

impact of Federal regulations on manufacturing and job creation.

This legislation appropriately gives the Manufacturing Board the flexibility it needs to do its job efficiently and expeditiously. The Board is not required to reinvent the wheel and re-study every single subject already examined by other government agencies and nongovernmental bodies, but the Board is specifically directed to consult with other Federal entities to avoid duplication of efforts. In the end, the Board will develop and publish for public comment a draft manufacturing strategy based on its analysis and any other information the Board determines is appropriate. This strategy will include both short-term and long-term goals for improving competitiveness of U.S. manufacturing, as well as recommendations for action.

Mr. Speaker, considering the importance of manufacturing in the American economy and to the future of our Nation, I strongly urge the adoption of H.R. 5865, the American Manufacturing Competitiveness Act, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LONG). The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 5865, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

VIETNAM HUMAN RIGHTS ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1410) to promote freedom and democracy in Vietnam, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1410

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Vietnam Human Rights Act of 2012”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purpose.
- Sec. 3. Prohibition on increased nonhumanitarian assistance to the Government of Vietnam.
- Sec. 4. United States public diplomacy.
- Sec. 5. Annual report.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially since the end of the trade embargo in 1994, with annual trade be-

tween the two countries reaching over \$20,000,000,000 in 2011.

(2) The Government of Vietnam's transition toward greater economic freedom and trade has not been matched by greater political freedom and substantial improvements in basic human rights for Vietnamese citizens, including freedom of religion, expression, association, and assembly.

(3) The United States Congress agreed to Vietnam becoming an official member of the World Trade Organization in 2006, amidst assurances that the Government of Vietnam was steadily improving its human rights record and would continue to do so.

(4) Vietnam remains a one-party state, ruled and controlled by the Communist Party of Vietnam (CPV), which continues to deny the right of citizens to change their Government.

(5) Although in recent years the National Assembly of Vietnam has played an increasingly active role as a forum for highlighting local concerns, corruption, and inefficiency, the National Assembly remains subject to the direction of the CPV and the CPV maintains control over the selection of candidates in national and local elections.

(6) The Government of Vietnam forbids public challenge to the legitimacy of the one-party state, restricts freedoms of opinion, the press, and association and tightly limits access to the Internet and telecommunications.

(7) Since Vietnam's accession to the WTO on January 11, 2007, the Government of Vietnam arbitrarily arrested and imprisoned numerous individuals for their peaceful advocacy of religious freedom, democracy, and human rights, including Father Nguyen Van Ly, human rights lawyers Nguyen Van Dai, Le Thi Cong Nhan, Cu Huy Ha Vu, and Le Cong Dinh, and bloggers Nguyen Van Hai and Phan Thanh Hai.

(8) The Government of Vietnam continues to detain, imprison, place under house arrest, convict, or otherwise restrict persons for the peaceful expression of dissenting political or religious views.

(9) The Government of Vietnam has also failed to improve labor rights, continues to arrest and harass labor leaders, and restricts the right to organize independently.

(10) The Government of Vietnam continues to limit the freedom of religion, restrict the operations of independent religious organizations, and persecute believers whose religious activities the Government regards as a potential threat to its monopoly on power.

(11) Despite reported progress in church openings and legal registrations of religious venues, the Government of Vietnam has halted most positive actions since the Department of State lifted the “country of particular concern” (CPC) designation for Vietnam in November 2006.

(12) Unregistered ethnic minority Protestant congregations, particularly Montagnards in the Central and Northwest Highlands, suffer severe abuses because of actions by the Government of Vietnam, which have included forced renunciations of faith, arrest and harassment, the withholding of social programs provided for the general population, confiscation and destruction of property, subjection to severe beatings, and reported deaths.

(13) There has been a pattern of violent responses by the Government to peaceful prayer vigils and demonstrations by Catholics for the return of Government-confiscated church properties. Protesters have been harassed, beaten, and detained and church properties have been destroyed. Catholics also continue to face some restrictions on selection of clergy, the establishment of seminaries and seminary candidates, and individual cases of travel and church registration.

(14) In May 2010 the village of Con Dau, a Catholic parish in Da Nang, faced escalated violence during a funeral procession as police attempted to prohibit a religious burial in the village cemetery; more than 100 villagers were injured, 62 were arrested, five were tortured, and at least three died.

(15) The Unified Buddhist Church of Vietnam (UBCV) suffers persecution as the Government of Vietnam continues to restrict contacts and movement of senior UBCV clergy for refusing to join the state-sponsored Buddhist organization, the Government restricts expression and assembly, and the Government continues to harass and threaten UBCV monks, nuns, and youth leaders.

(16) The Government of Vietnam continues to suppress the activities of other religious adherents, including Cao Dai and Hoa Hao Buddhists who lack official recognition or have chosen not to affiliate with the state-sanctioned groups, including through the use of detention, imprisonment, and strict Government oversight.

(17) During Easter weekend in April 2004, thousands of Montagnards gathered to protest their treatment by the Government of Vietnam, including the confiscation of tribal lands and ongoing restrictions on religious activities. Credible reports indicate that the protests were met with violent response as many demonstrators were arrested, injured, or went into hiding, and that others were killed. Many of these Montagnards and others are still serving long sentences for their involvement in peaceful demonstrations in 2001, 2002, 2004, and 2008. Montagnards continue to face threats, detention, beatings, forced renunciation of faith, property destruction, restricted movement, and reported deaths at the hands of Government officials.

(18) Ethnic minority Hmong in the Northwest Highlands of Vietnam also suffer restrictions, abuses, and persecution by the Government of Vietnam, and although the Government is now allowing some Hmong Protestants to organize and conduct religious activities, some Government officials continue to deny or ignore additional applications for registration, and to persecute churches and believers who do not wish to affiliate with Government-controlled religious entities.

(19) In 2007, the Government of Vietnam arrested, beat, and defrocked several ethnic Khmer Buddhists in response to a peaceful religious protest. The Government continues to restrict Khmer Krom expression, assembly, association, and controls all religious organizations and prohibits most peaceful protests.

(20) The Government of Vietnam controls all print and electronic media, including access to the Internet, jams the signals of some foreign radio stations, including Radio Free Asia, and has detained and imprisoned individuals who have posted, published, sent, or otherwise distributed democracy-related materials.

(21) People arrested in Vietnam because of their political or religious affiliations and activities often are not accorded due legal process as they lack full access to lawyers of their choice, may experience closed trials, have often been detained for years without trial, and have been subjected to the use of torture to admit crimes they did not commit or to falsely denounce their own leaders.

(22) Vietnam continues to be a source country for the commercial sexual exploitation and forced labor of women and girls, as well as for men and women legally entering into international labor contracts who subsequently face conditions of debt bondage or forced labor, and is a destination country for child trafficking and continues to have internal human trafficking.

(23) Although the Government of Vietnam reports progress in combating human trafficking, it does not fully comply with the minimum standards for the elimination of trafficking, and is not making substantial efforts to comply.

