CONGRESSIONAL RECORD—HOUSE 16477

September 6, 2001

Accordingly, at 11 o'clock and 52 minutes a.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess until 12:15 p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. PENCE. Madam Speaker, I ask unanimous consent that proceedings had during the recess be printed in the RECORD.

Mr. SHIMKUS. Madam Speaker, I rise to objection to the request of the gentleman from Indiana.

There was no objection.

STATEMENT FROM FAMILY OF CHAPLAIN JAMES DAVID FORD

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Madam Speaker, I have been asked to read a statement by the entire Ford family on the death of Chaplain Ford.

The Ford family thanks everyone for their sympathy and concern about the death of Chaplain James David Ford.

"We wish to clarify that Chaplain Ford was very ill for an extended period of time. Many people did not realize this. This physical illness gave him no hope of regaining his zest for life."

"The family is at peace with his decision. We have supported him his entire life in everything he did and thought and we support him still. Most importantly, he is at peace now with his Creator. Of this we are certain."

This is signed by Marcy Ford and the entire Ford family.

PRESIDENT FOX'S VISIT AND IMMIGRATION REFORM

(Ms. SOLIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SOLIS. Madam Speaker, today I rise to reemphasize the need for immigration reform in the United States. In recent days, we have heard lengthy discussions from opponents and proponents on this issue. I want to make sure that the people, the hardworking immigrants and the many families that I represent, are not lost in that debate.

Millions of immigrants have lived here for an extended period of time. They go to work every single day. They pay taxes just like you and me. They own homes and many own businesses, and many have played by the rules. They also have children who are U.S. citizens. These people deserve respect.

They deserve to be acknowledged for the many contributions that they have made to this great country.

Mexican President Vicente Fox has done a superb job of highlighting the need for immigration reform. He recognizes the immense contributions all immigrants make to the U.S. economy and to foreign economies such as his own, and a majority of U.S. citizens recognize the important contributions that immigrants have made to this country. A recent bipartisan poll found that 62 percent of voters support legalization for immigrants who pay taxes, break no laws, and play by the rules.

I ask that you join me in asking President Fox to begin discussions, as President Ford stated yesterday at the White House, to begin discussions on immigration reform.

CONGRATULATIONS TO UNITED STATES LITTLE LEAGUE CHAMPIONS FROM APOPKA, FLORIDA

(Mr. KELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KELLER. Madam Speaker, I rise today to congratulate the United States Little League champions from Apopka, Florida. While I may represent the people of Apopka in the U.S. Congress, the Apopka Little Leaguers represented our entire country with class and dignity.

Led by Coaches Brewer and Tapley, these 11 young men put the little town of Apopka, Florida at the top of the heap to become national champions. Their persistence and hard work will surely inspire thousands of future Little Leaguers.

On behalf of myself, Senator NELSON, and the entire U.S. Congress, we say to the Apopka Little Leaguers, congratulations on a job well done, and we thank them for inspiring us all.

U.S.-MEXICO RELATIONS

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Madam Speaker, I join President Bush and my colleagues in welcoming His Excellency Vicente Fox to the U.S. Capitol today.

Listening to President Fox’s words this morning confirms the special relationship that we enjoy between Mexico and the United States.

We all know, as my colleague and friend just mentioned, that immigration policy is one of the focus of discussions between the United States and Mexico. We should be an America that welcomes again, and I say that from the heart as the grandson of an Irish immigrant to this country.

But we must also look, Madam Speaker, beyond immigration. We have a historic opportunity to expand our relationship rooted in free trade, to which President Fox also alluded. President Fox accurately acknowledged that we share the most dynamic border in the world. Let us show the world how neighbors can improve lives through mutual trust and mutual respect.

Today more than ever it is time for America and Mexico to prove that adage that we ought to love our neighbors as ourselves.

VIET NAM HUMAN RIGHTS ACT

Mr. SMITH of New Jersey. Madam Speaker, pursuant to a previous order of the House, I call up the bill (H.R. 2833) to promote freedom and democracy in Viet Nam, and ask for its immediate consideration in the House.

This is signed by Marcy Ford and the entire Ford family.
(1) Viet Nam is a one-party state, ruled and controlled by the Vietnamese Communist Party.

(2) The Government of Viet Nam denies the people of Viet Nam the right to change their government and prohibits independent political, social, and labor organizations.

(3)(A) The Government of Viet Nam consistently pursues a policy of harassment, discrimination, and intimidation, and sometimes uses summary and other forms of detention, against those who peacefully express dissent from government or party policy.

(B) Recent victims of such mistreatment, which violates the rights to freedom of expression and association recognized in the Universal Declaration of Human Rights, include Dr. Nguyen Dan Qoan, Dr. Nguyen Thanh Giang, General Tran Do, Most Venerable Thich Huyen Quang, Most Venerable Thich Quang Do, Father Nguyen Van Ly, numerous leaders of the Hoa Hao Buddhist Church and of independent Protestant churches, and an undetermined number of members of the Montagnard ethnic minority groups beleaguered in remote and isolated regions in the Central Highlands of Viet Nam during February 2001.

(C) In 1999 the Government issued a Decree Concerning Activities of Religious Organizations, proclaimed in part that “[a]ll activities using religious belief in order to oppose the State of the Socialist Republic of Viet Nam, to prevent the believers from carrying out civic responsibilities, to sabotage the union of all the people, to attack the healthy culture of our nation, as well as superstitionistic activities, will be punished in conformity with the law”.

(D) The Unified Buddhist Church of Viet Nam (UCBV), the largest religious denomination, has been declared illegal by the Government, and over the last twenty-five years its clergy have often been imprisoned and subjected to other forms of persecution. The members of the Montagnard Buddhist Church, 85-year-old Most Venerable Thich Huynh Quang, has been detained for 21 years in a ruined temple in an isolated area of central Viet Nam. Most Venerable Thich Quang Do, the Executive President of the Unified Buddhist Church, has also beenvariously imprisoned and subjected to severe mistreatment and has been penalized.

(E) Other religious organizations, such as the Catholic Church, are formally recognized by the Government but are subjected to pervasive and rigid restrictions on the right to freedom of religion. For instance, the Catholic Church is forbidden to appoint its own bishops without Government consent, which is frequently denied, to accept seminarians without specific official permission, and to profess Catholic doctrines which are inconsistent with Government policy. A Catholic priest, Father Nguyen Van Ly, was arrested in March 2001 and remains in detention after submitting written testimony to the United States Commission on International Religious Freedom.

(F) The Government has also confiscated numerous churches, temples, and other properties belonging to religious organizations. The vast majority of these properties—even those belonging to religious organizations formally recognized by the Government—have never been returned.

(6) Simultaneous with Viet Nam has persecuted veterans of the Army of the Republic of Viet Nam and other Vietnamese who had opposed the Viet Cong insurgency and fought for South Viet Nam. Such persecution typically included substantial terms in “re-education camps”, where detainees were often subjected to cruel and inhuman physical abuse, and in which many died. Re-education camp survivors and their families were often forced into internal exile in “New Economic Zones”. Many of these former allies of the United States, as well as members of their families, continue until the present day to suffer various forms of harassment and discrimination, including denial of basic social and civil rights and exclusion from higher education and employment.

(G) The Government of Viet Nam has been particularly harsh in its treatment of members of the Montagnard ethnic minority groups of the Central Highlands of Viet Nam, who were the first line in the defense of South Viet Nam against invasion from the North and who fought courageously beside the United States Army, suffering disproportionately for the lives of many of their American and Vietnamese comrades-in-arms.

(B) Since 1975 the Montagnards have been particularly subjected to severe repression, in part because of their past association with the United States and in part because their strong commitment to their traditional way of life and to their Christian religion is regarded as inconsistent with the absolute loyalty and control demanded by the Communist system.

(7) In February 2001 several thousand Montagnards participated in a series of peaceful demonstrations throughout the Central Highlands, demanding religious freedom and political representation. After the demonstrations were broken up by Vietnamese security forces in Cambodia, who controlled access to the programs, and those who suffered persecution on account of their wartime associations to be among those recognized by the Government.

(8) The Government of Viet Nam also engages in or condones serious violations of the rights of workers. In August 1997, the United Nations Children’s Fund (UNICEF) reported that child labor exploitation is the rise in Viet Nam with tens of thousands of children under 15 years of age being subjected to such exploitation. The Government’s official labor export program also has subjected workers, including those who are married, to mandatory servitude, debt bondage, and other forms of abuse, and the reaction of government officials to worker complaints of such abuse has been to threaten the workers with punishment if they do not desist in their complaints.

