

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 4853, TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010

Mr. POLIS (during consideration of S. 987), from the Committee on Rules, submitted a privileged report (Rept. No. 111-682) on the resolution (H. Res. 1766) providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CALLING ON STATE DEPARTMENT TO LIST VIETNAM AS A RELIGIOUS FREEDOM VIOLATOR

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 20) calling on the State Department to list the Socialist Republic of Vietnam as a "Country of Particular Concern" with respect to religious freedom, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 20

Whereas the Secretary of State, under the International Religious Freedom Act of 1998 (IRFA) and its amendment in 1999, and under authority delegated by the President, designates nations found guilty of "particularly severe violations of religious freedom as 'Countries of Particular Concern'" (CPC);

Whereas when the United States designates a nation as a CPC, the intent is to place protection and promotion of religious freedom as a diplomatic priority in bilateral relations, including taking actions specified in section 405(a)(b)(c) of the IRFA;

Whereas in November 2006, the State Department announced that the CPC designation was lifted from the Socialist Republic of Vietnam;

Whereas in explaining the lifting of the designation, State Department officials have stated that Vietnam "has turned a corner . . . and has what looks like religious freedom" and that Vietnam "does not meet the criteria for a severe violator of religious freedom" under terms set by the IRFA;

Whereas the criteria for designating countries as a CPC, as set forth in section 3(11) of the IRFA, are for "systematic, ongoing, and egregious violations of religious freedom including violations, such as—(A) torture or cruel, inhuman, or degrading treatment or punishment; (B) prolonged detention without charges; (C) causing the disappearance of persons by the abduction or clandestine detention of those persons; and (D) other flagrant denial of the right of life, liberty, or the security of persons.";

Whereas in 2004, the Vietnamese National Assembly issued Directive 21/2004/PL-UBTVQH11 to regulate religious activities;

Whereas this directive contains several articles that seriously interfere with religious freedom and impose heavy government control on religious activities;

Whereas, on September 15, 2004, the State Department added Vietnam to the CPC list and Ambassador at Large for International Religious Freedom, John Hanford, stated, "at least 45 religious believers remain imprisoned . . . Protestants have been pressured by authorities to renounce their faith, and some have been subjected to physical abuse.";

Whereas to avoid possible sanctions or other "commensurate actions" recommended by section 405(a)(b) of the IRFA, in May 2005 the United States and Vietnam reached a "binding agreement" consistent with section 405(c) of the IRFA;

Whereas although the terms of that "binding agreement" have never been fully publicized, the United States Commission on International Religious Freedom 2006 Annual Report stated that the United States agreed to lift the CPC designation if the Government of Vietnam fully implemented legislation on religious freedom and rendered previous contradictory regulations obsolete, instructed local authorities strictly and completely to adhere to the new legislation to ensure compliance, facilitated the process by which religious congregations are able to open houses of worship, and gave special consideration to prisoners and cases of concern raised by the United States during the granting of prisoner amnesties;

Whereas the Unified Buddhist Church of Vietnam (UBCV), the Hoa Hao Buddhists, and the Cao Dai groups continue to face unwarranted abuses because of their attempts to organize independently of the Vietnamese Government, including the detention and imprisonment of individual members of these religious communities;

Whereas villagers of Con Dau, Da Nang, have suffered severe violence, including beatings with batons and electric rods during a May 2010 incident, at the hands of Vietnamese Government officials for attempting to protect their historic Catholic cemetery and other parish properties from an attempted government forced sale of these properties;

Whereas over the last 3 years, 18 Hoa Hao Buddhists have been arrested for distributing sacred texts or publicly protesting the religious restrictions placed on them by the Vietnamese Government, at least 12 remain in prison, including 4 sentenced in 2007 for staging a peaceful hunger strike;

Whereas five members of the Cao Dai religious community remain in prison for distributing materials in Cambodia critical of the Vietnamese Government's restrictions on Cao Dai religious practice, for this action they were sentenced to up to 13 years imprisonment;

Whereas five Khmer Buddhists were arrested in February 2007 for organizing peaceful demonstrations opposing the restriction of language training and ordination ceremonies for Khmer Buddhist monks;

Whereas Protestants continue to face beatings and other ill-treatment, harassment, fines, threats, and forced renunciations of faith;

Whereas according to Human Rights Watch, 355 Montagnard Protestants remain in prison, arrested after 2001 and 2004 demonstrations for land rights and religious freedom in the Central Highlands;

Whereas according to the United States Commission on International Religious Freedom, there are reports that some Montagnard Protestants were imprisoned because of their religious affiliation or activities or because religious leaders failed to inform on members of their religious commu-

nity who allegedly participated in demonstrations;

Whereas according to the United States Commission on International Religious Freedom 2008 Annual Report, religious freedom advocates and human rights defenders Nguyen Van Dai, Le Thi Cong Nhan, and Fr. Thaddeus Nguyen Van Ly are in prison under Article 88 of the Criminal Code and Fr. Nguyen Van Loi is being held without official detention orders under house arrest;

Whereas at least 15 individuals are being detained in long term house arrest for reasons related to their faith, including the most venerable Thich Quang Do and most of the leadership of the UBCV;

Whereas according to United States Commission on International Religious Freedom 2008 Annual Report, there are still too many abuses of and restrictions on religious freedom;

Whereas UBCV monks and youth groups leaders are harassed and detained and charitable activities are denied, Vietnamese officials discriminate against ethnic minority Protestants denying medical, housing, and education benefits to children and families, an ethnic minority Protestant was beaten to death for refusing to recant his faith, over 600 Hmong Protestant churches are refused legal recognition or affiliation, leading to harassment, detentions, and home destructions, and a government handbook on religion instructs government officials to control existing religious practice, halt "enemy forces" from "abusing religion" to undermine the Vietnamese Government, and "overcome the extraordinary growth of Protestantism.";

