

the European Union and the United States demonstrates that we can do even better. I commend my colleague Mr. BEREUTER for his efforts and leadership in bringing this important resolution to the Floor. It will help to improve our record even more through its representation of the voice of Congress.

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

The SPEAKER pro tempore (Mr. HAYES). The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the resolution, H. Res. 577, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### CALLING ON THE GOVERNMENT OF SOCIALIST REPUBLIC OF VIETNAM TO RELEASE FATHER THADDEUS NGUYEN VAN LY

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 378) calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Thaddeus Nguyen Van Ly, and for other purposes, as amended.

The Clerk read as follows:

H. CON. RES. 378

Whereas in February 2001, Father Thaddeus Nguyen Van Ly, a Roman Catholic priest was formally invited to testify before the United States Commission on International Religious Freedom but was denied permission to leave the Socialist Republic of Vietnam and thus, instead, submitted written testimony critical of Vietnam which was read into the Commission record on February 13, 2001;

Whereas Father Ly's testimony before the Commission documents numerous specific actions of the Government of Vietnam against religious freedom which he classified as collectively being "extremely cruel" and requiring a "non-violent and persistent campaign" to achieve full religious freedom for all people in Vietnam;

Whereas Father Ly has been detained by the Government of Vietnam since February 2001, when it placed Father Ly under administrative detention—as a direct response to his testimony, branding him a traitor for "slandering" the Communist party and "distorting" the religious policy of the Government of Vietnam;

Whereas the Government of Vietnam issued a second decree suspending Father Ly's ability to "carry on any religious responsibility and functions" and later formally removed Father Ly from his church, detained him, and denied him access to adequate legal counsel;

Whereas on October 19, 2001, the Thua Thien Hue Provincial People's Court convicted Father Ly of all charges after a one

day, closed trial, without the benefit of counsel and sentenced him to two years in prison for violating the terms of his administrative detention, thirteen years in prison for "damaging the Government's unity policy", and 5 years of administrative probation upon release from prison;

Whereas after pleas from United States Government officials and the world community Father Ly's sentence was reduced by 5 years;

Whereas in June 2001, Father Ly's nephews Nguyen Vu Viet, age 27, and Nguyen Truc Cuong, age 36, and his niece Nguyen Thi Hoa, age 44, were arrested for allegedly being in contact and receiving support from organizations in the United States concerning the religious situation in Vietnam and disseminating information concerning the detention of Father Ly;

Whereas after their cases generated much concern in Congress, Nguyen Thi Hoa, Nguyen Vu Viet and Nguyen Truc Cuong all have been or are expected to be released shortly;

Whereas on November 27, 2003, the United Nations Working Group on Arbitrary Detention issued Opinion No. 20/2003 stating "the Group is convinced that [Father Ly] has been arrested and detained only for his opinions . . . [and] the deprivation of the liberty of Father Thaddeus Nguyen Van Ly is arbitrary, as being in contravention of Article 19 of the Universal Declaration of Human Rights and of Article 19 of the International Covenant on Civil and Political Rights";

Whereas Father Ly has been deprived of his basic human rights by being denied his ability to exercise freedom of opinion and expression; and

Whereas the arbitrary imprisonment and the violation of the human rights of citizens of Vietnam are sources of continuing, grave concern to Congress;

Whereas continuing concerns regarding human rights in Vietnam were recently highlighted by large demonstrations in the Central Highlands on April 10 and 11, 2004, in which thousands of Montagnards gathered on Easter weekend to protest their treatment by the Government of Vietnam, including the confiscation of tribal lands and ongoing restrictions on religious activities; and

Whereas although the Government of Vietnam has attempted to control information about the April 2004 protests and access to the Central Highlands, reputable human rights organizations have reported that the protests were met with a violent response and that many demonstrators were arrested, injured, or are in hiding, and that others were killed; Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That—*

(1) Congress—

(A) condemns and deplores the arbitrary detention of Father Thaddeus Nguyen Van Ly by the Government of the Socialist Republic of Vietnam and calls for his immediate and unconditional release;

(B) condemns and deplores the violations of freedom of speech, religion, movement, association, and the lack of due process afforded to individuals in Vietnam;

