

Mr. Speaker, tens of millions of children have been slaughtered and their mothers have been robbed by the state of their children. The UNFPA for over 20 years has aggressively defended the indefensible, this barbaric policy that makes brothers and sisters illegal and makes women the victims of population control cadres.

This whitewashing of crimes against humanity must end. My hope is that other parliaments around the world, will take a good long second look at the one child per couple policy in China and cease their enabling of this violence against women.

Thank you President Bush.

### JOURNAL VOTE

The SPEAKER pro tempore (Mr. JEFF MILLER of Florida). Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal.

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

Mr. McNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 339, nays 45, answered "present" 1, not voting 49, as follows:

[Roll No. 326]

YEAS—339

Ackerman	Capito	Etheridge
Akin	Capps	Evans
Allen	Cardin	Everett
Andrews	Carson (IN)	Farr
Armey	Castle	Ferguson
Baca	Chabot	Flake
Bachus	Chambliss	Fletcher
Baker	Clayton	Foley
Baldacci	Clement	Forbes
Ballenger	Clyburn	Ford
Barcia	Coble	Fossella
Barr	Collins	Frank
Bartlett	Combest	Frost
Barton	Conyers	Gallegly
Bass	Cooksey	Ganske
Becerra	Cox	Gekas
Bereuter	Coyne	Gephardt
Berkley	Crenshaw	Gibbons
Berman	Crowley	Gilchrest
Berry	Culberson	Gillmor
Biggart	Cunningham	Gilman
Bilirakis	Davis (CA)	Gonzalez
Bishop	Davis (FL)	Goode
Blagojevich	Davis, Jo Ann	Goodlatte
Blumenauer	Davis, Tom	Gordon
Blunt	Deal	Goss
Boehert	DeGette	Graham
Boehner	Delahunt	Graves
Boozman	DeLauro	Green (WI)
Boswell	DeMint	Greenwood
Boucher	Diaz-Balart	Grucci
Boyd	Dicks	Gutierrez
Brady (TX)	Dingell	Hall (OH)
Brown (FL)	Doggett	Hall (TX)
Brown (OH)	Dooley	Hansen
Brown (SC)	Doolittle	Harman
Bryant	Doyle	Hart
Burr	Dreier	Hastings (WA)
Burton	Duncan	Hayes
Buyer	Dunn	Hayworth
Camp	Edwards	Herger
Cannon	Ehlers	Hill
Cantor	Eshoo	Hilleary

Hinchey	McIntyre	Sandlin
Hinojosa	McKeon	Sawyer
Hobson	McKinney	Saxton
Hoeffel	Meehan	Schakowsky
Hoekstra	Meek (FL)	Schiff
Holden	Meeks (NY)	Schrock
Holt	Menendez	Scott
Honda	Mica	Sensenbrenner
Hooley	Millender-	Serrano
Horn	McDonald	Sessions
Hostettler	Miller, Gary	Shadegg
Houghton	Miller, Jeff	Shaw
Hoyer	Mink	Shays
Hulshof	Mollohan	Sherman
Hunter	Moran (KS)	Sherwood
Inslee	Murtha	Shimkus
Isakson	Myrick	Shows
Israel	Nadler	Shuster
Issa	Napolitano	Simmons
Istook	Neal	Simpson
Jackson (IL)	Nethercutt	Skeen
Jackson-Lee	Ney	Skelton
(TX)	Northup	Slaughter
Jenkins	Norwood	Smith (MI)
John	Nussle	Smith (NJ)
Johnson (CT)	Obey	Smith (TX)
Johnson (IL)	Ortiz	Smith (WA)
Kanjorski	Osborne	Snyder
Kaptur	Ose	Solis
Keller	Otter	Souder
Kelly	Owens	Spratt
Kennedy (RI)	Oxley	Stearns
Kerns	Pallone	Stenholm
Kildee	Pascrell	Sullivan
Kilpatrick	Pastor	Sununu
Kind (WI)	Paul	Sweeney
King (NY)	Payne	Tanner
Kingston	Pelosi	Tauscher
Kirk	Pence	Tauzin
Klecza	Peterson (PA)	Terry
Knollenberg	Petri	Thomas
Kolbe	Pickering	Thornberry
LaFalce	Pitts	Thune
LaHood	Pombo	Thurman
Lampson	Pomeroy	Tiahrt
Langevin	Portman	Tiberi
Lantos	Price (NC)	Toomey
Larson (CT)	Putnam	Towns
LaTourette	Quinn	Turner
Leach	Radanovich	Upton
Lee	Rahall	Vitter
Levin	Rangel	Walden
Lewis (CA)	Regula	Walsh
Lewis (KY)	Rehberg	Wamp
Lipinski	Reyes	Watkins (OK)
Lofgren	Reynolds	Watson (CA)
Lowey	Rivers	Watt (NC)
Lucas (KY)	Rodriguez	Watts (OK)
Lucas (OK)	Roemer	Waxman
Luther	Rogers (KY)	Weiner
Maloney (NY)	Rogers (MI)	Weldon (FL)
Manzullo	Rohrabacher	Weldon (PA)
Markey	Ros-Lehtinen	Whitfield
Mascara	Ross	Wicker
Matheson	Rothman	Wilson (NM)
Matsui	Roukema	Wilson (SC)
Ford	Roybal-Allard	Wolf
McCarthy (NY)	Royce	Woolsey
McCollum	Rush	Wu
McGovern	Ryan (WI)	Wynn
McHugh	Sanders	
McInnis		

NAYS—45

Aderholt	Hilliard	Sanchez
Baird	Kennedy (MN)	Schaffer
Baldwin	Kucinich	Stark
Borski	Larsen (WA)	Strickland
Brady (PA)	Latham	Stupak
Condit	LoBiondo	Taylor (MS)
Costello	McDermott	Thompson (CA)
Crane	McNulty	Thompson (MS)
DeFazio	Miller, George	Tierney
English	Moore	Udall (CO)
Fattah	Oberstar	Udall (NM)
Flner	Olver	Velazquez
Green (TX)	Peterson (MN)	Visclosky
Gutknecht	Ramstad	Waters
Hefley	Sabo	Weller

ANSWERED "PRESENT"—1

Tancred

NOT VOTING—49

Abercrombie	Callahan	Cubin
Barrett	Calvert	Cummings
Bentsen	Capuano	Davis (IL)
Bonilla	Carson (OK)	DeLay
Bonior	Clay	Deutsch
Bono	Cramer	Ehrlich

Emerson	Lewis (GA)	Pryce (OH)
Engel	Linder	Riley
Frelinghuysen	Lynch	Ryun (KS)
Granger	Maloney (CT)	Stump
Hastings (FL)	McCarthy (MO)	Taylor (NC)
Hyde	McCrery	Trafficant
Jefferson	Miller, Dan	Wexler
Johnson, E. B.	Moran (VA)	Young (AK)
Johnson, Sam	Morella	Young (FL)
Jones (NC)	Phelps	
Jones (OH)	Platts	

□ 1045

Mr. RANGEL changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. BARRETT of Wisconsin. Mr. Speaker, because of commitments in my home state of Wisconsin, I was unable to vote on rollcall No. 326. Had I been present, I would have voted "yea" on rollcall No. 326.

Mr. ABERCROMBIE. Mr. Speaker, yesterday and this morning, I was unavoidably detained and I was unable to vote on rollcall No. 326. Had I been present, I would have voted "yea."

Mr. MALONEY of Connecticut. Mr. Speaker, I was absent on Tuesday, July 23, 2002, and missed rollcall vote No. 326. Had I been present, I would have voted "yea" on rollcall No. 326.

□ 1045

### DISAPPROVAL OF NORMAL TRADE RELATIONS TREATMENT TO PRODUCTS OF VIETNAM

Mr. THOMAS. Mr. Speaker, pursuant to the previous order of the House, I call up the joint resolution (H.J. Res. 101) disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of H.J. Res. 101 is as follows:

H. J. RES. 101

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on June 3, 2002, with respect to Vietnam.*

The SPEAKER pro tempore (Mr. JEFF MILLER of Florida). Pursuant to the order of the House of Monday, July 22, 2002, the gentleman of California (Mr. THOMAS) and a Member in support of the joint resolution each will control 30 minutes.