Whereas since August 2008, the Vietnamese Government has arrested and sentenced at least eight individuals and beaten, tear-gassed, harassed, publicly slandered, and threatened Catholics engaged in peaceful activities seeking the return of Catholic Church properties confiscated by the Vietnamese Government after 1954 in Hanoi, including in the Thai Ha parish;

Whereas in September 2008, immediately preceding a visit by Deputy Secretary of State, John Negroponte, Vietnam arrested five journalists and human rights defenders, including two journalists and bloggers reportedly covering the prayer vigils held by Catholics in Hanoi; and

Whereas the United States Commission on International Religious Freedom, prominent nongovernmental organizations, and representative associations of Vietnamese-American, Montagnard-American, and Khmer-American organizations have called for the redesignation of Vietnam as a CPC: Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly encourages the Department of State to place Vietnam on the list of "Countries of Particular Concern" for particularly severe violations of religious freedom;

(2) strongly condemns the ongoing and egregious violations of religious freedom in Vietnam, including the detention of religious leaders and the long-term imprisonment of individuals engaged in peaceful advocacy; and

(3) calls on Vietnam to lift restrictions on religious freedom and implement necessary legal and political reforms to protect religious freedom.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from Indiana (Mr. BURTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. BERMAN. Mr. Speaker, I rise in support of this resolution and yield myself such time as I may consume.

This resolution calls on the State Department to list the Socialist Republic of Vietnam as a "Country of Particular Concern" with respect to religious freedom.

I want to thank my colleague, Congressman ED ROYCE of California, for introducing this important resolution.

This year marks 15 years since the normalization of diplomatic relations between the United States and Vietnam. Bilateral relations have deepened in recent years with Hanoi emerging as an important partner in ensuring a peaceful and secure Asia-Pacific region.

We have seen close cooperation on a number of important fronts, including regional security and nonproliferation. Unfortunately, the lack of progress in the area of protecting basic rights and civil liberties enshrined in Vietnam's constitution remains an impediment to our bilateral ties.

Since the Bush administration lifted the "Country of Particular Concern" designation for Vietnam in November of 2006, freedom of religion and expression have come under increasing attack. Hanoi has tightened its control of religious organizations with numerous reports documenting physical harassment, intimidation, surveillance, seizure of church properties, arrests, and other forms of ill treatments made against Catholics, Protestants, Khmer Buddhists, and others.

As Secretary Clinton rightfully noted during her visit to Hanoi this October, the United States takes notice of these curbs on religious freedom in Vietnam. Two recent events stand out as particularly egregious.

First is the dispute at Bat Nha pagoda last September, when 400 monks and nuns were assaulted and forcibly evicted. The majority of these monks and nuns have subsequently left Vietnam due to a lack of protection by the government.

More recently, this May, several hundred Vietnamese Catholic villagers in Con Dau were attacked by tear gas and bullets, during a funeral procession, for refusing to relocate as the government had ordered. Several detainees have been held incommunicado since May and have not been allowed to visit their families.

I urge my colleagues to support this resolution and stand up for religious freedom in Vietnam.

I will be handing over the management of this legislation for the remain-

der of the time to the chairman of the Asia and Pacific Islands Subcommittee of the House Foreign Affairs Committee, Mr. FALCONE.

I reserve the remainder of my time.

The SPEAKER pro tempore (Mr. TONKO). Without objection, the gentleman from American Samoa will control the time.

There was no objection.

□ 2010

Mr. BURTON of Indiana. Mr. Speaker, I yield 5 minutes to our very good friend and colleague, the ranking member of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation and Trade, the author of the measure, Mr. ROYCE of California.

Mr. ROYCE. Mr. Speaker, as author of this resolution, I rise in support of House Resolution 20, calling on the State Department to list the Socialist Republic of Vietnam as a Country of Particular Concern with respect to religious freedom.

I also want to say I appreciate very much the assistance of Chairman BERMAN in bringing this to the House floor, the assistance of Ranking Member ROS-LEHTINEN, and Mr. BURTON, but also the assistance of Congressman Joseph Cao in his support and his concern about this issue.

I would like to share with the Members in this body today that the House of Representatives has an opportunity to send a very strong message to the Communist government in Vietnam. And that message, if we pass this resolution, is that its abuses against peaceful religious practitioners of all faiths and all creeds are unacceptable.

As we reflect for a minute on some of the conditions that those who practice their faith have to contend with in Vietnam, you think about the 350 Montagnard Christians who remain imprisoned for their beliefs, other religious groups like the Unified Buddhist Church of Vietnam, the Hoa Hao Buddhists, the Cao Dai Buddhists. They face severe persecution from the Communist government of Vietnam.

Recently, residents of Con Dau, Da Nang, have suffered severe violence, including beatings with batons, beatings with electric rods during a May assault at the hands of Vietnamese government officials. And what was the charge? Attempting to protect their historic Catholic cemetery from government seizure.

I met with the Venerable Thich Quang Do in Vietnam. I had several conversations with him. He was under house arrest. He has spent the last 33 years of his life either in prison or under house arrest.

I think for a minute about Pastor Nguyen Cong Chinh whose picture is right here. He has been interrogated more than 300 times, he has been beaten over 20 times, and this is a photograph after one of those beatings. He is one of the many faces, I would say battered faces, of religious freedom in Vietnam.

In its 2010 annual report, the U.S. Commission on International Religious Freedom found as follows:

"Vietnam's overall human rights record remains poor and has deteriorated." They cite police officers and plainclothesmen and the Religious Security Police—yes, the Religious Security Police—routinely harassing and intimidating those who pray outside of government-approved religions. They cite beatings with electric batons, sexual assault of monks, and confiscation of property and forced evictions.

While the State Department has documented some of these abuses, real action is needed. By re-listing Vietnam as a CPC, as this resolution instructs, the State Department could bring about real change. In addition to the naming and shaming aspect of the report, a wide range of sanctions, from limitations on foreign aid to denial of visas for those in the government, can be levied on the regimes that carry out these abuses. Unfortunately, the Obama administration hasn't used this tool. This will make that tool available.