(C) strongly urges the Government of Vietnam to consider the implications of its actions for the broader relationship between the United States and the Socialist Republic of Vietnam, including the impact on trade relations;

(D) urges the Government of Vietnam to allow unfettered access to the Central Highlands by foreign diplomats, the international press, and nongovernmental organizations; and

(E) condemns the extent of the violence used against Montagnard protesters on April 10 and 11, 2004, and the use of any violence

against peaceful protests and demonstrations; and

(2) it is the sense of Congress that the United States—

(A) should make the immediate release of Father Ly a top concern;

(B) should continue to urge the Government of Vietnam to comply with internationally recognized standards for basic freedoms and human rights;

(C) should make it clear to the Government of Vietnam that the detention of Father Ly and other persons and the infliction of human rights violations on these individuals are not in the interest of Vietnam because they create obstacles to improved bilateral relations and cooperation with the United States; and

(D) should reiterate the deep concern of the United States regarding the continued imprisonment of Father Ly, and other persons whose human rights are being violated, and discuss their legal status and immediate humanitarian needs with the Government of Vietnam.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

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

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

Mr. Speaker, the Government of Vietnam likes to say that Vietnam is a country, not a war. It is a catchy little self-evident phrase that some Members of Congress picked up during the bilateral trade agreement debate, as if to suggest that the debate was somehow about the Vietnam War, which it was not, instead of Vietnam's shameful present-day human rights record, which it was.

Of course Vietnam is a country, to which I respond: behave like an honorable country. Live up to their word as a signatory to numerous human rights covenants, including the international covenant on political and civil rights. Stop bringing dishonor and shame to their government by abusing their own people.

Mr. Speaker, according to the U.S. State Department report, the "Report on Human Rights Practices for 2003": "The Government's human rights record remained poor, and it continued to commit serious abuses." Rather than repress and jail, harass, intimidate, and torture, the government should recognize and reflect the innate goodness of the Vietnamese people, a kind, gentle, compassionate people who deserve better, much better.

Take the case of Father Ly. In February 2001, Father Thaddeus Nguyen Van Ly submitted written testimony to the United States Commission on International Religious Freedom for a hearing at which he was invited to testify. He was not able to testify in person, but submitted written testimony which I will include in its entirety in the RECORD.

Because this brave Catholic priest told the truth, spoke the truth to power, the Government of Vietnam persecuted and cruelly mistreated him;

and he is now serving a 10-year prison sentence, and he has been in prison for 3 of those years. Amnesty International calls Father Ly a prisoner of conscience, and even the U.N. Working Group on Arbitrary Detention has condemned his detention.

I think it is worth focusing just for a moment on his testimony, which was incisive and compelling; and I quote it in part: "Since their victory of April 30, 1975," Father Ly wrote, "the Vietnamese Communists have extended its oppressive policy toward the different religions of South Vietnam. Laws and decrees have been promulgated to confine, restrict, or ban religious activities. The government has falsely accused clergy members and lay people as a pretext to detain and imprison those who protest its oppressive policy, or those who teach catechism, lead a church choir, or join a seminary. They have been banished to concentration camps for years. This policy has been ongoing," he writes, "for nearly 50 years."

"The government has used many ruses," he continues to write, "to divide and politicize the Cao Dai, Catholic and Protestant Churches; to split the Buddhist Church in two, the Unified Buddhist Church of Vietnam and the Buddhist Church of Vietnam; and to set up the puppet Hoa Hao Buddhist Committee of Representatives, which consists of mainly Communist cadres, to claim leadership over 5 million Hoa Hao Buddhists. The government has requisitioned for its arbitrary use numerous facilities and properties belonging to different Churches."

Father Ly continues to write: "With regard to the Catholic Church, the Communists have severely restricted her fundamental rights," and he points out and lays out some 10 different instances, including the fact that the government still keeps many priests, clergy members, and lay people in prison or under house arrest.

Father Ly continues to say: "Faced with this extremely cruel policy of the Vietnamese Communist Government to strangle religions, the Churches in Vietnam have unceasingly demanded religious freedom. Their nonviolent and persistent campaign will continue until the Vietnamese people have full religious freedom, which anyone else in the civilized world has."

