



HOUSE OF REPRESENTATIVES  
WASHINGTON, D. C. 20515  
February 20, 2003

IKE SKELTON  
4TH DISTRICT, MISSOURI

The Honorable Pasco M. Bowman  
U.S. Circuit Judge  
10-50 U.S. Courthouse  
400 E 9<sup>th</sup> St  
Kansas City, MO 64106

Dear Judge Bowman,

Per your request, on January 8, 2003, I contacted James Kelley, Assistant Secretary for East Asian and Pacific Affairs, to inquire about Jude Shao. Recently, I received the enclosed response in which you may be interested.

All the best.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ike Skelton".

IKE SKELTON  
Member of Congress

IS:do  
Enclosure

Rec'd At KC, Mo.

FEB 25 2003

Stn USCA - Bowman

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United States Department of State

Washington, D.C. 20520



January 27, 2003

Dear Mr. Skelton:

I have been asked to respond to your letter of January 8, 2003, to Assistant Secretary James Kelly, concerning Jude Shao, an American citizen who has been incarcerated in China since 1998.

Mr. Shao was detained on April 3, 1998. He was formally arrested and charged with violation of China's economic code, specifically tax evasion, and transferred to the Shanghai Detention House on May 29, 1998. On March 13, 2000, Mr. Shao was convicted and sentenced to 16 years incarceration followed by deportation for evasion of value-added tax, a criminal violation of China's economic code. Under appeal, Mr. Shao's conviction was upheld by the Shanghai Intermediate Court.

Since his initial incarceration in April 1998, consular officers at the Consulate General in Shanghai have continually followed developments in Mr. Shao's case and have made regular consular visits. During these visits, the consular officer assisted Mr. Shao with administrative matters and with communication with his family and attorney, and actively protested the prison authorities' censorship of his mail and their refusal to allow Mr. Shao use of his computer and printer.

Following the visit of March 5, 2002, the consular officer sent an inquiry to the Shanghai Intermediate Court requesting official update on the status of the case and a copy of the verdict the Intermediate Court rendered December 21, 2001, in which it upheld its earlier ruling and reaffirmed the original verdict of the trial court. In addition, the consular officer noted that on January 28, 2002, Mr. Shao filed an appellate brief with the People's Supreme Court of China in Beijing.

The Honorable Ike Skelton  
U.S. House of Representatives  
Washington, D.C. 20515

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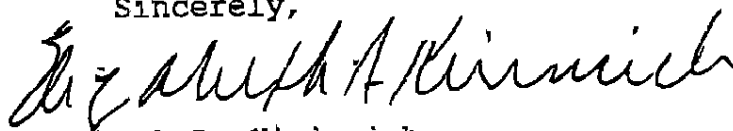
Although Mr. Shao's petition was received and signed for on February 13, 2002, Mr. Shao has not received a reply. Mr. Shao believes that he has identified a section of Chinese law indicating that the Court has violated Chinese law by not responding in a timely fashion. According to Chinese law, Mr. Shao has exhausted all his avenues for appeal, but consular officers continue to solicit a response from the Shanghai Justice Bureau in the hope that another appeal might be granted.

The Department of State has no higher priority than the protection and welfare of American citizens abroad. Although U.S. consular officers are often called upon to clarify administrative and legal procedures of the host country, they are not empowered or qualified to provide legal representation to detained American citizens. In this regard, the most appropriate means by which Mr. Shao should conduct any further appeal or legal action would be through his attorney.

Please be assured that the Department, the Embassy in Beijing and the Consulate General in Shanghai will continue to monitor the progress of Mr. Shao's case and will continue to express our interest in its fair and equitable resolution in accordance with due process under Chinese law.

We hope this information will be helpful in addressing your concerns. If you have other questions regarding this or any other matter, please call Ms. Kerry Holmes-De Haven in our East Asia and Pacific Division of the Office of American Citizen Services and Crisis Management, phone: (202) 736-4989.

Sincerely,



Elizabeth A. Kirincich  
Acting Director  
Office of American Citizen Services  
and Crisis Management