

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.

□ 1215

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 12 o'clock and 21 minutes 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.

The SPEAKER pro tempore. Is there 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 for this Congress to begin discussions, as President Fox 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, front and center on the world stage. They entered the 16-team world series tournament as underdogs, but they fought their way to 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 rela-

tionship that we enjoy between Mexico and the United States.

We all know, as my colleague and friend just mentioned, that immigration policy is crucial and should be 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.

The Clerk read the title of the bill.

The text of H.R. 2833 is as follows:

H.R. 2833

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Viet Nam Human Rights Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—GENERAL PROVISIONS

Sec. 101. Findings.

Sec. 102. Purpose.

#### TITLE II—PROMOTION OF FREEDOM AND DEMOCRACY IN VIET NAM

Subtitle A—Prohibition on Nonhumanitarian Assistance to the Government of Viet Nam

Sec. 201. Bilateral nonhumanitarian assistance.

Sec. 202. Multilateral nonhumanitarian assistance.

Subtitle B—Assistance to Support Democracy in Viet Nam

Sec. 211. Assistance.

Subtitle C—United States Public Diplomacy

Sec. 221. Radio Free Asia transmissions to Viet Nam.

Sec. 222. United States educational and cultural exchange programs with Viet Nam.

Subtitle D—United States Refugee Policy

Sec. 232. Refugee resettlement for nationals of Viet Nam.

Subtitle E—Annual Report on Progress Toward Freedom and Democracy in Viet Nam

Sec. 241. Annual report.

#### TITLE I—GENERAL PROVISIONS

#### SEC. 101. FINDINGS.

Congress finds the following:

(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 of imprisonment 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 Que, 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 who participated in peaceful demonstrations in the Central Highlands of Viet Nam during February 2001.

(4) The Government of Viet Nam systematically deprives its citizens of 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:

(A) In 1999 the Government issued a Decree Concerning Religious Activities, which declared in pertinent 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 against the healthy culture of our nation, as well as superstitious activities, will be punished in conformity with the law”.

(B) The Unified Buddhist Church of Viet Nam (UCBV), the largest religious denomination in the country, 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 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 Viet Nam. Most Venerable Thich Quang Do, the Executive President of the Unified Buddhist 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 Most Venerable Thich Huyen Quang to Saigon for medical treatment.

(C) 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. According to the United States Commission on International Religious Freedom, “[t]his organization is made up almost entirely of Communist Party members and apparently is not recognized as legitimate by the vast majority of Hoa Haos . . . [n]evertheless, [this government-sponsored organization] has sought to control all Hoa Hao religious activity, particularly at the Hoa Hao village, which is the center of Hoa Hao religious life”. Hoa Hao believers who do not recognize the legitimacy of the government organization are denied the right to visit the Hoa Hao village, to conduct traditional religious

celebrations, or to display Hoa Hao symbols. Many have been arrested and subjected to administrative detention, and several Hoa Hao have been sentenced to prison terms for protesting these denials of religious freedom.

(D) Independent Protestants, most of whom are members of ethnic minority groups, are subjected to particularly harsh treatment by the Government of Viet Nam. According to the United States Commission on International Religious Freedom, such 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 and distribution of religious literature, and performing baptisms, marriages, or funeral services) . . . [i]n addition, it is reported that ethnic Hmong Protestants have been forced by local officials to agree to abandon their faith”.

(E) Other religious organizations, such as the Catholic Church, are formally recognized by the Government but are subjected to pervasive regulation which violates 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.

(5) Since 1975 the Government of 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 the North Vietnamese invasion of South Viet Nam. Such persecution typically included substantial terms in “re-education camps”, where detainees were often subjected to torture and other forms of 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 benefits and exclusion from higher education and employment.

(6)(A) 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 members of the Special Forces of the United States Army, suffering disproportionately heavy casualties, and saving the lives of many of their American and Vietnamese comrades-in-arms.

(B) Since 1975 the Montagnard peoples have been singled out for 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 loy-

alty and control demanded by the Communist system.

(C) 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, and the Government responded by closing off the Central Highlands and sending in military forces, tanks, and helicopter gunships.

(D) Credible reports by refugees who have escaped to Cambodia indicate that the Government has executed some participants in the demonstrations and has subjected others to imprisonment, torture, and other forms of physical abuse.

(E) The Government of Viet Nam has also taken steps to prevent further Montagnards from escaping, and there are credible reports that Vietnamese security forces in Cambodia are offering bounties for the surrender of Montagnard asylum seekers.

(7) The Government of Viet Nam has also persecuted members of other ethnic minority groups, including the Khmer Krom from the Mekong Delta, many of whom fought alongside United States military personnel during the Viet Nam war and whose Hinayana Buddhist religion is not 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 on 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, many of whom are women, to involuntary 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 of boat people from refugee camps throughout Southeast Asia, were authorized by law in order to rescue Vietnamese nationals who have suffered persecution on account of their wartime associations with the United States, as well as those who currently have a well-founded fear of persecution on account of 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.

(10) 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 entertainment to the people of countries in Asia whose governments deny the right to freedom of expression and of the press.

(11) In 1995 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 Governments of the United States and Viet Nam announced "agreement in principle" on a bilateral trade agreement. This agreement was signed in 2000 and has been presented to Congress for approval or disapproval.

(12) The Congress and the American people are united in their determination that the extension or expansion of trade relations with a country whose government engages in serious and systematic violations of fundamental human rights must not be construed as a statement of approval or complacency about such practices. The promotion of freedom and democracy around the world—and particularly for people who have suffered in large part because of their past associations with the United States and because they share our values—is and must continue to be a central objective of United States foreign policy.

#### SEC. 102. PURPOSE.

The purpose of this Act is to promote the development of freedom and democracy in Viet Nam.

### TITLE II—PROMOTION OF FREEDOM AND DEMOCRACY IN VIET NAM

#### Subtitle A—Prohibition on Nonhumanitarian Assistance to the Government of Viet Nam

##### SEC. 201. BILATERAL NONHUMANITARIAN ASSISTANCE.

###### (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 and certifies to Congress that the requirements of subparagraphs (A) through (D) of paragraph (2) have been met during the 12-month period ending on the date of the certification; and

(B) for each subsequent fiscal year unless the President determines and certifies to Congress in the most recent annual report submitted pursuant to section 241 that the requirements of subparagraphs (A) through (D) of paragraph (2) have been met during the 12-month period covered by the report.

