

HOUSE OF REPRESENTATIVES—Thursday, July 26, 2001

The House met at 10 a.m.

The Reverend Monsignor James G. Kelly, St. Margaret's Church, Buffalo, New York, offered the following prayer:

Heavenly Father, Lord of creation, all praise and thanks to You for the commission and gifts which You have given to us Your children to continue Your work in the world through the formation and fostering of civilization on this earth. Praise and thanks to You for this blessed Republic of ours and for the women and men who serve willingly and generously in its governance. Look with favor on the elected Members of this House of Representatives, bless them and guide them that they may not only enact laws that are just but also be the voice of those who have no voice, the most vulnerable and marginal of our society. Help these men and women to be persons who lead through the example of honesty, reverence for our traditions and integrity. Praise and thanks to You, our God, forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. LAFALCE) come forward and lead the House in the Pledge of Allegiance.

Mr. LAFALCE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The gentleman from New York (Mr. LAFALCE) will be recognized for 1 minute. All other 1-minutes will be postponed until the end of the day.

WELCOMING THE REVEREND MONSIGNOR JAMES G. KELLY

Mr. LAFALCE. Mr. Speaker, I want to both welcome and thank Monsignor Jim Kelly from St. Margaret's Roman Catholic Church on Hertel Avenue in Buffalo, New York, for coming here this morning and offering the opening prayer.

When I was a very young man coming out of law school, I was hired by one of the most prominent firms in Buffalo, Jackle, Fleischman, Kelly Swart, and Ausberger. It was Monsignor Kelly's dad, Harry Kelly, one of the best trial lawyers western New York has ever seen, who gave me my initial start. His sister Therese and her husband Tom bought a home just two doors away from the home that I lived in on Starin Avenue in the Town of Tonawanda.

The name Kelly is very, very Irish, but he ministers with great care and love and compassion to the parishioners of St. Margaret's, which is over 70 percent Italian American. He, in addition to that, tries, probably harder than anyone else, to promote peace and justice within the Diocese of Buffalo, because he is the Chairman of the Peace and Justice Commission for the Diocese of Buffalo.

Monsignor Kelly, we welcome you here today and we also say to you, one day late, Happy Birthday.

DISAPPROVAL OF NORMAL TRADE RELATIONS TREATMENT TO PRODUCTS OF VIETNAM

Mr. THOMAS. Mr. Speaker, pursuant to the previous order of the House, I call up the joint resolution (H.J. Res. 55) disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of H.J. Res. 55 is as follows:

H.J. RES. 55

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on June 1, 2001, with respect to Vietnam.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to the order of the House of Wednesday, July 25, 2001, the gentleman from California (Mr. THOMAS) and the gentleman from California (Ms. SANCHEZ) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to yield one-half of my time to the gentleman from Michigan (Mr. LEVIN) the ranking member of the Subcommittee on Trade of the Committee on Ways and Means and that he be permitted to yield the time as he sees fit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to House Joint Resolution 55 and, therefore, in support of extending Vietnam's Jackson-Vanik waiver. I believe this waiver represents the best hope for continued political and economic reform in Vietnam and, therefore, greater market access for American companies in one of Southeast Asia's most important emerging economies.

These three key issues come to bear on this question: Has Vietnam made progress in emigration? Have we continued despite great difficulty improving and committing ourselves to accounting for our servicemen still missing in action? And on free and equal access to trade and investment opportunities for American companies?

In each case, I believe the answer is yes. As we enter a new decade of bilateral cooperation, efforts to normalize relationships on both sides are bearing fruit.

Mr. Speaker, I was part of the first trade delegation ever to go to Vietnam under the leadership of then chairman of the Subcommittee on Trade Mr. Gibbons of Florida. We ventured to Hanoi and to Ho Chi Minh City. Although conditions, especially in the north of Vietnam, were relatively bleak, even at that time you could see the potential of then more than 75 million individuals who had an extremely high literacy rate and who seemed to be more than willing to work hard. The thing that struck me the most was the fact that there was an enormous number of foreigners in the country working on various trade arrangements. What was most striking is that virtually none of them were American. It was a clear indication that Vietnam, notwithstanding the difficulties we have with the government structure and notwithstanding the concerns that many of us have about the complete ability to account for our servicemen and women missing in action, that the United States if we continued our then current position was going to miss out; miss out not only in terms of economic opportunities but miss out in shaping this country which I believe will have a significant and positive impact in Southeast Asia.

Promoting emigration is at the core of the Jackson-Vanik structure. Vietnam, I believe, has taken significant

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

steps to liberalize its emigration practices. Among other achievements, it has cleared for interview all but 73 of the nearly 21,000 individuals who have applied for consideration under the Resettlement Opportunity for Vietnamese Returnees program.

In addition to that, we really believe that the continued improvement in this area of human rights depends upon extending the Jackson-Vanik waiver, to let us positively influence the direction of Vietnam's economic and political future.

We in addition to this Jackson-Vanik waiver will today in the Committee on Ways and Means be considering a bilateral trade agreement between Vietnam and the United States. That will afford us further opportunities both as trading partners and a growing relationship which will eventually hopefully move to a strong friendship, a remembrance of our past relationships with a commitment to make sure in Southeast Asia this does not occur, because frankly I believe that Vietnam will be one of the key nations in Southeast Asia as it continues to grow in its trade relationships around the world. We saw with Thailand in 1997 how one country's instability can quickly spread to others. I believe over the next several decades, Vietnam can be an anchor for economic improvement in Southeast Asia but probably more important a laboratory in how we can move toward a more democratic structure in a regime that currently cannot be determined to be democratic.

Mr. Speaker, I reserve the balance of my time.

Ms. SANCHEZ. Mr. Speaker, I ask unanimous consent that I be allowed to yield half of my time to my friend, the gentleman from California (Mr. ROHR-ABACHER) so that he may be permitted to yield time as he sees fit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Ms. SANCHEZ. Mr. Speaker, I yield myself such time as I may consume.

I would like to begin by saying that I have been now twice as a Congresswoman to Vietnam. I represent the largest Vietnamese segment of population outside of Vietnam in Orange County, California. Today's issue of the Jackson-Vanik is really an issue about emigration and our ability to make sure that reunification of families is happening here in the U.S., those who want to leave Vietnam and have been approved by the United States and their ability to get the right papers out of the Vietnamese government in order to make it here and come and join their families.

As the person who represents the largest group of Vietnamese people here in America, certainly our office gets to deal with all the problems of emigration between these two coun-

tries, the United States and Vietnam. That is really what this Jackson-Vanik waiver is about, whether the country of Vietnam is working in a positive manner to help us get that family reunification done. I would like to say that from our experience, and I will get into it in a little while, they have not. In fact, they are obstructing our ability to reunify our families here in the United States.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN), another one of my California colleagues who has been working very much with the Vietnamese community.

Ms. LOFGREN. Mr. Speaker, I rise in support of H.J. Res. 55, a resolution denying the President's waiver for Vietnam from Jackson-Vanik freedom of emigration requirements. I urge my colleagues to vote in favor of this resolution.

I am proud to represent a community, Santa Clara County, that has been greatly enriched by the contributions of its Vietnamese American residents. For many years as an immigration attorney, a local elected official, and now as a Member of Congress, I have had the opportunity to work with these Americans on two issues close to their hearts and to mine, immigration and human rights. So it is these two issues that are at the forefront of my own thoughts as we discuss trade with Vietnam.

I continue to hear constantly stories about religious persecution, political repression, and unwarranted detentions coming from the Vietnamese American community in San Jose and from contacts overseas. That is why several weeks ago I along with the gentlewoman from California (Mrs. DAVIS) and the gentlewoman from California (Ms. SANCHEZ) hosted a hearing on human rights in Vietnam here in the Capitol.

Let me tell you what we learned at that hearing:

Religious persecution is common in Vietnam despite the guarantees in chapter V, article 70 of the Vietnamese Constitution that citizens shall enjoy freedom of belief and religion.

Portions of the Vietnamese penal code indirectly contradict guarantees of religious freedom. For example, Vietnamese citizens can be prosecuted for "undermining national unity" and "promoting divisions between religious believers and nonbelievers." Additionally the government of Vietnam has consistently violated article 18 of the International Covenant on Civil and Political Rights that "everyone shall have the right to freedom of thought, conscience and religion."

This is borne out by the treatment that the Catholic church, the Buddhists and the Christian Montagnards have experienced at the hands of the Communist government.

□ 1015

In the course of this debate, we must not forget the names of those fighting for freedom in Vietnam:

Father Nguyen Van Ly, Father Chan Tin, Le Quang Liem, Father Nguyen Huu Giai, Father Phan Van Loi, the Venerable Thich Huyen Quang, the Venerable Thich Quang Do, Rev. Thich Tri Sieu, and Rev. Thich Tue Si.