Is there a Member in support of the joint resolution?

Mr. McNULTY. Mr. Speaker, I claim the time in support of the joint resolution.

The SPEAKER pro tempore. The gentleman from New York (Mr. McNULTY) will control 30 minutes.

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

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to yield one half of my time to the gentleman from Michigan (Mr. LEVIN), the ranking member

of the Subcommittee on Trade on the Committee on Ways and Means and that he be permitted to yield that time as he sees fit.

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

There was no objection.

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

Mr. Speaker, I rise in opposition to House Joint Resolution 101, a resolution to disapprove the Jackson-Vanik waiver for Vietnam.

Mr. Speaker, I yield the remainder of my time to the gentleman from Illinois (Mr. CRANE), the chairman of the Subcommittee on Trade and ask unanimous consent that he be allowed to control the time.

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

There was no objection.

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

Mr. McNULTY. Mr. Speaker, I ask unanimous consent that half my time be yielded to the gentleman from California (Mr. ROHRBACHER) and that he be permitted to allocate that time as he sees fit and that, further, I be permitted to yield the time that I have remaining.

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

There was no objection.

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

Mr. Speaker, we discuss this resolution every year and my position has not changed. I do not oppose eventual normalization of trade relations with Vietnam. We have done that with all of our former enemies. I oppose doing it at this time, Mr. Speaker, for very practical reasons. The latest report from the Department of Defense MIA office is that we have found the wreckage of two more United Nations military planes; a C-130 with nine on board and an A-6 with two aboard. And pending examination of those remains, we have the prospect of the return of 11 more American soldiers who have been missing in action in Vietnam for literally decades. And when did we get that news about those findings? July 2 in the year 2002. Three weeks ago!

I ask the question again: Can we not wait until we get as full an accounting as possible of our missing in action in Vietnam before we proceed further with this trade relationship? Where are our priorities?

And I do get emotional about this. There is an anniversary coming up on August 9. August 9, 1970, my brother, H.M.3 William F. McNulty, a medic in the Navy, transferred to the Marine Corps, was out in the field in Quang Nam province patching up his buddies. He stepped on a land mine and he lost his life. But his body was recovered. And he was brought back home, and we had a wake and a funeral and a burial. Our family suffered a tremendous loss, but we had some closure.

I have always wondered how terrible it must be for an MIA family, never exactly knowing what happened to their loved one—not for a day, a week, a month or a year, but for decades. And so, Mr. Speaker, until we get as complete an accounting as possible of all of those who are missing in action from the Vietnam War, I will continue to support this resolution.

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

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

Mr. Speaker, I rise in strong opposition to H.J. Res. 101 and in support of extending Vietnam's Jackson-Vanik waiver. Failure to extend the waiver so soon after the U.S. Vietnam bilateral trade agreement entered in, of course, would send terribly mixed diplomatic signals and would undermine the economic and political reforms now gaining momentum in Vietnam.

The completion of the BTA was a significant accomplishment and December 10, 2001, may very well be the most important date in U.S.-Vietnam relations since the end of the Vietnam War. The agreement is the most comprehensive trade agreement ever signed by Vietnam and contains provisions on market access in goods, trade in services, intellectual property protection, and investment.

Because the BTA is now in force, the Jackson-Vanik waiver provides U.S. firms with greater access to the Vietnamese market of over 80 million people, the 14th most populous country in the world. Over the first 4 months of 2002, two-way trade between the United States and Vietnam was up over 60 percent from the same period last year. The Jackson-Vanik waiver also enables U.S. exporters doing business in Vietnam to have access to U.S. trade financing programs, provided that Vietnam meet the relevant program criteria.

I visited Vietnam last year and saw firsthand the enormous potential that Vietnam offers. Over half of the population is under the age of 25 and the literacy rate is over 90 percent. The Vietnamese people have a solid work ethic, an entrepreneurial spirit, and a strong commitment to education. Continued engagement between the United States and Vietnamese Governments and its peoples will help this potential flourish.

On emigration, the central issue for the Jackson-Vanik waiver, more than 500,000 Vietnamese citizens have entered the United States under the Orderly Departure program. And as a result of steps taken by Vietnam to streamline its emigration process, only a small number of refugee applicants remain to be processed under both the Orderly Departure and the Resettlement for Vietnamese Returnees programs.

Extending Vietnam's waiver will give reformers within the Vietnamese government much-needed support to continue within economic and political re-

forms. I ask my colleagues not to take away the best vehicle for the United States to continue to pressure the Vietnamese for progress on issues of importance to us. Therefore, I urge a "no" vote on H.J. Res. 101.

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

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

Mr. Speaker, I rise today to oppose this resolution. The waiver that is the subject of the resolution issued today is a continuation in the process of engaging with Vietnam and pressuring it. The waiver this year will continue the availability of export-related financing from OPIC, Ex-Im Bank, and the Department of Agriculture, financing that is important to American businesses, their workers and farmers seeking to export and to do business in Vietnam.

In addition, expanding upon prior years' Jackson-Vanik waivers, this waiver will continue normal trade relation status for Vietnam.

Vietnam sparks deep emotions, and very understandably. Our relationship with Vietnam is a complicated one. The war left deep and enduring impacts on both nations and surely on ours. Although for many years we pursued a policy of isolation of Vietnam, we have been following in recent years a path of engagement and pressuring. As mentioned, in 1994 we lifted the trade embargo. In 1995 we opened a U.S. embassy. In 1998 the President first waived the Jackson-Vanik prohibitions. Last year, as mentioned, Congress approved the U.S. Vietnam bilateral trade agreement. That agreement has been successful in some important respects, increasing trade both imports and exports.

Notably the government of Vietnam has continued to cooperate in helping to locate U.S. servicemen and women missing in Vietnam. Just last year, nine Vietnamese citizens died helping in the search for U.S. POWs and MIAs. Our continuing engagement with Vietnam has been critical in helping to secure Vietnam's assistance with these efforts.

And as also mentioned, there has been further improvement in terms of emigration. Unfortunately, the Government of Vietnam has not made similar movements to improve its human rights record. The most recent State Department human rights report indicates Vietnam's already poor human rights record has gone downward. Additionally, Vietnam still has to make major progress in respecting and enforcing core internationally recognized labor rights.

The Memorandum of Understanding that was signed during the Clinton administration has been implemented to some extent, but there is still a long way to go. Vietnam continues to deny its workers, as mentioned, the fundamental right to associate freely. And the recent State Department report indicates that child labor and prison

labor continue to be wide spread in Vietnam.

Last year, when we approved the bilateral trade agreement with Vietnam, I stated that we would watch closely eventual negotiations of the textile and apparel agreement, and that any such agreement must include labor provisions similar to the positive incentives included in the Cambodia agreement.

□ 1100

Negotiations on this agreement have begun, but there still is no firm commitment by the administration, our administration, to include positive incentive labor provisions, and though this issue is not yet ripe, while we vote today, I want to convey to the administration and to the government of Vietnam that if the core labor standards issue is ignored in the textile and apparel agreement, it will have serious repercussions for future Jackson-Vanik and NTR waivers.

Last week, I expressed this to the distinguished ambassador from Vietnam. So here we have another resolution. The vast majority of us voted against it last year. There is no reason to change our position this year. To do so would hurt our relations with Vietnam. It would hurt our efforts to fully account for U.S. POWs and MIAs, an important issue indeed, and I think it would undercut important reform efforts in Vietnam.

I think on balance the best procedure, the best approach is to continue what we started some years ago, continuing to vote to engage and pressure Vietnam, and therefore, I encourage my colleagues to oppose this resolution.

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

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

After hearing the gentleman from Michigan's (Mr. LEVIN) description of how human rights has not been improved and how things are still just as repressive, it seems to me that he has just provided enough arguments for us to say why are we doing the same old policy if it is not working and the Vietnamese, that the Vietnamese Communist have just signed another agreement, as my friend, the gentleman from Illinois (Mr. CRANE) has just said, big deal, they have signed agreements for 20 years and broken all of them. This is no reason we should continue down a path that has kept the Vietnamese people in chains and in slavery and in abject poverty.