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This campaign has, as he points out, the following objectives. This is number one. This is Father Ly's testimony:

"Number one: the government must fully respect the right of all citizens to true religious freedom and the right of churches to select, train and appoint their own priests, clergy members and dignitaries. The government must stop its practice of listing the religious affiliation of citizens on their identity cards and personal documents so that no citizen be discriminated against and be able to freely practice his or her faith.

"Number two," Father Ly writes: "The government must return all facilities and properties it has confiscated or requisitioned from the churches, even when the documentary evidence of ownership was lost in the war if local people can confirm the rightful ownership of these facilities.

"Number three: the government must abandon the ruses and schemes it has used to oppress and destroy religions. Its interference in church affairs must cease. Committees created by the government but dressed up as religious institutions in order to serve the government's anti-religion policy must be disbanded.

"Number four: the government must unconditionally release all clergy members, priests, officials and dignitaries of the churches and lay people who are currently in prison or under administrative detention because of their faith.

"Number five: the government must fully respect every and each article of the International Covenant on Civil and Political Rights, of which the Vietnamese Communist Government became a signatory on September 24, 1982."

Finally, Father Ly writes, "However, for as long as the Vietnamese Communists keep their dogmatic and totalitarian rule and disregard the fundamental freedoms of the people as I have presented above," he goes on to say, "by trading with Vietnam the U.S. and other countries only strengthen the Communists' grips on power."

Again, I would like his full statement read by Members, because it is a very strong and compelling bit of testimony.

These are the words of Father Ly. He is now in prison 3 years of a 10-year prison term.

The resolution we are considering today, Mr. Speaker, has over 100 co-sponsors and I believe, we believe, will send a strong message to the leaders of Hanoi to free Father Ly and that the ongoing systematic abuses of human rights must cease and that they will not be tolerated.

H. Con. Res. 378 also condemns, and this amendment we are offering with the language today, the brutal crackdown against the Montagnard. Largely ignored by the American press, Vietnam crushed thousands of Montagnard in the Central Highlands on April 10 and 11. In classic dictatorship style and brutality, many Montagnard, who were protesting the confiscation of tribal lands and ongoing restrictions on religious activities, were beaten and there are reports that some were killed. This comes on the heels of another brutal crackdown against the Montagnard in December of 2001 that has resulted in the closing of over 400 churches.

I would just point out to my colleagues that there are also attempts to coerce people to renounce their faith, renunciation of faith. According to Ambassador John Hanford, our Ambassador At Large For Religious Freedom,

there are approximately 100,000 Montagnards who were pressured to renounce their faith. I am happy to say that most resisted, but 100,000 within the last few months and years have been pressured to say "no" to their faith in Christ.

H. Con. Res. 378 also urges the government of Vietnam to allow unfettered access to the Central Highlands, where all of this is going on, by foreign diplomats, the international press and nongovernmental organizations, and condemns the extent of the violence used against, as I said, the Montagnard protestors.

Mr. Speaker, finally, human rights have gotten worse, not better, since the Bilateral Trade Agreement with Vietnam of 2001. We must not remain silent while the government of Vietnam continues to persecute religious and political dissidents and ethnic minorities. As a matter of fact, I believe strongly that Vietnam should be branded a Country of Particular Concern, a CPC country, pursuant to the provisions of the International Religious Freedom Act.

We care deeply, Democrats and Republicans, Mr. Speaker. We care deeply about the people of Vietnam and respect and honor their legitimate aspirations to be free. Why does not Hanoi?

Mr. Speaker, I include for the RECORD the written testimony of Reverend Thaddeus Nguyen Van Ly before the U.S. Commission on International Religious Freedom.

TESTIMONY OF REV. THADDEUS NGUYEN VAN LY

Ladies and gentlemen, it is a great honor to be perhaps the first Vietnamese Roman Catholic priest living under a communist regime to testify before your Commission at a location that represents the ideals of democracy. I would like to send my greetings of the New Millennium to you and to the people of the United States.

In the opening statement of the Declaration of Independence of the Democratic Republic of Vietnam on September 2, 1945, Ho Chi Minh tried to win your nation's support by solemnly quoting the second paragraph of Declaration of Independence of the United States: "All men are created equal. They are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

In less than 250 years since her independence, your country has become the shining example of freedom and independence—anyone who wants to know what freedom and independence are only needs to visit your country and her people.