Mr. Speaker, we must make sure that we use this tool that we have. I am a firm believer in trade, but I also know that we have individual relationships with each country, and we must use the tools available to us. We have a window of opportunity with Vietnam, and I know that if we insist that Vietnam improve its human rights record as a condition of trading with America, we would gain human rights advances in Vietnam.

So I think it is a tragic mistake for the United States to decline to use this tool that is available to us that would be effective in gaining freedom for those who are oppressed because of their religious beliefs in Vietnam.

For the priests and the devout who are persecuted today in Vietnam by the Communist government, I can only offer my embarrassed apologies that President Bush and this Republican leadership would turn a deaf ear to your suffering.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join in opposition to this resolution, and I support the waiver for another year. We should be clear what is before us today. This waiver relates to the availability of export-related financing from OPIC and Ex-Im and the Department of Agriculture, and not broader than that.

Last year's vote in favor of the resolution was 93 and opposed 332. It was a bipartisan vote, with 23 Democrats voting in favor of it. I do not see any reason why we should step back. I do not think there is any rationale for moving backwards instead of sustaining this approach.

Our relationship with Vietnam, as we all know so well, has been a very complicated one. The war was indeed a bitter one and a deep and bitter experience for this country. We had very difficult relations with Vietnam for good reasons.

Then, in the nineties, a decision was made to lift the trade embargo that had been in place for 20 years, and in 1995 we opened a U.S. embassy in Hanoi, and it was in 1998 that the waiver of this nature first occurred. Since then, the waiver has been upheld.

There has been some progress, progress in terms of missing in action issues that are of deep concern to us. Recently nine Vietnamese died helping us in the search for U.S. MIA's. There has also been some improvement in emigration. It is far from perfect, but I do not think anybody would say the situation today is the same as it was 4 or 5 years ago.

I think that we need to find, as we did last year with China, a combination of engaging and pressuring of Vietnam, and it seems to me that to pass this resolution does not find at all the right combination.

We are endeavoring to help promote a free market economy in Vietnam. There are some steps in that direction.

We are going to be considering, as the chairman said earlier, a bilateral trade agreement in the Committee on Ways and Means this afternoon. That was negotiated about a year ago, and has only recently been submitted to us for action.

In that bilateral trade agreement, we will be considering a number of issues. It does not, in my judgment, address all the issues that need to be considered in our economic relationship with Vietnam. At some point there is going to be a desire to negotiate a textile and apparel agreement.

As I have expressed to the administration and to colleagues on my committee, and will express again this afternoon, it is vital as we go forth in our relationship with Vietnam that we consider all of the relevant economic and trade-related issues, including those of labor markets and the economy. The bilateral agreement before us this afternoon does not fully do that, though I favor moving ahead with it, with the proviso I have mentioned.

But the issue today before us is whether we should continue this waiver, whether it is a useful and, as I think, important part of the continuing efforts to find the right combination in our relationship with this country. It remains a command economy, there is no doubt about it. It remains a country where there is command by a central party over much of Vietnamese life. There is no doubt about it.

Therefore, we have to continue to press on the economic end in a broad way; we have to continue to press in terms of human rights, never give that up. But voting for this resolution today I think misses the best way to do that, and, therefore, while understanding and indeed lauding the concerns of those who support this, I would urge that we continue the path that was set a number of years ago of engaging and pressuring Vietnam.

The vote last year was really an overwhelming one, and I think the evidence since then indicates we should continue that approach and not step backwards.

Mr. Speaker, I reserve the balance of my time.

Mr. ROHRABACHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have introduced House Joint Resolution 55, a resolution disapproving the extension of the President's waiver for the corrupt communist regime in Vietnam on the Jack-

son-Vanik provision of the Trade Act of 1974.

During the past 12 months, despite previous Presidential waivers, the communist regime in Vietnam has actually increased its brutal repression, especially against religious leaders and other members of the clergy; it has increased its repression of those who are advocating democracy; and it has increased its repression against ethnic tribal minorities.

When we take a look, especially at that last category, today, as we speak, the Montagnards, who were great allies of the United States of America, who risked their lives in order to save thousands of Americans, are under severe attack by the government of Vietnam. Yet we sit here and extend to them, again, a waiver on their conduct? I do not think so.

This Member of Congress spent some time with the Montagnards in 1967. I was in a small camp near Pleiku, Vietnam, and I found the Montagnard people, although they are very short people, to be some of the most courageous people in the world. Yet they cast their lot with us, and we abandoned them at that time at the end of the war. In 1967, probably some of those Montagnards were responsible for my life.

I did not spend a great deal of time up there, it was part of a political operation in the highlands of Vietnam, but I will say this: These people who risked their lives for us and then were abandoned at the end of the war, I remember thinking, whatever happened to those people? In 1975, I remember asking myself that.

Well, today, let us not abandon those people who fought for democracy in Vietnam again. Let us not abandon America's friends, again, by giving a waiver to a corrupt and tyrannical dictatorship that now controls Vietnam.

Mr. Speaker, what does this waiver really do? By the way, we are talking about waivers. I would like to thank my colleague from Michigan for outlining exactly what it does do and what we are really talking about today. Are we talking about breaking relations with Vietnam? No, this waiver would not do that. By rejecting this waiver, we would not be isolating Vietnam.

We are not talking about embargoing Vietnam. That is not what rejecting this waiver is all about. We are not even talking about whether American companies will be able to sell their products in Vietnam. That is not what rejecting this waiver would do.

What we are talking about today and what this debate is really all about is if we reject this waiver, we are preventing American businessmen who want to build factories in Vietnam, we are preventing them from an eligibility, from having eligibility for taxpayer-funded subsidies and loan guarantees. As my friend from Michigan stated, what we are really talking is

OPIC and Export-Import bank loan guarantees and their credit.

What does that mean? That means the American people are going to be, through their tax dollars, subsidizing American businessmen for taking advantage of slave labor, meaning labor that cannot unionize, cannot demand its own wage, cannot quit. We are going to subsidize American businessmen to close their factories in the United States and set up their factories in Vietnam.

Does that make any sense? I do not think it makes sense to do that with a democratic country, much less to a country that is a dictatorship and stands for everything that America is supposed to be against.

Extending American tax dollars to subsidize or insure business with Communist Vietnam is bad business in and of itself and a betrayal of American values. Bad business, because of what? Well, why do these businessmen who want to set up these factories need these subsidized and guaranteed loans in the first place? I will tell you why they need that, because private banks will not give them the loans at the rates they need, because it is too risky for these American businessmen to set up their factories in Vietnam, because Vietnam is a corrupt dictatorship that nobody can count on. If it is bad business for American banks, should we put the taxpayers' money at risk? I do not think so.

It is not only bad business, but it is a betrayal of American values. The communist regime represents a repressive and corrupt dictatorship that is reprehensible and contrary to everything we believe in. They do not share our values and have not shown the slightest willingness to change.

We keep hearing, well, there has been progress. There has not been progress. There has been retrogression, just like we have seen in Communist China; retrogression. When we extend loan guarantees and we help out the regime, these gangsters do not say, oh, gee, how nice; maybe we should actually have some liberalization because they have been so nice to us.

No. They think we are a bunch of saps. They do not think we have the courage of our convictions. That is what is going on.

One last issue, the POW issue. There has been no progress on the POW issue. America spends \$1 million every time there is a dig for remains of some American serviceman killed in Vietnam and left behind, \$1 million. They are making a profit off of that. But they have done nothing but put obstacles in our way of finding out what happened to the 200 Americans who were reported and seen alive in captivity, but never came home after the war. Roadblock after roadblock.

I have made demands every year that we see the records of the prisons in

which Americans were kept during the Vietnam War so that we can verify by those records that all of those people got home. Guess what? Those records have never been made available. Of course, the explanation is they were all destroyed by B-52 raids at the end of the war. Give me a break. They have not been forthcoming about POW's. They have, in fact, put roadblocks up in the way.

We should not reward this repressive regime by guaranteeing American businessmen's investments in their country. Of course, the American businessmen will make hundreds of millions of dollars, if not billions. The Vietnamese regime will benefit. But the Vietnamese people themselves will continue to suffer this repression, and the American taxpayer is going to be taken for a ride.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there is no question, given the tragic history of the relationship in recent decades between the United States and Vietnam, that there would not be strong personal feelings.

□ 1030

We have to approach this legislation looking at it on the whole but, because of that, Mr. Speaker, I would like to serve notice that at the end of the debate, we intend to ask for a recorded vote so that all Members may express their own particular position on this issue.