During the last 12 months, despite the Presidential waiver that we are debating today, the Communist regime has actually increased its brutal repression as the gentleman from Michigan (Mr. LEVIN) suggested in his comments. Religious clergy, advocates of democracy, ethnic tribal leaders and members of the tribes in the central highlands, these are the people who were the most loyal to American forces

during the war. All have been victimized, and the victimization continues at a higher pace.

By voting yes on H.J. Res. 101, thus denying normal trade relations for Vietnam, we send a message to the gang of thugs that rule Vietnam that they must once and for all not just make agreements but start some real political reform. Let us see something happening rather than just talk before we normalize relations with them. Only this will allow the Vietnamese people to enjoy some prosperity, some peace and some liberty, but they have been denied this by the regime that holds them in its grip.

The sad truth is that there will be no democracy, no human rights and none of these other things that we hold dear in the United States, no prosperity, no freedom for these people in Vietnam unless their own government starts to reform, and it has not done so under the rules that we have been playing with. We have been treating them as we treat free governments, which is insane.

Hanoi has recently, in fact, initiated a new campaign of censorship. They have even outlawed the watching of satellite TV. Give me a break, and we are going to treat them like we do democratic societies? The primary cause for the fact that their country is making any headway economically is their lack of democracy and freedom and the fact that it is a Communist dictatorship that we are talking about. If we wish Vietnam to succeed, we have got to do more than just wink and nod when they make another agreement, yet they will then violate again and again.

What we are talking about today, by the way, is not whether or not we should engage with Vietnam. It is not whether we should isolate Vietnam. It is one thing and one thing only, and that is, whether or not those businessmen who are free already to sell their products or to build their factories, whether or not those businessmen for the United States will be subsidized by the American taxpayer in building factories, manufacturing units in Vietnam in order to exploit their slave labor, their labor that is not permitted to join a union, is not permitted to quit their jobs.

This is what this debate is all about. The debate is not about whether we can sell our products. American businessmen can sell the products and will continue to or can build factories at their own risk, but is whether, as the gentleman from Michigan (Mr. LEVIN) calls it, financing will be available. What we are talking about is financing that is subsidized by the American taxpayer through international and national financial institutions like the Export-Import Bank.

There is no reason whatsoever we should be financing the building of factories, even in democratic societies overseas, but for countries like Communist China, Vietnam, this is a sin

not only against their people because we are permitting a few people here to exploit their labor, but it is a sin against our people because we are putting them out of work. So let us not ignore the central issue today.

Two central issues, freedom in Vietnam and subsidies for American businessmen to build factories and put our own people out of work, and let us not ignore that. We will see if that even comes up on the other side during the debate. While extending these subsidies has not made Vietnam any freer in these last few years, it has not been going in the right direction. If it had been, we would be able to report all of this stuff.

Instead, what we see are American businessmen that are leaving Vietnam. These are the guys who do not have the subsidies because of the level of corruption and repression that goes along with a Communist dictatorship. In that country, trade data, for example, remains a State secret. Journalists and public officials continue to be jailed on charges of treason for merely discussing trade and economic issues. In fact, the Communist regime has imprisoned business executives locally and of several major and private corporations simply for criticizing the government or when their company has been too successful outside of the corrupt system.

I urge my colleagues to stand up for American values and international freedom by voting yes on H.J. Res. 101. Why subsidize the building of factories in Communist Vietnam, costing jobs at home and putting our people out of work to help a Communist regime.

This globalist dream is not just a nightmare for America. It demoralizes those around the world who believe in liberty and justice and see America as their only hope.

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

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HOUGHTON).

Mr. HOUGHTON. Mr. Speaker, there are just a couple of comments I make.

This all is very confusing, sort of a double or triple negative, do we oppose an opposition? Actually, I oppose the disapproval of the extension of the waiver, which means we will continue our relationships with Vietnam.

I can identify with the gentleman from New York (Mr. McNULTY) and I am terribly sorry about the situation with his brother, but there are others of us who had members of our family in not only that war, but other wars have had the same situation, and I understand what the gentleman from California (Mr. ROHRABACHER) is saying, but the same arguments could be used with Russia.

Mr. McNULTY. Mr. Speaker, will the gentleman yield?

Mr. HOUGHTON. I yield to the gentleman from New York.

Mr. McNULTY. Mr. Speaker, I think the gentleman is incorrect. I do not

think we have the same situation because in prior wars a period of time went by after the last possible remains removeable realistically recoverable were found. We did not have the situation where we were being blocked from going to certain areas of the country to search for remains. We did not have a situation where three weeks prior to voting on normalizing relations, we found new American remains. I do not think the situation is the same at all.

Mr. HOUGHTON. Mr. Speaker, I understand what the gentleman is saying, but there are others of us who have been in others wars and have other members of our families and there are still situations there which are still to be clarified.

All I was saying is that I identify with the gentleman, and I am sorry about that situation because I know how meaningful it is to him and how poignant those memories are, but others of us have those same type of things.

The only thing I am saying is that, very briefly, that if we are going to look forward rather than back, we must relate to other people in this world, including our former enemies, and I think it is high time that we kept those relations going, and therefore, I would strongly oppose the disapproval in H.J. Res. 101.

Mr. McNULTY. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Speaker, today I rise as a strong supporter and as a cosponsor of House Joint Resolution 101, which disapproves the extension of the Jackson-Vanik waiver authority for Vietnam. We have already heard a couple of comments about human rights issues and how in Vietnam they have not improved, and that is true. We have also heard about our missing in action and the fact that we have had more problems recently in trying to get facts and remains out of Vietnam.

This discussion today about the Jackson-Vanik waiver is really about immigration and family reunification and visas between countries.

What we basically say is if Vietnam is doing a good job in helping us to reunify our families, to send families over to Vietnam and vice versa, if they are cooperating with us in a good way, to have that happen, then we waive Jackson-Vanik and we give them some special trade provisions like letters of credit, the workings of OPEC, some programs through the Department of Agriculture.

The fact of the matter is that Vietnam is not doing a good job to help us with immigration, with visas, with family visits. How do I know that? I represent the largest group of Vietnamese outside of Vietnam in the world. So about 65 percent of immigration visas, family visits with respect to Vietnam in this country, those requests go through my office, my office in Garden Grove, California.

We know what it is like to have to deal with that government. We know

that when people here who are now U.S. citizens go to Vietnam to visit their families, that they are asking for additional moneys, that they cannot get their visas to come, that their families cannot get their exit visas. A country where, on a normal basis, on an annual basis, a person would maybe feel like they make \$300 or \$400 a year, when they ask somebody for an exit visa and they tell them it costs \$2,000 in order to get it, well, how are they supposed to do that? How are we supposed to do that?

If we approve for a family member to come to the United States, but they cannot get their exit visa because the government of Vietnam says, oh, we need \$2,000 from that person, then they are not helping with reunifying these families, and that is what this waiver is about. If they are doing a good job on that, we are going to give these extra things to help with the trade.

Trade with Vietnam is important. We approved it. I did not vote for it, but we approved it as a country over a year ago, and I believe that as we work with Vietnam and as we have more business going on that, hopefully human rights might get better in Vietnam. They have not so far. It has gotten worse, we can take a look at the State Department records, and if we are interested in what is going on with the whole issue of human rights, just this afternoon at 3 p.m., a Human Rights Caucus will hold a hearing on the conditions in Vietnam with respect to human rights. They have not gotten any better.

The reality is that even one of the people who submitted written information to us for this hearing this afternoon was arrested just last week, probably for having spoken up and sent us information about what is going on in that country. We have not heard from him. We cannot find him. This is what happens. There is no freedom of the press in Vietnam. There is no collective bargaining when a person is working. They cannot assemble. They cannot even assemble for church purposes to do a procession through town to talk about things. They are not allowed to do that.

There is no freedom and human rights in Vietnam, and we need to stop that and that is what we will discuss this afternoon.

Today, in this Chamber for my colleagues, this vote is about whether they are helping us to bring families together and they are not. They are not doing a good job.