(24) United States refugee resettlement programs, including the Humanitarian Resettlement (HR) Program, the Orderly Departure Program (ODP), Resettlement Opportunities for Vietnamese Returnees (ROVR) Program, general resettlement of boat people from refugee camps throughout Southeast Asia, the Amerasian Homecoming Act of 1988, and the Priority One Refugee resettlement category, have helped rescue Vietnamese nationals who have suffered persecution on account of their associations with the United States or, in many cases, because of such associations by their spouses, parents, or other family members, as well as other Vietnamese nationals who have been persecuted because of race, religion, nationality, political opinion, or membership in a particular social group.

(25) While previous programs have served their purposes well, a significant number of eligible refugees from Vietnam were unfairly denied or excluded, including Amerasians, in some cases by vindictive or corrupt Vietnamese officials who controlled access to the programs, and in others by United States personnel who imposed unduly restrictive interpretations of program criteria. In addition, the Government of Vietnam has denied passports to persons who the United States has found eligible for refugee admission.

(26) The Government of Vietnam holds tens of thousands of people in government-run drug detention centers and treats them as slave laborers.

(27) To date, over 60,000 people have signed a petition calling on the Administration to not expand trade with communist Vietnam at the expense of human rights.

(28) Congress has passed numerous resolutions condemning human rights abuses in Vietnam, indicating that although there has been an expansion of relations with the Government of Vietnam, it should not be construed as approval of the ongoing and serious violations of fundamental human rights in Vietnam.

(b) **PURPOSE.**—The purpose of this Act is to promote the development of freedom and democracy in Vietnam.

SEC. 3. PROHIBITION ON INCREASED NON-HUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIETNAM.

(a) ASSISTANCE.—

(1) **IN GENERAL.**—Except as provided in subsection (b), the Federal Government may not provide nonhumanitarian assistance to the Government of Vietnam during any fiscal year in an amount that exceeds the amount of such assistance provided during fiscal year 2011 unless—

(A) the Federal Government provides assistance, in addition to the assistance authorized under section 4, supporting the creation and facilitation of human rights training, civil society capacity building, non-commercial rule of law programming, and exchange programs between the Vietnamese National Assembly and the United States Congress at levels commensurate with, or exceeding, any increases in nonhumanitarian assistance to Vietnam;

(B) with respect to the limitation for fiscal year 2012, the President determines and certifies to Congress, not later than 30 days after the date of the enactment of this Act, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period ending on the date of the certification; and

(C) with respect to the limitation for subsequent fiscal years, the President deter-

mines and certifies to Congress, in the most recent annual report submitted pursuant to section 5, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period covered by the report.

(2) **REQUIREMENTS.**—The requirements of this paragraph are the following:

(A) The Government of Vietnam has made substantial progress toward releasing all political and religious prisoners from imprisonment, house arrest, and other forms of detention.

(B) The Government of Vietnam has made substantial progress toward—

(i) respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference, harassment, or involvement of the Government, for all of Vietnam's diverse religious communities; and

(ii) returning estates and properties confiscated from the churches and religious communities.

(C) The Government of Vietnam has made substantial progress toward respecting the right to freedom of expression, assembly, and association, including the release of independent journalists, bloggers, and democracy and labor activists.

(D) The Government of Vietnam has made substantial progress toward repealing or revising laws that criminalize peaceful dissent, independent media, unsanctioned religious activity, and nonviolent demonstrations and rallies, in accordance with international standards and treaties to which Vietnam is a party.

(E) The Government of Vietnam has made substantial progress toward allowing Vietnamese nationals free and open access to United States refugee programs.

(F) The Government of Vietnam has made substantial progress toward respecting the human rights of members of all ethnic and minority groups.

(G) Neither any official of the Government of Vietnam nor any agency or entity wholly or partly owned by the Government of Vietnam was complicit in a severe form of trafficking in persons, or the Government of Vietnam took all appropriate steps to end any such complicity and hold such official, agency, or entity fully accountable for its conduct.

(b) EXCEPTION.—

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

(2) **EXERCISE OF WAIVER AUTHORITY.**—The President may exercise the authority under paragraph (1) with respect to—

(A) all United States nonhumanitarian assistance to Vietnam; or

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

(c) DEFINITIONS.—In this section:

(1) **NONHUMANITARIAN ASSISTANCE.**—The term “nonhumanitarian assistance” means—

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

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

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

(iii) assistance for environmental remediation of dioxin-contaminated sites and related health activities;

(iv) assistance to combat severe forms of trafficking in persons;

(v) assistance to combat pandemic diseases;

(vi) assistance for refugees; and

(vii) assistance to combat HIV/AIDS, including any assistance under section 104A of that Act; and

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

(2) **SEVERE FORM OF TRAFFICKING IN PERSONS.**—The term “severe form of trafficking in persons” means any activity described in section 103(8) of the Trafficking Victims Protection Act of 2000 (Public Law 106 09386 (114 Stat. 1470); 22 U.S.C. 7102(8)).

(d) **EFFECTIVE DATE.**—This section shall take effect on the date of the enactment of this Act and shall apply with respect to the provision of nonhumanitarian assistance to the Government of Vietnam during fiscal year 2013 and subsequent fiscal years.

SEC. 4. UNITED STATES PUBLIC DIPLOMACY.

(a) **RADIO FREE ASIA TRANSMISSIONS TO VIETNAM.**—It is the sense of Congress that the United States should take measures to overcome the jamming of Radio Free Asia by the Government of Vietnam and that the Broadcasting Board of Governors should not cut staffing, funding, or broadcast hours for the Vietnamese language services of the Voice of America and Radio Free Asia, which shall be done without reducing any other broadcast language services.

(b) **UNITED STATES EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS WITH VIETNAM.**—It is the sense of Congress that any programs of educational and cultural exchange between the United States and Vietnam should actively promote progress toward freedom and democracy in Vietnam by providing opportunities to Vietnamese nationals from a wide range of occupations and perspectives to see freedom and democracy in action and, also, by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

SEC. 5. ANNUAL REPORT.

(a) **IN GENERAL.**—Not later than 6 months after the date of the enactment of this Act and every 12 months thereafter, the Secretary of State shall submit to the Congress a report on the following:

(1) The determination and certification of the President that the requirements of subparagraphs (A) through (G) of section 3(a)(2) have been met, if applicable.

(2) Steps taken to carry out section 3(a)(1)(A), if applicable.

(3) Efforts by the United States Government to promote access by the Vietnamese people to Radio Free Asia transmissions.

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

(5) Lists of persons believed to be imprisoned, detained, or placed under house arrest, tortured, or otherwise persecuted by the Government of Vietnam due to their pursuit of internationally recognized human rights. In compiling such lists, the Secretary shall exercise appropriate discretion, including concerns regarding the safety and security of, and benefit to, the persons who may be included on the lists and their families. In addition, the Secretary shall include a list of such persons and their families who may qualify for protections under United States refugee programs.

