



**Representative Christopher Smith (R-NJ)**  
**Chair of the Congressional-Executive Commission on China**  
**Opening Statement for the Hearing**  
**“Bringing Home Americans Detained in China”**

We open today’s hearing knowing that Pastor David Lin is back in the United States after nearly two decades unjustly detained. Pastor Lin’s crime was that he worked to strengthen the Protestant Chinese “house church” movement. For this, he received a life sentence.

We are overjoyed for the Lin family. This Commission has pressed the past two Administrations to prioritize David Lin’s case.

We acknowledge the efforts of the Biden Administration to gain Pastor Lin’s release and are hopeful that his release creates space for more releases.

Like the family members of our witnesses today.

Despite the release of David Lin, there are more Americans detained in the People’s Republic of China (PRC) than anywhere else in the world. Wrongfully detained U.S. nationals are serving long prison sentences--an average of eight years. The families of Mark Swidan, Kai Li, Nelson Wells, Jr. and Dawn Michelle Hunt know these hard facts all too well.

They have all languished far too long in Chinese prisons.

The Foley Foundation identifies 11 wrongfully detained Americans in China, including those subject to “exit bans.” John Kamm, the preeminent expert on political prisoners in China, estimates that there 200 or more American citizens “coercively detained”, with 30 Americans being held in China under “exit bans”—where U.S. citizens are stopped from leaving China to settle economic disputes or to coerce their relatives to return to China to face alleged crimes.

This is unacceptable. If the Chinese government wants to improve relations with the United States, they should release Americans who are wrongfully imprisoned without condition and unilaterally end the use of “exit bans,” a form of de facto hostage-taking that violates article 12 of the International Covenant on Civil and Political Rights, a treaty that the People’s Republic of China has signed though not yet ratified.

But I’ll go further than that.

The release of American citizens should be the first thing President Biden says to Communist Party leader Xi Jinping whenever they talk. Their names should be said so often that Xi Jinping memorizes them.

Their cases should be agenda item #1 at every meeting the Secretary of State takes with Chinese officials.

And, every U.S. official traveling to China should be repeatedly saying the names of Kai Li, Mark Swidan, Nelson Wells, Jr. and Dawn Michelle Hunt.

Every channel of the U.S. government must be focused on the release of wrongfully detained Americans.

It’s that simple.

All Americans detained in China deserve robust diplomatic assistance to gain their transfer out of prison or at the very least, to have more frequent U.S. consular officials visit, more frequent and longer visits with their families, and better access to legal representation and health care.

Given the legal system in China, and the poor prison conditions—more Americans should be considered to be unjustly detained by the State Department.

How many Americans currently in Chinese prisons received a transparent trial, with a genuine legal defense, in an impartial Chinese court? In China’s rule-by-law system, where the Party can dictate sentences of guilt or innocence—none.

How many detained Americans face serious health challenges because of the poor conditions in PRC prisons—

- Where Chinese and foreigners alike are forced to work long hours.
- Where they are often tortured or mistreated by guards and other prisoners.

- Where they suffer from insufficient medical care and nutrition?

Your testimonies about what you and your families endured while jailed should be submitted as evidence of torture to the United States Committee Against Torture for its upcoming review of China.

I will instruct our staff to work with you to submit your testimonies to the United Nations High Commissioner for Human Rights and the U.S. Mission in Geneva.

But that is just a start. Given the number of Americans detained and the Chinese Communist Party's willingness to engage in hostage diplomacy, there should be more creative diplomatic approaches to counter the threat.

To that end, I will introduce a bill with Rep. Tom Suozzi that will, among other measures,

- Direct the State Department to create a strategy for gaining the release of your family members;
- Gain insight into the diplomatic tools the State Department is using for your family members, including the use of designations and sanctions authorized in Executive Order 14078 "Bolstering Efforts to Bring Hostage and Wrongfully Detained United States Nationals Home."
- Seek more transparent information from the State Department about the cases of your loved ones, including gaining access to the resources Congress allocated to assist families with the financial burden of advocacy.

I know this is a tough and emotional day for our witnesses. No amount of words or sympathy from us can replace your missing loved ones. I hope you know that our purpose here today is to listen to your stories and to learn about your loved ones and their ordeal.

You must all know that we are here today because we are committed to bringing your loved one's home.

As a Commission, we will continue to press the U.S. government to do more for your loved ones.

For my part, I promise to remain a tenacious advocate for their release. They have suffered too long They will not be forgotten.