As the gentleman from Michigan indicated, he has a concern beyond a bilateral trade agreement with the Government of the United States and Vietnam; and I want to indicate to him that I look forward to exploring with him and other Members of Congress the appropriateness of negotiating an incentive-based textile and apparel agreement with Vietnam, which I believe will begin to address the very concerns that the gentleman from California (Mr. ROHRBACHER), my friend and colleague, indicated about the fact that if, in fact, there is going to be economic progress in Vietnam on the basis of American investment and involvement, that the Vietnamese people themselves also benefit.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT), but prior to that, I ask unanimous consent to yield the balance of my time to the gentleman from Illinois (Mr. CRANE) and that he control the balance of the time.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. BIGGERT. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today to urge my colleagues to oppose the resolution disapproving the President's extension of the Jackson-Vanik waiver for Vietnam.

Mr. Speaker, it has been 7 years since we ended our trade embargo and began the process of normalizing relations with Vietnam. Over these few years, good progress has been made. From its accounting of U.S. POWs and MIAs, to its movement to open trade with the world, to its progress on human rights, Vietnam has moved in the right direction. Granted, Vietnam certainly is not there yet, but Vietnam is moving in the right direction.

Mr. Speaker, House Joint Resolution 55 is the wrong direction for us to take today. Who is hurt if we pass this resolution today? We are.

It is the wrong direction for U.S. farmers and manufacturers who will not have a level playing field when they compete with their European or Japanese counterparts in Vietnam. It is the wrong direction for our joint efforts with the Vietnamese to account for the last remains of our soldiers and to answer finally the questions of their loved ones here, and it is the wrong direction for our efforts to influence the Vietnam people, 65 percent of whom were not even born when the Vietnam War was being waged.

Let us not turn the clock back on Vietnam; let us continue to work with them and, in doing so, teach the youthful Vietnamese the value of democracy, the principles of capitalism, and the merits of a free and open society.

Ms. SANCHEZ. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from California (Mr. THOMAS) mentioned that we would be taking a recorded vote on this; and part of that, he mentioned, is because of the emotions that many of the Members in this House feel over the Vietnam war and situation. I am one of those whom the Vietnam war, in many ways, bypassed, having been a very young child during that time; but I do know that my emotions are very strong on this because I do represent a group of people who are trying to reunify their families.

Probably, nobody else has as many cases open, over 1,000; and probably nobody in this Chamber has two Vietnamese-speaking people who deal only with the reunification of families in our home district office. Many of my colleagues do not get to see what I get to see or see the cases that come before us, the cases like my colleague from Michigan mentioned that there has been positive change with respect to emigration from Vietnam to the United States.

I will tell my colleagues that 5 years ago when I started as a Congresswoman, one had to get an exit visa from the Vietnamese government before the United States would clear you for entrance into the United States.

That has changed. Now, you get cleared by the United States, and then you go to the Vietnamese government and you ask for an exit visa, an ability to leave their country. When you go to that point, if you are in Vietnam, it usually costs you a \$2,000 or \$3,000 bribe in order to get that exit visa.

The annual wage for the annual household income in Vietnam today is about \$300 a year, which means that if one is being asked for a \$2,000 or \$3,000 bribe in order to get an exit visa in order to come to the United States after you have been approved by the United States, there is just not a way that math works out, which means we have lots of open cases and people who are not able to come over, even though we in the United States said, yes, they are eligible under the laws passed to come and be reunited with their families in the United States.

This is why this issue is so important, because this is giving financial instruments to people who want to do business in Vietnam because Vietnam's government has opened up and has helped us on the emigration issues, but they have not done that. They have made it, in some cases, more difficult.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from California, both for her passion and leadership on this issue.

It is difficult, Mr. Speaker, to stand up against those veterans who have served in Vietnam, many of them who are pursuing this trade opportunity; but I think it is important to explain the extent of what the waiver actually means.

I am glad my colleagues who have debated this have already mentioned that we have been engaged in trade with Vietnam for a number of years. We are trading with Vietnam. On the basis of that trade, one would expect, and the American people would expect, that as we engage with Vietnam and we are not engaging in trade in Cuba, that we would see a decided and definitive change; that those in this country who we represent from Vietnam who are seeking reunification of their family members, that the country and the leadership in Vietnam would be eager to cooperate and collaborate so that loving families could be reunited.

This waiver is to waive the emigration requirement, and that is where we are suffering. Those who want to leave Vietnam in freedom are not being allowed to do so. How much more trade and engagement do we need to be involved in to have the leadership of Vietnam see the light?

Since 1982, authorities have detained, without trial, an 82-year-old patriarch of the Unified Buddhist Church. He is in poor health and requires immediate medical care; I said 82 years old. Today

we will greet Gao Zhan home from China with a medical condition, a young woman who should not have been held in China, yet we are doing trade there. But here there is an 82-year-old man in jail, and they refuse to release him.

So there are questions that are pending in Vietnam. Based upon their lack of sensitivity to human rights, their lack of sensitivity to religious freedom, and the fact that we are engaged with them, it seems that they are making no decided efforts to change.

I believe that this particular resolution is an appropriate one, sends a message. If we trade with people, they need to understand that we believe in human rights and religious freedom.

Mr. Speaker, I rise in support of H.J. Res. 55. This resolution puts the principles of the United States first, and is required of this House in light of both the Jackson-Vanik amendment to the 1974 Trade Act and recent events affecting our diplomatic relationship with this developing nation.

Mr. Speaker, United States' law requires that permanent normal trade relations be granted to non-market economies that the president can certify have free emigration. Absent this showing, the President can waive the provisions of the amendment if doing so will promote emigration in the future.

Mr. Speaker, last year the U.S. signed a sweeping bilateral trade agreement with Vietnam. The World Bank estimates that this would increase U.S. imports from Vietnam \$800 million from last year—a gain of 60%. The year 2000 trade imbalance with Vietnam was \$496.9 million.

Mr. Speaker, the year 2000 review of human rights in Vietnam by the State Department noted that Vietnam has made improvements in its human rights record. Despite these improvements, the State Department still rated Vietnam as "poor" overall on human rights.

The State Department noted that the Vietnam Government continues to repress basic political freedoms, is intolerant of dissenting viewpoints, and selectively represses the religious rights of its citizens.

The Speaker last week I voted for the revocation of China's waiver authority under the 1974 Trade Act. In that case we were faced with a formerly hostile nation, a severe trade imbalance, and a nation unwilling to accept either the winds of change or the obligations of international citizenship.

In the instant case, Mr. Speaker, we have a similar situation. A formerly hostile nation with a large trade surplus and a questionable human rights record is up for trade waiver authority review. Although I rise in favor of this resolution, I do not seek to disparage the gains Vietnam has made in re-engaging the world. I seek a consistent balance between our trade priorities and the principles we use to steer this nation. We cannot continue to hold ourselves out as a nation of laws and turn our back on our convictions at every economic opportunity. We also need a faster response to our MIA's so their families can have closure.

Mr. Speaker, I rise in support of this resolution because our trade policy must be bal-

anced with a sense of moral leadership. We should not hold our trade relationship over Vietnam, nor should we allow globalization to commit us to policies against our best sense as a nation. Vietnam has done much, but it can do more. Other countries may turn a blind eye to issues such as the rights of workers and the environment, but we are not other nations.

Mr. Speaker, I urge all members to vote in favor of H.J. Res. 55, disapproving trade waiver authority with respect to Vietnam. It is time to begin thinking about what trade should mean; huge deficits for the U.S. for the sake of a few reforms is not the answer.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the very distinguished gentleman from Illinois (Mr. EVANS), who has been deeply involved in this issue.

Mr. EVANS. Mr. Speaker, I thank the gentleman for yielding. I urge my colleagues to oppose the resolution before us today.

This vote really is about how we best can achieve change in Vietnam. I believe the record stands for itself. We have achieved progress by engagement, by encouraging Vietnamese cooperation on important issues, such as human rights and political economic reform.

I can speak personally about this progress. I have been to Vietnam and seen the work of the Joint Task Force-Full Accounting, our military presence in Vietnam tasked with looking into the issue of missing servicemen and women. I have visited these young people and they are among the best and well-motivated group of soldiers I have ever met. Every day, from the searches of the jungle battle sites to the excavation of crash sites on precarious mountain summits, they put themselves in harm's way to recover our missing. In talking with them, it was clear to me that they were performing a mission that they truly believed in.