Some will ask if a CPC redesignation can have any impact. Well, let's look at the prior experience on this. After being listed as a CPC in 2004, Vietnam immediately released several prominent dissidents and democracy advocates, and issued ordinances that prohibited the forced renunciation of faith. These were concrete results achieved with a CPC designation, and more can be achieved with a re-listing of Vietnam. Sadly, after Vietnam was permanently removed from the list in 2006, religious freedom and tolerance has been on a continuous downward slide.

The Vietnam War is history. We have deepening relations with Vietnam. But that fact doesn't mean we should short-change religious liberty. Frankly, we know that raising these issues with Hanoi isn't on the top of our diplomats' list. They are uncomfortable with raising these human rights abuses. But by putting Vietnam on this list, where it belongs, we are at least giving promoting religious freedom a chance of being part of our policy towards Vietnam.

Mr. Speaker, it is time to put the House on record in support of the Vietnamese people and religious freedom in Vietnam. Indeed, the right to freely practice your religion is a universal sacred right.

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

Mr. BURTON of Indiana. Mr. Speaker, I yield 6 minutes to my very good friend from Louisiana (Mr. CAO).

Mr. CAO. Mr. Speaker, the International Religious Freedom Act, or IRFA, requires the U.S. Commission on International Religious Freedom to prepare an annual report on the state of religious freedom throughout the world. IRFA also provides that any country which commits systematic, ongoing, and egregious violations of religious freedom be placed on a list of

countries of particular concern, or CPC, which opens these nations up to economic sanctions by the United States.

After several years of urging from the U.S. Commission on International Religious Freedom, Vietnam was eventually designated a Country of Particular Concern in 2004 and 2005, and this designation led to modest but unprecedented improvements in the government's treatment of worshippers.

Since 2006, however, the U.S. State Department has declined to designate Vietnam as a CPC, and during the ensuing 4 years there have been no further significant improvements and even some backtracking in the progress made on the ability for those of faith to freely practice their religion.

The October 2009 report of the U.S. Commission on International Religious Freedom found:

"There continue to be far too many serious abuses and restrictions of religious freedom in Vietnam. Individuals continue to be imprisoned or detained for reasons related to their religious activity or religious freedom advocacy. Police and government officials are not held fully accountable for abuses; independent religious activity remains illegal; and legal protection for government-approved religious organizations are both vague and subject to arbitrary or discriminatory interpretation based on political factors."

"In addition, improvements experienced by some religious communities are not experienced by others, including the Unified Buddhist Church of Vietnam, independent Hoa Hao, Cao Dai, and Protestant groups, and some ethnic minority Protestants and Buddhists. Also, over the past year property disputes between the government and the Catholic Church in Hanoi led to detention, threats, harassment, and violence by contract thugs against peaceful prayer vigils and religious leaders."

There are disturbing reports from the northern highland of public officials forcing believers to renounce their faith and documented cases in the central highland of religious prisoners being taken. Elsewhere, violent actions against Catholics at Tam Toa, Bau Sen, Loan Ly, and against Buddhists at Bat Nha and Phuoc Hue seem to have increased in frequency and intensity.

More systematically, property seizure has been used as a means to control religious practice. Since the complete takeover of South Vietnam in 1975, the Communist government of Vietnam has seized many religious institutions and effectively banned their existence. A prime example is the complete property seizure of the Unified Buddhist Church of Vietnam in 1981, leading to its dissolution. The Unified Buddhist Church of Vietnam has been outlawed since, and its religious leaders have been constantly harassed. Other religions such as the Hoa Hao Buddhist and the Cao Dai have suffered a similar fate.

Almost as a rule, all land disputes against the Catholic Church in Vietnam result in violence. A great number of Catholic institutions in North Vietnam have been seized in the 1950s and in South Vietnam since the takeover in 1975.

□ 2020

Parishioners of Thai Ha Church in Hanoi were beaten by police and government thugs while attending a prayer vigil for the return of the church's properties. They also proceeded to desecrate or destroy religious symbols and properties. Those who were perceived to be leaders of these protests were arrested. This pattern of abuse has been repeated the last few years at parishes, including Dong Chiem and the St. Paul of Chartres Monastery in the Diocese of Vinh Long.

More recently, the government of Da Nang City ordered the Catholic town of Con Dau, among surrounding towns, to vacate their homes, farmlands, and their historic cemetery to make way for a high-end resort to be built by a joint venture with private companies.

When the people of Con Dau resisted the order, violence broke out during the funeral procession of a member of the parish. The police seized the casket and cremated the body of the deceased, against her last wish. Many members of the funeral procession were beaten, arrested, convicted and sentenced to prison on trumped-up charges. Others have fled the country and are seeking asylum. Mr. Nguyen Nam, a member of the funeral procession, was interrogated numerous times and died after severe beatings.

Mr. Speaker, does anyone in this distinguished Chamber doubt the need for us to take action? How can we as a Nation stand by idly while a government that we increasingly supported with improved ties over the past 15 years commits such atrocities against its own people?

As a Vietnamese American, I ask for the passage of House Resolution 20, calling on the State Department to list the Socialist Republic of Vietnam as a Country of Particular Concern.

Mr. FALEOMAVAEGA. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BURTON of Indiana. Mr. Speaker, I yield 5 minutes to one of the great advocates of human rights, not only in Vietnam but around the world, a leader on the Foreign Affairs Committee, the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding. I want to thank Mr. ROYCE for this very, very important and timely resolution, and both the chairman and ranking member, Chairman BERMAN and ILEANA ROS-LEHTINEN, for bringing this very, very important resolution to the floor as the session winds down.

Mr. Speaker, in early July, Nam Nguyen, this is Nam Nguyen right here, a Catholic from Con Dau, was

savagely beaten to death for his faith by the Vietnamese police. His brother, Tai Nguyen, testified at an August Tom Lantos Human Rights Commission hearing that police repeatedly kicked his brother in the chest and the back and on his temples. Of course, that means there are fewer marks on the face, but his body was riddled with punches and broken bones.