(9)(A) United States refugee resettlement programs for Vietnamese nationals, including the Orderly Departure Program (ODP), the Resettlement Opportunities for Returning Vietnamese (ROVR) program, and resettlement programs for Vietnamese boat people in Southeast Asia, were authorized by law in order to rescue Vietnamese nationals who have suffered persecution on account of their wartime associations to the United States, as well as those who currently have a well-founded fear of persecution on account of their race, religion, nationality, political opinion, or membership in a particular social group.

(B) In general, these programs have served their purpose well. However, many refugees who were eligible for these programs were unfairly denied or excluded, in some cases by vindictive or corrupt Communist officials who controlled access to the programs and in others by United States personnel who imposed unduly restrictive interpretations of program criteria. These unfairly excluded refugees include some of those with the most compelling cases, including many Montagnard combat veterans and their families.

(J) In 1998 the Government of Viet Nam systematically jams broadcasts by Radio Free Asia, an independent broadcast service funded by the United States in order to provide news and information to the peoples of countries in Asia whose governments deny the right to freedom of expression and of the press.

(11) In 1998 the Governments of the United States and Viet Nam announced the “normalization” of diplomatic relations. In 1998
then-President Clinton waived the application of section 402 of the ‘Trade Act of 1974 (commonly known as the ‘Jackson-Vanik Amendment’), which restricts economic assistance to countries with non-market economies whose governments also restrict freedom of emigration. In 1999 the Government of Viet Nam submitted to the President the second section 201(b)(2) report for fiscal year 2001 that the requirements of subsection (a)(2) have been met, if applicable.

Subtitle D—United States Refugee Policy

SEC. 211. Assistance to Support Democracy in Viet Nam

(a) Assistance.—(1) IN GENERAL.—Except as provided in subsection (b), United States nonhumanitarian assistance may not be provided to the Government of Viet Nam—

(A) for fiscal year 2002 unless not later than 30 days after the date of the enactment of this Act the President determines that the requirements of subparagraphs (A) through (D) of paragraph (2) have been met during the 12-month period covered by the report.

(B) for fiscal year 2003, if the President determines and certifies to Congress that the requirements of section 701(a) of the Arms Export Control Act; (2) Efforts by the United States Government to secure transmission sites for Radio Free Asia by the Government of Viet Nam were not sufficient.

Subtitle B—Assistance to Support Democracy in Viet Nam

SEC. 211. Assistance.

(a) IN GENERAL.—The President is authorized to provide assistance, through appropriate nongovernmental organizations, for the purpose of supporting individuals and organizations in Viet Nam to promote human rights and nonviolent democratic change in Viet Nam.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President to carry out subsection (a) $2,000,000 for each of the fiscal years 2002 and 2003.

Subtitle C—United States Public Diplomacy

SEC. 221. RADIO FREE ASIA TRANSMISSIONS TO VIET NAM.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to take such measures as are necessary to overcome the jamming of Radio Free Asia by the Government of Viet Nam.

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to such amounts as are otherwise authorized to be appropriated for the Broadcasting Board of Governors, there are authorized to be appropriated to carry out the policy under subsection (a) $9,100,000 for the fiscal year 2002 and $1,100,000 for the fiscal year 2003.

The SPEAKER pro tempore. Pursuant to the order of the House of Representatives, the House met at 1:05 p.m. on September 5, 2001, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 30 minutes.
Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2833.

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

There was no objection.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, first of all, let me thank my good friend, the gentleman from California (Mr. LANTOS), and other cosponsors of this important human rights legislation for their strong support for this measure that is before the body today.

Madam Speaker, to hear some of our colleagues talk, we would think that the Viet Nam government has its own way to be a human rights success story. Unfortunately, this is simply not the case. Just this week, a Buddhist monk in Danang committed suicide by self-immolation to protest the increasingly harsh repression of the Unified Buddhist Church of Viet Nam.

Just yesterday, the Hanoi security cadres arrested two prominent reform advocates, retired Colonel Phan Que Duong and writer Hoang Minh Chinh. Their only crime appears to have been asking permission to start a nongovernmental organization that would expose corruption and promote transparency in government.

Yet, these thoughtful and courageous men were dragged away from their homes and families on the very eve of the vote on the trade agreement whose supporters say is evidence that the Vietnamese Government is on the road to reform.

It is true that there have been some improvements since the dark days of the late 1970s and early 1980s, when hundreds of thousands of people were confined to so-called “reeducation camps”; and as we know, many died there, simply because they had taken the side of freedom. But in recent years, there has been no such progress. Indeed, in the last few months, the government of Viet Nam has substantially increased the frequency and the severity of its human rights violations.

Viet Nam Speaks well on the Government of Viet Nam systematically denies the fundamental right to freedom of religion. Although some freedom of worship is permitted, believers are forbidden to participate in religious activities except under circumstances rigidly defined and controlled by the government.

In 1999, the government issued a Decree Concerning Religious Activities which declared, in pertinent part, “All activities of religious belief are subject to control demanded by the Communist Party, and remains in detention after submitting written testimony to the United States Commission on International Religious Freedom. For that, he was punished.

The Patriarch of the Unified Buddhist Church, 83-year-old Most Venerable Thich Huyen Quang, has been detained for 21 years in a ruined temple in an isolated area of central Vietnam. Most Venerable Thich Quang Do, the leader of the Unified Baptist Church, has also been in various forms of detention for many years, and was recently rearrested and placed under house arrest after he had proposed to bring the most Venerable Thich Huyen Quang to Saigon for medical treatment. For that, he was punished.

The Hoa Hao Buddhist Church was also declared to be illegal until 1999, when the government established an organization which purports to govern the Hoa Hao, but is dominated by the government and Communist cadres, which is not acceptable to the believers. Several Hoa Hao have been sentenced to prison terms for protesting this denial of their religious freedom.

Independent Protestants, most of whom are members of ethnic minority groups, are subjected to particularly harsh treatment by the Government of Vietnam. According to the United States Commission on International Religious Freedom, this treatment includes police raids on homes and house churches, detention, imprisonment, confiscation of religious and personal property, physical and psychological abuse, and fines for engaging in unapproved religious activities such as collective worship, public religious expression, the distribution of religious literature, and performing baptisms, marriages, and funeral services. In addition, the U.S. Commission’s report goes on to say, it is reported that ethnic Montagnards have been forced by local officials to agree to abandon their faith.

A Catholic priest, Madam Speaker, Father Nguyen Van Ly was arrested in March of 2001, just a few months ago, after submitting written testimony to the United States Commission on International Religious Freedom. For that, this great trading partner of the United States, this man, this priest, was arrested: subjected to physical and psychological abuse, is regarded as inconsistent with the absolute loyalty and control demanded by the Communist system.

In February 2001, several thousand Montagnards participated in a series of peaceful demonstrations throughout the Central Highlands, demanding religious freedom and restoration of their confiscated lands. The government responded by closing off the Central Highlands and sending in military forces, tanks and helicopters. Credible reports by refugees who have escaped to Cambodia indicate that at least one participant in the demonstration was killed and that the government has subjected others to imprisonment and torture and other forms of physical abuse. The Government of Vietnam has also taken steps to prevent further Montagnards from escaping, and the Vietnamese security forces in Cambodia are offering bounties for the surrender of Montagnard asylum seekers.

Madam Speaker, I want to also call attention to the active involvement of officials and entities of the Vietnamese Government in severe forms of trafficking in persons. There is evidence that the government’s official labor export program has subjected workers, many of whom are women, to involuntary servitude, debt bondage, and other forms of abuse. In the recent case of several hundreds of workers who were trafficked by Vietnamese-owned corporations to the Daewoo factory in American Samoa, the reaction of government officials was to cite points of severe mistreatment was to threaten the workers with “punishment under the laws of Vietnam” if they continued to complain.

Madam Speaker, as most Members know, these are not the only human rights violations committed by the Vietnamese Government. The Government of Vietnam also pursues a policy of harassment, discrimination, intimidation, and other forms of abuse. The arrests of Mr. Chinh and Colonel Duong are just the latest episode in that awful story.

Madam Speaker, the United States Human Rights Act for Vietnam will ensure that putting an end to those egregious abuses remains central to U.S. foreign policy toward Vietnam. It will not restrict trade in any way, but it uses other forms of leverage to construct a human rights program that is comprehensive yet reasonable and flexible.
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First, the act tells the truth about human rights and the situation of human rights in Vietnam. It describes the violations by the Government of Vietnam to freedom of expression, association, and religion, and the rights of workers, as well as the persecution of ethnic minorities, as I said, including the Montagnards and persons associated with the United States prior to 1975. The act recognizes that Congress and the American people are united in their determination that expansion of trade relations should not be construed as approval or complacency or complicity about human rights violations, and that the promotion of freedom and democracy must be central to U.S. foreign policy.