□ 1115

So I would ask my colleagues, please vote for this resolution. It is time we stood up and we asked for more. This is about families. This is about mothers and fathers who have been here for 10 or 15 years and want their children who are still in Vietnam.

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

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in opposition to the resolution.

The United States and Vietnam have had a long and sometimes difficult history. Today, that relationship is one of increasing cooperation, best symbolized by the expanded trade, growing tourism, liberalized emigration policies and improvements in the standard of living of the Vietnamese people. As in the past, this record warrants waiving Jackson-Vanik trade restrictions, as requested by Democratic and Republican Presidents alike.

The passage of the Bilateral Trade Agreement last year played a major role in building a new relationship between our people. The Vietnamese government has made continued efforts toward economic, legal and labor reforms in the 10 months since the BTA was approved. Trade between our countries is growing, there is continued full cooperation on the important POW-MIA issues, and the Vietnamese government has moved forward by enacting legal reforms in the areas of intellectual property, investment, transparency and labor. Reimposing trade restrictions at this point would represent an enormous and unnecessary step backwards in this flourishing relationship.

Earlier this year, I visited Vietnam for the third time and had an opportunity to meet with representatives of local business and labor unions, the National Assembly, the International Labor Organization, and American business people who are investing in Vietnam. As a critic of many other trade agreements that are insensitive to the legitimate needs of working people, I reiterated my message of support for closer trade and economic relationships between our countries, with the expectation that working men and women would benefit from these policies.

My support for the BTA and for Jackson-Vanik waivers has never been, and is not today, unconditional. Trade needs to work for more than corporations and shareholders: it must also uplift workers and their families through decent wages, fair working conditions, safe workplaces, and basic, internationally recognized labor rights. Trade can and must be an important tool for uplifting the conditions and rights of workers around the world to internationally recognized standards.

The National Assembly of Vietnam has just completed rewriting a labor code which expands the rights of workers with respect to hiring and termination, severance, workers' compensation, and protections for women workers. These are significant reforms, and through the Labor Memorandum of Understanding we signed at the time of the BTA, I expect that the U.S. Government, together with international groups like the ILO, which has opened

a new office in Hanoi, and Social Accountability International, will continue to work with the Vietnamese to expand labor protections and upgrade labor standards.

By our own standards and those recognized by the signatories of the ILO, Vietnam still falls short on several core human rights conventions, especially the right of free association which is the core to a genuine independent trade union movement. During my visit to Vietnam, I continued to emphasize the need for truly independent trade unions and a legally protected collective bargaining policy.

The United States should continue to carefully monitor progress on this crucial topic, as will international unions and the ILO itself, because free unions are the measure of true worker democracy, in Vietnam, in Cambodia, in Mexico and, for that matter, in much of the United States where labor organizing is often inadequately protected by current law. Unquestionably, we would like to have these political reforms as well as liberalization of the economic system.

Mr. Speaker, I rise in opposition to this joint resolution and ask others to do so as well.

Mr. ROHRBACHER. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. FOSSELLA). The gentleman from Illinois (Mr. CRANE) has 9½ minutes remaining, the gentleman from California (Mr. ROHRBACHER) has 9 minutes remaining, the gentleman from New York (Mr. McNULTY) has 6½ minutes remaining, and the gentleman from Michigan (Mr. LEVIN) has 7 minutes remaining.

Mr. ROHRBACHER. Mr. Speaker, I yield myself 2 minutes.

As this debate goes on, let me again stress what we are talking about, and I do agree with my colleague, the gentleman from California (Ms. SANCHEZ), that the legal essence of what is being talked about today is whether or not we should grant normal trade relations and whether or not, and this should be based on emigration policy.

As she said, even in the emigration area, the Communist dictatorship in Vietnam has not measured up to what it should and, in fact, I cannot believe, and I am sure she agrees, that those Vietnamese who are being victimized by the extortion of this dictatorship, that this extortion is not going on without the knowledge of the dictatorship, without the acknowledgment and probably the profiteering of the very people that we want to make this great relationship with.

This is not a debate about whether or not we should have a good relationship with the Vietnamese people. It is what kind of relationship we will have with the government of Vietnam, a government which is a Communist dictatorship, which arrests anyone who speaks up against it, a government that extorts, as we have heard on the floor today, extorts money from would-be

immigrants, a government that plays games and continues to play games with our POWs and the bodies of our brave soldiers and airmen and Marines from 20 years ago.

What type of relationship do we want to have with them? Do we want to treat them the way we do Italy, England, or even Thailand, even more democratic governments? I do not think so. I think we should have free trade and good relations with the people of the world and the governments of the world if they have a free and democratic government. We should have free and open trade. But if those governments are dictatorships that terrorize their own populations, we should not have the same type of trade relations. We should not have a Jackson-Vanik waiver.

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

Mr. COYNE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mrs. BIGGERT).

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

Mr. Speaker, I rise today to urge my colleagues to oppose the resolution disapproving the President's extension of the Jackson-Vanik waiver for Vietnam. It has been 8 years since we ended our trade embargo and began the process of normalizing relations with Vietnam. Over these few years, good progress has been made. From its accounting of U.S. POWs and MIAs, to its movement to open trade with the world, to its progress on human rights, Vietnam has moved in the right direction. Vietnam is not there yet, but Vietnam is moving in the right direction.

Mr. Speaker, H.J. Resolution 101 is the wrong direction for to us to take today. Who is hurt if we pass this resolution? We are. It is the wrong direction for U.S. farmers and manufacturers, who will not have a level playing field when they compete with their European or Japanese counterparts in Vietnam. It is the wrong direction for our joint efforts with the Vietnamese to account for the last remains of our soldiers and to answer, finally, the questions of their loved ones here. And it is the wrong direction for our efforts to influence the Vietnam people, 65 percent of whom were not even born before the war was waged.

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

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to a very distinguished colleague, the gentleman from Illinois (Mr. EVANS).

Mr. EVANS. Mr. Speaker, I thank the gentleman for yielding me this time, and I urge my colleagues to oppose the resolution before us.

I have heard several people talk about what this is all about and to make a good faith attempt to try to set

the limits of the debate and to move forward. But what I think I can add to this debate is that I have been to Vietnam and seen the work of the Joint Task Force on Full Accounting, our military presence tasked with looking for our missing-in-action.

I visited these young men and women, and they are among the bravest and most motivated soldiers I have ever met. Everyday, from the jungle battle sites to the excavation of crash sites on mountain summits, they put their lives in harm's way to find our missing. It is talking with them that it was clear to me their mission was one that they totally believed in.

Last year, seven Americans of this task force, along with nine Vietnamese, lost their lives in a helicopter crash on the way to a recovery mission. We should not forget these American heroes, or soldiers, who gave their lives to accomplish the mission they had believed was their highest duty and honor. If we pass this resolution of disapproval, we would be hindering this mission. The only way to carry this out is to be in Vietnam. Maintaining that presence means honoring our promises to Vietnam. Passing this resolution would send the wrong signal to the Vietnamese, not to mention the brave Americans who are still searching, as we meet here today, in the rice paddies and mountains of Vietnam.

This is the fifth year that this House will vote on a resolution of disapproval. Since we first voted on this, the House has each time, with growing and overwhelming support, voted down this resolution. With last year's passage of the Bilateral Trade Agreement, we are truly embracing a successful policy that will advance our Nation's interests and goals of achieving a more open and cooperative Vietnam. Let us stay the course. Please vote against this resolution.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. GILCHREST).

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

I rise in support of America's continued trade with Vietnam. In the 1870s, the French moved into Southeast Asia, particularly Vietnam, isolated that country, demeaned the people and took away their dignity. That lasted until 1940. The Japanese moved in, isolated Vietnam from the rest of the world, demeaned the population, and took away their dignity. In 1945, the French moved back in and did the same thing. So for well over a century the Vietnamese were isolated from the rest of the world, could not exchange information, had no trade, had no expertise or skill to understand the nature of a nation having its own sovereignty, knew nothing about World War II which we fought to have a nation determine its own destiny, and there has been trouble in the 1950s and in the 1960s and the 1970s, and then the United States finally decided that in order to help the

Vietnamese gain some dignity, to have a sense of the international community, they needed the skills, the expertise, and, yes, the hope, and so what we have been doing over the last so many years is expanding the horizon for the Vietnamese people so they have what it takes to change their government from the inside while we make strong attempts to change their government from the outside, especially through the requirements of the trading agreements. Take the trading agreements away, take Americans away from the landscape of Vietnam, and the Vietnamese people go back to that isolation. They go back to the demeaning effects of what communism can do when no one reaches in to wrestle that juggernaut.