As an eyewitness living in Communist Vietnam for more than 25 years, I would like to boldly and frankly present my ideas on three issues as your invitation letter has suggested.

#### I. THE REALITIES OF THE RELIGIONS IN VIETNAM IN THE NEW MILLENNIUM

In order to achieve independence, liberty and happiness for the Vietnamese people, Ho Chi Minh chose Communism. This is a fundamental contradiction because Communism calls for a dictatorial regime that does not tolerate the concept of true liberty. Freedom of religion will be absent for as long as the Vietnamese government hangs on to its Communist ideology.

Since their victory of April 30, 1975, the Vietnamese Communists have extended its oppressive policy toward the different religions

to South Vietnam. Laws and decrees have been promulgated to confine, restrict, or ban religious activities. The government has falsely accused clergy members and lay people as a pretext to detain and imprison those who protest its oppressive policy, or those who teach catechism, lead a church choir, or join a seminary. They are banished to concentration camps for years. This policy has been on-going for nearly 50 years (from 1954 to 2001).

The government has used many ruses to divide and politicize the Cao Dai, Catholic and Protestant Churches; to split the Buddhist Church in two—the United Buddhist Church of Vietnam (UBCV) and the Buddhist Church of Vietnam (BCV); and to set up the puppet Hoa Hao Buddhist Committee of Representatives, which consists of mainly Communist cadres, to claim leadership over five million Hoa Hao Buddhists. The government has requisitioned for its arbitrary use numerous facilities and properties belonging to the different Churches.

With regard to the Catholic Church, the communists have severely restricted her fundamental rights. The many petitions issued by the Catholic Bishops Conference of Vietnam (CBCV) since 1980 have unmasked the Government's policy. This I have analyzed in my Ten-Point Proclamation released on November 24, 1994 and the follow-up proclamation dated November 24, 2000, which I have sent to your Commission. Following is the summary of the points made in those two statements.

1. The Vietnamese Communists have brutally interfered with CBCV's authority to organize its annual Pastoral Assembly: the Bishops must apply for permission to organize and the Assembly's agenda must be pre-examined by the Government. After the Assembly, the minutes must be submitted to the Government. All reports from the Assembly must be vetted by the Government before they can be released to the Catholic community and the public.

2. The Vietnamese communists have brutally interfered with CBCV's authority to appoint bishops and ordain of priests. The Holy See had to negotiate with the Vietnamese Government for years on each bishop appointment. The Government often rejects candidates selected by the Church and only accepts those they are pleased with. The Government counts on The Vatican having to yield eventually so as to prevent excessive harm to dioceses facing extended absence of a bishop. The dioceses of Hung Hoa, Hai Phong, and Bui Chu . . . have not had a bishop for more than eight years and The Vatican is not allowed to appoint any.

Anyone intending to join a seminary of any candidate for priesthood elected by the Church must have the approval of and their background examined by the Public Security Police. These candidates must prove their docility and show no sign of resisting the regime. The police give special preference to those agreeing to serve as informants for the Government within the seminary. An applicant's chance would increase if he can afford to bribe the authorities. Applicants having family members who worked for defunct Republic of Vietnam or holding nonconformist views stand no chance of being approved for admission into a seminary or priesthood regardless of their qualifications and moral virtues and regardless of the Church's support. I know many young men who have repeatedly passed the Church-administered entrance exam with top scores but have not been approved for admission into any seminary. Any bishop intending to ordain a seminarian into priesthood or to assign a priest to a mission must ask for permission and negotiate with the Government in a protracted process, which in some cases has taken near-

ly 20 years without results. The approval criteria imposed by the Government has nothing to do with the moral quality that the Church requires of candidates for priesthood. As a result, the number of newly ordained priests has drastically decreased and is currently insufficient to meet the Church's pastoral needs. Aging priests die or retire without successors. Many priests in rural regions have to minister more than ten parishes, all distant from each other. There is hardly normal religious life in these parishes. It is very difficult for priests to change their residence for new assignments.

3. Groups of faithful in new economic zones or in remote areas are anxious to have mass for Christmas and Easter each year but their most basic spiritual need is rarely met. The atheist Government wants these people not to think of religion, which it considers harmful and dangerous.