Second, the act will link increases in foreign aid, other than humanitarian assistance to the Government of Vietnam, to the purposes of the act. The President has made ‘substantial progress’ toward meeting certain human rights benchmarks. These benchmarks are reasonable and easily attainable: substantial progress toward release of political and religious prisoners; substantial progress toward respect by the Government of Vietnam to the right of freedom of religion, including the right to participate in religious organizations not connected to the Government of Vietnam; substantial progress, Madame Speaker, toward respect for the rights of members of ethnic minority groups in the Central Highlands and elsewhere; and an end to the government complicity and severe forms of trafficking in human persons.

Madam Speaker, the Vietnam Human Rights Act does not require cuts in current levels of assistance or impose any restrictions at all on assistance that goes to nongovernmental organizations or private sector enterprises. It affords a waiver to nongovernmental aid that goes to the Government of Vietnam. It also has a waiver capability that the President can exercise in the national interest or if he feels that the purposes of the act would be better served by waiving its provisions.

Madam Speaker, finally, just let me say the act also authorizes assistance to NGOs committed to promoting freedom and democracy in Vietnam. It will support efforts by the United States to overcome the obstacles that the Communist Party of Vietnam places in the way of the pro-democracy broadcasts by Radio Free Asia. It is amazing to me that right now, as we are about to approve a bilateral trade agreement, they are jamming every day the broadcast coming out of Radio Free Asia.

The legislation that we are considering today, because if it were not and if it would be merely a discussion of the conditions that we expect to see true progress on with Vietnam, only a cap on the level of our aid to Vietnam unless decent human rights conditions are created.

...
Madam Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. Tom Davis).

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today in support of H.R. 2833, the Viet Nam Human Rights Act of 2001.

As an original co-sponsor of this landmark legislation, I believe passage of the Viet Nam Human Rights Act will send a strong message to the Hanoi regime and to its victims that expansion of trade relations does not imply approval of or complacency about the continuing pattern of severe human rights violations in Vietnam.

As an ardent supporter of human rights and a strong proponent of free trade, I want to stress that the Viet Nam Human Rights Act is about aid, not trade. This legislation sends a clear message to Hanoi, and also to other interested religious figures and ethnic minority Vietnamese-American community, that the U.S. is serious about our commitment to the principles of free speech, freedom of expression, and the freedom of religious exercise.

As a founding member of the Congressional Dialogue on Viet Nam and a member of the Congressional Human Rights Caucus, I am acutely aware of the Vietnamese government’s human rights violations, including religious persecution and indefinite criminal sentences for political prisoners.

On May 12 of this year, I attended a hearing which addressed the issue or religious suppression and persecution in Vietnam. My colleagues and I heard testimony from many religious Vietnamese-American leaders who shared their perspectives on this important issue. Many of them had suffered personally at the hands of the Vietnamese government. In July, I sent a letter to Secretary of State Colin Powell before he was scheduled to visit Vietnam, asking him to raise these very issues with the government.

This legislation sets a framework for an honest and detailed assessment of the human rights situation in Viet Nam. It accurately identifies violations by the Vietnamese government against the rights of the Vietnamese people to exercise their freedom of expression, association, and religion, and the rights of workers, as well as persecution of religious figures and ethnic minorities including the Montagnards and other people associated with the U.S. prior to 1975.

In addition, H.R. 2833 summarizes the history of U.S. policy towards Vietnam, refugees and of normalization of U.S.-Vietnam diplomatic and trade relations. This legislation concludes that Congress and the American people are united in their belief that expansion of trade relations should not and must not be construed as approval of or ignorance about the Vietnamese government’s human rights violations. Furthermore, we, the government and the American people, seriously believe that the promotion of freedom and democracy must be central to U.S.-foreign policy.

This legislation makes conditional any increases in foreign assistance, other than humanitarian assistance, to the Vietnamese government on a finding by the President that they have made substantial progress toward meeting certain human rights benchmarks, which include the release of all political and religious prisoners from all forms of detention including imprisonment and house arrest; respect by the Vietnamese government towards the right to freedom of religion, including the right to participate in religious organizations not connected to the Vietnamese government; respect for the rights of members of ethnic minority groups in the Central Highlands and elsewhere; and an end to government complicity in severe forms of trafficking in human beings, in particular, women and children.

This bill will also require an enforcement provision of a current law designed to withhold non-humanitarian loans and other extensions of funds from international financial institutions to governments that consistently commit gross violations of fundamental human rights.

This legislation will help to actively promote freedom and democracy in Vietnam by authorizing assistance to nongovernmental organizations committed to encouraging and advancing these principles in Vietnam.

Additionally, this legislation declares it to be the policy of the United States to take such measures as are necessary to overcome the jamming of Radio Free Asia by the Vietnamese government. It requires periodic reports on efforts by the U.S. government to secure transmission sites for Radio Free Asia in countries near Vietnam. It also authorizes additional funding to enhance transmission facilities in order to overcome jamming.

This bill seeks to ensure that U.S. educational and cultural exchange programs promote American values. It requires the U.S. State Department to take steps to make sure that U.S. cultural and exchange programs are open to people who share our values, not just those who have the backing of Communist Party officials and persons close to them.

Finally, this bill would declare it to be the policy of the United States to offer refugee resettlement to residents of Viet Nam who meet the statutory criteria for the Orderly Departure Program and other refugee programs, but who were incorrectly deemed ineligible for such programs or who, for reasons beyond their own control including but not limited to bribes demanded by Vietnamese government officials, were denied access to U.S. programs in time for deadlines imposed by State Department officials. This legislation also requires the State Department to report on what steps it has taken to provide such persons with access to U.S. refugee resettlement.

This bill does not affect any form of humanitarian assistance, nor does it limit assistance that is provided through nongovernmental organizations. Essentially, the Viet Nam Human Rights Act will require the Vietnamese government to make substantial progress towards the release of political and religious prisoners, and an end to religious persecution, respect for the rights of ethnic minorities, and elimination of trafficking in human beings before receiving any further increases in government-to-government U.S. aid. It is my strong belief that this is the least we can do for all those being oppressed by the Communist Government.

For these reasons, I urge all of my colleagues to support H.R. 2833 so that we can hold the Vietnamese government accountable for the human rights abuses committed by their regimes and hopefully bring justice to the Vietnamese people.

I commend the gentleman from New Jersey (Mr. Smith) and his staff for their hard work and commitment in bringing attention to this important issue.

Mr. LANTOS. Madam Speaker, I yield as much time as she may consume to the gentlewoman from California (Ms. Lofgren) who has been a persistent and outspoken champion of human rights.

Ms. LOFGREN. Madam Speaker, I rise in strong support of 2833, the Viet Nam Human Rights Act, a resolution to promote democracy and freedom in Vietnam.

Madam Speaker, last weekend many of us were celebrating Labor Day with our constituents and families honoring our country’s proud traditions of democracy and freedom. But last weekend in Da Nang, Vietnam, a 61-year-old monk set himself on fire in protest of the communist authorities’ repression of religious freedoms.

Before his death, Ank wrote letters to the U.N. Human Rights Commission, the Human Rights Commission of the European Union and other international groups, stating simply, “I have decided that the only way I can protest is by setting my body on fire to denounce repression against the UBCV and all other religions.”

I have with me the Declaration of Vietnamese Priests Abroad, a open letter to the international community condemning the vicious repression of religious and other basic human rights in Vietnam. This letter, dated August 15, was signed by 144 Catholic priests and calls upon “freedom-loving governments to defend the values of human rights which are being trampled on in Vietnam.”
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16483

Madam Speaker, I include the letter for the RECORD.

DECLARATION OF VIETNAMESE PRIESTS ABROAD

We, the undersigned Vietnamese priests abroad, want to express our great concern about the present urgent situation of Vietnam's religious life in general, and the life of the Vietnamese Catholic Church in particular.

Though living and serving away from the Fatherland, we as Vietnamese and as priests remain attached to our people and country. We always pray for our people to be truly free and for our country to be prosperous, in which every Vietnamese is loved and respected in accordance with his or her human dignity.

As for religious life in Vietnam, we are convinced that religious freedom is absolutely a basic and spiritual need for man and society. For the future of Vietnam, religious freedom is not only a legitimate demand but also a fateful contemporary right that needs to be urgently solved. Vietnam will lose an opportunity to create a bright future if the Vietnamese people do not have true religious freedom. The history of Vietnam has proved that religious life is strongly tied with the destiny of the people. Once religion is free, society will be peaceful and healthy and a human development will be secured for the country.