So what this debate is about is we understand, we know the nature of the government of Vietnam, and I have been back to Vietnam after I served there in the 1960s, and, yes, I have sat at a table with the same people that fought against me in the same region at the same time and they said, "We are communist," and I said, "You would be better off giving your people some sense of freedom, freedom of the press, freedom of assembly, freedom to bargain," et cetera. So we know the government and we are working with the government to pull them out of that mindset because communism does not work, but we cannot give up on the people as well. And the way we get into the country to deal with the Vietnamese people to give them hope, to give them dignity, to give them the skills that are necessary to rise up out of the problems that exist there is through the requirements in trade.

Mr. ROHRABACHER. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF) who has been involved personally in almost every human rights fight in the Congress since I got here 14 years ago and whom I deeply respect.

□ 1130

Mr. WOLF. Mr. Speaker, I rise today to support the legislation that disapproves granting Vietnam normal trade relations, and I appreciate the faithfulness of the gentleman from California (Mr. ROHRABACHER) on this issue.

The government of Vietnam is a gross violator and abuser of human rights. It persecutes all faiths, Buddhists, Roman Catholics and Protestants. The State Department's most recent annual report on international religious freedom cites that "police routinely arbitrarily detained persons based on their religious beliefs and practices. Groups of Protestant Christians who worshipped in house churches in ethnic minority areas were subjected to detention by local officials who broke up unsanctioned religious meetings. Authorities also imprisoned persons for practicing religion illegally by using provisions of the penal code that allow for jail terms of up to 3

years for abusing freedom of speech, press or religion." There are an estimated 2 dozen religious prisoners today as we debate this resolution.

According to the State Department's report on religious international freedom, a Roman Catholic priest, Father Ly, has been in prison for several years and it is almost like nobody knows who Father Ly is, because he testified at a hearing held by the U.S. Commission on International Religious Freedom.

Vietnam persecutes believers. It abuses those who fought alongside those in the United States. This Congress and this administration want to now give them normal trade relations. Vietnam should not get normal trade relations until its human rights record substantially improves.

Furthermore, there are now 348 detainees from Vietnam in U.S. custody, violent prisoners that are in United States prisons. These are Vietnamese prisoners who have finished their term, are violent, and yet the Vietnam government will not take them back. They will not take them back. I believe that we should press the State Department and the Department of Justice, and the U.S. Ambassador in Vietnam ought to be speaking out on this issue. The silence coming out of our embassy in Vietnam is deafening. The silence is deafening.

Mr. Speaker, Members who vote to grant Vietnam normal trade relations in the belief that engagement and trade will improve Vietnam's records ought to speak out. Anyone who votes for this, speaking out publicly to the Vietnamese government, will help raise attention to the human rights problems and put pressure on the Vietnamese to stop persecuting Catholics, Protestants, and Buddhists.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I thank the gentleman for yielding me this time to speak against this resolution.

Mr. Speaker, I would begin by agreeing with my colleague from Virginia that people on both sides of the aisle have a responsibility to speak out on the continuing problems with human rights abuse, particularly religious freedom in Vietnam. I noted my colleague from Michigan had a very balanced statement in terms of looking at the snapshot.

This year's annual vote to disapprove the President's waiver comes less than a year after the historic vote to approve normal trade relations. We have seen solid progress and accomplishments since 1998 in my tenure in the House. Progress has not just been in economic opportunity for American companies in Vietnam and doing business in Vietnam, although those are important, particularly given these troubled economic times, we have seen progress in terms of the growing prosperity of the Vietnamese people, an 8 percent increase in per capita income

in just this last year alone, and a tenfold increase in private firms that are doing business in Vietnam. We have seen progress in assuring continued progress and repatriating the remains of hundreds of Americans missing in action in Vietnam. I was there 2 years ago with President Clinton and watched men and women from both countries working to make sure that we are answering these questions.

More has been done in this war than any other war in American history. We have made progress in assuring the rights of Vietnamese returnees seeking to resettle in their homeland, and of Vietnamese citizens seeking to emigrate from Vietnam to the United States.

Yes, the human rights record is a dark spot, but revoking normal trade relations with Vietnam is not going to accelerate progress. Even the uneven progress in the course of this last year, we see that most of the promises, most of the benchmarks have in fact been met. I have done as the gentleman from Virginia (Mr. WOLF) has suggested, when I have been in Vietnam, I have used the opportunity to press the need for religious freedom and the opportunity for Vietnamese to practice their faith. That is going to be critical for Vietnam to be fully accepted into the family of nations.

But the fact is this is a government in transition. The old guard took over a year to figure out that they could accept yes for an answer and approve the bilateral trade agreement.

Mr. Speaker, I have experienced firsthand the warmth of the Vietnamese people, 80 percent of whom were mere children or were not even born during the Vietnam War. I have seen their eagerness to embrace American innovation and American values. I strongly urge that we continue with our progress by rejecting this resolution today.

Mr. McNULTY. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, I rise in strong support of H.J. Res. 101, disapproving the extension of the waiver authority in section 402(c) of the Trade Act of 1974 with respect to Vietnam.

I am proud to represent a community in Santa Clara County that has been greatly enriched by the contributions of its Vietnamese American residents. For many years now, first an immigration attorney, a local elected official, and now as a Member of Congress, I have worked closely with these Americans on two issues close to their hearts and to mine, immigration and human rights.

Quite a few of my constituents came to San Jose as refugees, escaping an oppressive political regime. That is why I value their knowledge, experience and support, and that is why I believe their unique perspective on the U.S. relationship with Vietnam deserves deference.

While we are constantly told that the government of Vietnam is making



progress in the area of human rights, I continue to hear about political persecuting and unwarranted detentions from my friends in the Vietnamese community. Later today, the Human Rights Caucus will be holding a hearing on freedom of expression in Vietnam.

Article 69 of the Vietnamese constitution recognizes freedom of opinion, expression and association for all its citizens, but the Vietnamese people are denied these privileges daily. Vietnamese authorities continue to censor mail, telephone calls and e-mail. Freedom of the press is a joke. While 500 papers exist in Vietnam, not one is privately owned. All radio and television stations are state-owned.

Amnesty International and Human Rights Watch have detailed cases, and their list of abuses is long. The U.S. State Department and humanitarian groups have reported that the Vietnam human rights situation has actually worsened in 2001, especially with regard to ethnic minorities like the Montagnards. There are reports of harassment of prominent dissidents in Vietnam, and Hanoi still implements strict control over the press.

If Vietnam is making such great strides towards human rights, then why are we continuing to hear that those who try to express themselves freely are routinely detained?

I believe in free trade. I have voted for trade agreements, but I believe that the situation in Vietnam is different. Here we have a clear opportunity to change the course of this Nation's behavior in exchange for trade. If we insist on human rights, Vietnam will comply in order to obtain a trade relationship with America. I ask my colleagues to support H.J. Res. 101. Stand up to the communists in Vietnam. Insist on human rights in Vietnam in exchange for free trade.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in opposition to this resolution that would overturn the waiver of Jackson-Vanik for Vietnam.

Mr. Speaker, it is clear to me that economic engagement with Vietnam is critical. It is critical if we are going to have progress on the economic and political fronts. The kind of engagement that we have today promotes economic growth. It promotes the reduction of poverty in that country, and those certainly are goals that we are seeking to achieve around the world. As it encourages economic freedom in the country, it thereby helps to promote human rights and political pluralism.

I think of two other countries in that region that have had similar kinds of histories, Taiwan and South Korea. Both of those countries did not have good records on human rights. They did not have expressions of support for human rights or political freedom and political pluralism. But today those

are flourishing democracies, and they are flourishing because of the economic progress that has been made in those countries. The same can be said of Vietnam.