(6) A description of the development of the rule of law in Vietnam, including—

(A) progress toward the development of institutions of democratic governance;

(B) processes by which statutes, regulations, rules, and other legal acts of the Government of Vietnam are developed and become binding within Vietnam;

(C) the extent to which statutes, regulations, rules, administrative and judicial decisions, and other legal acts of the Government of Vietnam are published and are made accessible to the public;

(D) the extent to which administrative and judicial decisions are supported by statements of reasons that are based upon written statutes, regulations, rules, and other legal acts of the Government of Vietnam;

(E) the extent to which individuals are treated equally under the laws of Vietnam without regard to citizenship, race, religion, political opinion, or current or former associations;

(F) the extent to which administrative and judicial decisions are independent of political pressure or governmental interference and are reviewed by entities of appellate jurisdiction; and

(G) the extent to which laws in Vietnam are written and administered in ways that are consistent with international human rights standards, including the requirements of the International Covenant on Civil and Political Rights.

(b) **CONTACTS WITH OTHER ORGANIZATIONS.**—In preparing the report under subsection (a), the Secretary shall, as appropriate, seek out and maintain contacts with nongovernmental organizations and human rights advocates (including Vietnamese-Americans and human rights advocates in Vietnam), including receiving reports and updates from such organizations and evaluating such reports. The Secretary shall also seek to consult with the United States Commission on International Religious Freedom for appropriate sections of the report.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous materials into the **RECORD** on this measure.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1410, the Vietnam Human Rights Act. The Socialist Republic of Vietnam remains a gross human rights violator even as its trade with the U.S. grows. The people of Vietnam continue to be oppressed by their Communist jailers, unable to change their government or enjoy any semblance of the rule of law. Indeed, the most recent elections of May 2011 were neither free nor fair. Much like those living under the ruthless Castro regime in my native Cuba, Vietnamese citizens are subject to brutal treatment from police, inhumane prison conditions, and denial of the right to a fair and speedy trial.

The judicial system is plagued by endemic corruption and inefficiency, and

the Communist government has increasingly limited privacy rights and freedoms of the press, speech, assembly, movement, and association. Freedom of religion is subject to interpretation by Communist authorities, with significant problems occurring at provincial and village levels.

Violence and discrimination against women, as well as trafficking in persons, continue to torment the population. The sexual exploitation of children, as well as hate crimes and discrimination based on ethnicity, sexual orientation, and HIV/AIDS status, all persist. As is the case with all Communist regimes, police often act with impunity. Cowardly hiding this egregious brutality from the civilized world, the Communist government prohibits independent human rights organizations from operating within its borders. All of this occurs while the U.S. continues to broaden trade with the Vietnamese dictators, completing a Trade and Investment Framework Agreement, or TIFA, in 2007.

We have increased our trade with Vietnam every year and have held a trade deficit with Vietnam every year since 1997. Mr. Speaker, that is not the message that we should send to these thugs. We should not reward this Communist dictatorship until the Government of Vietnam has made substantial progress respecting political freedoms, media freedoms, and religion freedoms.

Vietnam must also protect its minorities, give access to U.S. refugee programs, act to end trafficking in persons, and release its approximately 4,000 political prisoners.

I urge my colleagues to join me in showing our solidarity and support for the people of Vietnam by passing this important bill today.

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

Mr. BERMAN. Mr. Speaker, I rise in support of H.R. 1410, as amended, and I yield myself such time as I may consume.

I'd like to thank the sponsor of this legislation, Mr. SMITH of New Jersey, and the chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for their leadership on human rights and on this particular issue.

Despite Vietnam's transition to a more open economy, political and religious freedoms for the people of Vietnam remain severely curtailed. The bilateral relationship between Washington and Hanoi has deepened since diplomatic ties were established over 15 years ago, but lack of greater progress in protecting basic rights and civil liberties will limit closer cooperation in the future.

In a speech last year on the Obama administration's Asia policy, Secretary of State Hillary Clinton stated:

We have made it clear to Vietnam that if we are to develop a strategic partnership, as both nations desire, Vietnam must do more to respect and protect its citizens' rights.

The United States must use both diplomatic and economic leverage with

Vietnam to promote political openness and improve human rights.

□ 1800

This bill, the Vietnam Human Rights Act of 2011, takes an important step in the right direction by prohibiting an increase in nonhumanitarian assistance to Vietnam above fiscal year 2011 levels unless Hanoi makes significant progress on these critical issues. The bill makes it clear to Vietnam that the only factor limiting aid is positive action by the Vietnamese Government on political, human, and religious rights.

The Government of Vietnam has an important choice to make. Will it protect human rights and provide religious and political freedom to its citizens, or will it shirk these responsibilities and forsake the closer relationship that it wants with the United States?

I urge my colleagues to support this legislation, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm so pleased to yield 6 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights, who is the author of this important bill.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank the distinguished gentlelady, our good chairwoman, for her leadership on this important issue and so many human rights issues around the globe. Thank you, ILEANA ROS-LEHTINEN for again bringing to the floor a very important bill and series of bills, many of which are directed at human rights.

And to Mr. BERMAN, thank you for your kind comments and your strong support for this effort to try to bring freedom and hope to the people of Vietnam—who, while as you pointed out so rightly, have enjoyed some economic progress, regrettably, political rights, human rights, fundamental rights have gone in the opposite direction—and so thank you for that.

I want to thank the original cosponsors of the bill—Mr. ROYCE, Mr. WOLF, Ms. ZOE LOFGREN, and Ms. LORETTA SANCHEZ—for being original cosponsors of this legislation, and I hope the membership will roundly and soundly back its enactment or its passage today.

Mr. Speaker, many of us on both sides of the aisle have been trying for decades to help the Vietnamese people secure their fundamental human rights and their democratic institutions. From assisting the boat people in the 1970s and all of the human rights work that was done to help so many Vietnamese, individuals who were in reeducation camps and who were dealt with so severely by the dictatorship in Hanoi, Congress and the Presidents over the years have tried nobly to assist them, as have other human rights activists around the world.

As far back as 1996 I sponsored the Human Rights Restoration Act, PL 104-319, which included an important

provision directing the U.S. Information Agency to take steps to provide opportunities for human rights and democracy leaders of Vietnam to come here for educational and cultural exchange programs. We found that so often it was the communist leaders and their families and friends who were benefiting from these trips to the United States, not the people who were the best and the bravest and the brightest of Vietnam.

I visited Vietnam on several occasions, met with dissidents throughout the country in Quay, Ho Chi Minh City, as well as Hanoi; met with pastors—Catholic, Protestant, Evangelicals—and have met with, as some of my other colleagues have as well, the venerable Thich Quang Do, who's done a magnificent job speaking up for the Unified Buddhist Church of Vietnam, which has been outlawed by the dictatorship in Hanoi.

Regrettably, our efforts, and especially, those heroic efforts by the women and men in Vietnam itself, have not resulted in respect for fundamental human rights.