It is unfortunate for the Vietnamese people that what is happening in our country is increasing proves that religion is at risk of being used as an instrument by the Vietnamese Communist Government and enslaved by it to the point of dying away in the end. It has taken as its strategy involves agiong policies of the legal system (especially the procedure of begging the government permission and policies of discrimination), unreasonable administrative system, “divide and conquer” causing division among leaders of the same religion, etc. All of these aim to deprive religious belief of sacred values and to render meaningless and finally useless. Religious freedom in Vietnam is being distorted and trampled brutally and shamelessly by the Vietnamese Communist Government. The present conditions of society are unstable and only conducive to bribery, power abuse at all levels. In the face of these great social problems, religious organizations do not have a right to truly speak out. If they say anything, they must espouse the policies of the government.

Concerning the Vietnamese Catholic Church, we are in one accord with the pastoral approach of the Vietnamese Episcopal Conference as stated in the Joint Letter May 1, 1980: “To live the Gospel in the midst of the people.” It is also for the sake of living the Gospel in the midst of the people that we cannot fail to share the common concern of our people as stated in the above observations.

In the spirit of those observations, we, the undersigned Vietnamese priests abroad, want to declare our demand regarding urgent issues of the present situation of religions in Vietnam as follows:

1. We fervently support the spirit of self-engagement of Father Thaddeus Nguyen-Van-Ly, a Catholic priest of the Archdiocese of Hue, and his demands regarding true religious freedom. At the same time, we also support other religious leaders' urgent demands regarding religious freedom. We demand that the Vietnamese Communist Government guarantee religious leaders' safety and security and their right to freely exercise religious duties.

2. We demand the Vietnamese Communist Government, for the sake of the future of our people and country, to protect and defend the values of human rights, which are being trampled on in Vietnam, especially the right to religious freedom according to the Universal Declaration of Human Rights. Declared in Washington, D.C., on the Fifteenth of August, 2001.

3. We call freedom loving governments and international human rights organizations to defend the values of human rights, which are being trampled on in Vietnam, especially the right to religious freedom according to the Universal Declaration of Human Rights.
a prominent issue in U.S. policy towards Vietnam.

The Vietnamese people deserve to live in full freedom. Countless brave Vietnamese are currently imprisoned, under house arrest, or suffering other kinds of persecution.

These ‘voices of conscience’ are both our inspiration and our responsibility. It is our duty to ensure that these voices are heard and that they are given a chance to说出来 against injustice have our support and our protection.

Our offices have received hundreds of letters from our Vietnamese American constituents, calling upon Congress to pass the Vietnam Human Rights Act.

This bill tells the truth. It does not restrict trade in any way. It does not limit humanitarian aid to Vietnam. It is important to remember by name those who have been persecuted because of their beliefs. It is important to support legislation that I am proud to support, and I urge my colleagues to do the same.

Mr. SMITH of New Jersey. Madam Speaker, I yield 4 minutes to the gentleman from California (Mr. ROMER-BACHER).

Mr. ROHRABACHER. Madam Speaker, I rise in strong support of H.R. 2833. Let me commend the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. ROMER-BACHER) for their strong leadership they have provided. It has been my honor to stand with these two gentlemen on numerous occasions on issues dealing with human rights.

I only wish our other colleagues had the commitment to freedom and democracy and human rights that the gentleman from California (Mr. ROMER-BACHER) and the gentleman from New Jersey (Mr. SMITH) have because America truly could save the world if we had that type of commitment. It is up to us to try to reach out to our colleagues, and that is what we are doing today.

The Vietnam Human Rights Act stresses the importance of human rights in American policy towards Southeast Asia. During the last 24 hours, let us take a look at what has happened. The Vietnamese communists understand what is going on with the debate here. In fact, some people in Hanoi may understand this debate even better than our colleagues who are not paying attention to this debate right now. They prepared for this debate by what? What happened in Vietnam?

Well, two prominent elderly dissidents were arrested one simply after he applied to set up an anti-corruption body in Vietnam to try to deter corruption in Vietnam. Think about that.

The Vietnamese government, the regime, the dictators in Vietnam, have sent their message. They talk about human rights in Vietnam. They start arresting dissidents. The British Broadcasting Corporation reports that
dozens of other dissidents have been called and questioned by police, called into the police departments and been given the message. These incidents exemplify the reality of what we are witnessing on today. They have verified themselves by their own arrogance the need for us to pass a bill concerning human rights in Vietnam.

During the past 6 years, the United States has made economic relations and extended trade subsidies through waivers in the Jackson-Vanik Act, and we have a bilateral trade agreement with Communist Vietnam. These initiatives by our government have made absolutely no impact on promoting democracy and human rights in Vietnam. To paraphrase a song I heard as a kid, when will we ever learn. Trying to cozy up and ignore the pitfalls and the bad parts of a dictatorial regime, trying to ignore the violence and the crimes of gangsters will not make this a better world.

Right now the Hanoi regime is proving that they are as stubborn and as brutal as ever in their campaign against Buddhists, Catholics, and others. They are proving their very nature by continuing these attacks on anyone who believes in religion in Vietnam who has not succumbed to the temptation of simply trying to register their church and run their church affairs in the way that the government would have them run.

Finally, we know now of a brutal suppression of the Montagnard hill tribes people. These people fought valiantly alongside Americans during the war and since then have faced brutal repression; and that the war is long over when these chapters should be closed, the Vietnamese Communist Government is reopening this type of repression against the Montagnards. I feel a personal obligation for the Montagnards. I was in a Montagnard village in 1967, and I believe that my life was a lot safer with those Montagnards because they were on the side of the United States. It is up to us to be on their side now, and on the side of all religious believers throughout the world, especially in Vietnam, who are persecuted, and to be on the side of those people who believe in democracy throughout the world, especially Vietnam. That is what this legislation does.

Madam Speaker, I would ask my colleagues to join us in supporting it.

Mr. LANTOS. Madam Speaker, I am delighted to yield as much time as she might consume to my good friend and distinguished colleague, the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Madam Speaker, I thank the gentlewoman from California (Mr. LANTOS), my colleague, for being such a defender and proponent of human rights, not just in this debate today, but in his recent work also when he was in South Africa.

Madam Speaker, I rise today as a cosponsor and a strong supporter of H.R. 2833, which promotes the development of freedom and democracy in Vietnam. While the United States should move toward promoting economic relations with Vietnam, we must first address the current human rights violations, religious persecution, and the social injustice that is faced by so many in that country.

In our support for the economic revitalization of Vietnam, we cannot ignore these basic human rights. We cannot ignore that they go unresolved in that country. Although diplomatic and trade relations between the United States and Vietnam have improved in recent years, very little headway has been made with respect to the rights of people in that country.

Madam Speaker, I have the privilege of representing the largest Vietnamese community outside of the country of Vietnam. They are the parents, siblings, the children of families who fought communism for 2 decades. The majority of the people that I represent feel that the economic relations with Vietnam should not be established until specific immigration, political and human rights are addressed; and in this debate, I am their voice.

On their behalf, I support H.R. 2833, which links bilateral, non-humanitarian aid to Vietnam's progress on human rights. While encouraging economic revitalization of Vietnam, it will require a climate of freedom and democracy.

At this point, the Vietnamese Government has not made sufficient progress. In fact, in the 4 years, now 5 years that I have been in Congress, very little progress has been made.

When we held a human rights hearing recently on Vietnam with my other colleagues, we reviewed the United States State Department records, and they reported that the Vietnamese Government has made some change, but their human rights record remains poor.

Moreover, human rights groups report that over the past year the Vietnamese Government, in order to avoid international criticism, has cracked down on political and religious dissent by isolating and intimidating them through such practices as house arrest and constant surveillance rather than imprisoning them.

In fact, I myself saw some of this while I was in Vietnam this past year. I was supposed to meet with six of the leading dissidents on human rights in Vietnam. Unfortunately, two were unable to make it because of that constant watch and the ability to stop them.

The four that I did meet with, Professor Nguyen Thanh Giang, General Tran Do, Mr. Pham Que Duong and Mr. Hoang Minh Chinh, discussed the restrictions. They talked about the rising fear that they have because of this government oppressing them in particular as they continue to speak out on human rights.

