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Costello
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Crowley
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Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
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DeFazio
DeGette
Delahunt
DeLauro
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Deutsch
Diaz-Balart
Dicks
Dingell
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Jackson (IL)
Jackson-Lee (TX)
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Johnson (CT)
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Johnson, E. B.
Johnson, Sam
Jones (OH)
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Kind (WI)
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Lewis (CA)
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LoBiondo
Lofgren
Lowey
Lucas (KY)
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Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
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McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
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McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
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Moran (KS)
Moran (VA)
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Murtha
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Pallone
Pascrell
Pastor
Payne
Pelosi
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Pickering
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Price (NC)
Pryce (OH)
Putnam
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Radanovich
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Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
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Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
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Rothman
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Roybal-Allard
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Ryan (WI)
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Schaffer
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Schiff
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Scott
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Simpson
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Smith (MI)
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Stump
Stupak
Sununu
Sweeney
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Tanner
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Tauzin
Taylor (MS)
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Towns
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Udall (CO)
Udall (NM)
Upton
Velazquez
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Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
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Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—1

Paul

NOT VOTING—19

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

□ 1407

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

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

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

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. CON. RES. 144

Mr. PICKERING. Madam Speaker, I ask unanimous consent that my name be withdrawn as cosponsor from H. Con. Res. 144.

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

There was no objection.

APPROVING EXTENSION OF NONDISCRIMINATORY TREATMENT WITH RESPECT TO PRODUCTS OF THE SOCIALIST REPUBLIC OF VIETNAM

Mr. THOMAS. Madam Speaker, pursuant to the previous order of the House, I call up the joint resolution (H.J. Res. 51) approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 51 is as follows:

H.J. RES. 51

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam transmitted by the President to the Congress on June 8, 2001.

The SPEAKER pro tempore. Pursuant to the order of the House of Wednesday, September 5, 2001, the gentleman from California (Mr. THOMAS) and a Member opposed to the joint resolution each will control 1 hour.

Is there a Member opposed to the joint resolution?

Mr. MCNULTY. Madam Speaker, I claim the time in opposition to the joint resolution.

The SPEAKER pro tempore. The gentleman from New York (Mr. MCNULTY) will control 60 minutes.

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

Mr. THOMAS. Madam Speaker, I ask unanimous consent to yield one-half of my time to the gentleman from Michigan (Mr. LEVIN), and that he be permitted to yield time as he sees fit.

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

There was no objection.

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

House Joint Resolution 51, as appropriate with its title, deals with a trade agreement with the Socialist Republic of Vietnam. This is the most comprehensive trade agreement with a nonmarket economy country that the United States has ever entered into. That is why I want to underscore that it is with the Socialist Republic of Vietnam.

Normal trade relations used to be called Most Favored Nation treatment, and frankly, it was a misnomer; most nations receive Most Favored Nation treatment. And so a few years ago we appropriately changed the terminology. I think, therefore, if we are asking that we have normal trade relations with the Socialist Republic of Vietnam, who do we not have normal trade relations with? And in this part of the world, in the Far East, there are basically two nations that do not enjoy normal trading relations with the United States. Those are Laos and North Korea. All other countries in the Far East enjoy this status.

The idea of having a bilateral trade agreement with the Socialist Republic of Vietnam in a comprehensive way allows us to deal with access in areas of industrial and agricultural goods, in services, in intellectual property rights, in investment, and in the transparency of all of those activities.

□ 1415

It is a trade agreement that will allow us to continue to improve the relations between one of the fastest growing countries, both in terms of population and in terms of economy, in Southeast Asia.

Madam Speaker, I would place in the RECORD a Statement of Administration Policy with regard to H.J. Res. 51.

This statement says, ''The administration supports H.J. Res. 51 which would approve the extension of non-discriminatory, i.e., normal trade relations treatment for products of Vietnam.''

The closing of the paragraph says that ''the Bilateral Trade Agreement's entry into force completes a normalization process that has spanned four administrations. Completion of this process will facilitate important bilateral engagement on other issues of concern.''

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, September 6, 2001.

STATEMENT OF ADMINISTRATION POLICY

(This statement has been coordinated by OMB with the concerned agencies)

H.J. Res. 51—Approving the Extension of Normal Trade Relations Status for Vietnam)—(Rep. Armey (R) TX and 2 cosponsors)

The Administration supports H.J. Res. 51, which would approve the extension of non-discriminatory, i.e., Normal Trade Relations (NTR), treatment for the products of Vietnam.