I would note, parenthetically, that Bloc 8406, a great group of individuals who signed on to this charter of human rights, one by one have been singled out after signing that charter, believing that an easing was taking place, signed on. It was just like Vaclav Havel's Charter 77 and many other great statements made by the East Bloc countries during the dictatorships of that era. Bloc 8406, that is to say, April 8, 2006, one by one those individuals have been hunted down, and many of them have found themselves in prison.

The Africa, Global Health, and Human Rights Subcommittee, which I chair, heard from witnesses at a hearing earlier this year that the Vietnamese Government remains an egregious violator of a broad array of human rights. Their testimony confirmed that religious, political, and ethnic persecution continue and in many cases is actually increasing, and that the Vietnamese officials are still laying out the welcome mat for forced labor and sex traffickers.

For example, we heard from Dr. Nguyen Dinh Thang, the executive director of Boat People SOS who had recently traveled to Thailand to investigate human rights trafficking violations and other violations in Vietnam. Dr. Thang testified that the Government of Vietnam has not investigated, let alone prosecuted, a single human trafficking violation by Vietnamese labor export companies, many of which are state owned. Instead, police have interrogated and threatened victims who have spoken out against this modern-day slavery.

Almost routinely, according to Dr. Thang—and his information comports with other information our subcommittee has received—the Vietnamese Government has sent its officials from Hanoi to trouble spots, in-

cluding American Samoa, Jordan, and Malaysia, in order to silence the victims, take sides with the traffickers, or to impede justice.

The subcommittee also heard testimony of a Vietnamese woman who courageously fought for her own rights and those of her coworkers when they were trafficked to Jordan with the complicity of the Vietnamese Government officials. In addition, our witnesses provided deeply disturbing photographs, evidence of torture, and showed a video of the Vietnamese military destroying an entire village of Hmong Christians.

It is imperative that the U.S. Government send an unequivocal message to the Vietnamese regime that it must end its human rights abuses against its own citizens.

I would note, Mr. Speaker, that negotiators of the Trans-Pacific Partnership, which includes Vietnam, are currently meeting in nearby Leesburg, Virginia. Within the next 2 years, or a year or 2, Congress will likely be asked to approve a free trade agreement between the U.S. and Vietnam as part of this initiative. I hope the administration is using those negotiations to strongly encourage the Vietnamese Government to finally, at long last, respect human rights.

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

Ms. ROS-LEHTINEN. I yield the gentleman an additional minute.

Mr. SMITH of New Jersey. I thank my colleague.

H.R. 1410 would institute effective measures toward improving human rights in Vietnam. As reported by our committee, the bill prohibits any increase in nonhumanitarian assistance to the Government of Vietnam above fiscal 2011 levels unless the government makes substantial progress in establishing freedom of religion, releasing political prisoners, respecting the rights of journalists, and the bill lays out a whole series of mutually reinforcing steps it must take and the people it must protect.

The bill does not prevent increased funding for the Vietnamese Government for certain humanitarian assistance—and I want to underscore that—such as food, medicine, agent orange remediation, and activities to combat human trafficking. The freeze on foreign assistance at 2010 levels can be waived if the President determines that increased nonhumanitarian aid to Vietnam would promote democracy and freedom or would otherwise be in the national interest.

Mr. Speaker, we've passed this bill twice in various forms before by huge majorities. It is time to pass it, and hopefully the Senate will take it up and get it to President Obama.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 5 minutes to the gentleman from California (Mr. ROYCE), the chairman of our Subcommittee on Terrorism, Nonproliferation, and Trade of our Committee on Foreign Affairs.

Mr. ROYCE. Mr. Speaker, I'm an original cosponsor of this bill, H.R. 1410. This is the Vietnam Human Rights Act. And I guess it's no surprise to a lot of us that have followed what has happened in Vietnam, it denies its citizens basic human rights.

But here's the problem: The conditions there with respect to abuse of rule of law are getting worse and worse.

It used to be that we would watch show trials in terms of the abridgement of rights of the citizens of Vietnam; now they don't even have the show trials. Now the government just places those dissidents in police detention, and they do it without alerting the family, without alerting anyone. And at that point, you just have to say the rule of law has become nonexistent.

We received a really stark reminder recently. Human rights dissident Nguyen Quoc Quan was arrested by Vietnamese officials. He had attempted to enter the country at Ho Chi Minh City's airport, and the charge that he was held on was terrorism. Terrorism was the original charge.

□ 1810

He didn't come to Vietnam equipped with guns or explosives. What's the terrorism charge? Well, he came to Vietnam to meet with other grassroots organizations committed to peaceful discussions on human rights inside the country. To the Vietnamese Communist Government, that's terrorism. That really says it all.

The case of Nguyen Quoc Quan is not an isolated case. His treatment there has become the rule, not the exception for those who are trying to push for some modicum of free speech or religious freedom, and so you have a whole slew of dissidents who are treated like this or even worse. When I say "worse," I want to give you another example.

It is that of Pastor Nguyen Cong Chinh, a pastor of an outlawed Menonite church. He was recently sentenced to 11 years in prison during a 1-day trial for "sowing division between the Communist government and its citizens." Now, this treatment is nothing new for this particular pastor. To date, he has been aggressively interrogated over 300 times. He has suffered dozens of beatings, and some of us have seen the photographs of the aftermath of some of those brutal beatings. He has been forcefully removed from his residence many times and has been thrown in jail.

That is why it is imperative, my friends, that we pass the Vietnam Human Rights Act. I think the important point here is that this kind of action can be an inspiration to the brave dissidents inside Vietnam who continue to be brutally repressed. Part of this is to provide for information from Radio Free Asia to better be able to broadcast into the country, to better be able to shed light on this kind of activity, to leverage for change, and to

bring objective news—to bring the truth—to be a surrogate-free radio station for the Vietnamese people. The spread of democratic values in Asia, frankly, is critical to our security interests as well.

I, myself, have met with some of the Vietnamese dissidents discussed here today, and I've been denounced by the Vietnamese Government for simply meeting with those whose only wish is the freedom to speak their minds. That tells me that the Vietnamese Government is sensitive to international criticism and that the United States must continue to speak out about this issue. I don't think silence is an option for us in the U.S.

In closing, I want to thank Chairwoman ROS-LEHTINEN for her focus on human rights. I want to thank the author here, CHRIS SMITH, for his efforts, and HOWARD BERMAN, Congressman from California, for his work on behalf of the Vietnamese people.

Mr. BERMAN. I am very pleased to yield 2 minutes to the gentlelady from California (Mrs. DAVIS).

Mrs. DAVIS of California. Thank you.

I rise today to express my strong support for H.R. 1410 and also for H. Res. 484. This bill and resolution really embody a great concern of many of my constituents at home as well as of Americans across this country.

As Americans, we often take for granted the rights and privileges that are guaranteed to each and every individual in this country. We can speak out at town halls, and we can protest in front of the Capitol steps. When all else fails, we can register our votes at the polls to make our voices heard. Those rights and privileges that we enjoy are being denied every single day to the people of Vietnam.