(2) REQUIREMENTS.—The requirements of this paragraph are that—

(A) the Government of Viet Nam has made substantial progress toward releasing all political and religious prisoners from imprisonment, house arrest, and other forms of detention;

(B) the Government of Viet Nam has made substantial progress toward respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference by or involvement of the Government;

(C) the Government of Viet Nam has made substantial progress toward respecting the human rights of members of ethnic minority groups in the Central Highlands or elsewhere in Viet Nam; and

(D)(i) neither any official of the Government of Viet Nam nor any agency or entity wholly or partly owned by the Government of Viet Nam was complicit in a severe form of trafficking in persons; or

(ii) the Government of Viet Nam took all appropriate steps to end any such complicity and hold such official, agency, or entity fully accountable for its conduct.

###### (b) EXCEPTION.—

(1) IN GENERAL.—Subsection (a) shall not apply for any fiscal year with respect to the provision of United States nonhumanitarian assistance for any program or activity for which such assistance was provided to the Government of Viet Nam for fiscal year 2001 in an amount not to exceed the amount so provided for fiscal year 2001.

(2) CONTINUATION OF ASSISTANCE IN THE NATIONAL INTEREST.—Notwithstanding the failure of the Government of Viet Nam to meet the requirements of subsection (a)(2), the President may waive the application of subsection (a) for any fiscal year if the President determines that the provision to the Government of Viet Nam of increased United States nonhumanitarian assistance would promote the purposes of this Act or is otherwise in the national interest of the United States.

###### (3) EXERCISE OF WAIVER AUTHORITY.—

(A) IN GENERAL.—The President may exercise the authority under paragraph (2) with respect to—

(i) all United States nonhumanitarian assistance to Viet Nam; or

(ii) one or more programs, projects, or activities of such assistance.

###### (c) DEFINITIONS.—In this section:

(1) SEVERE FORM OF TRAFFICKING IN PERSONS.—The term "severe form of trafficking in persons" means any activity described in section 103(8) of the Trafficking Victims Protection Act of 2000 (Public Law 106-386 (114 Stat. 1470); 22 U.S.C. 7102(8)).

(2) UNITED STATES NONHUMANITARIAN ASSISTANCE.—The term "United States nonhumanitarian assistance" means—

(A) any assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation), other than—

(i) disaster relief assistance, including any assistance under chapter 9 of part I of that Act;

(ii) assistance which involves the provision of food (including monetization of food) or medicine; and

(iii) assistance for refugees; and

(B) sales, or financing on any terms, under the Arms Export Control Act.

##### SEC. 202. MULTILATERAL NONHUMANITARIAN ASSISTANCE.

The President shall ensure that section 701 of the International Financial Institutions Act (22 U.S.C. 262d), relating to human rights, is carried out with respect to Viet Nam.

#### 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 support of individuals and organizations 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.

##### SEC. 222. UNITED STATES EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS WITH VIET NAM.

It is the policy of the United States that programs of educational and cultural exchange with Viet Nam should actively promote progress toward freedom and democracy in Viet Nam by providing opportunities to Vietnamese nationals from a wide range of occupations and perspectives to see freedom and democracy in action and, also, by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

#### Subtitle D—United States Refugee Policy

##### SEC. 232. REFUGEE RESETTLEMENT FOR NATIONALS OF VIET NAM.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to offer refugee resettlement to nationals of Viet Nam (including members of the Montagnard ethnic minority groups) who were eligible for the Orderly Departure Program or any other United States refugee program and who were deemed ineligible due to administrative error or who for reasons beyond the control of such individuals (including the inability to pay bribes demanded by officials of the Government of Viet Nam) were unable to apply for such programs in compliance with deadlines imposed by the Department of State.

(b) AUTHORIZED ACTIVITY.—Of the amounts authorized to be appropriated to the Department of State for Migration and Refugee Assistance for each of the fiscal years 2001, 2002, and 2003, such sums as may be necessary are authorized to be made available for the protection (including resettlement in appropriate cases) of Vietnamese refugees and asylum seekers, including Montagnards in Cambodia.

#### Subtitle E—Annual Report on Progress Toward Freedom and Democracy in Viet Nam

##### SEC. 241. ANNUAL REPORT.

Not later than May 31 of each year, the Secretary of State shall submit to Congress a report for the 12-month period ending on the date of submission of the report, on the following:

(1)(A) The determination and certification of the President that the requirements of subparagraphs (A) through (D) of section 201(a)(2) have been met, if applicable.

(B) The determination of the President under section 201(b)(2), if applicable.

(2) Efforts by the United States Government to secure transmission sites for Radio Free Asia in countries in close geographical proximity to Viet Nam in accordance with section 221(a).

(3) Efforts to ensure that programs with Viet Nam promote the policy set forth in section 222 and with section 102 of the Human Rights, Refugee, and Other Foreign Policy Provisions Act of 1996 regarding participation in programs of educational and cultural exchange.

(4) Steps taken to carry out the policy under section 232(a).

The SPEAKER pro tempore. Pursuant to the order of the House of Wednesday, September 5, 2001, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

## GENERAL LEAVE

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 Viet Nam was well on its way to being 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 non-governmental 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.

Madam Speaker, 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 using religious belief in order to oppose the State of the Socialist Republic of Viet Nam, to prevent the believers from carrying out civic respon-

sibilities, to sabotage the union of all the people, to go against the healthy culture of our Nation, as well as superstitious activities, will be punished in conformity with law."

The Unified Buddhist Church of Viet Nam, Madam Speaker, the largest religious denomination in Viet Nam, 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.

□ 1230

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 Executive President 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 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, such 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 Hmong Protestants 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, and remains in detention 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; submitting testimony to an official organ, a function of the United States Government that investigates religious persecution.

Madam Speaker, the other human rights violation in Vietnam right now is the recent intensification of the government's systematic repression of the Montagnards. Since 1975, the Montagnard people have been severely persecuted, in part because of their wartime association with the United States, and in part because of their strong commitment to their traditional way of life and to their Christian religion, and that 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 Daewoosa factory in American Samoa, the reaction of government officials to worker complaints 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 types of detention against those who peacefully express dissent from the government or the party policy. The arrests of Mr. Chinh and Colonel Duong are just the latest episode in that awful story.

Madam Speaker, the 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.

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 of the rights 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 concludes 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 a finding by the President that the government 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, Madam 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 affects only increases in nonhumanitarian 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 Hanoi's systematic jamming of the profreedom 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 act would require the State Department to take steps to ensure that U.S. cultural and exchange programs are open to people who share our values not just of the Vietnamese Government and Communist Party officials and persons close to those officials.

Finally, Madam Speaker, the act declares it to be the policy of the U.S. to

offer refugee resettlement to pro-American combat veterans and other residents of Vietnam who meet the statutory criteria for U.S. refugee programs, who have been wrongfully denied access to these programs for reasons beyond their control, including but not limited to their inability to pay bribes that have been demanded by the Vietnamese Government officials.

The act does not change existing refugee law and does not mandate the admission of any person or group. The act does insist, however, that discretion under current law should be exercised to promote fairness for people who have been persecuted for 25 years because of their wartime associations with the U.S. or simply because they share our values.