I was in Vietnam just a year ago. It had been 10 years since my last visit, and the changes which have taken place are very, very dramatic in Vietnam. This is a country that is clearly on the edge of making huge progress economically; and as it does, I think one can predict with absolute certainty that there will be progress on the political front as well.

If we were to revoke normal trade relations with this country, it means that we isolate the country politically. As we do that, we give them reason not to move towards more openness, more freedom and pluralism. It is not in our interest, economically or politically, from our national security standpoint, to isolate Vietnam. It is in our interest to integrate it into the trading system and the economic integration of Southeast Asia.

Mr. Speaker, I hope that this resolution will be defeated and that we will continue to grant normal trade relations with Vietnam.

Mr. ROHRBACHER. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this has nothing to do with isolating Vietnam, and everybody in this debate should understand that. It has nothing to do with whether or not Americans should be able to sell their products in Vietnam. People can sell whether we grant them this waiver or normal trade relations status. They can still go over and build factories and sell products. We certainly are not going to isolate Vietnam.

What this is about, in essence, unless Vietnam gets this normal trade relations, gets this Presidential waiver, what is happening, American businessmen will be denied subsidies given to them through international and our national financial institutions. They will be denied the subsidies for their investment in building factories in Vietnam. That is what is really going on here. Yet no one else addresses that. I mentioned that in the beginning. None of the other Members participating in the debate say that.

Let us address this. Why should we be subsidizing with our tax dollars the building of factories in Vietnam, a communist dictatorship, so that some of our profiteers, our businessmen who would like to make profit off labor that does not have a right to quit, does not have a right to complain or unionize, does not have any competition, we are going to have slave labor basically over there manufacturing in companies and in plants that have been built by the American taxpayers' subsidy.

Mr. Speaker, that is what this is all about. That is wrong in communist China. It is wrong in Vietnam. It is something that we should not be doing in China. It has not opened up the society. And for 8 years it has not opened up the society in Vietnam. This is prof-

iteering at the expense of slave labor. This is wrong. That is the central issue at hand.

They have been playing games with us about our POWs. Let me just suggest this. Last year during this debate I remember our good friend and former colleague, Mr. PETERSON was here, and when I said the Vietnamese had not been forthcoming with the records on the prisons where they held our POWs during the war, the word was spread, oh, no, they have given us all of the records, and that came from Mr. PETERSON, who was then our ambassador. Guess what, after the debate and I talked to him, oh, no, he had been mistaken. They have not given us those records.

They have not been forthcoming on that, and we have seen no progress on human rights. We should not be giving them credits and subsidizing our businessmen to build factories there.

□ 1145

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

Mr. MCNULTY. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, why do we not put this in historical context? Why do we not remember the Vietnamese people who fought alongside our young men and women for freedom and justice? This is not a trade bill. This is, frankly, rewarding those who continue to punish those hard-working, dedicated freedom fighters in Vietnam and punish their families who are here in the United States, refusing to allow their families to reunite with my own constituents and constituents across this Nation who work hard every day in our communities and cannot see their family members.

This is not a trade question, because I do believe that it is important for cultural exchange and the opportunities for trade exchange between our mutual businesses if it is fairly done, if those who are working are paid fairly in Vietnam, if no slave labor is used, if no human rights violations are used against those in that country.

What kind of morals do we have if we allow trade to be superior to the idea of freedom for the people? We should support this resolution and deny trade until Vietnam understands the real essence of human rights and freedom and justice.

Mr. MCNULTY. Mr. Speaker, before I recognize my final speaker, I would ask the Speaker to outline the order in which the closing statements will take place.

The SPEAKER pro tempore (Mr. FOSSELLA). The gentleman from Illinois (Mr. CRANE) will close, the gentleman from New York (Mr. MCNULTY) will be in support, the gentleman from Michigan (Mr. LEVIN), and the gentleman from California (Mr. ROHRBACHER).

Mr. McNULTY. Mr. Speaker, I suggest that the order will be the reverse of what the Chair just outlined.

Mr. ROHRABACHER. We need the time as well, Mr. Speaker.

The SPEAKER pro tempore. The Chair was designating from the close backward. The gentleman from Illinois (Mr. CRANE) has the right to close.

Mr. McNULTY. That is correct. The order of closing, then, will be the gentleman from California (Mr. ROHRABACHER), the gentleman from Michigan (Mr. LEVIN), myself, and then the chairman?

The SPEAKER pro tempore. The gentleman is correct. The gentleman from Illinois (Mr. CRANE) has 2½ minutes remaining, the gentleman from New York (Mr. McNULTY) has 3 minutes remaining, the gentleman from Michigan (Mr. LEVIN) has 2 minutes remaining, and the gentleman from California (Mr. ROHRABACHER) has 1½ minutes remaining.

Mr. McNULTY. Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. I thank my friend for yielding me this time.

Mr. Speaker, I understand that the big money interests want us to have a free trade agreement with Vietnam because it works in their interest. How wonderful it is for them to throw American workers out on the street so they can move to Vietnam and China and Mexico and pay desperate people 20 cents an hour, and they can make all kinds of profits while American workers lose their jobs. The truth is our current trade policy is a disaster. In the last 4 years under NAFTA and MFN with China and trade agreements with Vietnam, we have lost millions of factory jobs. In fact, we have lost 10 percent of our manufacturing base.

In my small State of Vermont, companies cannot compete against cheap imports. All over this country, companies are running to China and Vietnam to exploit the people in those countries. It is incomprehensible to me that any Member of this Congress who wants to protect American workers would vote against the amendment of my friend from California.

Mr. ROHRABACHER. Mr. Speaker, there are some true champions of human freedom in this body and none has a stronger voice and has been active as long as the gentleman from New Jersey (Mr. SMITH) to whom I yield 1 minute.

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of the gentleman's resolution.

It seems inconceivable to me that we could be waiving Jackson-Vanik at a time when the Vietnamese Government is paying \$100 a head for the return of the Montagnards who have been escaping. Dissidents, men and women who have been repressed by this government, are being returned from Cam-

bodia back to this repressive regime. To waive this in the Pollyanna-ish view that somehow human rights are improving is inconceivable to me.

I would also point out to my colleagues that this body passed the Vietnam Human Rights Act, which I introduced, overwhelmingly last year, 410 to one. The Vietnamese Government has moved Heaven and Earth in the other body to put a hold on that legislation which simply looks for human rights improvements. They have not happened, I say to my colleagues. We need to step up to the plate and say, despite the expectations that might have been there, they have not been realized. Human rights continue to be trashed.

I again rise in strong support of the gentleman's resolution.

Mr. Speaker, I submit the following letter for inclusion in the CONGRESSIONAL RECORD:

COMMISSION ASKS SECRETARY POWELL TO RAISE RELIGIOUS FREEDOM ISSUES WITH VIETNAM AT ASEAN MEETING

WASHINGTON, July 23—The U.S. Commission on International Religious Freedom, a federal agency advising the Administration and Congress, last week wrote Secretary of State Colin L. Powell, asking that he raise religious freedom issues with Vietnamese officials during the ASEAN Regional Forum at the end of this month. The text of the letter follows:

JULY 17, 2002.

DEAR SECRETARY POWELL: I am writing on behalf of the U.S. Commission on International Religious Freedom, which urges you to raise prominently the protection of religious freedom in Vietnam during your upcoming participation at the ASEAN Regional Forum in July 2002. We also urge you to impress your Vietnamese officials that improvements in the protection of religious freedom in Vietnam are critical to continuing progress in U.S.-Vietnam relations.

Since the Congress ratified the U.S.-Vietnam Bilateral Trade Agreement (BTA) in September 2001, the protection of religious freedom in Vietnam continues to be minimal at best. In February 2002, the Commission sent a delegation to visit that country. Despite the increase in religious practice continues its repressive policy toward all religious and their followers in Vietnam.