On April 7 of this year, the danger became all too real. On that day, seven American members of the Joint Task Force, along with nine Vietnamese, lost their lives in a helicopter crash as they were on their way to a recovery mission. The tragedy was a huge blow to the recovery efforts, as we lost both Americans and Vietnamese who had been deeply involved in finding our missing. We should remember our deceased as American heroes who gave their lives in pursuit of a mission they believed was a high honor and sacred duty.

If we pass this resolution of disapproval, we will be hindering that mission. The only way we can carry out this mission is to effectively have a presence in Vietnam, and to maintain the presence means reciprocating on the promises that we have made to reward the Vietnamese cooperation. Passing this resolution would definitely send the wrong signal to Vietnam, not to mention the brave American men and women who are still

searching in the rice paddies and mountains of Vietnam.

Mr. Speaker, this is the 4th year that this House will vote on a resolution of disapproval. Since we first voted on this, the House has, each time, with growing and overwhelming support, voted down the resolution. Let us stay the course. Let us support our Joint Task Force-Full Accounting. Let us support our nation's bipartisan policy which has only furthered our goals toward a more open and cooperative Vietnam. Please vote against the resolution.

Mr. ROHRBACHER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. TOM DAVIS).

(Mr. TOM DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today in support of H.J. Res. 55, Disapproving the Extension of Immigration Waiver Authority to Vietnam.

The resolution on the House floor today addresses the issue of whether the government of the Socialist Republic of Vietnam allows free and open emigration for its citizens. In 1999, President Clinton granted Vietnam a waiver of the Jackson-Vanik Amendment on this condition. Unfortunately, little improvement has been made since.

Boat People, SOS, an organization headquartered in my district, informed me that the official Communist government in Vietnam is still riddled by corruption. Additionally, the government continues to export thousands of political prisoners and former U.S. Government employees from participating in the U.S. refugee programs. Applicants, in some cases, are forced to pay \$1,000 or more in bribes to gain access to these programs; this in a country where the average annual salary is \$250.

The corruption that exists in the Vietnamese Communist government also undermines U.S. exchange programs. Our programs offer exceptional Vietnamese students the opportunity to study in the United States. However, the Vietnamese government excludes those students whose parents are not members of the Communist cadre. Thus, many qualified students are denied the opportunity to study in the U.S. exchange programs simply because their parents are not card-carrying members of the Communist party. This bias is one of many examples of the apartheid system that the government has implemented to punish those who do not agree with their ideology.

On the human rights front, the government has released some political prisoners, but many more individuals, including religious leaders, remain imprisoned indefinitely. Meanwhile, the government continues to arrest others who dare to speak out against them.

The Vietnamese Communist government simply does not tolerate basic civil liberties, such as the right to free speech, the right to freely exercise one's religion, and the right to peaceably assemble. Reports reveal that the Vietnamese police have forced many religious groups who renounce their beliefs or face the threat of imprisonment, beatings, or torture. When I visited Vietnam in 1998, a Catholic priest told me the Communist government does not even allow him to wear his vestments in public.

Even more egregious is the government's persecution of the Hmong. Over 10,000 of them have had to flee their ancestral lands in the north, traveling 800 miles in the south central highlands in Dak Lak Province because of government harassment and persecution. Many of them were arrested as "illegal migrants" or charged with practicing and "illegal religion" as part of the government crackdown on Hmong Christians.

Mr. Speaker, I urge approval of the resolution.

While the Vietnamese government may claim to have made strides, I would like to share with you evidence to the contrary. For example, four prominent individuals are presently imprisoned or under house arrest for practicing their religions. They are: Venerable Thich Huyen Quang, Patriarch of the Unified Buddhist Church of Vietnam; the Venerable Thich Quang Do; Father Nguyen Van Ly; and Mr. Le Quang Liem of the banned Hoa Hoa Buddhist Church.

In addition, Dr. Nguyen Dan Que a prominent prisoner of conscience who was released in late 1998, remains under house arrest in Saigon; while Professor Doan Viet Hoat and Mr. Le Chi Thien former prisoners of conscience who had been imprisoned for over 20 years for promoting democratic ideals, were forced to leave Vietnam as a condition of their release.

Additionally, since the fall of Saigon, the Government of the Socialist Republic of Vietnam has been systematically abusing the rights of the indigenous Montagnard peoples of Vietnam's central highland. There have been reports of summary executions, mysterious disappearances, arbitrary arrests, interrogations, beatings, torture, and forcible relocations of the Montagnard people from their traditional homes.

In 1999, the Vietnamese Communist Government ordered and carried out the destruction of a sacred religious site of the Khmer Krom in the former city of Saigon. They destroyed the Pali School building, and desecrated the Bodhi Tree where the remains of Khmer Krom soldiers—who fought bravely with the U.S. Special Forces during the war—are buried. To this day, the Khmer Krom continue to be harassed and persecuted for their role in the conflict.

In February of this year, thousands of Christian Montagnards peacefully demonstrated in the three of the four Central Highland provinces. In response, the Vietnamese Communist Government deployed military forces into the area, cutting off telephone commu-

nications, banning diplomatic international organizations from visiting the region, and terrorizing the Montagnard population. There have also been numerous reports of jungle executions. The situation in the highlands has deteriorated to the extent that many Montagnards are now fleeing into Cambodia. Amnesty International, Human Rights Watch, Refugee International, and the United Nations High Commissioner for Refugees have all called for urgent action to protect them.

Mr. Speaker, in light of these offenses, I believe H.J. Res. 55 is an important bill that deserves the support of every Member, and I urge my colleagues on both sides of the aisle to vote in favor of this resolution.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Iowa (Mr. GANSKE).

Mr. GANSKE. Mr. Speaker, shortly after the last election in November of last year, I traveled to Hanoi. I spent about a week there on a volunteer surgical mission. I found the people to be friendly and courteous. Make no mistake, though: the Communist government is not friendly to freedom. There is very little freedom of speech. There was a lot of soccer on TV, but there was not much discussion, and as the gentleman from Virginia just pointed out, the government has done bad things.

The question is, how do we affect a change in that? I oppose this resolution because I think the communication between Americans doing business in Vietnam brings a fresh perspective and information to the people of Vietnam.

□ 1045

I think that trade will actually help bring down that Communist government and that the communications between Americans doing business in Vietnam will actually end it. And the opening up of the communication that is necessary for that shows the Vietnamese what a true democracy is like.

There were lots and lots of questions that we all fielded on that surgical mission about what it is like to live in a democracy, and that is very useful. So cultural interchanges, professional interchanges, and, I think, business interchanges will actually help promote the type of democratic changes that we all want to see. For that reason, I oppose this resolution. I think we should continue trade with Vietnam just like we are doing with China.

Ms. SANCHEZ. Mr. Speaker, I yield myself the balance of my time.

A comment to the good doctor. This is not a trade vote. The bilateral trade agreement I know is going through the Committee on Ways and Means, and we can discuss the issues of trade and whether working with the people of Vietnam will allow for more open issues with respect to human rights and other things that I think we should be concerned about as a Nation. But this really is about does Vietnam allow its people to emigrate to the United

States, does it work with us on issuing visas. And if it does a good job with that, we, in return, allow them, allow our business people to have these government programs that allow for financing and doing business in that country. That is the real issue.

Again, I believe that the government of Vietnam has not been forthright in its policies of emigration. Currently, religious persecution, human rights violations, economic restrictions, we know that they all still exist in Vietnam. And one does not have to go to Vietnam to see it. We hear it, we read it in reports that come back, reports from the United States Department of State as well as witnesses that we have had here, dialogue with our colleagues here. And the dialogue on Vietnam reveals the government still pursues a policy of repressing free expression and religious choice.

Those that oppose the government's mandates continue to be the target of mental and economic terrorism, and the administrative detainment of political and religious leaders who disagree with that Communist party platform still occurs. The U.S. State Department's 2000 Country Report on Vietnam states that the government's human rights record in Vietnam remains poor. It says that there are serious problems regarding religious freedom and the advancement of human rights.

In April of this year, the United States Commission on International Religious Freedom, a body that was created by this Congress in 1998 to monitor religious freedom in other countries, recommended that we withhold our support for most International Monetary Fund and World Bank loans to that government of Vietnam until it agrees to make substantial improvements in the protection of religious freedom. Our own body that we created has told us in a report just this past April that we should not be doing these types of financing mechanisms for that government until it cleans up its act.

Contrary to the Vietnamese government's pretense that it has no political or religious prisoners, many Vietnamese continue to languish in prisons because of their beliefs. The detention of these religious leaders, whether or not they tell us where they are or whether they put them under house arrest and do not let them leave their homes, is persecution. Police arbitrarily arrest and detain citizens for reasons including the peaceful expression of political and religious views and sometimes even beat them when they are arrested.