4. A Mass that brings together the faithful from different places and priests desiring to say mass in places other than their usual assigned location must have prior government permission.

5. The Government still keeps many priests, clergy members, and lay people in prison or under house arrest. (Committee for Religious Freedom in Vietnam has made this list available to your Commission.)

6. The Government brutally violates the Church's freedom of the press. No local or national publication of the Church is allowed. As a result, The Church cannot fulfill its evangelical duties. Before 1975, there were more than a dozen Catholic newspapers and magazines in South Vietnam. Today there are only two weekly magazines, *Cong Giao & Dan Toc* (The Catholics & The People) and *Ngnoi Cong Giao Viet Nam* (The Vietnamese Catholics), which are created and financed by the Government. CBCV's only publication is the newsletter *Ban Tin Hiep Thong* (The Communion News), of which the first six issues were "illegal." The Government gave the Church temporary permission to publish issues 7-9 from February to September 2000. In October 2000, the government rescinded its permission and discontinued this only publication of The Church. There is no freedom of speech in my country. Churches of course have none. This kind of statement that I am presenting to you cannot be circulated in Vietnam because no photocopying store or printing shop would dare to reproduce it. Nobody dares to keep it, fearing for his own life and the safety of his family. Those who dare must be prepared for martyrdom. In fact, on February 7 the public security police searched two of my assistants and found a floppy disk containing a draft of this statement. These two brave young men were detained overnight at the police station for extensive questioning.

7. The Government forces all students from all grades and in college to study and love Socialism while in fact nobody likes to teach or study it. Only the three million communist party members and the five million members of the Communist League of Youth should study this ideology if they still believe in it. Forcing the entire Vietnamese nation to study a bankrupt ideology that has caused them so much suffering is outright unconscionable.

8. The Communist Government has, since 1954 in North Vietnam and since 1975 in South Vietnam, seized or requisitioned thousands upon thousands of Church facilities used for education, charity, and medical service. Consequently the Church has no means to train seminarians, providing education and human services to the poor, the sick, the handicapped and the orphans, and it is extremely difficult for Church members to deliver service in a government facility. For example, the Pius X Papal Institute in

Da Lat, run by the Jesuits, had been an outstanding college for priesthood formation until its confiscation in 1976 by the Government, which turned it into a training school for Communist cadres. The Hoan Thien Minor Seminary at 11 Dong Da, Hue, offering high school-level training to seminarians, was taken by force by the Government in December 1979; all three priests teaching at the seminary and more than 80 seminarians were evicted. These are but a few examples.

Faced with this extremely cruel policy of the Vietnamese Communist Government to strangle religions, the Churches in Vietnam have unceasingly demanded religious freedom. Their non-violent and persistent campaign will continue until the Vietnamese people have full religious freedom, which anyone else in the civilized world has. This campaign has the following objectives.

1. The Government must fully respect the right of all citizens to true religious freedom and the right of Churches to select, train, and appoint their own priests, clergy members and dignitaries. The Government must stop its practice of listing the religious affiliation of citizens on their identity cards and personal documents so that no citizen will be discriminated against and be able to freely practice his or her faith.

2. The Government must return all facilities and properties it has confiscated or requisitioned from the Churches, even when documentary evidence of ownership was lost in the war if local people can confirm the rightful owner of these facilities and properties.

3. The Government must abandon the ruses and schemes it has used to oppress and destroy religions. Its interference in Church affairs must cease. Committees created by the government but dressed up as religious institutions in order to serve the Government's antireligion policy must be disbanded.

4. The Government must unconditionally release all clergy members, priests, officials and dignitaries of the Churches and lay people who are currently in prison or under administrative detention because of their faith.

5. The Government must fully respect every and each article of the International Covenant on Civil and Political Rights, of which the Vietnamese Communist Government became a signatory on September 24, 1982.

## II. EFFECTS OF THE BILATERAL TRADE AGREEMENT ON HUMAN RIGHTS AND RELIGIOUS FREEDOM IN VIETNAM

I am only a priest, not a specialist in economics and politics. I speak as a Vietnamese citizen with a deep love for my country and my people.

Vietnam needs the Bilateral Trade Agreement (BTA) for her economic development. In principle I dearly want my country to have the trust of other countries, among them the United States, so that my country may achieve prosperity and my people may have a better life and fully realize their potentials.