So, today, we vote on this bill and this resolution in order to send a clear message that these abuses will not be tolerated. We must make it clear that progress needs to be made on these issues before we can move forward on other issues that are important to both of our countries, including the issue of trade. Our efforts are aimed at bringing about a brighter future in Vietnam where citizens are not in prison for the songs they write and where individuals are not arrested for carrying books on nonviolent resistance. It's sad, but these remain to be the facts of life for the people of Vietnam. In the words of one of my constituents, We can make a difference if we come together.

Let's start by voting "yes" on H.R. 1410 and also on the resolution that we will next be talking about, H. Res. 484.

Ms. ROS-LEHTINEN. I would like to ask Mr. BERMAN if he has any other requests for time.

Mr. BERMAN. I have no further requests for time. If the gentlelady is prepared to close, I am prepared to relinquish my remaining time.

Mr. Speaker, I urge support for the legislation, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, in closing, our Nation has always served as a beacon of hope for all who are oppressed and suffer under regimes such as the one in Vietnam, which has shown a blatant disregard for fundamental human rights and universal freedoms. We must continue to serve as such a beacon. We must not waver in our commitment to standing with the oppressed and not with their oppressors. This bill serves as an important guidepost in doing that.

The Vietnam regime continues its oppression. On August 5, they arrested about 30 peaceful demonstrators who were protesting China's activities in the South China Sea. It included the arrest of an 81-year-old activist. Also, the threatened trial of three well-known human rights bloggers has been further postponed, thus extending their unjust legal limbo.

This human rights legislation is long overdue. It contains a provision prohibiting an increase in nonhumanitarian assistance to the Government of Vietnam unless certain human rights benchmarks are met. Of course, it has a Presidential waiver, but it authorizes the President to provide assistance through appropriate nongovernmental organizations and the Human Rights Defenders Fund for the support of individuals and organizations that are promoting internationally recognized human rights in Vietnam. This is an American principle. This should be a universal principle of human rights and respect for minority rights.

I hope that our colleagues will join us in passing Mr. SMITH's bill. The time for it is long overdue. With that, Mr. Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today in support of H.R. 1410, the Vietnam Human Rights Act. I am an original co-sponsor of this legislation, and I thank Mr. SMITH for introducing it.

This bill would prohibit any increase in U.S. non-humanitarian aid to Vietnam until significant progress is made with regard to political and religious rights for the people of Vietnam, including the release of political and religious prisoners, and the repeal or revision of laws that criminalize peaceful dissent and otherwise impede democratic freedoms.

The human rights situation in Vietnam is dire, and shows no signs of improvement. Reporters Without Borders ranks Vietnam as 172nd of 179 in its Press Freedom Index (last in Southeast Asia, and only two spots above China) and an article in Foreign Policy magazine recently referred to Vietnam as "the most repressive country in Southeast Asia."

According to the U.S. Commission on International Religious Freedom's (USCIRF) 2012 Annual Report, "The government of Vietnam continues to control all religious communities, restrict and penalize independent religious practice severely, and repress individuals and groups viewed as challenging its authority . . . The U.S. government should use its diplomatic and political resources to advance religious freedom and related human rights in Vietnam."

I agree. We need to send a message to the Vietnamese government and make it clear that

we do not condone its repression of free speech and democracy. I also want to add that on April 17th, the American democracy activist Nguyen Quoc Quan was arrested in Vietnam and remains in detention. I urge the Vietnamese government to release Dr. Quan, and I urge my colleagues to stand up to the Vietnamese government and support this bill.

Mr. FALEOMAVAEGA. Mr. Speaker, as a Vietnam veteran, I rise in opposition to H.R. 1410.

In 1967, I was deployed to Vietnam and served my country in Nha Trang. My brother also served, and has since passed away.

On the matter of human rights, 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 toxic 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 language like this which fails to make anything right. While I appreciate that more than 1 million Vietnamese-Americans still have strong feelings about the Vietnam War, the fact is it is time for us to rebuild our relationship with Vietnam just like we did with Germany and Japan after WWII.

Regrettably, H.R. 1410 has an adverse impact on our efforts. H.R. 1410 purports to promote the development of freedom and democracy in Vietnam but fails in its purpose. As noted by the Congressional Research Service, "the bill could chill the recent warming of bilateral political and security ties and could weaken economic reformers in ongoing domestic political battles inside Vietnam."

Put another way, H.R. 1410 is not in the best interest of the United States or the Vietnamese-American community. H.R. 1410 is shortsighted in its approach, and contrary to the efforts of the Clinton, Bush, and Obama Administrations which have sought to strengthen our partnership with Vietnam.

Long after the Vietnam War, the U.S. is now about the business of coordinating a multi-country diplomatic push back against Chinese encroachment in the oil-rich and strategically important South China Sea. H.R. 1410 is not helpful to our cause.

In conversations with the Department of State, they share my concerns that measures in H.R. 1410 could adversely affect our security relationship with Vietnam as well as our ability to work with Vietnam on trafficking in persons. H.R. 1410 could also greatly reduce our chances of negotiating a roadmap on human rights.

Moreover, Section 3(a)(2)(G) significantly alters the standard by which the Government of Vietnam's efforts to combat Trafficking in Persons (TIP) are measured, and restricts non-humanitarian assistance to FY2011 levels pending certification in an annual report by the President of the United States.

The Trafficking Victims Protection Act (TVPA) created a set of minimum standards to assess a government's efforts to combat trafficking in persons (TIP). These standards are based on agreed upon international protocols. H.R. 1410 goes beyond the protocols and holds the Government of Vietnam to a higher standard.

By holding the Government of Vietnam to a higher standard that is not applicable to any other foreign government, or to the U.S. government's own efforts, the Act would have an adverse impact on our ability to conduct diplomacy with the Government of Vietnam on improving its anti-TIP efforts.

So while Vietnam may have work to do on improving its human rights record, we also have work to do. First and foremost, we need to work on being fair. We need to work on treating Vietnam the same as we treat other foreign governments. Simply put, it is wrong to hold Vietnam to a higher standard than the rest of the world.

Also, let us be clear about the sincere and measurable progress Vietnam has made. Let us not cherry-pick bits of truth and put forward old data. H.R. 1410 is based on old data—the same data that has been put forward over and over again by those who have never served in Vietnam or visited Vietnam or met with Vietnam's leaders. After serving in Vietnam in 1967, I returned some 40 years later after becoming Chairman of the Subcommittee on Asia and the Pacific. All I can say is the Vietnam I fought against is not the Vietnam I know today.

So, I encourage my colleagues to re-think Vietnam and pursue a path of cooperation that does not undermine the progress we are making. I also ask that the Embassy of Vietnam's statement and the following excerpts from the State Department's International Religious Freedom Report 2010 be made part of the record.

The Report notes, "respect for religious freedom and practice improved in some regards," and that "the government took further steps to implement its 2004 Ordinance on Religion and Belief and supplemental decrees on religious policy issued in 2005." The report also recognizes that the Vietnamese "government also facilitated construction of new churches, prayer houses, pagodas, and training facilities for furthering the education of thousands of monks, priests, nuns, and pastors" permitting "the expansion of religious organizations" charitable activities."

