

**Senate Judiciary Subcommittee on Border Security and Immigration Hearing**  
**Wednesday, December 16, 2020, 2 pm ET**  
**Samuel M Chu, Managing Director, HKDC**

Good afternoon. Thank you Chairman Cornyn and Ranking Member Durbin, Members of the Committee, for organizing today's hearing and for the opportunity to contribute to the committee's work in support for the pro-democracy movement in Hong Kong.

On July 30, I fell asleep watching reruns of "Law and Order." The next morning, I woke up a fugitive.

Chinese state television had reported overnight that the Hong Kong authorities had issued [arrest warrants](#) for six pro-democracy activists. I was one of the six. The alleged charges? "Inciting secession" and "colluding with foreign powers" — both part of the National Security Law imposed on June 30 this year. Both crimes punishable by up to life in prison. It doesn't matter that I've been an American citizen for 25 years — having left Hong Kong in 1990 to live in the United States.

My surprising status as a wanted fugitive illustrated the imminent threats to freedom posted by China, yet because I reside in the US, my fate pales in comparison to those of the thousands of freedom-loving Hong Kongers facing the very real prospect of spending their years behind bars today.

Hong Kong has fallen - it has gone from being the freest city in China to a quasi police state where even following someone like Taiwan President Tsai on Twitter could mean life in prison as we learned from the charges against Jimmy Lai this past week.

My own "Coming to America" story has a unique connection to this hearing today - just over 30 years ago, my father, the Rev. Chu Yiu Ming, co-led the underground operation code-named "Operation Yellow Birds" that rescued hundreds of dissidents who participated in the Tiananmen Square protest in 1989. They were smuggled out of the mainland and found safe harbor in Hong Kong before resettling in western nations including the US.

**Hong Kong was a safe harbor then. But now, Hong Kongers need a safe harbor.**

The US has led in the global response to China's snuffing out of Hong Kong's autonomy and freedoms and the imposition of the national security law with force and clarity: revoking the special treatment Hong Kong enjoyed with the United States, sanctioning Hong Kong and Chinese officials who participated in crackdowns there.

But legislation like the Hong Kong Safe Harbor Act would enhance and add to this punitive approach with another kind of threat - undermining the CCP regime and its global competitive-edge by offering a lifeline to Hong Kong residents.

Historically, the US has used special refugee status as a soft-power tool. From Southeast Asia after the Vietnam war or from Iraq and Afghanistan as part of course correction in foreign policy, to Soviet Jews and Cubans as a way to undermine socialist regimes without going to war.

Imagine freedom-loving Hong Kongers - those who have stood up and stared down the CCP - finding safety and refuge in America.

China's loss would be America's gain. An influx of people from Hong Kong—and their knowledge, skills, money, and entrepreneurship and their hopes and aspirations — would be a social and economic boon for the United States.

But currently, Hong Kongers have limited ways of coming to the United States.

Applying for political asylum requires you to already be physically in the U.S. possibly on a student or tourist visa. But to apply and secure those visas have been difficult because of the pandemic, as well as travel bans and denial of bail even for activists facing first-time charges.

Hong Kongers could apply for refugee status outside the U.S. And the administration has announced allocating refugee spots specifically to Hong Kongers. But increased surveillance and monitoring by police and security forces put activists seeking protection at heightened risk of arrests and detention.

Furthermore, the administration has capped the overall number of refugees it will accept in 2020-2021 to just 15,000 people. Creating a zero-sum game among deserving refugees in dire straits.

Hong Kongers facing the threat of persecution need multiple pathways to safety and that's why legislation like the Hong Kong Safe Harbor Act and the Hong Kong People's Freedom and Choice Act that recently passed the House are critical and urgent.

Hong Kong Safe Harbor Act not only designates special refugee status - it also provides additional protection for Hong Kongers to travel to the United States and it exempts those fleeing Hong Kong specifically from the refugee cap.

By passing these bills, Congress would show that America is prepared to open its doors not just to brave activists and peaceful protestors but also those who share our values.

Finally - it is important to understand that safe harbor protection is not a sign of surrender but rather, would serve as a direct and unmistakable boost and support to the pro-democracy movement.

The coordinated actions by the US and allies would preserve the bravest and brightest leaders and talents of the movement - allowing them to continue their fight against the CCP safely overseas - something that the CCP has shown particularly sensitive and fearful of.

And as Hong Kong authorities brazenly moved to freeze and restrict resources and funds for the pro-democracy movement in Hong Kong - with recent cases of the Hong Kong Police Force freezing the bank accounts of former legislator Ted Hui and his family and Good Neighbor Church who were involved in the protest. This has prompted Hong Kongers to look for ways to invest their money overseas. A promise of safe harbor in the US would ensure that resources and fundings could continue to be raised and utilized for the movement in Hong Kong and abroad. Hong Kongers would invest in the U.S. even if they stayed in Hong Kong knowing they would be welcomed here.

Most Hong Kongers will choose to remain in the territory and continue to fight. It is still their home. But they would do so with new confidence that they have somewhere to go

if China's authoritarian rule crushes the city and gives younger people the courage to resist Beijing with even more fervor.

When we launched HKDC last September knowing that there might come a time when Hong Kongers will no longer be free to speak and fight for their way of life in Hong Kong without the risk of prison or extradition to the Mainland. That time has come - and organizations like HKDC are at the frontline for the fight for Hong Kong. We need refugee policies in order to continue.

I began my remarks today with my father and the Tiananmen dissidents. A reporter once asked me if my father anticipated when he sent me here as a 12 year-old what Hong Kong has become today and that I would help found the Hong Kong advocacy organization in the US 30 years later.

I doubt my father had foreseen today's hearing back then - but I know that he had put his faith in the US as a beacon of freedom and a refuge and that's the same faith that embolden him to rescue those who escaped the Tiananmen massacre and put them on a plane to America. That's the same faith that he had when he put me on a plane to America. And I might have begun my life in the US as a refugee, but I grew to be a thorn and threat to the CCP enough to become a fugitive.