"Blood," he said, "poured out of his nose and ears." Tai said his brother told his wife he couldn't handle the beatings anymore. The wife, seeing her husband's broken body, knelt in front of the police and begged them to stop. In response, they punched and kicked him again and again and again, and Nam Nguyen died in his wife's arms, this man right here.

What was Nam Nguyen's alleged crime? His faith in Jesus Christ and his devotion to his Catholic parish. The entire Catholic community and its property in Con Dau, you see, is in the process of being confiscated or stolen by the Vietnamese authorities. The faithful are a ripe target for the atheistic Government of Vietnam. The proximate cause for the crackdown and unspeakable violence was the May 4 funeral of an elderly woman and an attempt to bury her in the town's Catholic cemetery.

Nam Nguyen was a pallbearer when the police busted up the funeral procession of over 1,000 people, beating over 100 mourners, arresting dozens, and deliberately beating two pregnant women so as to kill their unborn babies. They even tried to take the casket. The reign of terror on this 85-year-old Catholic community continues to this day. At least two remain in prison, and the persecution shows no sign of abating.

What happened in Con Dau isn't an isolated incident. According to the U.S. Commission on International Religious Freedom, its annual 2010 report, "Property disputes between the government and the Catholic Church continue to lead to harassment, property destruction and violence, sometimes by contract thugs hired by the government to break up peaceful prayer vigils." Now we know that includes funerals as well. Other faith communities have seen a significant spike in harassment, persecution, confiscation, and violence as well.

Mr. Speaker, in 2005, I led a human rights mission to Hanoi, Hue and Ho Chi Minh City. I met with almost 60 pastors, priests and leading Buddhists, including the Venerable Thich Quang Do, who was under pagoda arrest. All expressed hope and varying degrees of optimism due to an apparent easing of religious persecution in Vietnam.

U.S. Ambassador at Large for International Religious Freedom John Hanford told us that there were promises of further reform made and what he called "deliverables," concrete actions by the Vietnamese Government that it said it would do in the area of religious freedom, coupled with a trade agreement, and all of that led to the lifting

of the Country of Particular Concern, or CPC, designation.

Do you know what happened then? Hanoi responded with a massive retaliation against both political and religious believers. Signers of Bloc 8406, the magnificent human rights manifesto promoting respect for the rule of law and nonviolence, a manifesto that parallels China's Charter 08 and Czechoslovakia's Charter 77, were hunted down methodically and imprisoned. Many religious believers who expected a thaw and reform and openness were arrested and in some cases rearrested and sent to prison.

Father Ly, this man here, is a Catholic priest and a prisoner of conscience for 17 years in jail, a man who committed no crimes. I met Father Ly when he was under house arrest in Hue. He was rearrested in 2007, held in confinement and denied emergency medical attention. So bad is he that even the Vietnamese let him out under kind of a humanitarian parole, but he is still under arrest.

Look at this picture of him taken at trial. Look at the animosity in the eyes of these guards. And when they get behind closed doors, Mr. Speaker, they beat and they break bones and they break heads, and it leads to death or permanent maiming.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURTON of Indiana. I yield the gentleman an additional 1 minute.

Mr. SMITH of New Jersey. Did CPC designation help mitigate religious persecution prior to being lifted? It appears so. The U.S. Commission on Religious Freedom notes that Hanoi released prisoners, it expanded some legal protections for nationally recognized groups, and prohibited the policy of forced renunciations, at least in some cases, and expanded the zone of toleration.

Congress, the President, and all of us who espouse fundamental human rights ought to be outraged at Vietnam's turn for the worse. We should stand with the oppressed, and not the oppressors. President Obama should redesignate Vietnam a Country of Particular Concern for its egregious violations of human rights. CPC, independently prescribed by statute, the International Religious Freedom Act, has in the past and can again be a very, very useful tool in promoting religious liberty.

Mr. FALEOMAVAEGA. I yield myself such time as I may consume.

Mr. Speaker, I want to thank my good friend, the gentleman from Indiana, for our co-management of this important legislation, and thank my colleagues, Mr. ROYCE and Mr. CAO and my good friend Mr. SMITH, for their most eloquent statements concerning this proposed resolution.

I have no doubt in my mind in terms of the concerns that have been expressed by my colleagues, as well as the substance of this proposed resolution; but I do have some concerns. While I fully understand the concerns

reflected in the resolution, which was introduced almost 2 years ago, it is based on what I believe is information that somewhat did not indicate the progress that Vietnam has made over the recent years.

□ 2030

I think if we look at the statement that was made by our current Ambassador to Vietnam, U.S. Ambassador to Vietnam, Mr. Michael Michalak, in his speech that he gave before the Human Rights Day Event at the U.S. Embassy and the American Center of Vietnam just this month, a couple of weeks ago, "Another area where over the past 3 years I have seen strong improvements is religious freedoms where individuals are now largely free to practice their deeply felt convictions. Pagodas, churches, temples, and mosques throughout Vietnam are full. Improvements include increased religious participation, large-scale religious gatherings—some with more than 100,000 participants, growing numbers of registered and recognized religious organizations, increasing number of new churches and pagodas, and bigger involvement of religious groups in charitable activities. President Nguyen Minh Triet also met with Pope Benedict XVI at the Vatican, and Vietnam and the Holy See agreed to a Vatican appointment of a nonresident representative for Vietnam as a first step towards the establishment of full diplomatic relations."

Ambassador Michalak first said, "However, some significant problems remain, including occasional harassment and excessive use of force by local government officials against religious groups in some outlying locations. Specifically, there were several problematic high-profile incidents over the past year, including where the authorities used excessive force against Catholic parishioners in land disputes outside of Hanoi at Dong Chiem parish and outside of Da Nang at Con Dau parish. These incidents called into question Vietnam's commitment to the rule of law and hurt Vietnam's otherwise positive image on religious freedom. Registration of protestant congregations also remains slow and cumbersome in some areas of the country, particularly in the Northwest Highlands."