The Report also made note of the meeting between President Nguyen Minh Triet and Pope Benedict XVI at the Vatican. "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." The report also states that "new congregations were registered in many of the 64 provinces, and one new religious group and two Protestant denominations received national registration or recognition."

"The Catholic Church, Protestant congregations, and other smaller religious groups reported that their ability to gather and worship generally improved and that the government allowed registered religious groups to assign new clergy with limited restrictions. The government also permitted the Buddhist, Catholic, Cao Dai, Hoa Hao, and Protestant faiths to hold several historic large-scale religious services throughout the country, some with over 100,000 participants."

The State Department also confirmed the Vietnam's Government assertion that "some ethnic minorities in the Central Highlands were operating a self-styled 'Dega Church,' which reportedly mixed religious practice with political activism and called for 'ethnic minority

separatism." Regarding the Con Dau incident, the report notes that the arrested six Catholic parishioners "reportedly started a physical altercation with police."

In light of these facts and many more, it is my hope that the U.S. Senate will disregard H.R. 1410 and put forward an approach that allows us to strengthen our economic and security ties with Vietnam while negotiating a roadmap on human rights that is based on accurate information—not on misinformation intended to topple Vietnam's current government.

In the U.S. House of Representatives, I hope that the advocates of H.R. 1410—if they are truly sincere about human rights—will apply their efforts to assisting Vietnam with Agent Orange clean-up because the mess we left behind is a serious violation of human rights that needs to be corrected once and for all.

EMBASSY OF VIETNAM TO THE UNITED STATES ON RELIGIOUS FREEDOM IN VIET NAM

Viet Nam is a country of many faiths, with the presence of major world religions including Buddhism, Catholicism, Protestantism and Islam. It has the second largest Catholic community in Southeast Asia. Approximately 80 percent of the population are religious or spiritual believers. Of these, 22.3 million are followers of one religion or another, constituting one fifth of the population. There are 25,000 places of worship in Vietnam.

The government of Viet Nam pursues a consistent policy of respecting religious freedom and facilitating the practice of religion and faith by all citizens. Viet Nam attaches importance to the policy of religious solidarity and concord, ensuring equality and non-discrimination for all religions. Religious activities are protected by law but the abuse of religion to provoke hatred, division and conflict which threatens national security and stability is strictly prohibited.

Religious freedom and protection of religious freedom are provided for in Viet Nam's laws including the 1992 Constitution (Article 70), the Civil Code (Article 47), the 1999 Penal Code (Article 129), the Ordinance on Religion and Belief ("the Ordinance") and Decree 22/2005/ND-CP dated 1st March, 2005 providing for implementation of the Ordinance.

Since the issuance of the Ordinance, religious freedom has been reinforced throughout the country. Religious life in Viet Nam has seen strong vitality in recent years, thus contributing significantly to national development. There are now 4 Buddhist institutes, 32 intermediate Buddhist schools, hundreds of elementary Buddhist courses, 6 Catholic Seminaries and one Protestant Institute of Bible and Theology in Viet Nam. Thousands of religious dignitaries are trained in those schools each year, of which 1,177 are engaging in governance, working as delegates in the National Assembly or People's Councils. The Evangelical Church of Viet Nam has organized theological courses. A series of religious websites are being operated by the Viet Nam Bishops' Council and the Spiritual Council of the Baha'i Community of Viet Nam. Places of worship have been built throughout the country with the government's sponsorship. These include the construction of the Khmer Theravada Buddhist University in Can Tho province and the expansion of the La Vang Parish in Quang Tri province.

Religious activities in Viet Nam are in full swing now. The 2,555th Buddhist Vesak Day

was observed in many provinces. In May, 2011, a Vietnamese delegation participated in the United Nations' Vesak Day in Thailand. The Catholic Church's Jubilee Year in 2011 was prominently celebrated and its closing ceremony was attended by 1,000 priests, 2,000 clergies and 500,000 parishioners. The celebration was honoured by the presence of Cardinal Ivan Dias, Head of the Vatican's Missionary Department, Special Envoy of Pope Benedict XVI.

The year 2011 also marked the 100th anniversary of Protestantism in Viet Nam. Big celebrations were held in Ha Noi, Da Nang and Ho Chi Minh City, attended by Protestants from all provinces and cities.

Local authorities have made important contributions to these achievements of Vietnamese religious communities. However, progress has been slower in certain more distant areas of Vietnam due to poverty, low level of socio-economic development and geographical disadvantages. This is particularly true in mountainous and border provinces. In addition, the educational level and training of some local officials have been limited, making it more difficult for them to full realize our policy.

RECOGNITION AND REGISTRATION OF RELIGIOUS ORGANISATIONS

The registration of religious activities and the recognition of the legal entity of new religious organisations are the basis for religious organisations and congregations to be protected by law, rather than an administrative measure to hinder religious freedom and belief. Eligibility for legal recognition of a religious organization or congregation is clearly stipulated in the 2004 Ordinance on Religion and Belief.

To date, the State has recognized 18 religious organisations representing 9 religions, of which 6 are new ones. These include Baha'i, Tu An Hieu Nghia (Four Debts of Gratitude), Buu Son Ky Huong, The Pure Land Buddhist Home-Practice Association, Minh Su and Minh Ly. Seven other Protestant denominations also achieved recognition, bringing the total number of recognized religious organisations in Viet Nam up to 34. Prior to the introduction of the Ordinance, only 16 organisations representing 6 religions were recognized by our government.

Registration of Protestant groups has shown a particular increase: Upon the issuance and implementation of the Ordinance on Religion (2004) and Directive No. 01 on Protestantism, Protestantism has grown exponentially in Viet Nam in terms of the number of followers, congregations as well as the diversity of worship practices. In 2011, the number of Protestants in Viet Nam was roughly 1.17 million people, of which 110 thousand lived in the northwest region of Viet Nam, 360 thousand in the Central Highlands, and the remaining 700 thousand throughout the country. The number of registered places of worship has increased to over 1,700 groups and congregations (in the northwest: 258 groups, in the Central Highlands: 1,284 groups and 189 congregations). The government has organized 8 conferences to do outreach about our policies and laws concerning Protestantism to 1,600 participants who are the leaders of places of worship.

PROTESTANT REGISTRATION DATA (AS OF DECEMBER 2011)

	2009	2010	2011
Central Highlands			
1. Number of congregations of the General Confederation of Evangelical Churches of Vietnam (Southern) and United World Mission	164	178	189
2. Land right and church building licenses (including church and land)	50	60	80
3. Number of groups registered	325	1210	1284
4. Appointments of pastors		336	NA
North West			
1. Number of groups registered	208	247	258

The registration of Protestant groups in the northwest region is making slow progress mainly due to socio-economic conditions in the local areas, which are the most disadvantaged regions in the country, with treacherous terrain, frequent natural disasters, and local social practices which hamper development. During the past period, the government of Viet Nam has invested in many projects and programs to promote economic, cultural and educational development in these regions. However, many difficulties remain in these regions. In addition, cultural conflicts between Protestantism and communities affiliated to other religions and faiths in this area need some time to be resolved.