Madam Speaker, I urge a positive vote on this bill, and I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 2833.

First, I would like to commend my good friend and distinguished colleague, the gentleman from New Jersey (Mr. SMITH), for introducing this very important legislation and for doggedly pursuing the Vietnam human rights issue, as indeed he has been pursuing so many human rights issues during his entire course of great service to this Nation. I would also like to express my appreciation to the chairman of the committee, the gentleman from Illinois (Mr. HYDE), for moving this legislation so expeditiously.

Madam Speaker, yesterday afternoon I returned from the Durban Conference in South Africa on Racism and Discrimination, as the American delegation was withdrawn by Secretary of State Colin Powell, a decision I fully support.

It is ironic to listen to the gentleman from New Jersey (Mr. SMITH), outlining in great detail the discrimination and persecution unfolding in Vietnam against religious and ethnic minorities, because Vietnam was not on the agenda at Durban. The Sudan was not on the agenda at Durban, although as we speak, slave trade is taking place in the Sudan.

Afghanistan and the Taliban were not on the agenda in Durban, although we know what happens to individuals who attempt to introduce Christianity into that country. There are few things Afghanistan needs more than some Christian values.

Saudi Arabia was not on the agenda, although the persecution of women continues unabated, discrimination against women continues unabated.

The only country singled out for criticism at the farce which was Durban was the democratic state and our ally in the Middle East, the State of Israel. So the timing of this legislation, as it comes before us, could not be more opportune.

I would like to identify myself with the statements made by the gentleman from New Jersey with respect to all the specific acts of religious and ethnic persecution which unfold in Vietnam. None of us here should be under any illusion about the nature of the Vietnamese Government. According to the State Department's Human Rights Report, the Vietnamese Government is an unrepentant authoritarian regime. True political opposition in that country is not allowed. Freedom of expression does not exist, and Vietnamese are put in prison for good for simply expressing political opinions the government does not approve of.

The Vietnamese Government places the most severe restrictions on the expression of religious beliefs, particularly beliefs in Buddhism, as my good friend and colleague so eloquently outlined.

Madam Speaker, today the House will approve the U.S.-Vietnam bilateral trade agreement. I support that agreement, but it is critical that we send a signal to Hanoi that the U.S. continues to care about the human rights and the religious freedom situation in Vietnam, not just trade. Passage of the Smith legislation will indicate to the administration and to the Vietnamese Government that the Congress expects to see true progress on the human rights front, and we have not forgotten those Vietnamese who are being persecuted for their religious beliefs or their political views.

The legislation that we are considering will ensure that there is not a rollback in our trade and aid relationship with Vietnam, only a cap on the level of our aid to Vietnam unless decent human rights conditions are created.

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It is ironic that this legislation is before us today, because if it were not and if it would be merely a discussion of trade with Vietnam, we ourselves would be engaging in hypocrisy as are the delegates in Durban as we speak. It is important to promote trade. But it is important to stand up for human rights as well.

I commend and congratulate the gentleman from New Jersey (Mr. SMITH) for introducing this legislation. I urge all of my colleagues to support its passage.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself 10 seconds.

Madam Speaker, I thank my good friend for his outstanding statement and for pointing out the hypocrisy of the Durban conference, especially in leaving out some of these egregious violators and, as he pointed out, focusing on the state of Israel. I want to thank him for that statement and for his support for that bill.

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 observers including the 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 of 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 went to 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 Vietnam. 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 Vietnamese 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 of a 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 Vietnamese government and 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 Vietnam who met 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 inability to pay 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, an 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 worldwide and calls upon "freedom-loving governments to defend the values of human rights which are being trampled on in Vietnam."

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 matter of human rights 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 increasingly 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. Using this as its strategy involves agonizing 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 it 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 and 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 position regarding several urgent issues of the present situation of religions in Vietnam as follows:

1. We fervently support the spirit of self-engagement of Reverend Thaddeus Ngyeân-Vaên-Lyù, a Catholic priest of the Archdiocese of Hueá, and his demands regarding true religious freedom. At the same time, we also support other religious leaders' legitimate 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, bring to an end religious persecution and insidious and malicious strategy, which is ordered to use religions in Vietnam as instruments leading to their destruction.

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.

Declared in Washington, D.C.

On the Fifteenth of August, 2001.

Solemnity of the Assumption of the Blessed Virgin Mary, Body and Soul, into Heaven.

Signed by the following Vietnamese priests abroad:

Rev. Msgr. Dominic Mai-Thanh-Lõông, Archdiocese of New Orleans, USA  
 Rev. Joseph Ninh-Coâng-Huyõnh, Archdiocese of Philadelphia, USA  
 Rev. Peter Ngyeân-Thanh-Long, Archdiocese of Washington, USA  
 Rev. Joachim Traân-Quyù-Thieân, Diocese of Arlington, USA  
 Rev. Andrew Ngyeân-Hõõu-Leã, Diocese of Auckland, New Zealand  
 Rev. Paul Traân-Xuaân-Taâm, Archdiocese of Washington, USA  
 Rev. Joseph Traân-Kim-Thieân, Archdiocese of Philadelphia, USA  
 Rev. Vincent Ngyeân-Hõõu-Duì, O.P. Canada  
 Rev. John Ninh-Xuaân-Minh, Diocese of Mainz, Germany  
 Rev. Joseph Phaïm-Xuaân-Thaéng, Diocese of Richmond, Virginia, USA  
 Rev. Joseph Ngyeân-Phuù-An, Diocese of Camden, New Jersey, USA  
 Rev. Joseph Toáng-Thieân-Lieân, Diocese of Dallas, Texas, USA  
 Rev. Joseph Phaïm-Thanh-Lõông, Diocese of Camden, New Jersey, USA  
 Rev. Joseph Traân-Vaên-Huaân, Archdiocese of San Antonio, Texas, USA  
 Rev. Vincent Kim-Vaên-Toan, Diocese of Hamilton, Ontario, Canada  
 Rev. Anthony Ngoá-Kim-Traing, Diocese of Richmond, Virginia, USA  
 Rev. Dominic Vuõ-Ngoic-An, Archdiocese of Washington, USA  
 Rev. Peter Phaïm-Vaên-Chinh, Diocese of St. Petersburg, Florida, USA  
 Rev. Joseph Phaïm-Vaên-Tueã, Archdiocese of New Orleans, Louisiana, USA  
 Rev. John Baptist Ngyeân-Huõng-Laân, O.F.M., Diocese of Bruxelles, Belgium  
 Rev. Matthias Vuõ-Ngoic-Naung, Diocese of San Jose, California, USA  
 Rev. Peter Ninh-Ngoic-Queá, C.Ss.R., Archdiocese of Los Angeles, USA  
 Rev. Alphonsus Ngyeân-Hoá-Naenh, Diocese of Pontoise, France  
 Rev. Vincent Phan-Hõõu-Toá, Archdiocese of Mobile, Alabama, USA  
 Rev. John Vuõ-Haân, Archdiocese of New Orleans, Louisiana, USA  
 Rev. Peter Phan-Phaüt-Huòan, C.Ss.R., Archdiocese of Los Angeles, USA  
 Rev. John Ngyeân-Thaõnh-Chung, Archdiocese of Philadelphia, Pennsylvania, USA  
 Rev. Joseph Phaïm-Maïnh-Cõõõng, Diocese of Camden, New Jersey, USA  
 Rev. Joachim Ngyeân-Dao-Kim, Diocese of Galveston-Houston, Texas, USA  
 Rev. Joseph Hoaõng-Minh-Thaéng, Archdiocese of Rome, Italy  
 Rev. Vincent Ngyeân-Vaên-Kieân, Diocese of Honolulu, USA  
 Rev. Peter Ngyeân-Vaên-Huõng, S.S.C., Taiwan