The Government of Vietnam systematically deprives its citizens of the fundamental right to freedom of religion. Numerous respected religious leaders, including the Most Venerable Thich Huyen Quang and the Most Venerable Thich Quang Do, Father Ly, all of these have been under house arrest in the last few years. The Venerable Thich Quang Do, 28 of our colleagues in this House and I signed a letter to the Nobel peace prize people because of the work he has done on behalf of trying to stop this religious persecution.

The Patriarch of the United Buddhist Church, Thich Huyen Quang, has been detained for 21 years, 21 years, in a ruined temple, and Thich Quang Do has recently been put under house arrest once again simply because he wanted to get his colleague to Saigon for medical treatment.

Contrary to the pretense of the Vietnamese Government that it has no political or religious prisoners, many Vietnamese continue to languish in prisons because of their beliefs. All they simply do is say they broke the law. Well, if the law is to ask for the right to assemble, if the law were the right to free speech, if the law were the right to religious freedom, if it was a right to collective bargaining, if it was a right to own the press or speak up in the press, then the laws of that country would be correct; but currently all of that is deprived these people in Vietnam.

Madam Speaker, today I will support H.R. 2833 because I believe we must keep the pressure on the Government of Vietnam to improve its record on religious and human rights.

This is the United States' responsibility, as the world's beacon of democracy, to make certain that the Vietnamese Government is making sufficient progress with the human rights of their own people before we give them concessions with respect to trade normalization.

I urge my colleagues to join me in keeping the spotlight on the Government of Vietnam so that it may improve its political and human rights record.

Vote yes to end that religious persecution. Vote yes to promote free speech and democracy. Vote yes on H.R. 2833.

Mr. SMITH of New Jersey. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. ROYCE), the distinguished chairman of the Subcommittee on Africa of the Committee on International Relations.

Mr. ROYCE. Madam Speaker, I rise with strong support of the Viet Nam Human Rights Act.

Last year I led a delegation to Vietnam to survey the political, social and
economic situation there in the country. During my trip, I paid a visit to the Venerable Thich Quang Do, who was imprisoned there under house arrest, and under surveillance, Thich Quang Do nevertheless welcomed my visit.

Because of my private visits with this brave dissident and Le Quang Liem, another courageous fighter for freedom, I came to the conclusion that we needed frankly to speak out. What was surprising was how quickly I was denounced by the government, by the Communist government of Vietnam. That told me something. That told me that the Vietnamese Government is sensitive to international criticism. And I think this obliges the United States to speak out constantly against Vietnam's human rights violations. We may not always realize it, but protests by the American Government and the American people do help the cause of freedom in Vietnam and elsewhere. Silence I think for us, Madam Speaker, is not an option.

However, I am afraid that we as a Nation have been tepid when it comes to challenging human rights abuses in Vietnam. Our last ambassador to Vietnam even went so far as to say, "I don't hear anyone reporting problems here. Vietnam by any standard has been rated a success." That is what he said. By no standard is Vietnam a success. Just ask those who were forced to flee their country. Just ask those who want freedom of speech. Just ask, as I did, Thich Quang Do or Le Quang Liem.

Today is our chance to correct the mistakes of the previous administration and to act against human rights abuses in Vietnam. The bill before us today is a good one. The legislation links human rights as a condition to nonhumanitarian aid to Vietnam, it authorizes assistance to democratic forces in Vietnam, and it provides additional funding of Radio Free Asia to overcome jamming efforts by the Communist government of Vietnam.

I am particularly supportive of the Radio Free Asia provisions in this act, because it should now be more able to bring objective news, the truth, to the Vietnamese people. The spread of democratic values in Asia is critical to U.S. foreign policy toward Vietnam, and is one of the cosponsors of this legislation.

I urge my colleagues to support H.R. 2833. Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that Mr. SMITH asks and be given permission to revise and extend his remarks.

Mr. HYDE. Madam Speaker, I thank the gentleman for yielding me time. I strongly support H.R. 2833, the Viet Nam Human Rights Act. I want to congratulate the gentleman from New Jersey (Mr. SMITH), the vice chairman of the House Committee on International Relations, and other cosponsors of this comprehensive human rights legislation.

Later this afternoon, the House will consider a resolution to approve the U.S.-Vietnam Bilateral Trade Agreement. We are all hopeful that this trade deal will improve the lives of the Vietnamese people and that it will eventually create irresistible domestic pressure for human rights and democracy in Vietnam. In the meantime, however, the Vietnamese Government remains one of the most repressive regimes on Earth. Religious persecution, especially of Buddhists and of Evangelical Protestants, has taken a turn for the worse during the last year.

Since February, the government has engaged in a brutal crackdown against members of the Montagnard ethnic minority groups who participated in peaceful demonstrations seeking the return of their traditional lands. I think it is important, therefore, that in expanding trade relations we avoid sending a message of approval or complacency about Hanoi's human rights record.

The Viet Nam Human Rights Act, H.R. 2833, seeks to establish such human rights safeguards. H.R. 2833 would prohibit any increase in nonhumanitarian assistance to the Vietnamese Government unless there is clear progress on human rights on their part. It would also authorize $2 million to help promote human rights and democratic change within Vietnam and support additional Vietnamese refugee resettlement.

I urge my colleagues to support H.R. 2833. Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that debate time be extended by 10 minutes, Mr. SMITH asks and be given permission to revise and extend his remarks.

Mr. LANTOS. Madam Speaker, I am delighted to yield 2 minutes to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Madam Speaker, let me thank the distinguished gentleman from California for yielding the time.

Today, as we consider improving our relations with the country of Vietnam, we must not overlook our longstanding commitment to human rights in our global relationships. In recent months, the Government of Vietnam has significantly increased its suppression of religious and personal freedoms within its borders. The regime has imprisoned scores of religious leaders, mostly Christians, who have courageously spoken out against their government's repressive actions, and it has caused hundreds more to flee into Cambodia to avoid imprisonment. Still other Vietnamese religious leaders are currently under government-ordered house arrest, effectively cutting off contact with their parishioners and congregations.

In addition to its actions against free expression and religious activities, the Vietnamese Government has also confiscated church properties, where in some cases they have turned church sanctuaries into state-run nightclubs.

In light of these continued crackdowns on religion, dissidents and minorities, Congress must make it clear to the Vietnamese Government that in order for the U.S. and Vietnam to have a closer relationship, they must do more to improve their human rights record.

The Viet Nam Human Rights Act, H.R. 2833, seeks to establish such human rights safeguards. H.R. 2833 would prohibit any increase in nonhumanitarian assistance to the Vietnamese Government unless there is clear progress on human rights on their part. It would also authorize $2 million to help promote human rights and democratic change within Vietnam and support additional Vietnamese refugee resettlement.

I urge my colleagues to support H.R. 2833. Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that Mr. CLAY asks and be given permission to revise and extend his remarks. Ms. JACKSON-LEE. Madam Speaker, I thank the distinguished gentleman and the gentleman from New Jersey (Mr. SMITH) for his leadership on this legislation.
September 6, 2001

CONGRESSIONAL RECORD—HOUSE

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Clearly, I believe it is important that those of us who may go in the face of adversity on issues that may provide a certain degree of contention and tension, this is the reason I have voted for the H.R. 2368, the bill that ensures that the United States and Vietnam, as stated in the Vietnamese law, has its responsibility to ensure that the message of freedom, the opportunity of equality, most importantly, human rights and religious freedom, is promoted to our friends. And those who have exhibited for us a true partnership, I stand with them in supporting H.R. 2383, thanking the gentleman from California (Mr. LANTOS) for his leadership and the gentleman from New Jersey (Mr. SMITH).

I am hoping and praying that my neighbor, the gentleman is still incarcerated, leaving his family in financial destitution, can raise his head again in dignity and come back home. But if I do not stand for him on the floor of the House with this legislation, then I would say to my friends and colleagues in this Congress, we do a disservice to those who lost their lives and stood alongside of us as brothers as we fought for justice and peace in the Vietnam War. That, I consider to be a war that was for a just cause, and I will never, never, I will never cease thanking those brothers and sisters who served in the Vietnam War from the United States of America.

Madam Speaker, I rise in support of the Vietnam Human Rights Act.

Madam Speaker, last year the United States signed a sweeping bilateral trade agreement with Vietnam. The World Bank estimates that this world increase U.S. imports from Vietnam by $800 million from last year—a gain of 60 percent.

Madam Speaker, the U.S. State Department's year 2000 review of human rights in Vietnam 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.

