Speaker, if it is unsafe for our citizens to travel to Haiti, then those same conditions should make it much too dangerous and inappropriate to forcibly repatriate Haitians at this time. It is unfortunate and appalling that our current immigration policies hold such harmful double standards.

I want to make it very clear that I acknowledge and heartily congratulate Haiti's shift toward recovery, as seen by the successful democratic elections held throughout 2006.

However, President Préval's nascent democratic government still faces immense challenges in regards to rebuilding Haiti's police and judicial institutions to achieve the fair and prompt tackling of the ongoing political and criminal violence.

Most recently there has been a sharp increase in common crime, especially kidnappings which continue to plague the capital and other cities and regions.

The absence of security and failure of police and the judicial system to function effectively only makes matters worse.

In addition to safety and human rights considerations, halting the deportation of Haitians is also an economic matter.

Under the law, TPS beneficiaries are eligible to obtain work authorization permits. The ability for Haitian Nationals to legally work in the United States put them in a position to contribute to their country's reform and development until such time it is safe for their return to Haiti.

Madam Speaker, the Haitian Diaspora has always played a pivotal role in assisting Haiti. It is widely known that Haitians residing in the United States often work three jobs to send money back to Haiti each month. Many Haitians in the United States often send remittances to support family members, and others travel home to lend their expertise toward rebuilding and humanitarian efforts.

Designating Haiti under TPS status would preserve and increase remittances—over a billion dollars a year—from the Haitian Diaspora to relatives and communities in Haiti that are key for welfare, survival, and recovery.

Haiti is more dependent than any other country on remittances—nearly a billion dollars a year—sent home by Haitians in the United States. Remittances to Haiti far exceed foreign aid.

Many Haitian Nationals in the United States who previously sustained relatives in Haiti through remittances, are being deported, further depriving Haiti of an important source of financial aid that is well-positioned to assist when based here in the United States.

Madam Speaker, by refusing to give Haiti the TPS designation, our inequitable immigration policies continue to send a clear message:

The safety of Haitian lives is not a priority compared to a Honduran, Liberian or Sudanese life.

We must act to change this perception. Our immigration policies have to change; they must reflect fairness and treat Haitians equally to Nicaraguans, Hondurans, and Salvadorans whose deportations are suspended and who are allowed to work and support their families back home.

Madam Speaker, Haiti is making great strides to recover and rebuild. We cannot reward their efforts by kicking this country, and its people, down when they are doing everything possible to bring their country out of chaos and destruction.

The election of President Préval in February 2006, and the election shortly thereafter of a national legislature which promptly confirmed his cabinet nominees, along with the broad internal and international support which this new democratic government enjoys, makes it imperative that the United States seize every current opportunity to assist that government to succeed.

Many in Haiti, as well as the Haitian Diaspora worldwide, need us to reach beyond what has been done before and demand more.

The Haitian Protection Act of 2007 is necessary to achieve fundamental fairness in our treatment of Haitian immigrants and remedy the accurate and widespread perception that U.S. policy has discriminated against them.

Madam Speaker, we cannot miss this opportunity to help Haiti stabilize its economy, rebuild its political and economic institutions, and provide a future of hope for Haiti's people.

I ask my colleagues to support this legislation and urge the House Leadership to bring it swiftly to the House floor for consideration.

THE CURRENT HUMAN RIGHTS SITUATION IN CHINA

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. WOLF. Madam Speaker, I would like to call to the attention of the House the following assessment of the current human rights situation in China. Harry Wu, a renowned human rights activists who survived 19 years in China's notorious laogai labor camps, has detailed in this assessment the current level of human rights abuses by China's brutal dictatorship.

As we approach the 2008 Olympics in Beijing, and China continues to grow as an economic and political powerhouse, we must remind ourselves of China's abusive and oppressive treatment of innocent civilians, and fight against the tyranny of the communist regime in Beijing.

THE CURRENT HUMAN RIGHTS SITUATION IN CHINA, JANUARY 2007

(By Harry Wu)

The People's Republic of China (PRC) continues to awe the world with its rapid economic development attracting foreign investment from all over the world. Recently, China's power and influence in international politics has also grown. China has been extolled for taking the lead in negotiations with North Korea, and the world looks forward to the 2008 Olympic Games in Beijing. However the international community has overlooked the most important fact—the Chinese government is still a ruthless dictatorship.