However, for as long as the Vietnamese Communists keep their dogmatic and totalitarian rule and disregard the fundamental freedoms of the people as I have presented above, by trading with Vietnam the United States and other countries would only strengthen the Communists' grips on power; the BTA may end up benefiting only the governing minority while prolonging the suffering of the entire people; the vast majority of the common people like us may at best receive small crumbs trickling down from the top but in return must endure our fate of the exploited and disenfranchised for so much longer.

In regard to the ratification of the BTA, I urgently warn the US Congress not to trust

the Vietnamese Communists' promise of good faith. The United States and many other countries have had bitter experiences dealing with their broken promises in the past.

The Vietnamese Communists have signed many international accords and agreements on human rights but have never intended to respect them. Their intention is to deceive the international community. For example, Vietnam became signatory to the International Covenant on Civil and Political Rights in 1982 but does not abide by Articles 18 and 19 of this covenant which call for the respect for the freedoms of thought, speech, and religion. If international human rights institutions allow themselves to fall victim to such deception, they will contribute to the following dire consequences: (1) the Vietnamese Government will exploit their signing the document to falsely claim that there are human rights in Vietnam; (2) these international institutions will lose their credibility as they prove to be so easily deceived; and (3) these institutions unknowingly prolong the Communist oppression of the Vietnamese people—this in fact constitutes a major crime against my people.

Therefore, if the United States and other countries truly sympathize with my ill-fated people and truly care about human rights, especially the right to religious freedom, of the Vietnamese people, you must not help the Communist Government prolong its totalitarian rule. Instead, the United States and other countries should suspend all agreements harmful to the Vietnamese people and do everything in your capacity to put pressure on the Vietnamese Government to allow freedom and democracy to dawn on our country.

### III. WHAT CAN BE DONE TO HELP IMPROVE FREEDOM OF RELIGION IN VIETNAM IN THE NEAR TERM, AND IN THE LONG TERM?

The Vietnamese Communists have idolized Ho Chi Minh, turning him into a "god" and creating a new religion revolving around him. The Communist Government wants to suppress all other religions and replace them with this new religion in order to unify the Vietnamese people behind it. In fact, Ho Chi Minh had made significant contributions to our national struggle for independence but at the same time had committed serious crimes against the Vietnamese people. One basic endeavor that the international community needs to undertake is to unravel the harmful myths woven by the Communists around this historical figure.

In the short term, the United States and other countries should help the Churches in Vietnam achieve greater independence from the government, should show by example how freedom of religion is respected in the free world, and should expose the oppression that the Vietnamese Government has imposed on the Churches. At first, the Vietnamese Communists may feel that such independence would clash with its totalitarian power but with time it may realize that the power to control and interfere with Church affairs, such as the appointment of priests, should have never been theirs to start with.

The Vietnamese people will not enjoy religious freedom for as long as the Communist regime remains in place. Therefore if the United States and other countries truly desire to see the return of religious freedom to the Vietnamese people, they will need to create favorable conditions for the early demise of the Communist regime.

Ladies and gentlemen,

This is a precious opportunity to speak on behalf of my people, of the different Churches, and of the Catholic Church in particular. I would like to extend my gratitude to you, to the U.S. Congress, and the American peo-

ple, including some two million Vietnamese-Americans, for having given me such an opportunity.

May God bless you, your families, your colleagues, the American people, and your beautiful country. Thank you.

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

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

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

Mr. Speaker, first I want to commend my good friend, the gentleman from New Jersey (Mr. SMITH), for his leadership on Vietnam human rights issues and, indeed, on being the most indefatigable and passionate advocate of human rights in this body.

As the political security and economic relationship between the United States and Vietnam become increasingly complex, we must never forget the continued absence of internationally recognized human rights in Vietnam.

Mr. Speaker, Father Ly, the subject of this resolution, is a Vietnamese Catholic priest. Three years ago, he was invited by the International Religious Freedom Commission to give testimony related to religious freedom in Vietnam. Since the Vietnamese Government denied Father Ly permission to leave his country, he submitted written testimony for the record. In this testimony, Father Ly outlined the lack of religious freedom in Vietnam and urged his fellow Vietnamese citizens to continue to struggle, non-violently, for their rights.