In protest of these practices, I voted to disapprove normal trading relations with Vietnam prior to the recess. By doing so, I did not seek to disparage the gains Vietnam has made in re-engaging the world. Rather, I hoped my vote would cause this body to seek a consistent balance between our trade priorities and our human rights concerns. We cannot continue to hold ourselves out as a nation of laws and turn our back on our convictions at every economic opportunity. Therefore, I am supportive of the provisions of H.R. 2368, because it brings promise for human rights reform that is needed in Vietnam. This bill establishes a Congressional-Executive Commission on Vietnam to monitor the acts of the Government of Vietnam which reflect compliance with or violation of human rights, in particular those contained in the International Covenant on Civil and Political Rights, and in the Universal Declaration of Human Rights, the rule of law in Vietnam and the development of U.S. programs and activities and private organizations to increase the interchange of people and ideas between the United States and Vietnam.

The bill also prohibits U.S. non-humanitarian assistance to the Government of Vietnam unless the President determines and certifies to Congress that the Government of Vietnam has complied with certain human rights requirements.

Madam Speaker, I thank the gentleman for assisting his family, though we know that he is still incarcerated and his family, of course, is suffering greatly in my community.

I come here today because I support H.R. 2383 because it is important for America to know that Vietnam is our friend. The Vietnamese stood alongside of us in the Vietnam War, and those same Vietnamese are now here in our country. They are our friends and neighbors. They have simply asked us to allow the freedom that they experience in this country to be the same kind of freedom that their friends and relatives could achieve in Vietnam.

We are friends of Vietnam. There are many of us who lost good relatives and friends in that country. But now, today, this legislation is needed, because it simply ties to the funding process a very strong statement: no increase in appropriations from the United States of America until you address the human rights abuse.

What do I mean by that? The incarceration of a Catholic priest, who simply wanted to include testimony in the congressional testimony in the congressional testimony of the U.S. vote to deny multilateral non-humanitarian assistance to Vietnam unless the President determines and certifies to Congress that such requirements have been met. It authorizes U.S. assistance for the support of individual organizations and human rights and nonviolent democratic change in Vietnam. It sets forth U.S. policy with respect to overcoming the jamming of Radio Free Asia by Vietnam, U.S. educational and cultural exchange programs to promote freedom and democracy in Vietnam and the number of refugee resettlement to Vietnam nationals.

It is crucial that we do whatever is possible to ensure that Vietnam complies with human rights, particularly in connection with its guarantee of the freedom of religion, association and expression and its treatment of prisoners. I have closely followed the persecution of religious leaders, including the Vietnamese government's restriction on church activities. I have commended and supported the work of courageous individuals such as Catholic priest Father Ly.

I have also received dozens of letters from Vietnamese constituents expressing their own profound concern over the persecution of Father Ly and of religious leaders from the Buddhist Church. I must conclude that these concerns of my constituents are representative of those of Vietnamese heritage across the nation. More importantly, it is our role as leaders of the free world to promote the core values of our human rights.

Mr. SMITH of New Jersey. Madam Speaker, I yield to the gentleman from North Carolina (Mr. BALLenger).

Mr. BALLenger. Madam Speaker, I thank the gentleman for yielding me time, and also the gentleman from California (Mr. LANTOS) for coming up with this bill.

Madam Speaker, I am fortunate to have many Montagnard tribesmen living in my district, so it is a pleasure today to be able to speak out in favor of this legislation.

Today, we have an opportunity to send a clear message to Hanoi that human rights abuses will not be forgotten with the passage of a resolution to codify the trade agreement recently negotiated between the United States and Vietnam. Vietnam's record on human rights has remained poor, with very few real improvements. Government crackdowns on religious groups and political dissidents continue today. In a recent State Department report, it said, "In areas populated by ethnic minorities, authorities allow little discretion in practicing their faith."
One particular group that bears heavy-handed Hanoi treatment are the Montagnard people of the Central Highlands. Since 1975, the Montagnards have been singled out, in part for their past assistance to the United States, their strong commitment to the Christian religion, and a traditional way of life. In February of 2001, several thousand Montagnard protesters gathered for a series of peaceful demonstrations throughout the Central Highlands. These peaceful demonstrations were forcibly stopped by the Vietnamese military, using helicopter gunships and tanks. In addition, refugees that did escape to Cambodia are being sought now by Hanoi for their return and, in some cases, bounties are offered by the Vietnamese Government to ensure their return.

With these events occurring on a daily basis, it is imperative that the international community know that the United States remains committed to improving the human rights situation in Vietnam. The bill we are debating now, H.R. 2833, the Viet Nam Human Rights Act, is a positive step forward in that direction.

I urge my colleagues to support this bill. By passing this resolution, we will reaffirm our resolve to help the Montagnards, along with other ethnic minorities in the same position. The Montagnards fought hard alongside members of the United States Army Special Forces in the war in the North.

Do not give up the fight for them now.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself the balance of my time.

Mr. LANTOS. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Madam Speaker, I thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her kind comments and strong support and advocacy for human rights in Vietnam. This is an issue, especially with the trade bill pending later on this afternoon, where we have to make a strong, cogent statement on behalf of those who are persecuted. We must stand with the oppressed and not the oppressor. I know some people, and I think it is naive, but some people honestly believe if we just engage in trade, somehow that will mitigate, and some day end, these egregious abuses. The evidence would suggest otherwise.

Having said that, we have in this legislation some very significant milestones that we call upon the Government of Vietnam to achieve. Among these are the release of political and religious prisoners, an expansion of a provision of religious freedom which allows these Buddhist and Evangelical Christians, and some other people being repressed at this particular time, to engage freely in the exercise of their religion; and stop the repression of ethnic minorities, especially the Montagnards, who have suffered a cruelty that many of us would find absolutely appalling.

Finally, on the issue of trafficking. Members may recall I was the prime sponsor last year of the Victims of Trafficking and Violence Protection Act of 2000. Vietnam has a trafficking problem. There is some complicity on the part of the government.

This bill calls upon our own government to make a finding as to whether or not and to what extent the Government’s complicity in trafficking is real or whether or not there has been progress in ending trafficking. Hopefully, those who have been abused in modern slavery-like conditions, we will see an end to this abuse of women and children.
Madam Speaker, as we come to a close of the debate on this legislation, I want to especially thank my good friend and my former staff director on the Subcommittee on International Operations and Human Rights which I used to chair, Grover Joseph Rees, who has done an extraordinary job in helping to shape this legislation. He has done great work getting the facts for all of us. We study up with facts, no hyperbole, no exaggeration. What is the situation on the ground right now? What is the prognosis for reform, and how do we get there?

I want to thank Peter Yeo on the Democratic staff of the Committee on International Relations who not only serves the gentleman from California (Mr. LANTOS) so well, but serves the entire committee so well, and I want to thank him for his contributions.

I want to thank Tom Davis, the office of the gentleman from Virginia (Mr. DAVIS) who weighed in and helped. Also thank to Tom Mooney, the staff director of the full International Relations Committee, for all the work that he has done. This has been a true team effort. This is a bipartisan effort. The government of Vietnam should be very clear that we go on record today with the support of human rights organizations, the support of the American Legion, who submitted an effective letter, which I will include as part of the RECORD, from Steve Robertson, the director of the National Legislative Commission of the American Legion.

I just want to say again how important this legislation is and, hopefully, it will pass with a vote as close to unanimous as humanly possible.

Those who vote against this are saying that human rights do not matter, that they are just a waiver in it. This legislation has a provision that gives the President the ability to decide whether or not to waive a provision, a sanction, if you will, in the national interest.

So I strongly support this legislation. It is a bipartisan product.


Hon. Christopher Smith, House of Representatives, Washington, DC.

Dear Representative Smith: The American Legion thanks you for authoring H.R. 2368, the Vietnam Human Rights Act of 2001. The American Legion fully supports this important legislation which seeks to promote freedom in Vietnam. The American Legion opposes Normal Trade Relations (NTR) with Vietnam based on what we believe is less-than-full cooperation by the Vietnamese government in regard to the accounting of the over 1,900 Americans still missing from the Vietnam War. The current state of human rights in Vietnam is such, if not more, attention than normalized trade relations.

Currently, Vietnamese authorities are targeting many ethnic groups who were faithful allies of U.S. forces during the Vietnam War, and denying them their basic human rights. The Montagnards of the Central Highlands are just one example. We believe H.R. 2368 will help ensure that, if something is signed, an International Covenant on Human Rights and the Universal Declaration of Human Rights by the Vietnamese government.

Although trade may be increasing between both countries, The American Legion does not believe this will, in any way, guarantee Vietnam's speedy transition to democracy. Continual pressure needs to be applied to the Vietnamese government to treat their citizens in a fair and equitable manner.

Once again, The American Legion fully supports H.R. 2368, the Vietnam Human Rights Act of 2001. The American Legion appreciates your continued leadership in addressing the issues that are important to veterans and their families.