China may be involved in the Six-Party talks with North Korea but it is still the nation's closest ally and biggest supplier. China is embracing capitalism but that does not equal freedom and democracy. This memo provides a brief description of human rights violations in China that are occurring

on a large scale. China's brutal system of forced labor camps is thriving and remains a tool for repression and economic profit. Religious freedom is nonexistent without government approval, and independent trade unions are forbidden. The government refuses to reveal how many prisoners are executed each year, and organs are harvested from prisoners for money. Women and their families are being persecuted for violating the national one-child policy, and are subject to forced abortions and sterilization, detention and other punishments. Internet access is censored and cyber-dissidents are frequently monitored and arrested with the help of American companies. The number of political prisoners is on the rise as the Chinese people speak out against freedom of speech, press, and religion, the one-child policy, labor conditions, and property rights.

The truth is that a more democratic and free China that respects human rights and the rule of law would lead to a more stable region, and ultimately would be better for US interests and national security.

THE LAOGAI SYSTEM

The Laogai is a vast system of prison camps in the PRC consisting of a network of more than 1,045 prisons, labor camps, and mental institutions. The fundamental role of the Laogai is the same as it was during Chairman Mao Zedong's reign—reform through labor. Labor camps are used as a mechanism to suppress political dissent, human rights activists, religious and spiritual believers, ethnic minorities, and common law offenders. The UN Special Rapporteur on Torture has confirmed that prisoners are frequently tortured to extract false confessions to be used to convict in court.

Although some judicial reforms have been made, China's legal system is still rule by law not rule of law. The administrative detention system that the rest of the world has deemed a violation of international law, is still used. Laojiao (re-education through labor) allows individuals to be held for up to 3 years without legal proceedings. Anyone who speaks out against the Chinese Communist Party is falsely arrested and charged with the vague crimes of "endangering state security" or 'revealing state secrets', and 99 percent of those who are charged with these crimes are convicted.

The Laogai is an integral sector of the PRC's export economy and its forced labor products are frequently sold in U.S., European and world markets. Despite the 1992 Memorandum of Understanding (MOU) safeguarding against the export of prison labor goods between the U.S. and China, little has been done to enforce this policy. U.S. customs stated that it could not conduct independent investigations in China because the Chinese government refuses to comply. Yet the U.S. has done nothing to encourage compliance. American businesses often claim to be unaware that their subcontractors are using prison labor, but this should no longer be an excuse.

RELIGION

The PRC does not permit religious freedom. Roman Catholicism is still outlawed and the Chinese government continues to defy the Vatican by ordaining church officials without its permission. In late November 2006 the Chinese Patriotic Catholic Association ordained Bishop Wang in Jiangsu province, the third incident of this kind in a year. The government controls all religious activities and any new groups must apply for permission to practice and to publish literature. The spiritual practice of Falun gong is banned as a cult. Falun Gong followers and underground "house church" Christians are persecuted daily. They are put under house arrest, detained without public trial, and imprisoned and tortured for their beliefs

under the auspices of various government campaigns. The Uyghur Muslim minority in Xinjiang province has been targeted and arrested according to an "anti-terrorism" campaign, while Tibetans monks and nuns have been forced to sign declarations denouncing the Dalai Lama as a dangerous separatist or face arrest according to a "patriotic education" campaign.

TRADE UNIONS

The PRC outlaws all independent trade unions, forcing its workers to join the state-sponsored All China Federation Trade Union (ACFTU), which by international standards is useless and only serves the Communist Party's needs. Most recently Walmart, a company that has opened 62 stores in China, capitulated to ACFTU demands and agreed to let the union set up branches in its stores. This fact is alarming because Walmart does not allow its employees to unionize in any other country. This is a vivid example that disproves the common theory that economic development is a catalyst for democratization in China. In contrast, the more companies that cooperate with the Communist Party's demands, such as Walmart, Cisco, Google, and Yahoo, the more the totalitarian regime is strengthened.