The judiciary is not independent. The government denies citizens the right to fair trials. The government continues to grossly violate human rights by incarcerating prisoners of conscience. Pro-democracy activists, scholars, and

poets are still in prison for crimes such as using freedom and democracy to "injure the national unity." Vietnam continues to deny freedom of religion.

Mr. Speaker, this past year, I traveled to Vietnam; and I had the opportunity to meet with four of the six leading dissidents in Vietnam for human rights and for advocacy of collective bargaining in the workplace, Professor Nguyen Thanh Giang, who used to be a member of the Communist party and then was kicked out because he did not support what this government is doing with respect to religious freedom and basic human rights; Mr. Pham Que Duong; and Mr. Hoang Minh Chinh. I met with all of them, and we discussed this whole issue of trade. The issue is that human rights violations continue, and there has been no movement.

Our reports say time after time that there is no movement on human rights. Even our own Ambassador, Pete Peterson, when he was out in my district in front of the Vietnamese community, when he was pressed for details about what positive things had happened in human rights, could not come up with one answer, at least not when he was in front of people who understand and have their families back there.

I also visited with the Most Venerable Thich Quang Do, someone I nominated to win the Nobel Peace Prize. There are 28 of my colleagues in this House who also signed that letter asking for that. Right now he is under arrest. It is not the first time in his life; it probably will not be the last time in his life. But it simply happens over and over and it does not change. If an individual is with the Buddhists, and they do not like that, then they have problems. If someone is with the Catholic faith, and they do not like what that individual is doing, if they are going out to help flood victims, they are put under house arrest. Right now, they have Father Ly under persecution simply because he went to try to help flood victims in the Delta area.

Nevertheless, Vietnam continues over and over to insist it has no political or religious prisoners. I urge my colleagues to vote for this resolution. It is time we became aware of what is really happening in Vietnam.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in opposition to this resolution and urge Members to continue the MFN status for Vietnam, as we have done in the past with an overwhelming and bipartisan majority.

I, like many Members of Congress, have had an opportunity to travel to Vietnam and to visit with governmental leaders and with private citizens there, and with workers and oth-

ers that are a part of that community, and with our former ambassador, Pete Peterson, who has been one of the most passionate supporters of improved political and economic relations with Vietnam. He has devoted countless hours to improving these relationships and to addressing the key issues that are before us today, and I think we ought to salute his tenure as our first ambassador to Hanoi.

I think we have to understand that, in fact, progress has been made. Many of my colleagues have raised a number of troubling subjects to us that I think we have to continue to bear down on and understand that problems do exist, but I think also in my discussions with Ambassador Peterson and with people in Vietnam, improvements, in fact, I believe, have been made. Enough? No, not at all. Do we need further progress? Clearly we do on the issues of emigration.

I also have had an opportunity to witness the Joint Task Force's efforts to locate and identify and to recover the remains of our many missing soldiers and airmen and see this extraordinary effort that is taking place. We are, hopefully, building a new and a positive relationship with Vietnam, which is the 12th largest population in the world and plays a key role in political and economic security in Southeast Asia.

Last year, Congress enacted legislation that I helped write creating a program to promote higher education exchanges between our countries. We should continue to build on these efforts because they are in the best interests of both nations. At the same time, we must be very clear, and many of our colleagues have touched upon these subjects here today, we must continue to work with this government and to include this government to assure the rights of all working people to form independent unions and engage in collective bargaining as provided under the rules of the International Labor Organization.

Vietnam clearly must accelerate its policies to ensure freedom of religion and political expression. We need to continue to work with several local and international environmental organizations to reduce the water pollution and protect the threatened species and generally ensure that economic development is not undertaken at the expense of the Nation's natural resources, which not only affects Vietnam but the entire region.

Free trade unionism, improved environmental policies, expanded political religious rights for all Vietnamese. These are all legitimate factors for securing improved and lasting trade relations with the United States and other democracies, and we should continue to work for those in Vietnam. But we must understand that this is a step that allows us to continue to engage

with the Vietnamese on these matters, and we also know that there are other instruments that are waiting in terms of trade agreements, bilateral agreements, and, obviously, at some point, Vietnam's seeking, down the road, to engage with the WTO. Clearly, these thresholds must be continued to be raised as we grant those other relations.

So I think it is incumbent upon all of us to understand here and in Vietnam that this debate is about an evolving relationship, not about an acceptance of the status quo that we have today.

Mr. ROHRBACHER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN), one of the most distinguished foreign policy leaders or perhaps the most distinguished foreign policy leader in the House of Representatives and former chairman of the Committee on International Relations.

Mr. GILMAN. Mr. Speaker, I want to thank the gentleman for his kind introduction, and I am pleased to rise in strong support of H.J. Res. 55, resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam. I commend my good friend, the gentleman from California (Mr. ROHRBACHER), for his continual oversight of Vietnam and for introducing this important initiative.

Amnesty International has reported to us that the government of Vietnam continues to prevent independent human rights monitors from visiting Vietnam, and dozens of prisoners of conscience remained in prison and have remained there throughout the year 2000, and some are still in prison. Restrictions on released prisoners continue to be harsh. Political dissidents, independent labor leaders, and religious critics of the government have been subjected to imprisonment, to beatings, to torture, to surveillance, harassment, and denial of basic freedoms, including the freedom of expression.

In September, five members of the Hoa Hao Buddhist Church, and we met some of them in our committee just the other day, were sentenced to between 1 and 3 years imprisonment on trumped-up charges, where they still remain.

The State Department points out that the government of Vietnam prohibits independent political labor and social organizations. Such organizations exist only under government control. The Vietnamese government also restricts freedom of religion and significantly restricts the operation of religious organizations other than those entities that have been approved by the State. Dissident groups of Buddhists, Hoa Hao, and Protestants, in particular, face harassment by authorities.

Accordingly, we should not be rewarding the Vietnamese Communist

dictatorship with trade benefits at this time. It is an insult to the thousands of American and Vietnamese men and women who were wounded or died in the war fighting for democracy, the rule of law, and for human rights.

Mr. Speaker, I urge my colleagues to fully support this resolution.

Mr. CRANE. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Seattle, Washington (Ms. DUNN), who graciously permitted the transfer of Boeing's headquarters to my home town of Chicago.

Ms. DUNN. I thank our gracious chairman for yielding me this time and thereby allowing me the opportunity to speak.

Mr. Speaker, I rise in opposition to this joint resolution to disapprove normal trade relations with Vietnam. I believe that we need to continue our policy of economic engagement with Vietnam.

□ 1100

President Clinton already signed a historic bilateral agreement that will require Vietnam to open its markets, to reduce tariffs, to ease barriers to our products in the United States and our services.

I am very pleased that the Committee on Ways and Means will be considering this agreement today in committee.

Twenty-six years after the end of the war, many of us are still haunted by Vietnam. It touched my generation. I saw boys go away from college and from our communities to fight in Vietnam; and we also saw our colleague, SAM JOHNSON, and former ambassador to Vietnam, Pete Peterson, our good friends, people we care about, who served our Nation honorably in Vietnam and made terrible sacrifices as prisoners of war. But I believe we can honor their service while still strengthening our economic relations with Vietnam.

Renewing normal trade relations does not diminish our commitment to address POW/MIA issues. I am from Seattle, and we have a large Asian/Vietnamese community. Many have become citizens, contributing to our communities. I do not think establishing normal trade relations with Vietnam diminishes the commitment that we all believe in our communities and in this Congress to POW/MIA issues, to human rights issues, and to issues of religious liberty.

Trade is an effective tool to pressure Vietnam to make economic and social reforms. I ask my colleagues today to oppose this bill and to support trade with Vietnam.

Mr. LEVIN. Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. McDERMOTT).

Mr. McDERMOTT. Mr. Speaker, this is an issue that really is a very central issue that we ought to be discussing on

many levels. That is the question of what relationship we are going to have with the rest of the world.

I am one of those people who was involved in the Vietnam War, not in-country, but I saw what happened; and there are lots of reasons why we ought to keep them isolated. Yesterday we had an argument here about Cuba. We have tried to isolate them. We have isolated them for 50 years. It has not done any good. We tried it with China. It did not do any good. We finally opened up to them.

Now we have the Vietnamese. Let us isolate them, and somehow they will change. It will not do any good. The only way we are going to get anything done is when we begin to embrace and involve yourself with them. Nobody who is going to vote against this resolution is in agreement with communism. We do not agree with what the Vietnamese government is doing, but we have a difference of opinion about how we involve ourselves in bringing about that change.

My colleagues talk about the terrible Communist government and all these awful things. The next issue we are going to do on the floor here, sort of an irony, is that we are going to come out and pass a martial law rule in the House of Representatives.