In the near future, related ministries, agencies and localities will coordinate with each other to promote religious expression and ensure effective implementation of the Ordinance on Religion and the Prime Minister's Directive 01 on Evangelicalism in these regions.

Publication of the Bible in Latin—H'Mong language: The government has always paid attention to and facilitated the religious activities of national minority followers, including the publication of bilingual Bibles: Viet—Bahnar, Viet—Ede, Viet—Jarai. For the Bible in the H'Mong language, there are two types of H'Mong script, of which the traditional script has been stipulated by law as the sole script allowed in publications. Thus, the publishing the Bible in the H'Mong script will require resolution of this legal issue, as well as the consideration of a professional board from the Ministry of Education. Relevant Vietnamese agencies will continue to work together to expedite this project.

RESOLUTION OF LAND ISSUES RELATING TO RELIGIONS

The right to ownership of land is clearly stipulated in the Constitution and other laws of Viet Nam. The land belongs to the whole people. The State represents this ownership right and exercises unified management over the land. Thus, in Viet Nam, there is no private ownership of land. The State acts as the representative of the people in arranging and managing land use according to the legitimate needs of individuals and organisations.

The issue of land in Viet Nam is very complex since the country has experienced many ordeals stemming from history. Resolution No. 2312003/QH11 of the National Assembly, dated November 26th 2003 affirms: "The State does not recognize any claims to take back lands that have been managed and put into use by the State. Thus, claims to take back lands, including lands which may have been historically used for religious practices, are not consistent with our law.

For religion-related lands which are now being managed or allocated by State to the agencies/organisations, the latter must use the lands in full conformity with stipulated purpose

and in an effective manner in order not to have any negative impact on the feelings of religious followers (Directive No. 1940/CT-TTg of the Prime Minister dated December 31st, 2008).

In the event that religious organisations have legitimate need for additional land or housing for religious purposes, the government may consider allocating appropriate areas for them. The consideration of land allocation for religious organisations must comply with the law and regulations.

Recently, the government has allocated large areas of land for religious organisations to use for religious purposes. For instance, Ho Chi Minh City has allocated over 10,000 m² to the Southern Evangelical Church of Vietnam for construction of the Evangelical Institute for Bible and Theology. Similarly, Dak Lak province allocated over 11,000 m² for the construction of the Archbishopric of Buon Ma Thuot. Da Nang City also allocated over 9,000 m² for the Da Nang Archbishopric. Quang Tri province re-allocated 20 hectares of the Shrine of the Lady of La Vang to the La Vang Parish. Likewise, Ha Noi City has recently allocated land for the Viet Nam Buddhist Association to build a Buddhism University.

RELIGIOUS ORGANISATIONS AND CHARITABLE ACTIVITIES

The government pursues a policy of facilitating and encouraging religious organisations' participation in philanthropic works in accordance with the law (Article 33 of the Ordinance on Religion). Many religious organisations in Viet Nam are very active in social and charitable activities such as free medical checkup and medical treatment, care for children in particularly difficult circumstances, and people living with HIV. Many religious officials have taken part in fundraising campaigns for natural disaster relief.

There are more than 80 religion-related international NGOs in Viet Nam.

ENSURING EQUALITY AND NON-DISCRIMINATION AMONG RELIGIONS

Vietnamese law provides that "all religions are equal before the law." Missionary activities of religious groups are carried out customarily, according to Vietnamese law, without any discrimination.

The policy and law of Viet Nam guarantees equality among all citizens as a principle, regardless of their sex, religion, race or age. All citizens have the right to nominate themselves and, if elected, participate in the administration and leadership of society. In fact, a number of the current members of the National Assembly are representatives from different religions (19 religious followers and officials were nominated for the 13th National Assembly, 8 of whom were elected, 2 more than the 12th National Assembly). Many religious followers and officials are now members of the Viet Nam Fatherland Front or hold leadership positions in the government at every level.

THE HANDLING OF CASES INVOLVING RELIGIOUS BELIEVERS

Vietnamese law clearly states that no person may be arrested, imprisoned or sanctioned in any manner because of their exercise of their religious or spiritual beliefs. However, as in every country, those who commit crimes that violate the law cannot hide behind their religious affiliation to avoid the legal process. Those individuals are not subject to litigation because of their religious affiliation but because of their violation of the law that every Vietnamese citizen is expected to abide by.

Their cases are handled in accordance with Vietnamese law in a country which follows the rule of law.

Below is some information on some specific cases:

Nguyen Van Ly: On March 30, 2007, the People's Court of Thua Thien Hue province sentenced Nguyen Van Ly to 8 years of imprisonment and 5 years of probation (according to Article 88 of the Penal Code). While serving his sentence, Nguyen Van Ly was put in a separate cell with access to TV, newspapers, religious materials, and provided with nutritious food and healthcare. His family and representatives of the Hue Archbishopric and Ambassadors of the U.S., Canada and the U.S. Commission on International Religious Freedom were allowed to visit him.

In March 2010, due to the condition of Nguyen Van Ly and our humanitarian approach, his imprisonment was suspended for 12 months starting on March 15, 2010. During the suspension, Ly continued to conduct provocative activities violating the law and disturbing order in his hometown. After that period, health improved and Nguyen Van Ly and his family did not file a request for further suspension. Thus, on July 25, 2011, he was sent back to prison to continue serving his sentence in accordance with Viet Nam's law on execution of court judgements.

After his return to prison, his sister Nguyen Thi Hieu, his nephew Nguyen Cong Hoang and representatives of the U.S., Canadian and Australian Embassies have visited him at Nam Ha prison. At this moment, his health is stable and he is living in good conditions and receiving the same treatment as other inmates, according to Vietnamese law.

Thich Quang Do: During the movement for the unification of Vietnamese Buddhism in 1981, while all other Buddhist organisations and denominations in the country came together in common purpose, the An Quang sect under the Viet Nam Unified Buddhist Church led by Thich Huyen Quang and Thich Quang Do failed to reach an agreement with other Buddhists.

In following years, Thich Huyen Quang and Thich Quang Do continued to act against the government by organizing their followers in an attempt to restore the Viet Nam Unified Buddhist Church. Thich Quang Do's activities have been supported by the Viet Nam Unified Buddhist groups in exile, who designated him as the Head of the "Institute for the Dissemination of the Dharma". Worse than that, Thich Quang Do and the so-called "Viet Nam Unified Buddhist Church" do not cease to distort the policies of the State of Viet Nam and continue to engage in provocative acts to undermine national unity and religious solidarity.

Thai Ha: In November 2011, some extremist clergymen from the Christ's Redemption branch of Thai Ha Parish took advantage of a land dispute to spread false and malicious slander against the government and incite people to gather, riot and trespassed in order to try to illegally take over the land. However the local authorities have been in full compliance with the law in designating the land for the construction of a drainage system for Dong Da Hospital in order to protect and keep the environment clean.