Sincerely,

Steve A. Robertson,
Director, National Legislative Commission.

Madam Speaker, I yield any remaining time to the gentleman from Virginia (Mr. Wolf).

Mr. LANTOS. Madam Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. Wolf), my good friend.

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Madam Speaker, I rise in strong support of H.R. 2333, the Vietnam Human Rights Act, and I encourage my colleagues, as did the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS), to vote for passage of this very important legislation. I want to applaud the gentleman from New Jersey, my good friend, for his hard work and devotion and dedication in bringing this legislation to the floor, and the gentleman from California (Mr. LANTOS) for his efforts on not only this, but on frankly all of the major important human rights issues that we have had before the Congress. I also applaud the bipartisan group of colleagues who have cosponsored this piece of legislation.

I would say to the government, is it too much to ask that the government of Vietnam be required to make "substantial progress" toward the releasing of political prisoners, ending religious persecution, increasing respect for the rights of ethnic minorities, and eliminating their participation in the trafficking of human beings before they receive any further increases in government-to-government, nonhumanitarian assistance from the United States? These steps should be at a minimum, the minimum actions taken by any Nation who is serious about establishing normal relations with the United States.

Madam Speaker, H.R. 2333 also tries to address the issue of the complicity of the Vietnamese government in severe forms of trafficking in human beings. In June of this year, the Congressional Human Rights Caucus chaired by the gentleman from California (Mr. LANTOS), held a hearing on the trafficking of women and children into sex markets around the world. One of the expert witnesses showed covertly filmed negotiations of girls as young as 7 and 8 years old being sold into sex markets in Vietnam, 7 and 8 years old. So some members come down here to talk about the opportunities for trade in Vietnam, think in terms of these young girls, 7 and 8 years old. Governments who tolerate or participate in this type of cruel and inhumane behavior should never qualify for foreign aid or expect to enjoy Normal Trade Relations with the United States.
It is my hope that the passage of the Viet Nam Human Rights Act will send a strong message to the government in Hanoi that continued abuses of its citizens will not lead to an expansion of trade, increases in aid, or normal relations with the United States or the rest of the Free World. I encourage my colleagues to protect the innocent in Vietnam by voting for H.R. 2833. I am sure the gentleman from New Jersey and the gentleman from California will ask for a rollcall vote on this, I would assume. But hopefully, hopefully there will be no negative votes against this so that the message goes into Hanoi of the United States Congress and the people of the United States Congress, and so that the people in Hanoi and the people in Vietnam who will wake up tomorrow and find out that the Congress has passed this legislation, take hope because of the overwhelming vote.

So today, I thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS). I hope this bill passes with 435 votes or, if there is somebody missing, 434 to nothing, because if we really want to open up the gulags of Vietnam and allow the Catholic priests and the bishops and the monks and the Montagnard people to be heard, and stop the sexual trading that has gone on in the past, the passage of this bill will really do it.

Mr. SMITH of New Jersey. Madam Speaker, will the gentleman yield? Mr. WOLF. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Madam Speaker, I want to thank the gentleman from Virginia (Mr. WOLF), the chairman of the Subcommittee on Commerce, Justice, State and the Judiciary, for his very, very strong statement. We both got elected back in 1981, and we sort of clicked, together, on human rights issues all around the world, including in Vietnam. It was the gentleman’s idea years ago to go to a gulag called Perm Camp 35, 1,000 miles outside of Moscow in the Ural Mountains. There we met with political prisoners who had been abused, who had been tortured, and that meeting and the subsequent representation that he and I and others made— but he led the way on that— helped to secure the freedom of those individuals.

We did the same thing in China and in other places in Asia. He has been all over Africa. When he speaks—and he and the gentleman from California (Mr. LANTOS) speak with enormous amounts of credibility—on humanitarianism and human rights, the gentleman from Virginia (Mr. WOLF), I think, takes a second to none.

I do hope Members are listening—and K STREET has admonished the government of Vietnam itself, which through its embassy has admonished this Congress not to support this legislation. Why? I went to their Web site, Madam Speaker, just the other day and looked and they had a statement about how religious freedom is respected in Vietnam. There have been no attacks. Then what do they have to worry about? This simply says there has to be “substantial progress” in that area; we are not even saying achievement. We are saying progress; more work needs to be done.

I would have hope that Members would find it in their hearts to vote for this and say, we are going to give away the store and have free trade with the hope and expectation that will lead to a liberalization of human rights. I do believe that is naive, but if this is our belief, I do not know how we cannot support this legislation. This is waivable. It provides the President, who we hope will make an honest determination, to decide whether a waiver is in the best interests of the United States relations that are contained within this legislation.

Madam Speaker, we want to see real progress. We are tired of words. We want deeds by the government of Vietnam. They are repressing people. They are beating people. They are killing people. That is not hyperbole, that is the truth on the ground. There are religious believers such as the Unified Buddhist Church, as we mentioned earlier, and others have mentioned it, who have suffered immeasurably because of their faith. Again, the gentleman from Virginia was the prime sponsor of the International Religious Freedom Act, legislation that the previous administration did not want and then signed. I hope this administration does not follow that course as well. Embrace human rights. Be real, transparent, up front.

Again, I want to thank the gentleman from Virginia (Mr. WOLF) for his very eloquent statements. He is a champion and someone for whom I have a tremendous amount of respect. I hope my colleagues hear these words and will support this legislation.

Mr. LANTOS. Madam Speaker, I yield myself the remaining time.

I want to thank all of my colleagues for their eloquent statements. Earlier this year, under the leadership of the gentleman from Missouri (Mr. GERHARDT), the Democratic leader in the House, we went to Vietnam to see on the ground the development of that country that has suffered so much during the long and painful war. We feel for the Vietnamese people. They are an enormously talented and hardworking and willing people, leading better lives. But we have to stand with them, not just in terms of economic aspirations, but in terms of their aspirations along individual and human rights, rights of religious freedom, press freedom, none of which they enjoy at the moment. This legislation attempts to address those issues.

As we open up our relations with Vietnam, politically and economically, it is critical that this body speaks out loud and clear on the issue of human rights in Vietnam. I again want to pay tribute to the gentleman from New Jersey (Mr. SMITH), my friend and colleague, who has led us on this issue, and I call on all of my colleagues to vote for this legislation.

Mr. SMITH. Madam Speaker, I submit two letters relating to the consideration of H.R. 2833, the “Viet Nam Human Rights Act.”

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, September 6, 2001.

EXPLORATORY MEETING

Honor the Members of Congress

Mr. SCHAEFFER, Mr. LEWIS, Mr. HARRIS, Mr. SMITH, Mr. SMITH of Texas, Mr. SMITH of California, Mr. SMITH of Ohio, Mr. SMITH of Nevada, Mr. SMITH of Oregon, Mr. SMITH of Colorado, Mr. SMITH of Virginia, Mr. SMITH of New Jersey, Mr. SMITH of Delaware, Mr. SMITH of Oklahoma, Mr. SMITH of Tennessee, Mr. SMITH of Alabama, Mr. SMITH of Alaska, Mr. SMITH of Hawaii, Mr. SMITH of Maryland.

DISTRIBUTION

Chairman, House Committee on International Relations, U.S. House of Representatives, Washington, DC.

Representative to be assigned.

DEAR JIM: I am writing to you concerning the bill H.R. 2833, the “Viet Nam Human Rights Act,” which contains legislative language which may be the subject of a sequential referral of the bill to your committee. From your letter of this date, I understand that you are willing to waive the right to a sequential referral with this committee to move expeditiously to the floor.

I understand that this waiver in no way affects your subject matter jurisdiction, and I will support appointment of conferees from your committee on this or other related matters within your jurisdiction. I appreciate your assistance in this matter.

Sincerely,

H. J. HYDE, Chairman.

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, September 6, 2001.

EXPLORATORY MEETING

Honor the Members of Congress

Mr. HENRY J. SMITH

Chairman, House Committee on International Relations, U.S. House of Representatives, Washington, DC.

DEAR HENRY: I write regarding H.R. 2833, the “Viet Nam Human Rights Act,” which was referred to the Judiciary Committee on International Relations, the Committee on Financial Services, and the Committee on Rules. As you know, the Committee on the Judiciary has a jurisdictional interest in this legislation, and I appreciate your acknowledgment of that jurisdictional interest. While the bill would be sequentially referred to the Judiciary Committee, I understand the desire to have this legislation considered expeditiously by the House; therefore, I do not intend to hold a hearing or markup on this legislation.