The rules of the House are to protect the minority, and we do not have any problem standing up here and running over the minorities, and then we stand back and say, those awful people over there in that country who run over those minorities. So we have to be careful about being consistent.

If we do not want to deal with China, I can understand that; and there were some of my colleagues who are very consistent. They do not want to deal with China. They do not want to deal with Vietnam. They do not want to deal with Cuba. Those people I can understand. But the ones who pick and choose really need to do some thinking.

Why are we having this martial law in the next issue up here? The reason we are having it is because the leadership of the House wants to deal with a crisis. There is a real crisis out there. They have had a hurricane in Texas. So we have to come out here and ram through help for people in Texas.

The White House says we should not do anything for the Indians. A hundred thousand houses flattened. Thirty thousand people killed. The United States can give \$5 million to India, and that is fine.

I heard one of my colleagues say, we cannot let down the Montagnards. They were our allies. What about the people in El Salvador who we dragged through a whole war? Now they have an earthquake, the worst earthquake in the history of El Salvador, and the White House says, no, we are not going to help these El Salvadorans. They are

living in the wrong place. They should have moved to Texas or Florida or somewhere we would help them.

The question of how we are going to relate and how we are going to get our people into these countries and how we are going to bring about change is a very complicated one.

I was in China when China was very tight, back in 1977. I have seen enormous changes. Has it gone far enough? No, it has not. Has Vietnam changed? Yes. Far enough? No. But the question is, at this point should we step back and say these folks are not doing it our way enough so we are not going to deal with them?

My view is nothing works that way. That is why I will vote to oppose this resolution. Not because I endorse communism or anything about that regime, but because we will never bring about any change simply by forcing, trying unilaterally for the United States to economically squeeze them into our mold. They will get there because the forces that we have are very powerful, and they will bring it about.

Vote against this kind of resolution.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), who knows this issue is mainly about subsidizing American businessmen for building factories in Vietnam.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of this resolution.

Mr. Speaker, let us not kid ourselves. The government of Vietnam is not making progress on human rights. On the contrary, in recent months the government has substantially increased the frequency and the severity of its human rights violations and just recently, beginning in late winter, began a new and very cruel crackdown on the Montagnards, torturing, murdering, cordoning off. Mr. Speaker, this is the reality on the ground in Vietnam.

Let me also point out to my colleagues that there is no real religious freedom allowed by the government of Vietnam. The Unified Buddhist Church, the largest religious denomination in the country, has been declared illegal by the government, and over the last 25 years its clergy have often been imprisoned and subjected to other forms of persecution.

The patriarch of the Unified Buddhist Church, 83-year-old Thich Huyen Quang, has been detained for 21 years in a ruined temple, an isolated area in central Vietnam. Most Venerable Thich Quang Do, the executive president of the Unified Buddhist Church, has been in detention for many years and was recently rearrested when he sought medical care for Thich Huyen Quang.

The Hoa Hao Buddhist Church has also been under severe repression. According to the U.S. Commission on

International Religious Freedom, "this organization is made up of almost entirely," that is to say, the governing body of it, "of members of the Communist party," and they have not recognized and have not been recognized by the majority of the Hoa Haos.

Let me just say, recently Father Ly gave testimony to the U.S. Commission on Religious Freedom. We know what happened when he gave that testimony, and it was written testimony. He did not come here and present it. He, too, was arrested by the government of Vietnam and is being held.

So Catholic priests in Vietnam who speak out against religious persecution, sorry, they are going to be arrested and persecuted. That is the government that we are subsidizing.

Mr. Speaker, we have to take the side of human rights and the oppressed, and not stand with the oppressor. Let us see some real progress before we lavish trade on the government of Vietnam.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I served in Vietnam as a young marine. I met many extraordinary, wonderful people in Vietnam. I have visited Vietnam as a Member of Congress. I have had many, many conversations with Pete Peterson, the distinguished ambassador to Vietnam. My conclusion is this: Those Vietnamese, young and old, who are being persecuted religiously, basic human rights violations, torture, et cetera, are painfully, patiently waiting the return of the Americans to once again, but in a much different way, and perhaps much more effective, bring the opportunity for freedom to Vietnam to prevail.

Mr. Speaker, communism cannot exist against a tidal wave of hope, knowledge and a clear avenue of opportunity. The Jackson-Vanik waiver offers a portion of that avenue to open up. I urge a "no" vote on this opposition to Jackson-Vanik.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. ROHRABACHER. Mr. Speaker, who will close?

The SPEAKER pro tempore (Mr. SWEENEY). The Chair will recognize for closing speeches in the reverse order of the original allocations. Thus, Members should expect to close out their time in the following sequence: the gentleman from California (Mr. ROHRABACHER), the gentleman from Michigan (Mr. LEVIN) and the gentleman from Illinois (Mr. CRANE). The time of the gentleman from California (Ms. SANCHEZ) has expired.

Mr. ROHRABACHER. Mr. Speaker, I reserve the balance of my time.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, this is an emotional issue for many of

us. I have seen a lot of my friends die in Vietnam, as has my friend, the gentleman from Texas (Mr. SAM JOHNSON), who was a POW for six and a half years. Even we have different feelings on this particular issue, and it is hard.

I look, and people outside the United States could look, and point out the bad things about the United States. The gentleman from New Jersey (Mr. SMITH) did about Vietnam.

Look at a young African American that was drug down a country road, drug to his death. Look at the inequities to minorities in our judicial system sometimes. I acknowledge those and say we want to trade with the United States. But there is so much good. Most of the people who live in Vietnam today were not alive during the war.

The gentleman from Kentucky (Mr. ROGERS) asked me to go to Vietnam a couple of years ago and raise a flag over Ho Chi Minh City. I told him, no, I do not go on CODELS; and it would be too hard for me to go back. But I did go. I am glad I did.

Mr. Speaker, if you walk on the streets of Vietnam today, those people welcome Americans openly. They want a chance, much like the people in Tiananmen Square did. I met the prime minister, and I asked him, why will you not get involved in trade that President Clinton is trying to get you involved in?

He said, Congressman, I am a Communist. If those people have things, I will be out of business as a Communist.

I said, trade is good. If we look at it that way, there is no movement with Saddam Hussein. There is no movement in Cuba with Fidel Castro, but there is in Vietnam.

Yes, there are a lot of pitfalls with this. I have a constituent that was arrested in Vietnam. I ask my colleagues to think about if we have a country like Vietnam that definitely are Communists, but they have made movement like the gentleman from Washington stated, I think we ought to support that trade and deny this resolution.

The SPEAKER pro tempore. Does the gentleman from Illinois (Mr. CRANE) have any further speakers?

Mr. CRANE. No, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from California (Mr. ROHRABACHER) is recognized for his closing.

Mr. ROHRABACHER. Mr. Speaker, I yield 1½ minutes to myself to close.

Mr. Speaker, what are we debating here? Let us once again be reminded. Rejecting this waiver means one thing in policy. One policy decision is being made today, and that is whether or not we are going to subsidize American businessmen, take taxpayer dollars and guarantee the loans that they are getting and give them a lower rate of interest in order to set up factories in a Communist country, in Vietnam.

Mr. Speaker, I do not think that is a good idea for Democratic countries, and it certainly is not a good idea for dictatorships like Vietnam. Vietnam does not deserve a subsidy for American businessmen to set up factories, closing their factories in the United States, so these businessmen can take advantage of the slave labor in Vietnam. They do not deserve it.

As we have heard, Pete Peterson, one of our former colleagues, a former POW, could not come up with one example of where Vietnam was progressing in the right direction after all of these years of engagement.

We are not talking about trade. We are not talking about isolating Vietnam. We are talking about subsidizing businessmen to set up factories there. That is immoral as long as that country is such a dictatorship.

Let me add, this same government continues to stonewall us on the POW issue. Although they let us dig, we can dig, and they get millions of dollars for letting us dig in Vietnam for the bones of the 200 Americans left that we knew were in captivity at one point in Vietnam. They have put roadblock after roadblock which continues to prevent us from finding out what happened to those last 200 American POWs.

Mr. Speaker, I ask my colleagues to support my reject of the Jackson-Vanik waiver for this dictatorship in Vietnam.

Mr. Speaker, I include for the RECORD a letter addressed to me.

QUINN EMANUEL LOS ANGELES,
Los Angeles, CA, July 17, 2001.

Re U.S.-Vietnam Trade Agreement.

Hon. DAN ROHRABACHER,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN ROHRABACHER: I represent Mr. Dac Vi Hoang, a former Vietnamese businessman who fled Vietnam recently to escape persecution. I am writing to you to offer the testimony of Mr. Hoang regarding the political corruption and economic repression that stifle free enterprise in Vietnam.