Rev. Alexis Nõaõn-Quang-Trõõõng, Diocese of Hsinchu, Taiwan  
 Rev. Peter Ngyeân-Huõng-Cõõõng, M.M., New York, USA  
 Rev. Joachim Vuõ-Ninh-Thoán, Diocese of Chiayi, Taiwan  
 Rev. Joseph Ngyeân-Minh-Chinh, Archdiocese of Taipei, Taiwan  
 Rev. Andrew Traân-Cao-Tõõõng, Archdiocese of New Orleans, Louisiana, USA  
 Rev. Joseph Ngyeân-Theá-Quang, Archdiocese of Birmingham, London, England  
 Rev. Anthony Traân-Hõõu-Laân, Archdiocese of Seattle, Washington, USA  
 Rev. Joseph Ngoá-Quang-Nõnh, Archdiocese of Tokyo, Japan  
 Rev. Christopher Leá-Huy-Baung, C.Ss.R., Houston, Texas, USA  
 Rev. Joseph Mai-Thaõnh-Haân, Archdiocese of Brisbane, Queensland, Australia  
 Rev. John Traân-Ngoic-Bích, C.Ss.R., Diocese of Tucson, Arizona, USA  
 Rev. Joseph Noaõn-Huy-Chõõng, Diocese of Galveston-Houston, Texas, USA  
 Rev. Paul Chu-Vaên-Chi, Archdiocese of Sydney, Australia  
 Rev. Dominic Ngyeân-Vaên-Noài, Archdiocese of Sydney, Australia  
 Rev. Canut Ngyeân-Thaùi-Hoãich, Archdiocese of Sydney, Australia  
 Rev. Joachim Noaõn-Só-Thuic, Archdiocese of Sydney, Veritas Radio, Philippines  
 Rev. Joseph Vuõ-Minh-Ngyeân, Archdiocese of Sydney, Australia  
 Rev. Dominic Mai-Minh-Luaân, Diocese of Springfield Cape Girardeau, USA  
 Rev. Joseph Chu-Coâng, O.Cist., Diocese of Worcester, Massachusetts, USA  
 Rev. Joachim Ngyeân-Ninh-Naõm, Diocese of Pittsburgh, Pennsylvania, USA  
 Rev. Joseph Vuõ-Xuaân-Trõõõng, Diocese of Brooklyn, New York, USA  
 Rev. Joseph Leá-Phuõng, C.Ss.R., Diocese of Galveston-Houston, Texas, USA  
 Rev. Paul Leá-Anh-Võõng, S.V.D., Diocese of San Bernadino, California, USA  
 Rev. Anthony Traân-Tri-Tueã, Diocese of Hsinchu, Taiwan  
 Rev. Thomas No-Minh-Taâm, Diocese of St. Paul-Minneapolis, Minnesota, USA  
 Rev. Mark Noaõn-Quang-Baùu, C.M.C., Archdiocese of Boston, Massachusetts, USA  
 Rev. Peter Vuõ, Diocese of Grand Rapids, Michigan, USA  
 Rev. Michael Ngyeân-Linh-Ghi, Diocese of Chiayi, Taiwan  
 Rev. Joseph Trõõõng-Vaên-Phuic, Diocese of Hsinchu, Taiwan  
 Rev. Peter Leá-Vaên-Quaung, Diocese of Hsinchu, Taiwan  
 Rev. Dominic Ninh-Duy-Khieâm, Diocese of Tulsa, Oklahoma, USA  
 Rev. Joseph Nõaõn-Vaên-Nhõõõng, Archdiocese of Saõi Gòõn, Retired, Louisiana, USA  
 Rev. Peter Leá-Thanh-Quang, Diocese of Little Rock, Arkansas, USA  
 Rev. Peter Ngyeân-Thanh-Baéng, Incarnation Consecration (Hereafter: I.C.), Archdiocese of New Orleans, USA  
 Rev. Francis Ngyeân-Vaên-Hoá, Archdiocese of Oklahoma, USA  
 Rev. Vincent Traân Ninh-Phuic-Quyù, Archdiocese of New Orleans, Louisiana, USA  
 Rev. Louis Ngyeân-Haâu, C.Ss.R., Archdiocese of Paris, France  
 Rev. John Ngyeân-Kim-Ngoán, Diocese of Meaux, Paris, France  
 Rev. Joseph Vuõ-Ngoic-Chaáu, Archdiocese of Taipei, Taiwan  
 Rev. Peter Dõõng-Baù-Hoait, Diocese of Chiaya, Taiwan  
 Rev. Vincent Traân-Quang-Nieâm, Diocese of Orange, California, USA