Even so, the U.S. Department of State has not found that these incidents rise to the level of listing Vietnam as a country of particular concern, and I am confident that while recognizing and understanding the concerns reflected by the resolution and the testimony of my colleagues, the State Department will make a determination on CPC designation in keeping with the statutory requirements of the International Religious Freedom Act rather than in some responsive consideration in terms of what we are trying to do here this evening.

Despite isolated incidents which all of us oppose, Vietnam is a multireli-

gious country with all major religions present, including Buddhism, Christianity, Protestantism, and Islam. Vietnam boasts the second largest Christian population in Southeast Asia. Vietnam has approximately 22.3 million religious followers, accounting for one-fifth of the population, and over 25,000 religious worship establishments.

According to the Vietnamese Government, so far the government has recognized 15 new religious organizations, including seven Protestant denominations, making the total of recognized religions 32. The state has assisted in the publication of the Bible in four ethnic minority languages, including Bana, Ede, Giarai, and H'Mong, and facilitated the construction and reconstruction of over 150 religious establishments.

Vietnam has four Buddhist Academies, 32 Buddhist schools, hundreds of classes on Buddhism, six grand seminaries, and one Protestant seminary. 1,177 religious leaders are actively participating in social management.

The Vietnam Episcopal Council officials attended the ad limina at the Vatican. Thousands of Catholic followers in Vietnam joined a range of activities to celebrate the 2010 Jubilee Year, including 300 years of the presence of Catholicism and 50 years of the establishment of Catholic hierarchy in the country. In June, Vietnam and the Vatican agreed to promote the process of establishing diplomatic relations, and the Pope agreed to appoint a nonresident representative of the Holy See for Vietnam.

The training and education of religious dignitaries and priests have been maintained and expanded. Throughout the country, there are around 17,000 seminarians, and Buddhist monks and nuns are enrolled in religious training courses. Vietnam has four Buddhist academies, of which the scale and training quality are being raised. Thousands of Buddhist nuns and monks also gathered for the great Buddhist Festival that marks the 1000th anniversary of the Thang Long-Hanoi from July 27 to August 2, and Vietnam is actively preparing for the Summit of World Buddhism at the end of this year.

In February of last year, the improvement of religious freedom in Vietnam was acknowledged by the Vatican Under Secretary of State, Monsignor Pietro Parolin, the Pope's Envoy, during his visit to Vietnam more than a month after House Resolution 20 was drafted and introduced. While I am no expert on Catholic relations with the Vietnamese Government, I do believe we should seriously consider Monsignor Parolin's views, since he is in a better position to speak for and on behalf of the Catholic Church, in my humble opinion.

For example, it is my understanding that some of the claims, again, of my friends of the resolution about the Catholic Church stem from land disputes and not necessarily religious disputes at all. Regardless, the Catholic

Church is moving forward in establishing better relations with Vietnam.

If one were to single out the U.S. Government's mishandling of the Waco siege in 1993, we might find ourselves at the receiving end of this resolution if other countries had chosen to take us to task when the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives failed to execute a search warrant at the Branch Davidian Ranch in Mount Carmel, located 9 miles east-northeast of Waco, Texas, at which time the siege was initiated by the Federal Bureau of Investigation, which ended 50 days later with the death of 76 people, including more than 20 children.

This said, Mr. Speaker, Vietnam recognizes that it has work to do, and Vietnam is trying to improve its record on all fronts.

Last month, I was in Hanoi, where I met with His Excellency Mr. Nguyen Van Son, chairman of the Foreign Affairs Committee, National Assembly of the Socialist Republic of Vietnam, and His Excellency Mr. Ngo Quang Xuan, vice-chairman of the Foreign Affairs Committee of the National Assembly of the Socialist Republic of Vietnam. We had serious discussions about religious freedom, and I can assure my colleagues that there is a strong commitment on the part of the Vietnamese Government to respect and facilitate religious freedom, and the central government is working with the local government to bring about this change.

Having visited Vietnam five times, Mr. Speaker, during my tenure as chairman of this subcommittee, I have also personally worshipped in Catholic parishes with local Vietnamese and, in the case of my own church, I can verify that the Government of Vietnam has been very supportive of the LDS Church as it seeks to establish official recognition in accordance with the laws of that country.

As a member of the LDS Church, I am always reluctant to oppose any resolution dealing with religious freedom because the Church of Jesus Christ of Latter-Day Saints is the only religion, Mr. Speaker, the only church in the United States against which an extermination order was issued sanctioning mass removal or extermination against American citizens. The extermination order was a military order signed by then Missouri Governor Lilburn W. Boggs on October 27, 1838, directing that the Mormons be driven from the State or be exterminated.

On June 25, 1976, after some 138 years, Governor CHRISTOPHER BOND, who is now a U.S. Senator, issued an executive order rescinding the extermination order, recognizing its legal invalidity and formally apologizing on behalf of the people of the State of Missouri for the suffering it had caused the Latter-Day Saints. I thank Senator BOND for this.

Knowing the history of the LDS Church and the short-term and long-term consequences that the forced

exile of over 10,000 Latter-Day Saints—all United States citizens—had on those before and yet to come, I am firmly rooted in the belief that each of us should be allowed to claim the privilege of worshipping Almighty God according to the dictates of our own conscience, and allow all men the same privilege. Let them worship how, where, or what they may.

So while I agree in principle in speaking up for religious freedom, Mr. Speaker, and I do with utmost respect, my colleagues and those who worked so hard in bringing this resolution to the floor—this year we are celebrating 15 years of diplomatic relations with Vietnam. As one who served during the Vietnam War at the height of the Tet Offensive, I know we have come a long way, and I sincerely hope that we ought to continue making this a better effort to establish good relations with this country.

On the matter of human rights, I hope we will also consider that the U.S. cannot assume, Mr. Speaker, the moral high ground when it comes to Vietnam.