In early December 2011, some followers and priests of the Thai Ha Parish gathered in front of the Ha Noi People's Committee to submit a petition. They were sent to the place

designated for submitting petitions and returned home that same day. However, some people falsely characterized and distorted what happened, claiming that the government suppressed and detained the petitioners. At present, the land-related petition of the Thai Ha Parish is being handled by the responsible agency according to the law.

Muong Nhe: In late April and early May 2011, in the Muong Nhe district of Dien Bien province, some H'Mong extremists deceived, incited, displaced and even forced a number of H'Mong people from several localities to move to some villages in the Muong Nhe district of Dien Bien province. The extremists then called for the establishment of a H'Mong kingdom, to secede from Viet Nam Attempting to foment secession from the Vietnamese nation violates Vietnam's law and causes other threats to law and order. The actions of these extremists also negatively affected the people's lives and livelihood. Due to the bad weather and bad living conditions at the place where the extremists took people, some got sick and one child died.

After the bad experiences suffered by those tricked into following the extremists, the authorities and people's mass organisations in Muong Nhe district were easily able to explain to people how they were misled by the unscrupulous secessionists. The people returned home voluntarily, with local authorities providing them with transportation, food, medication and financial support to help in their resettlement. Only the extremists who broke the law were detained. Those who failed to ignite a split among our people have now spread false and malicious rumours about fighting between the army and demonstrators claiming 'many are wounded and dead'. Nothing could be further from the truth. Now that the people are back in their homes, peace and order has been restored.

In spite of economic difficulties, the Vietnamese government always cares about and supports people in mountainous and remote areas, including the H'Mong people. The government goes to great lengths to help stabilise their lives through socio-economic development programmes and poverty reduction projects as well as promoting their indigenous cultures and languages. In future, the Vietnamese government will continue to promote and fund programmes in housing, healthcare, education and development of production and infrastructure.

Viet Nam has facilitated the travel of foreign press, foreign diplomatic missions (including the U.S. Embassy, EU Delegation and Norwegian embassy) and international media to Muong Nhe to cover the news and learn about the reality there.

Cau Ram Parish: The current Cua Nam garden in Cua Nam ward of Vinh City was formerly the old Cau Ram church. This church was completely destroyed by U.S. bombing. At that time, the authorities of Nghe An allowed Cau Ram parish to build a new church on another plot of land, where the church still stands today. The former site of the church was allocated by the Nghe An People's Committee to the Vinh City People's Committee for the development of a public garden to provide 8 green space to city residents. Since the Cau Ram parish received land for its church to replace the site that was destroyed by U.S. bombs and its former site is now zoned for use as a public park, the request for the return of the former site is groundless.

Local authorities have handled the Cau Ram parish's and parishioners' request in accordance with the law. The Nghe An People's Committee sent an official note to the officials in charge of the Vinh diocese and Cau Ram parish responding to the proposal made by the Cau Ram parish, making clear the government's policy regarding use of public lands. Public opinion also supports the use of the land as a garden. The People's Committee collected public opinion in the newspapers regarding the location for a Martyrs' Memorial, and propose Cua Nam garden as one of 5 possible locations. However, the Nghe An People's Committee did not selected Cua Nam Garden as the place to build the Martyrs' Memorial

On August 17, 2011, the Cau Ram parish held a meeting to sum up its theological works and reward young parishioners. They then made a procession from Cau Ram church to Yen Dai Parish to attend a mass for the Blessed Virgin. As the procession went on, some parishioners violated traffic rules, causing public disorder. Following the mass, parishioners dispersed voluntarily. There was no such thing as building the Martyrs' Memorial as given in some news. No one was arrested or detained.

Con Dau: In Con Dau an urban planning project was implemented—a project that had been announced in advance and discussed with the public and was supported by most households, both religious and non-religious, in the area. To assure harmony, Catholic households who lost land due to eminent domain were given increased compensation by the Da Nang authorities. Despite the fact that this project was carried out in accordance with all laws and regulations, some persons with malicious intentions took advantage of a Christian funeral to incite people and cause chaos, cynically attempting to turn a sacred religious ceremony into a place to vent their hostility.

Ky Dong: In the past, the Redemptorist Church donated the house at No. 8 Ba Huyen Thanh Quan Street, which was just in front the house at No. 38 Ky Dong, District 3, Ho Chi Minh City, to the government to turn it into a school. Now the school has been renovated and has become 'Pre-school No. 9'. The Redemptorist Church would like to now change its mind and has asked for the building back. However, as the transfer was voluntary and accomplished in accordance with Vietnamese law and the building is now properly being used as a school for the education of the children of the district, the church has no legal or other claim as to the site.

CONCLUSION

Vietnam is a diverse country of many nationalities, cultures and religions. We treasure this diversity, including the many religions and faiths that arise from our history and shape our future. In recent years, our laws have developed in parallel with our commitment to freedom of religious expression and worship. As is the case with every country, not every law is always perfectly applied in practice in every instance. However Viet Nam aspires and is working to apply our laws in keeping with our policy of guaranteeing religious rights to our people.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend

the rules and pass the bill, H.R. 1410, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NORTH KOREAN REFUGEE ADOPTION ACT OF 2011

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1464) to develop a strategy for assisting stateless children from North Korea, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1464

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "North Korean Refugee Adoption Act of 2011".

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) thousands of North Korean children do not have families and are threatened with starvation and disease if they remain in North Korea or as stateless refugees in surrounding countries;

(2) thousands of United States citizens would welcome the opportunity to adopt North Korean orphans living outside North Korea as de jure or de facto stateless refugees; and

(3) the Secretary of State and the Secretary of Homeland Security should make every effort to facilitate the immediate care, family reunification, and, if necessary and appropriate, the adoption of any eligible North Korean children living outside North Korea as de jure or de facto stateless refugees.

SEC. 3. DEFINITIONS.

In this Act:

(1) **FOREIGN-SENDING COUNTRY.**—The term "foreign-sending country"—

(A) means—

(i) the country of the orphan's citizenship; or

(ii) if the orphan is not permanently residing in the country of citizenship, the country of the orphan's habitual residence; and

(B) excludes any country to which the orphan—

(i) travels temporarily; or

(ii) travels as a prelude to, or in conjunction with, his or her adoption or immigration to the United States.

(2) **HAGUE COUNTRY.**—The term "Hague country" means a country that is a signatory of the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993.

(3) **NON-HAGUE COUNTRY.**—The term "non-Hague country" means a country that is not a signatory of the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993.

SEC. 4. STRATEGY ON ADOPTION OF NORTH KOREAN CHILDREN BY UNITED STATES CITIZENS.

(a) **IN GENERAL.**—The Secretary of State, in consultation with the Secretary of Homeland Security, shall develop a comprehensive strategy for facilitating the adoption of North Korean children by United States citizens.

(b) **CONSIDERATIONS.**—In developing the strategy under this section, the Secretary shall—