Rev. Joseph Chaâu-Xuaân-Baùu, C.Ss.R., Diocese of Dallas, Texas, USA

Rev. Joseph Nguyeân-Vaên-Thaùi, Archdiocese of Chicago, Illinois, USA

Rev. Peter Nguyeân-Ninh-Neá, Diocese of San Jose, California, USA

Rev. Paul Phaím-Vaên-Hoái, Diocese of Orange, California, USA

Rev. Joseph Nguyeân-Coàng-Hoaùn, Diocese of Fresno, California, USA

Rev. Philip Nguyeân-Vaên-Hieáu, Diocese of Sioux City, Iowa, USA

Rev. Peter Noá-Quang-Chaáu, Diocese of Nashville, Tennessee, USA

Rev. Philip Ninh-Vaên-Thieáp, Diocese of Green Bay, Wisconsin, USA

Rev. Joseph Nguyeân-Duy-Huông, Diocese of Stockton, California, USA

Rev. Joseph Phaím-Minh-Vaên, Chaplain for Vietnamese Catholics in Switzerland

Rev. Joseph Nguyeân-Vaên-Soñ, Diocese of Dallas, Texas, USA

Rev. Leo Vuô-Huyeân, C.M.C., Diocese of San Bernardino, California, USA

Rev. Peter Traân-Vaên-Trôi, S.J., Australia

Rev. Augustine Nguyeân-Nôüc-Thuí, S.J., Australia

Rev. Joseph Vuô-Moäng-Thô, Diocese of Tours, France

Rev. Maurice Nguyeân-Vaên-Danh, O.S.B., Monastery of Buckfast, England

Rev. Stephen Nguyeân-Mainh-Taân, O.F.M., Archdiocese of San Francisco, USA

Rev. Peter Mary Nguyeân-Hôôu-Hieân, Archdiocese of Tokyo, Japan

Rev. Andrew Duông-Laïc Cao-Duy-Linh, O.F.M., Diocese of Nayoga, Japan

Rev. John Baptist Nguyeân-Vieát-Huy, S.J., Australia

Rev. Vincent Traân-Vaên-Baêng, Diocese of Bamberg, Germany

Rev. Peter Hoaông-Kim-Huy, O.S.B., Archdiocese of Hobart, Tasmania, Australia

Rev. Paul Tai-Thanh-Binh, C.Ss.R., Archdiocese of New Orleans, Louisiana, USA

Rev. Joseph Phan-Nôông, C.Ss.R., Diocese of Oakland, California, USA

Rev. Joseph Vuô-Ngoïc-Thaân, Diocese of Baton Rouge, Louisiana, USA

Rev. Peter Nguyeân-Huông-Nôüc, Diocese of Sioux City, Iowa, USA

Rev. Paul Nguyeân-Huông-Côôông, S.V.D., Iowa, USA

Rev. Joseph Vuô-Thaôn, Diocese of Galveston-Houston, Texas, USA

Rev. Louis Vuô-Laâm, Diocese of Lafayette, Louisiana, USA

Rev. Francis Xavier Nguyeân-Trung-Duông, Diocese of Nagasaki, Japan

Rev. Joseph Cao-Phôông-Kyù, Diocese of Honolulu, Hawaii, USA

Rev. Dominic Nguyeân-Vaên-Haùo, Diocese of St. Jean Longueuil, Canada

Rev. Peter Ngoá-Ninh-Thouá, C.Ss.R., Archdiocese of Los Angeles, USA

Rev. Joseph Noàng-Vaên-Vinh, Archdiocese of Perth, Australia

Rev. Andrew Phaím-Quang-Phong, Diocese of Grand Rapids, Michigan, USA

Rev. Joseph Traân-Minh-Nhaát, Archdiocese of Perth, Australia

Rev. Stephen Bụi-Thôông-Lôu, Diocese of Rottenburg-Stuttgart, Germany

Rev. Joseph Vuô-Nôüc, Archdiocese for the Military Services, USA

Rev. Michael Joseph Nguyeân-Ngoïc-Vinh, Archdiocese of New Orleans, USA

Rev. Joseph Vuô-Naùo, S.V.D., Indiana, USA

Rev. Joseph Traân-Theá-Maân, Archdiocese of New Orleans, USA

Rev. Joseph Nguyeân-Chinh, Archdiocese of Boston, Massachusetts, USA

Rev. Francis Bụi-Quyeát, Diocese of Houma-Thibodaux, Louisiana, USA

Rev. John Baptist Nguyeân-Vaên-Hieân, Diocese of Long Island, New York, USA

Rev. Peter Mary Bụi-Coàng-Minh, Diocese of Orange, California, USA

Rev. Joseph Ninh-Xuaân-Long, Diocese of Charlotte, North Carolina, USA

Rev. Peter Traân-Nieân, Retired, Carthage, Missouri, USA

Rev. Joseph Nguyeân-Nôüc-Duông, Archdiocese of Hartford, Connecticut, USA

Rev. Joseph Noá-Baù-AÛi, Wyoming, Michigan, USA

Rev. Jerome Nguyeân-Thanh-Laâm, O.S.B., Carthage, Missouri, USA

Rev. Peter Nguyeân-Vaên-Phong, (Society of the House of the Lord), Diocese of Dallas, Texas, USA

Rev. Dominic Noá-Duy-Nho, Diocese of Little Rock, Arkansas, USA

Rev. Peter Traân-Vieát-Huông, Archdiocese of Newark, New Jersey, USA

Rev. John Baptist Traân-Vaên-Taân, Diocese of Des Moines, Iowa, USA

Rev. Anthony Nguyeân-Vaên-Nôá, Archdiocese of Oklahoma, Oklahoma, USA

Rev. Peter Traân-Ninh-Thaùo, Diocese of Hoaiien, Taiwan

Rev. Joseph Vuô-Xuaân-Minh, Archdiocese of St. Paul and Minneapolis, Minnesota, USA

Rev. John Bosco Phaím-Trung-Thôic, C.M.C., Archdiocese of Boston, USA

Rev. Martin Nguyeân-Thanh, I.C., Diocese of Baton Rouge, Louisiana, USA

Rev. Thomas Thieân-Nonh, I.C., Diocese of Baton Rouge, Louisiana, USA

Rev. Peter Nguyeân-Vieát-Taân, I.C., Diocese of Baton Rouge, Louisiana, USA

Rev. Msgr. Philip Traân-Vaên-Hoaøi, Vatican, Rome, Italy

Rev. Thomas Nguyeân-Vaên-Chaùn, Archdiocese of New Orleans, Louisiana, USA

Rev. Joseph Nguyeân-Huông-Côôông, Diocese of Wichita, Kansas, USA

Rev. Thomas Noá-Thanh-Haø, Diocese of Orange, California, USA

Rev. Thomas Nguyeân-Xuaân-Toaøn, Archdiocese of San Francisco, California, USA

Rev. Peter Ngoá-Coàng-Thaéng, Archdiocese of Los Angeles, California, USA

Rev. Dominic Ninh-Minh-Haùi, C.Ss.R., Diocese of Dallas, Texas, USA

Rev. Joseph Phaím-Nôüc-Khôi, Diocese of Stockton, California, USA

Rev. Vincent Phaím-Minh-Chaáu, S.V.D., Archdiocese of St. Louis, Missouri, USA

Rev. Joseph Traân Ninh Huynh, S.V.D., Archdiocese of Taipei, Taiwan/R.O.C.

Madam Speaker, a few months ago the gentleman from Virginia (Mr. Tom DAVIS) and the gentlewoman from California (Ms. SANCHEZ) and I held a hearing on human rights in Vietnam. Several of our invited guests, prominent religious leaders in Vietnam, were unable to leave Vietnam to give their testimony. As a result of this hearing, the congressional dialogue on Vietnam relaunched its Adopt a Voice of Conscience campaign. My colleagues and I have been in constant contact with the Vietnamese American community and the Department of State about the safety of Father Nguyen Van Ly, Venerable Thich Quang Do, and other leaders we know are being harassed or detained.