□ 2040

What I mean by this is, from 1961 to 1971, the United States Government's military sprayed more than 11 million gallons of Agent Orange in Vietnam, subjecting millions of innocent civilians to dioxin, which is a toxin known to be one of the deadliest chemicals ever made by man. Despite the suffering that has occurred ever since, there seems to be no real interest on the part of our government to clean up the mess that we left behind.

I believe we can and should do better. For this reason, Mr. Speaker, I reluctantly oppose the resolution.

I reserve the balance of my time.

Mr. BURTON of Indiana. May I inquire of the Chair how much time we have on each side.

The SPEAKER pro tempore. The gentleman from Indiana has 3 minutes remaining. The gentleman from American Samoa has 5½ minutes remaining.

Mr. BURTON of Indiana. At this time, I yield 1 additional minute to my colleague from California (Mr. ROYCE).

Mr. ROYCE. I thank the gentleman for yielding.

Mr. Speaker, the U.S. Commission on International Religious Freedom has one job, and that is to monitor religious freedom around the world. The conclusion they have come to is that the situation is so egregious in Vietnam today that that government needs to be put back on the Country of Particular Concern list now.

What they cite as the reason, as the rationale, is that, over the past 2 years, those speaking out against restrictions on religious freedom and human rights continue to be arrested; they continue to be detained. Over the past year, they have said violence by contract thugs against peaceful prayer vigils and religious leaders continues. As a matter of fact, they cite it is accelerating.

We are not talking about deaths that occurred in 1838 right now. My col-

leagues and I are talking about what happened 2 months ago in terms of people losing their lives in Vietnam because they are speaking out for religious freedom.

Lastly, in terms of what was shared with me by the Venerable Thich Quang Do, he said, They are not allowing us to practice our Buddhist faith. The Communist government is trying to change the faith. That is why we are speaking out.

Mr. FALEOMAVAEGA. I yield myself such time as I may consume.

Mr. Speaker, I just want to say for the record and to make absolutely clear that in no way do I have any disagreements with the concerns and the statements made by my colleagues and of their honest opinions and assessments as to the situation of religious freedom in Vietnam.

I have no further requests for time, and I reserve the balance of my time.

Mr. BURTON of Indiana. May I make an inquiry of my colleague, Mr. Speaker.

Do you have any time you would like to yield to our side?

Mr. FALEOMAVAEGA. In the spirit of democracy and bipartisanship, I would glad to yield 1 minute to my colleague from Indiana.

Mr. BURTON of Indiana. I thank the gentleman for yielding. I will let Mr. SMITH of New Jersey take that 1 minute and I thank him for his generosity.

Mr. SMITH of New Jersey. I thank my friend for yielding.

Mr. Speaker, worldwide, Communist dictatorships either crush or seek to control religious organizations. I have seen this in my 30 years as a Member of Congress.

I remember in the early 1980s how the Romanian apologists, as MSM was coming up for renewal every year, would rush over and meet with Members of Congress. They would have very slick talking points about the number of churches and about the number of believers in Romania. All the while, people were suffering in the prisons, or the gulags, people who happened to be pastors or believers; and it was all part of a disinformation campaign.

I would say to my colleagues that Vietnam uses the exact same tactic. They will give you numbers. They will give you some fact sheets; but if you are a believer who is not under the control of that dictatorship and if you happen to be part of the Unified Buddhist Church, like the Venerable Thich Quang Do, and not the church or the unified or the Buddhist temples that are under the control of the government, watch out. They will be knocking on your door. You will either be under pagoda arrest or find yourself in prison. The same goes for the monsignors and the others who are evangelicals who are finding themselves being severely repressed in Vietnam.

Members really have to back this resolution.

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

Mr. BURTON of Indiana. As I understand it, Mr. Speaker, I have 2 minutes remaining.

The SPEAKER pro tempore. That is correct.

Mr. BURTON of Indiana. I am happy to yield 1 minute to my good friend from Louisiana (Mr. CAO).

Mr. CAO. Thank you very much.

In this recent trip to Vietnam that I made with Chairman FALEOMAVAEGA, I happened to visit my sister in the outskirts of Saigon. I was there for about 15 minutes. As soon as I left, guess who showed up? The police. The police showed up and interrogated my brother-in-law. They asked him why we were there, how many people were there, what did we talk about.

Now, if they were to do that to a family member of a U.S. Congressman, what would they do to the normal Vietnamese citizen in Vietnam?

There are no protections whatsoever. There is a difference between practicing your religion and practicing your faith. In practicing religion, you can go in there and pray, which is good; but practicing faith is when you have to advocate for people's rights to worship, for people's rights to defend their families, to defend their property, and to defend their faiths and their views. In that regard, the Vietnamese Government has been lacking in every aspect.

Mr. FALEOMAVAEGA. I yield myself such time as I may consume.

Mr. Speaker, I want to compliment and thank my colleague from Louisiana. In fact, it was a high privilege and honor for me to be part of our congressional delegation that visited Vietnam.

There were some very serious issues about even allowing my colleague from Louisiana to come with us because, as we all know, this government is not a democracy. It is still a Communist country, controlled by a party structure very different from ours.

What I did insist on of the officials of the Vietnamese Government was that, if my friend Congressman CAO was not going to come with me, then I wasn't going to go to Vietnam, and they did accede to our request. I think it was a real educational experience, even for the Vietnamese officials, to see that my good friend Congressman CAO was not a bad guy after all. I tried to stress the fact that, although we may belong to two separate political parties with different beliefs and understandings, it doesn't mean that we shouldn't continue to be friends.

In the aftermath of our visit to Vietnam, more than anything, I would say that the officials of the Vietnamese Government were very impressed by my good friend Congressman CAO—the first Vietnamese American ever elected to this sacred body, as a Member of this great institution. I am very proud as a fellow American to tell the 90-some million Vietnamese people out

there that this is what America is all about, that only in America is someone of Congressman CAO's caliber able to be elected as a Member of this body.

With that, I want to say that I am very, very happy to see him, and I wish him all the best in his future endeavors.

I reserve the balance of my time.