He was subsequently sentenced to 15 years in prison after a 1-day closed trial in which he was denied adequate legal counsel. Father Ly was convicted of slandering the Communist Party and distorting the religious policy of the government of Vietnam.

Subsequently, Mr. Speaker, the United Nations Working Group stated that Father Ly was arrested and detained only for his opinions, and the deprivation of the liberty of Father Ly is arbitrary and contravenes the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Mr. Speaker, as we meet here today, Father Ly continues to remain in prison because he had the courage of his convictions and he refused to whitewash the continued lack of religious freedom in Vietnam. Our resolution urges his immediate release from prison, a call for justice long overdue.

It is my strong hope that the Vietnamese Government will receive this wake-up call through the passage of our resolution. While large numbers of Vietnamese Catholics continue to attend services each Sunday, the Vietnamese Government prohibits the church from training enough priests to meet the growing demand for clerics. The Vietnamese Government has also refused to compensate the church fully for expropriated church property, and it prohibits the church from expanding

its activities to help the poor in Vietnam.

Mr. Speaker, I urge all of my colleagues to show their concern about the continued unjust imprisonment of Father Ly and the lack of religious freedom in Vietnam by supporting strongly our resolution.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California (Mr. COX), the chairman of the Select Committee on Homeland Security.

Mr. COX. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, we are here on the floor to demand of the communist government of Vietnam that Father Ly immediately be released, unconditionally. Father Ly's only offense is that he is a Catholic priest who sought to minister to the spiritual needs of his countrymen and countrywomen in Vietnam. For this offense, he has been in prison for the last 3 years, and the communist government of Vietnam expects that he will serve the full decade of his sentence.

This is, of course, an affront to human rights. It is also an affront to the United States, because it was the U.S. Commission on International Religious Freedom that solicited Father Ly's testimony. They asked that Father Ly testify in person. He was willing to do so; but, of course, the communist government of Vietnam forbade him from doing so. So Father Ly then submitted written testimony, and it is on the basis of that written testimony that he was convicted. That is why he is now in jail.

Never has there been a clearer path from freedom to imprisonment than in this case. We can read the entirety of his offense. What he said, in response to questions from the United States, is that there is not religious freedom in Vietnam. He said that the government of Vietnam had stripped all churches of their independence and freedom. For speaking this truth, Father Ly is now expected to spend a decade in a communist prison.

It was 1 month after he wrote this testimony and sent it to the United States that he was arrested. Indeed, he was arrested while he was saying mass. He was on the altar before a congregation. Six hundred policemen of the Vietnamese communist government surrounded the church, stormed it, and dragged him off. Of course, the Vietnamese Government provided him no legal representation, no consultation whatsoever; and not surprisingly, on October 19 of that same year, Father Thaddeus Nguyen Van Ly was sentenced to this seemingly indefinite time in prison, 15 years originally. He has already spent 3 years. Now he is going to get a 10-year sentence.

Father Ly is no stranger to repression at the hands of the Vietnamese

dictatorship. Since 1977, the government has repeatedly harassed him, repeatedly arrested him, and repeatedly jailed him for his advocacy of religious freedom.

So the Congress today calls for the immediate and unconditional release of Father Ly. But we also recognize that he is not alone. He represents the struggle of all of those citizens of Vietnam who are fighting for freedom and for democracy.

Another piece of legislation to address that struggle is the Vietnam Human Rights Act, H.R. 1587, which I hope the House will soon consider. This legislation will prohibit nonhumanitarian assistance to the government of Vietnam, it will support the efforts of human rights and democracy advocates there, and it will help us work to overcome the government's jamming of Radio Free Asia and their Vietnamese broadcast. It will help resettle refugees and require an annual State Department report on the progress towards freedom and democracy in Vietnam, or the lack of it.

This resolution that is before us today, of which I am an initial cosponsor, is, therefore, a call to action. It is a call, of course, upon the Vietnamese Government to act; but it is also our call to action. The Vietnamese Government and other dictatorships around the globe must come to realize that oppression does not go unnoticed, that the Congress and the President will continue to fight for those like Father Ly who seek meaningful change in their country.