I invite my colleagues to again join this bipartisan campaign and make the release of these prisoners of conscience

a prominent issue in U.S. policy towards Vietnam.

The Vietnamese people deserve to live in full freedom. Countless brave Vietnamese are currently in prison, 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 those who are courageous enough to speak out 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 remembers by name those who have been persecuted because of their beliefs. It is important human rights 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. ROHR-ABACHER).

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. LANTOS) for the 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. LANTOS) 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 more than some of 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 us their message. We 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 voting 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 normalized 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 now 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.

□ 1300

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 gentleman 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 co-sponsor 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 dissidents 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 Unified 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 would be the right to free speech, if the law would be 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.

It is the United States' responsibility, 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 in 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. He is the leader of the banned Unified Buddhist Church of Vietnam. Because of his years of peaceful protest in support of religious and political freedom, he has suffered constant harassment, constant imprisonment; and even though he was 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. security interests. Radio Free Asia is a step in the right direction. The Vietnamese service airs important programs on issues like democracy and press freedoms, and it tells the Vietnamese people what the world is saying, what this Congress is saying, about their repressive government. It gives critical moral support to Thich Quang Do and Le Quang Liem. We

know that these broadcasts are effective. Why do we know that? Because the Vietnamese Government spends so much time trying to block them. With this bill, that will be a harder task.

I urge its passage.

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 non-humanitarian 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, equally divided between the gentleman from California (Mr. LANTOS) and myself.

The SPEAKER pro tempore (Mrs. BIGGERT). 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 3 minutes to the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Com-

mittee on International Relations, who has been a forceful advocate for human rights worldwide, including Vietnam, and is one of the cosponsors of this legislation.

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

□ 1315

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 free trade 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.

This bill makes clear that progress towards freedom and democracy will continue to be a central theme of U.S. foreign policy toward Vietnam. It uses forms of leverage other than trade sanctions to promote this objective, such as conditions on nonhumanitarian foreign assistance, guarantees that U.S. educational and cultural exchange programs will be open to people who share our values, and serious efforts to overcome the jamming of Radio Free Asia.

I urge a unanimous vote in favor of this important human rights legislation.

Mr. LANTOS. Madam Speaker, I am delighted to yield such time as she may consume to my good friend and colleague, the gentlewoman from Texas (Ms. JACKSON-LEE), who has been an eloquent champion of human rights across the globe.

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the distinguished gentleman from California for his leadership and the gentleman from New Jersey (Mr. SMITH) for his leadership on this legislation.

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, that we continue to be united around the question of human rights and the right kind of human rights.

Let me thank the gentleman from New Jersey (Mr. SMITH). The gentleman helped me out. Although my constituent is still incarcerated in Vietnam, we spoke a couple of months ago about the gentleman who simply walked across the border because he had a sense of concern. A Vietnamese citizen out of Houston walked across the border in Vietnam trying to express the desire for political freedom.

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. 2833 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 U.S. Commission's hearing on International Religious Freedom; also the incarceration of the cofounder of the Inter-Religious Council, a leader of the banned Buddhist church, incarcerated; since 1992, the detaining of the Patriarch 82 year old Mr. Nguyen of the Unified Buddhist Church. These people are ailing. They are seeking justice, and they are seeking freedom.

Madam Speaker, these individuals are simply an example of those who we have lost contact with, who because of their particular views or their desire to practice their religion without intimidation, have been lost in the prison system of the Vietnamese Government, the present Vietnamese Government.

So I would simply say that the United States 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 the Vietnamese community here has exhibited for us a true partnership. I stand with them in supporting H.R. 2833, 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, who 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, HR 2368.

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 "proof" 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 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. 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. It directs the Secretary of the Treasury to instruct the U.S. Executive Director of specified international financial institutions to use 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 individuals and organizations to promote 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 offer 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 Nguyen Van Ly, a champion for religious freedom in Vietnam. For example, Father Ly's parish bravely planted a large banner with the words "We Need Freedom or Religion" on the church property. It should not have to be an act of bravery to stand up for religious freedom. It should be an assured right. Father Ly also submitted written testimony for hearing of the U.S. Commission on International Religious Freedom and joined with other religious leaders in Vietnam to organize an Inter-religious Council to campaign peacefully for religious rights. In May, Vietnamese authorities arrested 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 4 minutes 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 bill, H.R. 2833.

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 U.S. 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 1999 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 protestors 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.

I urge all my fellow Congressmen to vote yes on H.R. 2833.

Mr. SMITH of New Jersey. Madam Speaker, I yield 5 minutes to the distinguished gentlewoman from Florida (Ms. ROS-LEHTINEN), the chairwoman of the Subcommittee on International Operations and Human Rights who has been a very potent and strong force on behalf of human rights worldwide, but also on behalf of the Vietnamese.

Ms. ROS-LEHTINEN. Madam Speaker, I thank the gentleman for yielding me time.

Madam Speaker, on behalf of the people of Vietnam who clamor for democracy and the right to live free of oppression, on behalf of all the faithful and religious leaders who have been imprisoned, tortured and subjected to the most barbaric persecution simply for exercising their universal rights, as a refugee from another Communist regime, and as chairman of the Subcommittee on International Operations and Human Rights, I rise in strong support of the Viet Nam Human Rights Act.

The Vietnamese regime continues to systematically violate the human rights, the civil liberties and the religious freedoms of its people. In March of this year, the Vietnamese authorities prevented the Hoa Hao Buddhist believers from participating in a mass

pilgrimage to their sacred ground. Key leaders were arrested or their homes surrounded by police. Devotees were threatened or detained on their way to visit the holy site. Those who were finally able to reach the Hoa Hao village were met by police and security officials.

The extent of the human rights violations and religious persecution is so acute that on Tuesday of this week Amnesty International reported that a Buddhist monk killed himself as a form of protest for the heinous practices used by the Vietnamese authorities to usurp the rights of their people to practice their religious beliefs.

Just last night, Hong Kong AFP reports that a dozen dissidents were detained in dawn raids by Vietnamese authorities. After several hours of interrogation, they were released with warnings from security police to stop their activities.

Vietnam uses a maze of laws, decrees and regulations to prohibit religious worship and to justify the arbitrary arrest, detention, harassment, abuse and censorship of those seeking to exert their religious liberty and their right to free association.

Article IV of the Vietnamese constitution, for example, enables the security apparatus to enforce an extralegal administrative decree against any dissidents under the pretext of endangering national security. The regime is among the totalitarian or authoritarian regimes specifically rebuked by the State Department in its annual reports on religious freedoms and human rights practices.

Earlier this year, the report issued by the U.S. Commission on International Religious Freedom also stated that human rights and religious freedoms are "severely repressed in Vietnam in a manner common to Communist countries in general: through arbitrarily enforced registration laws, tightly controlled official organizations and strict limitations on religious activities."