Mr. Hoang was a prominent Vietnamese entrepreneur who owned Thanh My, Inc., an international exporter of lacquerware. Thanh My, Inc. enjoyed astounding success as a private corporation in the midst of a Communist regime, with annual sales of U.S. \$3 million and 400 employees. Thanh My was internationally recognized as the first private corporation in Vietnam to receive permission to sell its shares to a foreign entity (although that permission was eventually revoked by the Vietnamese government).

Mr. Hoang accomplished this success despite having spent five years in a Vietnamese re-education camp because of his participation as an intelligence officer in the South Vietnamese army and cooperation with American armed forces during the Vietnam War. Mr. Hoang was severely tortured, both mentally and physically, while he underwent his "re-education."

The prominence Mr. Hoang achieved motivated him to advocate on behalf of private enterprise in Vietnam. In so doing, he repeatedly criticized, both privately and publicly, the repression of private enterprise and

the economic policies of the Vietnamese government. This activity led to warnings, threats, and surveillance by the Vietnamese government. Eventually, Mr. Hoang received information that his arrest was imminent.

Mr. Hoang and his immediate family fled to the United States soon thereafter and they currently are seeking political asylum before the United States Immigration Court in Los Angeles. Mr. Hoang was one of the wealthiest people in Vietnam, and now he has nothing except the prospect of freedom in this Country. The hearing on his case was originally scheduled for July 13, 2001, but was continued until January 20, 2002 at the request of the I.N.S.

Attached is Mr. Hoang's declaration to the U.S. Immigration Court and a newspaper article that describes his plight. Mr. Hoang has continued to criticize the Communist regime in Vietnam since his arrival in this Country, and his comments have been widely broadcast in the media. Mr. Hoang was recently interviewed by Radio Free Asia, which broadcasts in Vietnam. If Mr. Hoang's testimony is relevant to the U.S.-Vietnam trade agreement ratification process, please do not hesitate to contact me at the telephone number listed above, or via e-mail at slr@quinnemanuel.com.

Respectfully yours,

SANDRA L. RIERSON.

□ 1115

Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, Vietnam represents another challenge, how we integrate a command economy and a command society into the rule of law. It needs the right combination of engagement and pressure. I do not think trade is a magic wand. It is more than about market access. It is about labor market issues. It is about environmental issues. It is about a widened nature of issues. It is not an either/or proposition. We need to move forward on these issues, not backwards.

To vote "yes" on this is to vote to move backwards. I think it would be a mistake. I urge a "no" vote.

Mr. CRANE. Mr. Speaker, I yield myself the balance of my time. I rise in strong opposition to H.J. Res. 55 and in support of extending Vietnam's Jackson-Vanik waiver. Failure to extend the waiver here at the threshold of congressional consideration of the U.S.-Vietnam bilateral trade agreement would send terribly mixed diplomatic signals and would undermine the great economic reforms now gaining momentum in Vietnam.

On emigration, the central issue for the Jackson-Vanik waiver, more than 500,000 Vietnamese citizens have entered the United States under the orderly departure program in the past 10 to 15 years. As a result of steps taken by Vietnam to streamline its emigration process, all but 73 of the nearly 21,000 individuals who have applied for consideration under the Resettlement Opportunity for Vietnamese Returnees program have been cleared for interview.

Another critical issue in our bilateral relationship with Vietnam continues to

be the fullest possible accounting of U.S. MIAs. As of last week, the fate has been determined for all but 41 of the so-called "last known-alive" cases. Future progress in terms of the ability of U.S. personnel to conduct excavations, interview eyewitnesses and examine archival items is dependent upon continued cooperation by the Vietnamese.

The effect of the Jackson-Vanik waiver at this time is quite limited, enabling U.S. exporters doing business in Vietnam to have access to U.S. trade financing programs provided that Vietnam meets the relevant program criteria. Nevertheless, the significance of Vietnam's Jackson-Vanik waiver is that it permits us to stay engaged with Vietnam and to pursue further reforms on the full range of issues on the bilateral agenda.

Extending Vietnam's waiver will give reformers within the government much-needed support to continue economic reforms. Therefore, I urge a "no" vote on H.J. Res. 55.

Mr. FALCOMA. Mr. Speaker, I rise in strong opposition to House Joint Resolution 55, which would deny Normal Trade Relations (NTR) with Vietnam, the world's 13th largest nation with a population of 80 million people. I urge our colleagues to vote against the measure.

Mr. Speaker, the decision before us is much like the debate we had recently over trade relations with China. In the case of Vietnam, as with China, many opponents of NTR focus on the serious human rights violations committed by the Communist government. These are valid and compelling criticisms, as in Vietnam the practice of religion is routinely restricted and political freedom is brutally suppressed, especially public dissent.

However, these human rights abuses, as well as our concerns over minimum labor standards and environmental protection, will not be addressed by America continuing to turn its back to Vietnam.

I believe engaging with Vietnam by support of Normal Trade Relations and the Bilateral Trade Agreement will not only create new and fair business opportunities for America but, more importantly, will bring about significant political and social progress in Vietnam. Committing the Vietnamese Government to enact market-oriented reforms will enhance respect for the rule of law, ultimately leading to a more democratic society that respects and protects the rights of its citizens. Additionally, this will lay the foundation for Vietnam's eventual entry into the World Trade Organization, further reinforcing Vietnam's obligation and duty to conduct itself as a civilized and responsible member of the international community.

In supporting Normal Trade Relations for China last week, Mr. Speaker, I found particularly persuasive and enlightening the voices of those Chinese dissidents who have been persecuted and imprisoned for years—individuals who are among China's harshest and most vocal critics.

Prominent Chinese democracy activists such as Bao Tong, Xie Wanjun, Ren Wanding, Dai Qing, Zhou Litai and Wang Dan have urged the United States to extend China Nor-

mal Trade Relations as it would hasten China's entry into the WTO, forcing China's adherence to international standards of conduct and respect for the rule of law. Moreover, they argue that closer economic relations between the U.S. and China allows America to more effectively monitor human rights and push for political reforms in China.

Mr. Speaker, the wisdom of these courageous Chinese dissidents also applies in the case of Vietnam.

For a year, Hanoi's leaders have delayed signing the Bilateral Trade Agreement with us precisely because they fear economic reform and U.S. engagement will undermine the socialist foundation and monopoly on power of their Communist regime.

Mr. Speaker, the Communist leadership in Hanoi is right to be fearful. Normalizing trade relations between our nations will allow America to engage—promoting democracy and spurring political, social and human rights progress in Vietnam that in the long-run cannot be controlled nor stopped. I strongly urge our colleagues to engage the people of Vietnam, and oppose the legislation before us.

Mr. BEREUTER. Mr. Speaker, this Member rises in opposition to the H.J. Res. 55, which would disapprove the Bush Administration's extension of the waiver of Jackson-Vanik trade restrictions on Vietnam. Therefore, in voicing this opposition to the resolution, it is important for us to recognize what the Jackson-Vanik waiver does and does not do.

By law, the underlying issue here is about emigration. Based on Vietnam's record of progress on emigration and its continued cooperation on U.S. refugee programs over the past year, renewal of the Jackson-Vanik waiver will continue to promote greater freedom of emigration. Disapproval would, undoubtedly, result in the opposite.

The Jackson-Vanik waiver also symbolizes our interest in further developing relations with Vietnam. Having lifted the trade embargo and established diplomatic relations five years ago, the United States has tried to work with Vietnam to normalize incrementally our bilateral political, economic and consular relationship. This is in America's own short-term and long-term national interest. It builds on Vietnam's own policy of political and economic re-integration into the world. This will be a lengthy and challenging process. However, now is not the time to reverse course on gradually normalizing our relations with Vietnam.

Vietnam now continues to cooperate fully with our priority efforts to achieve the fullest possible accounting of American POW-MIAs. The Jackson-Vanik waiver contributes to this process.

The Jackson-Vanik waiver certainly does not constitute an endorsement of the Communist regime in Hanoi. We cannot approve of a regime that places severe restrictions on basic freedoms, including the right to organize political parties, freedom of speech, and freedom of religion. On many occasions, with this Member's support, this body passed resolutions condemning just such violations of civil and human rights.