Mr. Speaker, I am very, very proud to join the gentleman from New Jersey (Chairman SMITH) and the gentleman from California (Mr. LANTOS) in supporting this resolution, and I am very proud of the stands for human rights that this Congress will soon take.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 2 minutes to my good friend and distinguished colleague, the gentlewoman from California (Ms. LORETTA SANCHEZ), a champion of human rights.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in strong support of H. Con. Res. 378, a resolution which calls for the immediate and unconditional release of Catholic Father and human rights champion Thaddeus Nguyen Van Ly. I thank my colleague, the gentleman from New Jersey (Mr. SMITH), for bringing this resolution to the floor. I am proud to be an original cosponsor of the bill, and I am proud to work with him on the bipartisan Vietnam Caucus.

On this day, the 10th anniversary of Vietnam Human Rights Day and the 14th anniversary of the Vietnamese Manifesto of Nonviolent Movement For Human Rights, there can be nothing more appropriate action for this Congress than to pass this resolution about Father Ly. Why would that be? Well, we as Members of the United States Congress have a special responsibility, for, you see, it was testimony to this

Congress, to this Nation, that Father Ly gave us that put him behind bars.

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In fact, we brought forward that testimony in a human rights caucus hearing on religious freedoms in Vietnam, or, should I say, the lack of religious freedom in Vietnam. So we have a particular responsibility to let the world know and to put pressure on the Vietnamese Government with respect to Father Ly's incarceration.

In reaction to Father Ly's defense of human rights and his pronouncements on the need for religious freedom and nonviolent resistance, the Government of Vietnam branded him a traitor, a traitor, and prohibited him from carrying out his religious duties as a priest and sentenced him to 10 years of prison for "damaging the government's unit policy."

The imprisonment of Father Ly is not only a violation of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights, it is a direct attack on each and every one of us who value human rights.

Mr. Speaker, I thank the gentleman from New Jersey, and I thank the gentleman from California for being such a strong supporter of human rights in the world, and I urge my colleagues to support this important resolution.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. AKIN), and I thank him for his support on human rights in general and human rights in Vietnam in particular.

Mr. AKIN. Mr. Speaker, it is a pleasure to be able to join my colleagues today and to add my support for House Concurrent Resolution 378 calling for the immediate and unconditional release of father Thaddeus Nguyen Van Ly.

Father Ly has peacefully campaigned for more than 30 years for religious freedom in his country, and he has called on the officials of that nation of Vietnam to allow churches to appoint their own leadership and to stop listing people's religious affiliation on their I.D. card, and to return property that was confiscated from the churches to those particular denominations and faiths.

Now, recently, Father Ly, as we have heard, has been sentenced to 15 years of solitary confinement, a very serious sentence, for merely advocating people having the right for free religious expression. That sentence has been mitigated by 5 years, still a 10-year sentence. In the brief time that he had to speak to his own family, he made the following statement: "My duty and my conscience required me to fight for the freedom of our church. If I had realized those terrifying situations for our church and had not done anything, I would have been guilty before God. Now I think I have accomplished my duty, I do not feel sorry for myself."

Father Ly, though he lives on the other side of the world, is in a sense a brother of each of ours. This is a personal affront that the Government of Vietnam has stood against those people who have the courage to allow people to express their own personal consciences.

It is particularly appropriate in this Chamber and at this time for us to recall the words of Madison on the subject of property. When property was discussed by our founders, they did not think so much of a piece of land or even of possession, but they thought of the property first and foremost and closest to the heart of all true lovers of freedom: It was the property of our own convictions, the property of our own soul, the property to be able to express our opinion and our devotion to whichever God it is that we would worship. And it is this fundamental, fundamental, heartfelt core of American belief which binds us to freedom-fighters all over the world and which calls us to strong condemnation of the Government of Vietnam, that they would trample people's right to worship and freedom under their feet with total disregard, and would lock a champion of freedom like this away for 10 years, away from his family, and harassing his family.

So I strongly add my support to the gentleman and his resolution, H. Con. Res. 378.

Mr. LANTOS. Mr. Speaker, we have no additional requests for time, and I yield back the balance of our time.

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

The SPEAKER pro tempore (Mr. HAYES). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 378, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 378, the concurrent resolution just considered.

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

There was no objection.