This same commission created by the Congress called on the new administration and on us to factor into the development and implementation of U.S.-Vietnam policy the protection of religious freedom and human rights. It underscored the need for the Congress to pressure the Vietnamese authorities to "make substantial improvements in the protection of religious freedoms" and to "undertake obligations to the United States to make such improvements."

It further called on the Congress to incorporate Vietnam's progress in the protection and respect of human rights and religious freedoms as part of an annual review of the normal trade relation status for Vietnam.

The Viet Nam Human Rights Act is an integral component of such a strategy, using nonhumanitarian assist-

ance, democracy programs and U.S. Government broadcasts to support the Vietnamese people in their struggle to exert their rights as human beings and as citizens. It sends a clear signal to the Vietnamese authorities that the U.S. Congress is keeping a watchful eye.

As the wife of a proud Vietnam veteran, I ask my colleagues to support this important piece of legislation, and I congratulate the gentleman from New Jersey (Chairman SMITH) for once again being the forceful leader that he is on the issue of international human rights.

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 so many others 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.

□ 1330

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, for the sake of 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 only deal 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 Uyen Dinh, in the office of the gentleman from Virginia (Mr. TOM 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 and his staff did. 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, because this has a waiver in it. This legislation has a provision that gives the President the ability to decide whether or not waiving a provision, a sanction, if you will, is in the national interest.

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

THE AMERICAN LEGION,  
Washington, DC, July 24, 2001.

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 and democracy 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 requires as much, 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 compliance with the International Covenant on Civil and Political 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. 2833, 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. 2833 requires that the President of the United States certify that the government of Vietnam make substantial improvements in the area of human rights. Those of us who have held hearings and listened to the heartbreaking testimonies of witness after witness who have endured

the persecution from Hanoi policies know that these substantial improvements are long overdue. Witnesses attest that many groups of people in Vietnam have suffered unending persecution since the war ended in 1975, and the persecution has continued.

Regarding religious persecution, no faith, no faith is untouched by Hanoi's persecution. In January, 42 colleagues in the House sent a letter to Vietnamese Prime Minister Phan Van Khai expressing concern for the lack of religious freedom and continued persecution of religious leaders in Vietnam. Catholic bishops, Buddhist monks, leaders of Christian house churches and Muslims have all endured nonstop persecution by the Communist government in Vietnam since 1975.

Earlier this year, prominent leaders of the outlawed Unified Buddhist Church of Vietnam, UBCV, the 83-year-old patriarch, Thich Huyen Quang, and Thich Quang Do, a Nobel Peace Prize nominee, were detained and placed under house arrest for what the government described as "as a number of wrongful acts they have recently committed." This action was followed by the detaining of Catholic Father Nguyen Van Ly and a stepped up offense against the Montagnard people of the Central Highlands in Vietnam, as the gentleman from California was talking about.

Many of the Montagnard are people who fought alongside American troops years ago and are now victims of imprisonment, torture, and death for speaking out against the Communist government abuses. Christians in Vietnam have had their property confiscated and their leaders imprisoned and tortured for simply trying to worship their God. It should be clear that imprisonment, torture, and killing of innocent citizens, based on their religious beliefs by any country, will always stand in the way of normal relations with the United States.

Madam Speaker, H.R. 2833 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 as Members come pouring in 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, 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 again, in closing, 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 have worked 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 respect for human rights and respect for life, the gentleman from Virginia (Mr. WOLF), I think, takes a second to no one.

I do hope Members are listening—and K Street and some of the lobbyists, and 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, it is constitutionally protected. 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; move in the right direction. I would 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 tenets 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 simply 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, very strong advocacy. 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. GEPHARDT), the Democratic leader in the House, a number of us 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, committed people to leading better lives. But we have to stand with them, not just in terms of their economic aspirations, but in terms of their aspirations along individual and human rights, rights of religious freedom, political 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. HYDE. 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,  
Washington, DC, September 6, 2001.

Hon. F. JAMES SENSENBRENNER, JR.,  
Chairman, Committee on the Judiciary, 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 which will permit 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 these or other related matters within your jurisdiction.

I appreciate your assistance in this matter.  
Sincerely,

HENRY J. HYDE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, September 6, 2001.

Hon. HENRY J. HYDE  
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 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 to prejudice the Committee on the Judiciary's jurisdictional interest and prerogatives on this or any similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future. The Committee on the Judiciary takes this action with the understanding that the Committee's jurisdiction over the provisions within the Committee's jurisdiction is in no way diminished or altered, and that the committee's right to the appointment of conferees during any conference on the bill is preserved. I would also expect your support in my request to the Speaker for the appointment of conferees from my Committee with respect to matters within the jurisdiction of my Committee should a conference

with the Senate 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,

F. JAMES SENSENBRENNER, 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 multi-lateral 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. BEREUTER) 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,  
*Washington, DC, September 6, 2001.*

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 multi-lateral banking organizations which fall within the jurisdiction of the Committee on Financial Services pursuant to clause 1(g) 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 either measure. In addition, the Committee on Financial Services reserves its authority to seek conferees on any provisions of H.R. 2833 that are within the Financial Services Committee's jurisdiction 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-

mittee Counsel Joseph Rees for his excellent work in helping to prepare this comprehensive measure.

Madam Speaker, the Vietnam Human Rights Act is a landmark initiative that sets out clear goals and direction for our Nation's policy towards Vietnam. It is an example of the sort of policy the State Department should be doing with other repressive governments.

Unfortunately, in the past few years, our government delinked trade restrictions to human rights improvement in Vietnam. This action was shortsighted and an insult to the memory of these American and Vietnamese men and women who died during the war attempting to bring about positive change. Their sacrifice to promote democratic governments in the region must not be forgotten.

The Vietnam Human Rights Act will ensure that the State Department puts our Nation's best foot forward. Accordingly, I strongly urge my colleagues to support it.