In agreeing to waive consideration by our Committee, I would expect you to agree that this procedural route should not be construed in any way as prejudicing the jurisdiction of the Judiciary Committee, and I appreciate your acknowledgment of this.

In closing, I would expect you to agree that the Committee on the Judiciary would continue to consider the bill, and I further expect you to agree that the Committee on the Judiciary will not waive your Committee’s jurisdictional interest in this matter.

Sincerely,

H. J. SMITH, Chairman.

Chairman, House Committee on International Relations, U.S. House of Representatives, Washington, DC.

DEAR JIM: I am writing to you concerning the bill H.R. 2833, the “Viet Nam Human Rights Act,” which contains legislative language which may be the subject of a sequential referral of the bill to your committee. From your letter of this date, I understand that you are willing to waive the right to a sequential referral with this committee to move expeditiously to the floor.

I understand that this waiver in no way affects your subject matter jurisdiction, and I will support appointment of conferees from your committee on this or other related matters within your jurisdiction. I appreciate your assistance in this matter.

Sincerely,

H. J. HYDE, Chairman.

Chairman, House Committee on International Relations, U.S. House of Representatives, Washington, DC.
with the Senate to be convened on this or similar legislation.

Again, thank you for your cooperation on this important matter. I would appreciate your including this letter in the Congressional Record during today's debate of H.R. 2833.

Sincerely,

P. JAMES SENZENHINER, Jr.,
Chairman.

Mr. OXLEY. Madam Speaker, I rise today in strong support of H.R. 2833, the Viet Nam Human Rights Act. This legislation is an important component of our Viet Nam trade policy.

This bill was additionally referred to the Committee on Financial Services, which I chair, because it contains provisions relating to international financial institutions and multilateral banking organizations. I am including for the record a letter to the Speaker memorializing the cooperation between my committee and the Committee on International Relations in reaching this important compromise.

I want to thank the Chairman of the Subcommittee on International Monetary Policy and Trade, the gentleman from Nebraska (Mr. BERRETER) for his hard work, and Chairman HYDE and Chairman SMITH for their willingness to engage the Committee on Financial Services on matters within its jurisdiction.

Madam Speaker, I urge all of my colleagues to support this important measure.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR Mr. SPEAKER: I am writing with regard to H.R. 2833, the Viet Nam Human Rights Act, which is scheduled to be considered by the House today. This bill is similar to H.R. 2368 which was reported by the Committee on International Relations yesterday and additionally referred to the Committee on Financial Services. As you are aware, both bills contain provisions relating to international financial institutions and multilateral banking organizations which fall within the jurisdiction of the Committee on Financial Services pursuant to clause (1) of rule X of the Rules of the House of Representatives.

As a result of the continuing consultation between the Committees on Financial Services and International Relations, H.R. 2833 contains language responsive to the concerns raised by Members of my committee. Therefore, I have no objection to allowing the Committee on Financial Services to be discharged from the further consideration of both H.R. 2833 and H.R. 2368. By agreeing to waive its consideration of the bill, the Financial Services Committee does not waive its jurisdiction over any other matters. In addition, the Committee on Financial Services reserves its authority to seek conference on any provisions of H.R. 2833 that are within the jurisdiction of the Committee on International Relations during any House-Senate conference that may be convened on this or related legislation.

Thank you for your assistance in this matter.

Sincerely,

MICHAEL G. OXLEY,
Chairman.

Mr. GILMAN. Madam Speaker, I want to commend Chairman Smith for crafting this important bill. I also wish to commend Com-


**CONGRESSIONAL RECORD—HOUSE**

**September 6, 2001**

**REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. CON. RES. 144**

Mr. PICKERING. Madam Speaker, I ask unanimous consent that my name be withdrawn as cosponsor from H. Con. Res. 144.

So the bill was passed.

**APPROVING EXTENSION OF NON-Discriminatory TREATMENT WITH RESPECT TO PRODUCTS OF THE SOCIALIST REPUBLIC OF VIETNAM**

Mr. THOMAS. Madam Speaker, pursuant to the previous order of the House, I call up the joint resolution (H.J. Res. 51) approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 51 is as follows:

H.J. Res. 51

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam, and ask for its immediate consideration.

The Speaker pro tempore. Pursuant to the order of the House of Wednesday, September 5, 2001, the gentleman from California (Mr. THOMAS) and a Member opposed to the joint resolution each will control 1 hour.

Is there a Member opposed to the joint resolution?

Mr. MCNULTY. Madam Speaker, I claim the time in opposition to the joint resolution.

The SPEAKER pro tempore. The gentleman from California (Mr. McNULTY) will control 60 minutes.

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

Mr. THOMAS. Madam Speaker, I ask unanimous consent to yield one-half of my time to the gentleman from Michigan (Mr. LIVY), and that he be permitted to yield time as he sees fit. So the Speaker recognizes the gentleman from California.

The House Joint Resolution 51, as appropriate with its title, deals with a trade agreement with the Socialist Republic of Vietnam. This is the most comprehensive trade agreement with a nonmarket economy country that the United States has ever entered into. That is why I want to underscore that it is with the Socialist Republic of Vietnam.

Normal trade relations used to be called Most Favored Nation treatment, and frankly, it was a misnomer; most nations receive Most Favored Nation treatment. And so a few years ago we appropriately changed the terminology. I think, therefore, if we are asking that we have normal trade relations with the Socialist Republic of Vietnam, who do we not have normal trade relations with? And in this part of the world, in the Far East, there are basically two nations that do not enjoy normal trading relations with the United States. Those are Laos and North Korea. All other countries in the Far East enjoy this status.

The idea of having a bilateral trade agreement with the Socialist Republic of Vietnam in a comprehensive way allows us to deal with access in areas of industrial and agricultural goods, in services, in intellectual property rights, in investment, and in the transparency of all of those activities.

It is a trade agreement that will allow us to continue to improve the relations with one of the fastest growing countries, both in terms of population and in terms of economy, in Southeast Asia.

Madam Speaker, I would place in the Record a Statement of Administration Policy on H.J. Res. 51.

This statement says, "The administration supports H.J. Res. 51 which would approve the extension of non-discriminatory, i.e., normal trade relations treatment for products of Vietnam.

The closing of the paragraph says that "the Bilateral Trade Agreement’s entry into force completes a normalization process that has spanned four administrations. Completion of this process will facilitate important bilateral engagement on other issues of concern."


STATEMENT OF ADMINISTRATION POLICY

(This statement has been coordinated by OMB with the concerned agencies)

H.J. Res. 51—Approving the Extension of Normal Trade Relations Status for Vietnam—Rep. Armey (R) TX and 2 cosponsors)

The Administration supports H.J. Res. 51, which would approve the extension of nondiscriminatory, i.e., Normal Trade Relations (NTR), treatment for the products of Vietnam.

The Administration has continued to work with Vietnam to incrementally normalize our bilateral political, economic, and consular relationship. U.S. engagement helps promote the development of a prosperous Vietnam and integrates it into world markets and regional organizations, which, in turn, helps contribute to regional stability. In addition, U.S. involvement has secured Vietnamese cooperation and engagement on a range of important U.S. policy goals, including achieving the fullest possible accounting of POW/MIA's from the Vietnam War. U.S. engagement also gives hope of producing gains in respect for human rights as well.

The U.S. has extended a Jackson-Vanik waiver to Vietnam for the past 3 years. This waiver, which is a prerequisite for NTR trade status, has permitted U.S. businesses operating in Vietnam to make use of U.S. Government programs supporting U.S. exports to and investments in Vietnam. U.S. businesses view Vietnam the thirteenth most populous country in the world, as an important potential market.

On the 9th, President Bush submitted the U.S.-Vietnam Bilateral Trade Agreement (BTA) to Congress for its approval as part of extending NTR to Vietnam. This BTA binds Vietnam to an unprecedented array of reforms, including tariff reductions for key U.S. exports, elimination of non-tariff barriers, intellectual property rights protection, market access for American service industries, protections for American investors, and mechanisms to promote the rule of law.

The BTA’s entry into force completes a normalization process that has spanned four Administrations. Completion of this process will facilitate important bilateral engagement on other issues of concern.

PAY-AS-YOU-GO SCORING

Any law that would reduce receipts is subject to the pay-as-you-go requirements of the Balanced Budget and Emergency Deficit Control Act. Accordingly, H.J. Res. 51, which would reduce revenues, will be subject to the pay-as-you-go requirement. The Administration will work with Congress to ensure that any unintended sequela of spending does not occur under current law or the enactment of any other proposals that meet the President’s objectives to reduce the debt, fund priority initiatives, and grant tax relief to all income tax paying Americans.