The Jackson-Vanik waiver does not provide Vietnam with any new trade benefits, including Normal Trade Relations (NTR) status. With the Jackson-Vanik waiver, the United States

Putnam	Shadegg	Thune
Quinn	Shaw	Thurman
Radanovich	Shays	Tiahrt
Rahall	Sherman	Tiberi
Ramstad	Sherwood	Tierney
Rangel	Shimkus	Toomey
Regula	Stuster	Towns
Rehberg	Simmons	Turner
Reyes	Simpson	Udall (CO)
Reynolds	Skeen	Udall (NM)
Rodriguez	Skelton	Upton
Roemer	Slaughter	Velázquez
Rogers (KY)	Smith (MI)	Vitter
Roukema	Smith (TX)	Walden
Roybal-Allard	Smith (WA)	Walsh
Rush	Spratt	Waters
Ryan (WI)	Stark	Watkins (OK)
Ryun (KS)	Stearns	Watts (OK)
Sabo	Stenholm	Waxman
Sandlin	Sununu	Weiner
Sawyer	Sweeney	Weller
Saxton	Tanner	Wexler
Schakowsky	Tauscher	Whitfield
Schiff	Tauzin	Wicker
Schrock	Terry	Wilson
Scott	Thomas	Woolsey
Sensenbrenner	Thompson (CA)	Wu
Serrano	Thompson (MS)	
Sessions	Thornberry	

ANSWERED "PRESENT"—1

Kaptur

NOT VOTING—17

Bachus	Ehrlich	Jones (NC)
Blumenauer	Emerson	Lipinski
Blunt	Fletcher	McNulty
Chambliss	Gekas	Snyder
Cubin	Houghton	Spence
Deal	Hunter	

□ 1144

Messrs. ALLEN, DELAY, GIBBONS and LEWIS of California and Mrs. MEEK of Florida changed their vote from "yea" to "nay."

Ms. SOLIS, Mrs. JO ANN DAVIS of Virginia and Messrs. WAMP, HONDA, BERRY, FLAKE and BONILLA changed their vote from "nay" to "yea."

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.J. Res. 55, the joint resolution just passed.

The SPEAKER pro tempore (Mr. SWEENEY). Is there objection to the request of the gentleman from California?

There was no objection.

□ 1145

(Mr. THOMAS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks, and include therein extraneous material.)

COMMUNICATION FROM THE SPEAKER OF THE HOUSE REGARDING THE IRAN AND LIBYA SANCTIONS ACT

Mr. THOMAS. Mr. Speaker, I am in receipt of a letter dated July 24 ad-

ressed to me as chairman of the Committee on Ways and Means signed by the Speaker of the House.

The letter says that "If the President submits a report, pursuant to the 'ILSA Extension Act of 2001' that contains a recommendation stating that the Iran-Libya Sanctions Act should be terminated or modified, and if a bill is introduced that would terminate or modify ILSA, as recommended by the President, within 60 legislative days of the filing of the President's report, then I will use my authority under Rule XII, clause 2(c)(5) to place a time limit of not more than 45 days on all committees to which such legislation is referred."

Mr. Speaker, I include for the RECORD the letter just referenced.

WASHINGTON, DC,
July 24, 2001.

Hon. WILLIAM M. THOMAS,
Chairman, Committee on Ways and Means,
Longworth House Office Building, Wash-
ington, DC.

DEAR MR. CHAIRMAN: Pursuant to Rule XII, clause 2(c)(5), the Speaker may subject the referral of a bill to a committee of primary jurisdiction to appropriate time limitations. If the President submits a report pursuant to the "ILSA Extension Act of 2001" that contains a recommendation stating that the Iran and Libya Sanctions Act ("ILSA") should be terminated or modified, and if a bill is introduced that would terminate or modify ILSA, as recommended by the President, within sixty legislative days of the filing of the President's report, then I will use my authority under Rule XII, clause 2(c)(5) to place a time limit of not more than forty-five days on all Committees to which such legislation is referred.

Sincerely,

J. DENNIS HASTERT,
Speaker of the House.

ILSA EXTENSION ACT OF 2001

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 1954, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 1954, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 6, answered "present" 1, not voting 17, as follows:

[Roll No. 276]

YEAS—409

Abercrombie	Baldwin	Berman	Boucher	Gordon	Markey
Ackerman	Ballenger	Berry	Boyd	Goss	Mascara
Aderholt	Barcia	Biggart	Brady (PA)	Graham	Matheson
Akin	Barr	Bilirakis	Brady (TX)	Granger	Matsui
Allen	Barrett	Bishop	Brown (FL)	Graves	McCarthy (MO)
Andrews	Bartlett	Blagojevich	Brown (OH)	Green (TX)	McCarthy (NY)
Armey	Barton	Boehler	Brown (SC)	Green (WI)	McCollum
Baca	Bass	Boehner	Bryant	Greenwood	McCreery
Bachus	Becerra	Bonilla	Burr	Grucci	McDermott
Baird	Bentsen	Bono	Burton	Gutierrez	McGovern
Baker	Bereuter	Borski	Buyer	Gutknecht	McHugh
Baldacci	Berkley	Boswell	Callahan	Hall (OH)	McInnis
			Calvert	Hall (TX)	McIntyre
			Camp	Hansen	McKeon
			Cannon	Harman	Meahan
			Cantor	Hart	Meek (FL)
			Capito	Hastings (FL)	Meeks (NY)
			Capps	Hastings (WA)	Menendez
			Capuano	Hayes	Mica
			Cardin	Hayworth	Millender-
			Carson (IN)	Hefley	McDonald
			Carson (OK)	Herger	Miller (FL)
			Castle	Hill	Miller, Gary
			Chabot	Hilleary	Miller, George
			Chambliss	Hinchee	Mink
			Clay	Hinojosa	Mollohan
			Clayton	Hobson	Moore
			Clement	Hoefel	Moran (KS)
			Clyburn	Hoekstra	Moran (VA)
			Coble	Holden	Morella
			Collins	Holt	Murtha
			Combest	Honda	Myrick
			Condit	Hooley	Nadler
			Cooksey	Horn	Napolitano
			Costello	Hostettler	Neal
			Cox	Hoyer	Nethercutt
			Coyne	Hulshof	Ney
			Cramer	Hutchinson	Northup
			Crane	Hyde	Norwood
			Crenshaw	Inslee	Nussle
			Crowley	Isakson	Oberstar
			Culberson	Israel	Obey
			Cummings	Issa	Olver
			Cunningham	Istook	Ortiz
			Davis (CA)	Jackson (IL)	Osborne
			Davis (FL)	Jackson-Lee	Ose
			Davis (IL)	(TX)	Otter
			Davis, Jo Ann	Jefferson	Owens
			Davis, Tom	Jenkins	Oxley
			DeFazio	John	Pallone
			DeGette	Johnson (CT)	Pascarell
			Delahunt	Johnson (IL)	Pastor
			DeLauro	Johnson, E. B.	Payne
			DeLay	Johnson, Sam	Pelosi
			DeMint	Jones (OH)	Pence
			Deutsch	Kanjorski	Peterson (MN)
			Diaz-Balart	Kaptur	Peterson (PA)
			Dicks	Keller	Petri
			Dingell	Kelly	Phelps
			Doggett	Kennedy (MN)	Pickering
			Dooley	Kennedy (RI)	Pitts
			Doolittle	Kerns	Platts
			Doyle	Kildee	Pombo
			Dreier	Kilpatrick	Pomeroy
			Duncan	Kind (WI)	Portman
			Dunn	Kingston	Price (NC)
			Edwards	Kirk	Pryce (OH)
			Ehlers	Klecicka	Putnam
			Engel	Knollenberg	Quinn
			English	Kolbe	Ramstad
			Eshoo	Kucinich	Rangel
			Etheridge	LaHood	Regula
			Evans	Lampson	Rehberg
			Everett	Langevin	Reyes
			Farr	Lantos	Reynolds
			Fattah	Largent	Riley
			Ferguson	Larsen (WA)	Rivers
			Filner	Larson (CT)	Rodriguez
			Flake	Latham	Roemer
			Foley	LaTourette	Rogers (KY)
			Forbes	Leach	Rogers (MI)
			Ford	Lee	Rohrabacher
			Fossella	Levin	Ros-Lehtinen
			Frank	Lewis (CA)	Ross
			Frelinghuysen	Lewis (GA)	Rothman
			Frost	Lewis (KY)	Roukema
			Gallegly	Linder	Roybal-Allard
			Ganske	LoBiondo	Royce
			Gephardt	Lofgren	Rush
			Gibbons	Lowe	Ryan (WI)
			Gilchrest	Lucas (KY)	Ryun (KS)
			Gillmor	Lucas (OK)	Sabo
			Gilman	Luther	Sanchez
			Gonzalez	Maloney (CT)	Sanders
			Goode	Maloney (NY)	Sandlin
			Goodlatte	Manzullo	Sawyer