Mr. LANTOS. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). All time for debate has expired. Pursuant to the order of the House of Wednesday, September 5, 2001, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SMITH of New Jersey. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 410, nays 1, not voting 19, as follows:

[Roll No. 335]

YEAS—410

Abercrombie	Boehner	Clement	Dooley	Kennedy (RI)	Pickering
Ackerman	Bonilla	Clyburn	Doolittle	Kerns	Pitts
Aderholt	Bonior	Coble	Doyle	Kildee	Platts
Akin	Bono	Collins	Dreier	Kilpatrick	Pombo
Allen	Borski	Combust	Duncan	Kind (WI)	Pomeroy
Andrews	Boswell	Condit	Dunn	King (NY)	Price (NC)
Armey	Boucher	Cooksey	Edwards	Kingston	Pryce (OH)
Baca	Boyd	Costello	Ehlers	Kirk	Putnam
Bachus	Brady (PA)	Cox	Ehrlich	Klecza	Quinn
Baird	Brady (TX)	Coyne	Emerson	Knollenberg	Radanovich
Baker	Brown (FL)	Cramer	Engel	Kolbe	Rahall
Baldacci	Brown (OH)	Crenshaw	English	Kucinich	Ramstad
Baldwin	Brown (SC)	Crowley	Eshoo	LaFalce	Rangel
Ballenger	Bryant	Cubin	Etheridge	LaHood	Regula
Barcia	Burr	Culberson	Evans	Lampson	Rehberg
Barr	Burton	Cummings	Everett	Langevin	Reyes
Barrett	Buyer	Cunningham	Farr	Lantos	Reynolds
Bartlett	Callahan	Davis (CA)	Fattah	Largent	Riley
Barton	Calvert	Davis (FL)	Ferguson	Larsen (WA)	Rivers
Bass	Camp	Davis, Jo Ann	Filner	Larson (CT)	Rodriguez
Becerra	Cannon	Davis, Tom	Flake	Latham	Roemer
Bentsen	Cantor	Deal	Fletcher	LaTourrette	Rogers (KY)
Bereuter	Capito	DeFazio	Foley	Leach	Rogers (MI)
Berkley	Capps	DeGette	Forbes	Lee	Rohrabacher
Berman	Capuano	Delahunt	Ford	Levin	Ros-Lehtinen
Berry	Cardin	DeLauro	Fossella	Lewis (CA)	Ross
Biggert	Carson (IN)	DeLay	Frelinghuysen	Lewis (GA)	Rothman
Bilirakis	Carson (OK)	DeMint	Frost	Lewis (KY)	Roukema
Bishop	Castle	Deutsch	Gallegly	Linder	Royal-Allard
Blagojevich	Chabot	Diaz-Balart	Ganske	LoBiondo	Royce
Blumenauer	Chambliss	Dicks	Gekas	Lofgren	Rush
Blunt	Clay	Dingell	Gephardt	Lowey	Ryan (WI)
Boehler	Clayton	Doggett	Gibbons	Lucas (KY)	Ryun (KS)
			Gilchrest	Lucas (OK)	Sabo
			Gilman	Luther	Sanchez
			Gonzalez	Maloney (CT)	Sanders
			Goode	Maloney (NY)	Sandlin
			Goodlatte	Manzullo	Sawyer
			Gordon	Markey	Saxton
			Goss	Mascara	Schaffer
			Graham	Matheson	Schakowsky
			Granger	Matsui	Schiff
			Graves	McCarthy (MO)	Schrock
			Green (TX)	McCarthy (NY)	Scott
			Green (WI)	McCollum	Sensenbrenner
			Greenwood	McCrary	Serrano
			Grucci	McDermott	Sessions
			Gutierrez	McGovern	Shadegg
			Gutknecht	McHugh	Shaw
			Hall (OH)	McInnis	Shays
			Hall (TX)	McIntyre	Sherwood
			Hansen	McKeon	Shimkus
			Harman	McKinney	Shows
			Hart	McNulty	Shuster
			Hastings (WA)	Meehan	Simmons
			Hayworth	Meeks (NY)	Simpson
			Hefley	Menendez	Skeen
			Herger	Mica	Skelton
			Hill	Miller	Slaughter
			Hilleary	McDonald	Smith (MI)
			Hilliard	Miller (FL)	Smith (NJ)
			Hinches	Miller, Gary	Smith (TX)
			Hinojosa	Miller, George	Smith (WA)
			Hobson	Mink	Snyder
			Hoefel	Moore	Solis
			Hoekstra	Moran (KS)	Souder
			Holden	Moran (VA)	Spratt
			Holt	Morella	Stark
			Honda	Murtha	Stearns
			Hooley	Myrick	Stenholm
			Hostettler	Nadler	Strickland
			Houghton	Napolitano	Stump
			Hoyer	Neal	Stupak
			Hulshof	Nethercutt	Sununu
			Hunter	Ney	Sweeney
			Hyde	Northup	Tancredo
			Inslee	Norwood	Tanner
			Isakson	Nussle	Tauscher
			Israel	Oberstar	Tauzin
			Issa	Obey	Taylor (MS)
			Istook	Olver	Taylor (NC)
			Jackson (IL)	Ortiz	Terry
			Jackson-Lee	Osborne	Thomas
			(TX)	Ose	Thompson (CA)
			Jefferson	Otter	Thompson (MS)
			Jenkins	Owens	Thornberry
			John	Pallone	Thune
			Johnson (CT)	Pascrell	Thurman
			Johnson (IL)	Pastor	Tiahrt
			Johnson, E. B.	Payne	Tiberi
			Johnson, Sam	Pelosi	Tierney
			Jones (OH)	Pence	Toomey
			Kanjorski	Peterson (MN)	Towns
			Keller	Peterson (PA)	Turner
			Kelly	Petri	Udall (CO)
			Kennedy (MN)	Phelps	Udall (NM)

Upton	Watson (CA)	Wicker
Velázquez	Watt (NC)	Wilson
Visclosky	Waxman	Wolf
Vitter	Weiner	Woolsey
Walden	Weldon (FL)	Wu
Walsh	Weldon (PA)	Wynn
Wamp	Weller	Young (FL)
Waters	Wexler	
Watkins (OK)	Whitfield	

## NAYS—1

Paul

## NOT VOTING—19

Conyers	Horn	Portman
Crane	Jones (NC)	Sherman
Davis (IL)	Kaptur	Traficant
Frank	Lipinski	Watts (OK)
Gillmor	Meek (FL)	Young (AK)
Hastings (FL)	Mollohan	
Hayes	Oxley	

□ 1407

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WATTS of Oklahoma. Madam Speaker, on rollcall No. 335 I was unavoidably detained. Had I been present, I would have voted "yea".

Mr. HAYES. Madam Speaker, I was unable to be present for rollcall vote 335 due to my recovery from hip surgery. Had I been present, I would have voted "yea" on rollcall 335.

#### 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.

The SPEAKER pro tempore (Mrs. BIGGERT). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

#### 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 transmitted by the President to the Congress on June 8, 2001.*

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 New York (Mr. McNULTY) will control 60 minutes.

The Chair 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. LEVIN), and that he 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.

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

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.

□ 1415

It is a trade agreement that will allow us to continue to improve the relations between 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 with regard to H.J. Res. 51.

This statement says, "The administration supports H.J. Res. 51 which would approve the extension of non-dis-

crimatory, 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."

#### EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, September 6, 2001.

#### 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 non-discriminatory, 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/MIAs 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. business views Vietnam the thirteenth most populous country in the world, as an important potential market.

On June 8th, 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 sequester 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.