DEATH PENALTY AND ORGAN HARVESTING

China executes anywhere from 3,500–10,000 people per year, more than the combined total of all the countries in the entire world. The true number is impossible to ascertain because this information is not made public, making it difficult for NGOs such as Amnesty International to keep records.

After decades of organ harvesting, the PRC's Vice Minister of Health, Mr. Huang Jiefu, in November 2005 officially admitted that organs are taken from executed prisoners, but still insists that the prisoner or his family always gives informed consent. However, this usually never occurs. Families are often not notified when their relative will be executed and afterwards they are given the cremated remains to cover up any signs of organ removal, or are not given the body at all. Whether or not consent is actually given by the prisoner is irrelevant because even if death row prisoners give permission they are coerced and threatened by prison officials to comply. Although government legislation to regulate organ trade went into force in July 2006 prisoners' organs are still sold to wealthy Chinese nationals and foreigners with the profits going directly to the Chinese government. Multi-lingual websites boast about the ease of receiving an organ transplant in China.

POPULATION CONTROL

The PRC government continues to implement the inhumane one-child policy that began in 1976. No other country has such a draconian family planning policy that is offensive to all religions and all cultural backgrounds, and affects all of China's 1.3 billion members. Despite other social reforms, China's population policy still does not conform to international human rights standards. With few exceptions, only married couples that obtain pre-approval, i.e. a birth permit, may legally have a child even if it is their first child. A majority of Chinese women are required to use intrauterine devices (IUDs), and in villages women's menstrual cycles are monitored. Violators, if discovered to be pregnant, are coerced into having an abortion and to undergo sterilization. Occasionally the men are sterilized as well. Doctors who do not perform IUD insertion or sterilization, or who fake these operations, are jailed. Family members of violators are often imprisoned if they do not reveal their relative's whereabouts. Despite relaxation of certain aspects of China's family planning regulations, enforcement of the one-child policy continues to be coercive.

INTERNET CENSORSHIP

The crackdown of Internet dissidents remains widespread. American software companies such as Cisco, Microsoft, Google, and Yahoo continue to cooperate with the Chinese government to censor Internet use. These companies have agreed to restrict access to certain websites and terms, and to reveal the identities of users. As a result of these policies, according to Amnesty International at least 57 people have been arrested for discussing democracy on the Internet. Journalist Shi Tao was sentenced to 10 years in prison for writing an e-mail on Yahoo to a China pro-democracy group in the U.S. Cisco in particular has funded over us \$700 million telecom ventures in China including selling software to the Chinese police who use it to arrest dissenters.

Directly after the Tiananmen Square massacre in 1989, the US government banned the export of crime control and detection products to China, such as guns and handcuffs. However these sanctions are out of date. Today these restrictions must be expanded to include software and technology products that are used to censor the Internet.

DISSIDENTS AND POLITICAL PRISONERS

Human rights activists in China are frequently imprisoned for various reasons. Some recent examples include Sun Xiaodi, who has petitioned authorities to stop radioactive contamination in Gansu province Three Gorges activist Fu Xiancai who was assaulted and paralyzed after being questioned at a police station, numerous journalists such as New York Times researcher Zhao Yan, and religious practitioners and ethnic minorities. Not only are dissidents imprisoned for criticizing China's totalitarian regime, but the lawyers who defend them are being persecuted as well. For instance blind lawyer Chen Guangcheng is imprisoned for defending victims of forced abortions and sterilizations, as is Gao Zhisheng for sending a letter to the government condemning its practices. Moreover, these cases are only the ones of which the international community is aware; the reality is that unknown numbers are currently being harassed, arrested, tortured and imprisoned. The Chinese government will continue to quell political and civil unrest to maintain power and control.

CONCLUSION

The U.S. Congress should send a strong signal to the Chinese government that the world will not accept the human rights violations that are occurring in China. The Chinese people deserve the fundamental rights to a just legal system, to practice religion, to unionize, to plan their families, and to freely express themselves. While economic improvements have been made, China continues to deny its people dignity and basic rights. The U.S. must not remain silent any longer.

HONORING DR. MARGARET ANN HARRISON HILL FOR 40 YEARS OF ACHIEVEMENTS IN EDUCATION

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 17, 2007

Mr. LEWIS of California. Madam Speaker, I rise today in order to recognize Dr. Margaret