Mr. BURTON of Indiana. Mr. Speaker, in closing, I would just like to say that I think it has been proven conclusively by my colleagues here speaking tonight that Christians, Buddhists and Catholics have been prodded with electric prods; they have been beaten; they have been gagged; and they have been mistreated.

There is a very strong concern among many of us in Congress that the CPC designation should be reimposed. If the State Department says that Hanoi in Vietnam has turned a corner, the corner that it has turned is down a very dark alley, and we need to enlighten that to let the Vietnamese people know that we stand with them for religious freedom.

I rise in vigorous support of this resolution which reiterates the call of the United States Commission on International Religious Freedom that Vietnam be re-designated as a Country of Particular Concern, CPC.

The State Department, when it lifted the CPC designation for Vietnam, largely for commercial reasons, stated that Hanoi had "turned a corner."

Well, as the facts listed in this resolution amply demonstrate, a corner was indeed turned when it comes to religious freedom in Vietnam and we then ended up in a grim, dark alley.

This is the dark alley where the Vietnamese regime's security officers gagged prominent advocate for religious freedom Father Ly (LEE) during his trial, a mere four months after the State Department claimed Vietnam had supposedly turned a corner.

This is the dark alley from which agents sprang to detain a Norwegian citizen outside a Buddhist monastery where she had gone to present a prestigious human rights award.

This is the dark alley of the Communist regime in Vietnam where guests of a Congressional delegation, invited by the United States Ambassador to discuss human rights and religious freedom, were blocked from entering his residence by armed Vietnamese police.

This is the dark alley where Protestants have been beaten and Buddhist monks have been harassed and detained.

This is the dark alley where members of a Catholic funeral procession last spring were beaten with batons and tortured with electric rods.

Can the State Department continue to credibly claim that the Vietnamese regime has turned a corner on religious freedom and is on a positive trend?

If so, would State Department diplomats be willing to walk the walk with Vietnamese monks and priests around that corner to confront what lurks in the shadows beyond?

The facts more than justify Vietnam's re-designation as a country of particular concern with regard to religious freedom.

The Vietnamese regime must be held accountable for its fundamental violations of religious rights.

The Vietnamese people need to know that the U.S. stands with them and unequivocally supports and defends their right to exercise their religious freedoms unimpeded.

This resolution is long overdue.

I urge my colleagues to offer their vigorous support.

Mr. FALEOMAVAEGA. Mr. Speaker, with reluctance, I rise today in opposition to H. Res. 20, calling on the State Department to list the Socialist Republic of Vietnam as a "Country of Particular Concern" with respect to religious freedom.

While I fully understand the concerns reflected in H. Res. 20, this Resolution, which was introduced almost two years ago on January 6, 2009, is based on out-dated information that is not representative of Vietnam's progress.

Also, a nearly identical provision, which was also flawed, already passed the House as part of H.R. 2410, the Foreign Relations Authorization Act, which begs the question—why are we doing this again?

The passage of resolutions has real-world consequences and impacts our relations with other countries. At a minimum, we should give thoughtful consideration to best ways forward and channel resolutions through the subcommittees of jurisdiction so that agreements on language can be reached before we take up these measures on the House floor.

Regrettably, this was not the case with this resolution. The Subcommittee on Asia, the Pacific and the Global Environment, which has broad jurisdiction for U.S. policy affecting the region, was bypassed for the sake of maintaining a 2–1 ratio of majority to minority suspensions, and our own U.S. Ambassador to Vietnam, the Honorable Michael W. Michalak, was not consulted. While I realize that we represent separate branches of government, I believe Ambassador Michalak is in a better position than any of us to know where Vietnam stands in its progress regarding religious freedom.

Ambassador Michalak, in his remarks at the Human Rights Day Event held at the U.S. Embassy and American Center in Vietnam on December 9, 2010, stated:

Another area where over the past three years I have seen strong improvements is religious freedom where individuals are now largely free to practice their deeply felt convictions. Pagodas, churches, temples and mosques throughout Vietnam are full. Improvements include increased religious participation, large-scale religious gatherings—some with more than 100,000 participants, growing numbers of registered and recognized religious organizations, increasing number of new churches and pagodas, and bigger involvement of religious groups in charitable activities. President Nguyen Minh Triet also met with Pope Benedict XVI at the Vatican, and Vietnam and the Holy See agreed to a Vatican appointment of a non-resident Representative for Vietnam as a first step toward the establishment of full diplomatic relations.

Ambassador Michalak also expressed some concerns, which I also share. He stated:

However, some significant problems remain including occasional harassment and excessive use of force by local government officials against religious groups in some outlying locations. Specifically, there were several problematic high-profile incidents over the past year including where the authorities used excessive force against Catholic parishioners in land disputes outside of

Hanoi at Dong Chiem parish and outside of Danang at Con Dau parish. These incidents call into question Vietnam's commitment to the rule of law and hurt Vietnam's otherwise positive image on religious freedom. Registration of Protestant congregations also remains slow and cumbersome in some areas of the country, particularly in the Northwest Highlands.

Even so, the U.S. Department of State has not found that these incidents rise to the level of listing Vietnam as Country of Particular Concern and I am confident that while recognizing and understanding the concerns reflected in the Resolution, the State Department will make a determination on CPC designation in keeping with the statutory requirements of the International Religious Freedom Act rather than in response to consideration, or passage, of this Resolution by the U.S. House of Representatives.

Despite isolated incidents which all of us oppose, Vietnam is a multi-religion country with all major religions present including Buddhism, Christianity, Protestantism and Islam. Vietnam boasts the second largest Christian population in Southeast Asia. Vietnam has approximately 22.3 million religious followers, accounting for one fifth of the population and over 25,000 religious worship establishments.

According to Vietnam, so far the government has recognized 15 new religious organizations including 7 Protestant denominations, making the total of recognized religions 32. The State has assisted the publication of the Bible in 4 ethnic minority languages including Bana, Ede, Giarai and H'Mong, and facilitated the construction and reconstruction of over 1,500 religious establishments.