Key Vietnamese religious dissidents remain under house arrest or imprisoned, including two senior leaders of the outlawed Unified Buddhist Church of Vietnam (UBCV) ? Most Venerable Thich Huyen Quang and Venerable Thich Quang Do ? and a Hoa Buddhist leader, Mr. Le Quang Liem. Mr. Quang has been denied access to much needed medical treatment. In addition, Father Thaddeus Nguyen Van Ly, who last year submitted written testimony to the Commission, was sentenced to 15 years in prison after having been convicted on charges of "undermining state unity" and "slandering the government." During the Commission's visit, Vietnamese officials refused the delegation's requests to meet with these and other religious leaders who were either in prison or under house arrest.

Government officials continue to harass leaders of unregistered religious organizations and their followers, particularly unregistered Protestant fellowships, as well as clergy members of officially recognized religious groups who oppose government interference in their activities. At the same time, Vietnamese authorities have refused to register some religious groups. For example, the

Vietnamese government has refused to register or permit any activity of Baha'i adherents, whose membership in Vietnam before 1976 counted close to 200,000. Meanwhile, provincial and local officials continue to force Hmong Christians in northwestern Vietnam to renounce their faith. Hmong Christian leaders have been arrested and beaten, and their followers are not allowed to meet in homes and conduct worship. Catholic bishops continue to have limits imposed on them by the government regarding the number of candidates who can be admitted to study for the priesthood as well as the number of qualified men who are allowed to be ordained to the priesthood.

Although the government recognized the Evangelical Church of Vietnam in the South in April 2001, that recognition apparently has not been extended to the Montagnards who reside in the Central Highlands. Government repression of religious freedom for Montagnard Christians, coupled with an ongoing land dispute between the Montagnards and the government, led to unrest and government crackdown in February 2001 that ultimately resulted in the flight to Cambodia of over 1,000 Montagnards. Nonetheless, it appears that the Vietnamese government continues to violate the right to religious freedom of Montagnard Christians in the Central Highlands through arrests and the closing of churches.

In light of these conditions, the Commission urges you to raise these issues in substantive discussions with Vietnamese officials during your attendance at the ASEAN Regional Forum. In particular, we hope you will inquire about the confinement of Mr. Quang, Mr. Do, and Mr. Liem, and the imprisonment of Fr. Ly.

Furthermore, we wish to draw your attention to the following recommendations, first set out in our 2001 Annual Report. We urge you to press the Vietnamese government to take the following steps:

(1) Release from imprisonment, detention, house arrest, or intimidating surveillance persons who are so restricted due to their religious identities or activities.

(2) Permit full access to religious leaders by U.S. diplomatic personnel and government officials, the U.S. Commission on International Religious Freedom, and international human rights organizations. The government should also invite a return visit by the UN Special Rapporteur on Freedom of Religion.

(3) Establish the freedom to engage in religious activities (including the freedom for members of religious groups to select their own leaders, worship publicly, express and advocate religious beliefs, and distribute religious literature) outside state-controlled religious organizations and eliminate controls on the activities of officially registered organizations. Allow indigenous religious communities to conduct educational, charitable, and humanitarian activities, in accordance with the UN Declaration on the Elimination of All Forms of Intolerance and Discrimination.

(4) Permit religious groups to gather for observance of religious holidays.

(5) Return confiscated religious properties.

(6) Permit domestic Vietnamese religious organizations and individuals to interact with foreign organizations and individuals.

(7) Permit domestic Vietnamese religious and other non-governmental organizations to distribute their own and donated aid.

(8) Support exchanges between Vietnamese religious communities and U.S. religious and other non-governmental organizations concerned with religious freedom in Vietnam.

In its May 2001 report, the Commission also recommended that the U.S. government continue to support the ASEAN Human



Rights Working Group, and that it should encourage the Vietnamese government to join the working group by establishing a national working group. The Commission urges you to take this opportunity to engage officials of the ASEAN working group in serious discussions about the promotion of human rights, including religious freedom, among ASEAN member states. Moreover, we urge you to impress upon Vietnamese officials that the establishment of a national working group by their government would be an important sign of Vietnam's commitment to protecting religious freedom and other human rights.

Thank you for your consideration of the Commission's recommendations. We would be grateful if you would share with us the findings and achievements of your visit upon your return.

Respectfully,

FELICE GAER,  
*Chair.*

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

We have heard over and over again that there has been progress made in Vietnam, but there has been no progress, obviously no progress, on human rights. They have gone the opposite direction. We have heard there has been progress in POWs. That is not true. Again, let me reaffirm that they have never given the reports that we have been begging for for the records for the places where they kept our POWs so we could determine how many POWs were kept afterwards. And there is never an excuse because of the lack of human rights in Vietnam for us to subsidize the building of factories with American tax dollars, putting our own people out of work in a Communist dictatorship.

I call on my colleagues to support my resolution in denying this waiver of normal trade relations with this Communist dictatorship. Let us not throw our people out of work to give the chance for subsidized loans to our big businessmen to build factories in Vietnam.

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

Trade is rarely a matter of a single dimension. I always resist the arguments that pretend or assume that trade is all one way or all the other. There are usually considerations on all sides of the trade equation. I do not think trade by itself is a guarantee of political freedom. There has to be pressure on governments. It depends on the situation. But there also has to be engagement in most circumstances as well as pressure. That is what this discussion today is all about.

We have spent, many of us, a lot of time with former Ambassador Pete Peterson. He has assured us that Vietnam is not the same place today as it was 10 or 15 or 20 years ago. It is moving some steps forward, and it is also at times moving backwards. Our job is to help it keep moving in the right direction.

Mr. Speaker, the vote today if it succeeds relates not only to subsidies. It would revoke the bilateral trade agreement that was passed here by a very substantial margin just last year. I

think those who voted in favor of that bilateral trade agreement have no reason today to change their vote. Those who have voted against this resolution in the past have no reason to change their vote. We will see in the future what happens, for example, with the textile agreement, and I have already made clear the position of many of us. But today we should remain on the course of both engagement and pressure.

I urge opposition to this resolution.

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

I thank Chuck Henley, Ron Cima, and Boyd Sponaugle of the Office of the Secretary of Defense for all of the latest information which they have supplied to me with regard to our MIAs. I am grateful to them and all of those who are helping to bring our MIAs home.

Mr. Speaker, we heard a lot about priorities today. I try to keep my priorities straight. Part of that is remembering that had it not been for all of the men and women who wore the uniform of the United States military through the years, some of whom are present in this Chamber right now, I would not have the privilege of going around bragging, as I often do, about how we live in the freest and most open democracy on the face of the Earth.

Freedom is not free. We have paid a tremendous price for it. That is why I try not to let a day go by without remembering with deepest gratitude all of those who, like my brother Bill and tens of thousands of others through the years, gave their lives in service to this country. And it's why I'm thankful for people like J. Leo O'Brien, whose funeral I attended yesterday. Leo was part of what we call "the greatest generation"—those who served in World War II. Leo served, put his life on the line for all of us, for our families, and for all that we hold dear, and thankfully came home and rendered outstanding service in the community. He then raised a beautiful family to carry on in his fine tradition. That is what America is all about. Veterans are the reason why, when I get up in the morning, the first two things I do are to thank God for my life and then veterans for my way of life.

And so, Mr. Speaker, on behalf of all 1,442 Americans missing in action in Vietnam and their families, I support this resolution.

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

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

In response to some of the arguments that have come up earlier, I would like to make just a couple of observations, one dealing with the Overseas Private Investment Corporation. It is charging user fees historically, and it is a U.S. Government agency that operates at no net cost to U.S. taxpayers. OPIC has earned a net profit in each year of operations, \$125 million in fiscal year 2001, and its reserves currently stand at

more than \$4 billion. OPIC projects have also generated \$64 billion in U.S. exports and created nearly 250,000 American jobs. OPIC projects are carefully screened for their U.S. employment effects. OPIC does not support any projects that might harm the U.S. economy or that would result in the loss of U.S. jobs.

It is imperative that we continue Vietnam's Jackson-Vanik waiver. It is in the United States' interest to have an economically healthy Vietnam that is engaged with a global community of nations. Vietnam is currently negotiating its accession to the World Trade Organization; and I fully support that effort, provided it is based on commercially sound terms. The BTA and its implementation offer an important road map for Vietnam to follow to help achieve that goal.

Although Vietnam has far to go in improving human rights for its people, withdrawing the Jackson-Vanik waiver would eliminate our ability to influence its policies. I urge my colleagues to defeat this resolution.

Mr. LAFALCE. Mr. Speaker, I rise in opposition to H.J. Res. 101, the resolution of disapproval of the President's waiver of the Jackson-Vanik Amendment for Vietnam.

On June 3, 2002, President Bush notified Congress of his intention to issue a limited Jackson-Vanik waiver for trade relations with Vietnam for another year. I agree with the President's action and believe that it is in our national interest to continue a policy of engagement with Vietnam.

Since the early 1990s, the United States has taken various steps to improve relations with Vietnam. In 1994, President Clinton lifted the U.S. trade embargo on Vietnam in recognition of the progress made in accounting for prisoners of war and servicemen missing in action. In 1995, President Clinton established diplomatic relations with Vietnam.

Last year trade between the United States and Vietnam totaled \$1 billion. While such amount is not large relative to our total trade with the rest of the world, it is significant for Vietnam and is an important degree of engagement with a country that was once our enemy.

Last fall, Congress enacted legislation that ratified a U.S.-Vietnam bilateral trade agreement and extended normal trade relations to Vietnam. As in the case of China and some other countries, an annual review of Vietnam's trade status is required by the Jackson-Vanik amendment to the 1974 Trade Act.

If this resolution was adopted, Vietnam could not receive U.S. government credits, or credit or investment guarantees, such as those provided by the Overseas Private Investment Corporation (OPIC), the Export-Import Bank and the U.S. Agriculture Department. In addition, imports from Vietnam would be subject to much higher tariffs and duties. These measures, which we grant to countries with which we have normal trade relations, would severely damage our trade with Vietnam.

The trade fostered by normal trade relations with Vietnam, relations that require a Jackson-Vanik waiver, are necessary for the United States to more effectively push for reform in Vietnam. As a result of the normalizing of

trade and diplomatic relations with Vietnam, Hanoi has made major progress on freedom of emigration, including helping with last year's resettlement of 3,000 former boat people held in refugee camps throughout Asia. In addition, Vietnam has steadily improved cooperation in locating U.S. servicemen missing in action. Finally, the very act of trading with the United States, and the desire to increase that trade, is resulting in the beginning of meaningful economic reforms in Vietnam.

This is a lesson that sadly, this Administration has not applied to relations with Cuba. There we have had a decades long trade embargo, and economic sanctions, that has done nothing, absolutely nothing, to loosen or undermine the hold of the Castro regime on the Cuban people. I urge the Administration to review the success of its actions on trade with Vietnam and apply that lesson to trade with Cuba. We will improve human rights and the economic situation of the Cuban people faster with a policy of trade engagement than with maintaining the status quo policy of failed trade sanctions.

In the meantime, we must continue to maintain normal trade relations with Vietnam. Perhaps another year's successful trade with Vietnam will convince the Administration that normalizing trade relations with Cuba will also be advantageous to the people of Cuba.

Mr. GILMAN. Mr. Speaker, I want to thank the distinguished Chairman of the Ways and Means Committee the gentleman from California, Mr. THOMAS and the Ranking Minority Member Congressman RANGEL and the Chairman of the Trade Subcommittee Congressman CRANE and its Ranking Minority Member Congressman LEVIN for bringing H.J. Res. 101 to the Floor. I want to commend Congressman ROHRBACHER for crafting this important resolution. The effect of this resolution would be to withdraw the President's Jackson-Vanik waiver for Vietnam.

Jackson-Vanik requires that a country permits free emigration of its citizens. According to Human Rights Watch, with regard to the exodus of Montagnards refugees to Cambodia, the Vietnamese government did everything that it could to prevent such an exodus. Human Rights Watch reported "the Vietnamese government began to tightly restrict freedom of movement throughout the Central Highlands. Montagnards arriving at the UNHCR sites in Cambodia reported that strict travel bans had been instituted throughout the highlands with police posted on the roads to stop movement of people and in the hamlets to prevent travel and communication between villages." The report goes on to state that "Areas from which large numbers of people had attempted to flee to Cambodia faced particularly heavy surveillance and extra travel restrictions."

Mr. Speaker, human rights organizations also inform us that security police recruited villagers to report on anyone who attended Christian meetings and even those who conducted family prayers in their own homes. Why should we award a dictatorship that attempts to prevent our war time allies from freely emigrating and persecutes people for praying?

Jackson-Vanik also sets down conditions to deny MFN to any country with a nonmarket economy. According to the Country Commercial Guide of the U.S. Commercial Service and the U.S. Department of State "State-Owned

Enterprises continue to dominate the industrial economy of Vietnam . . . The government's protectionist approach to these loss-making companies has long stood in the way of further trade reform and investment liberalization." The report goes on to state that "The government has organized around 2,000 State-owned Enterprises into 17 so-called 'general corporations' (or conglomerates) and 77 'special corporations', thereby reinforcing monopoly or privileged conditions in industries that account for approximately 80 percent of the productive capacity of the state sector."

Mr. Speaker, it is obvious that Vietnam does not meet the human rights and economic conditions set forth by Jackson-Vanik. Let's not reward a dictatorship that does not cooperate with us in helping to find our missing servicemen, refuses to permit our wartime allies to leave and uses trade to enrich and enforce its repressive regime. Accordingly, I urge my colleagues to support H.J. Res. 101.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of Monday, July 22, 2002, the joint resolution is considered read for amendment and the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution 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 joint resolution.

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

Mr. McNULTY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### GENERAL LEAVE

Mr. CRANE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.J. Res. 101.

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

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any RECORD votes on postponed questions will be taken later today.

#### IMPROVING ACCESS TO LONG-TERM CARE ACT OF 2002

Mr. HAYWORTH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4946) to amend the Internal Revenue Code to provide health care incentives related to long-term care, as amended.

The Clerk read as follows:

H.R. 4946

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

#### SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This Act may be cited as the "Improving Access to Long-Term Care Act of 2002".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

#### SEC. 2. DEDUCTION FOR PREMIUMS ON QUALIFIED LONG-TERM CARE INSURANCE CONTRACTS.

(a) IN GENERAL.—Part VII of subchapter B of chapter 1 (relating to additional itemized deductions) is amended by redesignating section 223 as section 224 and by inserting after section 222 the following new subsection:

##### "SEC. 223. PREMIUMS ON QUALIFIED LONG-TERM CARE INSURANCE CONTRACTS.

"(a) IN GENERAL.—In the case of an individual, there shall be allowed as a deduction an amount equal to the applicable percentage of eligible long-term care premiums (as defined in section 213(d)(10)) paid during the taxable year by the taxpayer for coverage for the taxpayer and the spouse and dependents of the taxpayer.

"(b) APPLICABLE PERCENTAGE.—For purposes of subsection (a), the applicable percentage shall be determined in accordance with the following table:

"For taxable years beginning in calendar year—	The applicable percentage is—
2003, 2004, and 2005 .....	25
2006 and 2007 .....	30
2008 and 2009 .....	35
2010 and 2011 .....	40
2012 and thereafter .....	50.

"(c) LIMITATION BASED ON MODIFIED ADJUSTED GROSS INCOME.—

"(1) IN GENERAL.—If the modified adjusted gross income of the taxpayer for the taxable year exceeds \$20,000 (twice the preceding dollar amount, as adjusted under paragraph (2), in the case of a joint return) the amount which would (but for this subsection) be allowed as a deduction under subsection (a) shall be reduced (but not below zero) by the amount which bears the same ratio to the amount which would be so allowed as such excess bears to \$20,000 (\$40,000 in the case of a joint return).

"(2) ADJUSTMENTS FOR INFLATION.—

"(A) IN GENERAL.—In the case of a taxable year beginning after December 31, 2003, the first \$20,000 amount contained in paragraph (1) shall be increased by an amount equal to—

"(i) such dollar amount, multiplied by

"(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2002' for 'calendar year 1992' in subparagraph (B) thereof.

"(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of