Vietnam has 4 Buddhist Academies, 32 Buddhist schools, hundreds of classes on Buddhism, 6 grand seminaries and one Protectionist Seminary. 1,177 religious leaders are actively participating in social management.

Vietnam Episcopal Council officials attended Ad-Limina at the Vatican. Thousands of Catholic followers in Vietnam joined a range of activities to celebrate the 2010 Jubilee Year including 300 years of the presence of Catholicism and 50 years of the establishment of Catholic hierarchy in the country. In June, Vietnam and the Vatican agreed to promote the process of establishing diplomatic relations and the Pope agreed to appoint a "non-resident representative" of the Holy See for Vietnam.

The training and education of religious dignitaries and priests have been maintained and expanded. Throughout the country, there are around 17,000 seminarians and Buddhist monks and nuns are enrolled in religious training courses. The Vietnam Buddhist has 4 Buddhist Academies, of which the scale and training quality are being raised.

Thousands of Buddhist nuns and monks also gathered for the Great Buddhist Festival to mark the 1000th anniversary of Thang Long-Hanoi from July 27 to August 2, and Vietnam is actively preparing for the Summit of World Buddhism at the end of the year 2010.

In February 2009, the improvement of religious freedom in Vietnam was acknowledged by Vatican Undersecretary of State Monsignor Pietro Parolin, the Pope's Envoy, during his visit to Vietnam, more than a month after H. Res. 20 was drafted and introduced. While I am no expert on Catholic relations with the Vi-

etnamese government, I do believe we should seriously consider Monsignor Parolin's views since he is better positioned to speak for and on behalf of the Catholic Church rather than Members of Congress whose information from third parties may be distorted. For example, it is my understanding that some of the claims laid out in H. Res. 20 about the Catholic Church stem from land disputes and not religious disputes at all.

Regardless, the Catholic Church is moving forward in establishing better relations with Vietnam, as are the Buddhists, although H. Res. 20 also mischaracterizes Vietnam's relationship with the Buddhists by singling out isolated incidents. If one were to single out the U.S. government's mishandling of the Waco Siege in 1993, we might find ourselves at the receiving end of a resolution like H. Res. 20 if other countries had chosen to take us to task when the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) failed to execute a search warrant at the Branch Davidian ranch at Mount Carmel, located nine miles east-northeast of Waco, Texas, at which time a siege was initiated by the Federal Bureau of Investigation which ended 50 days later with the death of 76 people, including more than 20 children.

This said, Vietnam recognizes it has work to do, and Vietnam is trying to improve its record on all fronts. Last month, I was in Hanoi where I met with H.E. Mr. Nguyen Van Son, Chairman of the Foreign Affairs Committee, National Assembly of the Socialist Republic of Viet Nam, and H.E. Mr. Ngo Quang Xuan, Vice-Chairman of the Foreign Affairs Committee, National Assembly of the Socialist Republic of Viet Nam. We had serious discussions about religious freedom and I can assure my colleagues that there is a strong commitment on the part of the Vietnamese Government to respect and facilitate religious freedom, and the central government is working with the local government to bring about change.

Having visited Vietnam five times during my tenure as Chairman of the Subcommittee on Asia, the Pacific and the Global Environment, I have also personally worshipped in parishes with local Vietnamese and, in the case of my own Church, I can verify that the Government of Viet Nam has been very supportive of efforts of The Church of Jesus Christ of Latter-day Saints as it seeks to establish official recognition in accordance with the laws of the land.

As a Member of The Church of Jesus-Christ of Latter-day Saints (LDS), I am always reluctant to oppose any resolution dealing with religious freedom because The Church of Jesus Christ of Latter-day Saints is the only religion in the United States against which an Extermination Order was issued sanctioning mass removal or death against American citizens. The Extermination Order was a military order signed by Missouri Governor Lilburn W. Boggs on October 27, 1838 directing that the Mormons be driven from the state or exterminated.

On June 25, 1976, after some 138 years, Governor CHRISTOPHER S. BOND, who is now a U.S. Senator, issued an executive order rescinding the Extermination Order, recognizing its legal invalidity and formally apologizing on behalf of the state of Missouri for the suffering it had caused the Latter-day Saints, and I thank Senator BOND for this.

Knowing the history of the LDS Church and the short-term and long-term consequences this forced exile of over 10,000 Latter-day Saints had on those before and yet to come, I am firmly rooted in the belief that each of us should be allowed to claim the privilege of worshipping Almighty God according to the dictates of our own conscience, and allow all men the same privilege, let them worship how, where, or what they may.

So, while I agree in principle with speaking up for religious freedom and respect my colleagues who authored, co-sponsored, and who will vote in favor of this resolution, in the case of H. Res. 20, I must oppose. This year, the U.S. celebrated 15 years of diplomatic relations with Vietnam. As one who served during the Vietnam War at the height of the Tet Offensive, I know we've come a long way and that resolutions like this don't serve to move us forward but may have the opposite effect when we fail to acknowledge sincere and measurable progress.

On the matter of human rights, I hope we will also consider that the U.S. cannot assume the moral high ground when it comes to Vietnam. From 1961 to 1971, the U.S. sprayed more than 11 million gallons of Agent Orange in Vietnam, subjecting millions of innocent civilians to dioxin—a toxin known to be one of the deadliest chemicals made by man. Despite the suffering that has occurred ever since, there seems to be no real interest on the part of the U.S. to clean up the mess we left behind. Instead, we spend our time offering up resolutions like this which fail to make anything right. I believe we can and should do better and this is why I oppose H. Res. 20.

Mr. BURTON of Indiana. I yield back the balance of my time.

Mr. FALEOMAVAEGA. I thank the gentleman from Indiana and, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 20, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FALEOMAVAEGA. 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. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

□ 2050

APPROVING REGULATIONS TO IMPLEMENT VETERANS EMPLOYMENT OPPORTUNITIES

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1757) providing for the approval of final regulations issued by the Office of Compliance to implement the Veterans Employment Opportunities Act of 1998