The Administration has continued to work with Vietnam to incrementally normalize our bilateral political, economic, and consular relationship. U.S. engagement helps promote the development of a prosperous Vietnam and integrates it into world markets and regional organizations, which, in turn, helps contribute to regional stability. In addition, U.S. involvement has secured Vietnamese cooperation and engagement on a range of important U.S. policy goals, including achieving the fullest possible accounting of POW/MIAs from the Vietnam War. U.S. engagement also gives hope of producing gains in respect for human rights as well.

The U.S. has extended a Jackson-Vanik waiver to Vietnam for the past 3 years. This waiver, which is a prerequisite for NTR trade status, has permitted U.S. businesses operating in Vietnam to make use of U.S. Government programs supporting U.S. exports to and investments in Vietnam. U.S. business views Vietnam the thirteenth most populous country in the world, as an important potential market.

On June 8th, President Bush submitted the U.S.-Vietnam Bilateral Trade Agreement (BTA) to Congress for its approval as part of extending NTR to Vietnam. This BTA binds Vietnam to an unprecedented arrays of reforms, including tariff reductions for key U.S. exports, elimination of non-tariff barriers, intellectual property rights protection, market access for American service industries, protections for American investors, and mechanisms to promote the rule of law.

The BTA's entry into force completes a normalization process that has spanned four Administrations. Completion of this process will facilitate important bilateral engagement on other issues of concern.

PAY-AS-YOU-GO SCORING

Any law that would reduce receipts is subject to the pay-as-you-go requirements of the Balanced Budget and Emergency Deficit Control Act. Accordingly, H.J. Res. 51, which would reduce revenues, will be subject to the pay-as-you-go requirement. The Administration will work with Congress to ensure that any unintended sequester of spending does not occur under current law or the enactment of any other proposals that meet the President's objectives to reduce the debt, fund priority initiatives, and grant tax relief to all income tax paying Americans.

Mr. THOMAS. Madam Speaker, the U.S.-Vietnam Bilateral Trade Agreement marks a milestone in the strengthening of our bilateral relations. This agreement is a sensible and necessary step. Vietnam has emerged as one of Southeast Asia's more promising economies, and it has the potential to be a strong trading partner for America.

Continued engagement with Vietnam must lie at the core of our relationship. It has already produced concrete results in terms of the achievement of U.S. policy objectives, such as the fullest possible accounting of U.S. servicemen missing in action and resolution of remaining emigration cases.

This trade agreement—the product of many years of bipartisan effort—will allow this engagement to continue, offering us the opportunity to promote significant change in Vietnam's trade and economic policies, enhancing both internal reform and regional stability. It commits Vietnam to the core principles of a market economy: open goods and services markets, expanded rule of law, and broader economic freedoms.

You get off the plane in Vietnam and sense immediately the profound changes that interaction with the world at large has already brought. Vietnam moves at a vibrant pace. Its streets teem with new enterprises alongside the old. Young entrepreneurs sell modern electronic goods beside ancient shopkeepers and purveyors of hand-painted bowls. Joint ventures create modern factories where remote rice paddies once lay.

But Vietnam is a work in progress. Its commitment to reform has been tested by two years of slow economic growth following an extended period of strong improvement. The economy is now recovering, but that recovery remains fragile.

The country leapt toward a market economy in the last 1980s, and its GDP doubled in the '90s, making it one of the fastest growing economies in the world with 7.6 percent growth over the last decade.

In a country where official per capita GNP hovers at $370, poverty is declining sharply as a direct result of the government's recognition of the value of market forces.

Vietnam's ongoing commitment to structural reform has laid the path for this continuing recovery. But its economic promise has yet to be fulfilled. The bilateral trade agreement and American engagement will help move Vietnam toward fulfillment of that promise. Its exports to the U.S. are expected to more than double once the agreement is in place, helping to create jobs and raise living standards.

Just as important, what does the agreement mean for the U.S.?

First, American business gets greater access to Vietnam's market of almost 80 million people, as well as lower tariffs on U.S. goods.

The agreement also reinforces Vietnam's full commitment to cooperate in accounting for the remaining American servicemen still missing in action.

Most of all, continued engagement maximizes U.S. influence over the pace and direction of Vietnam's reforms, allowing our voice to be heard as Vietnam determines its future. And a strong Vietnam matters to America. It matters because history has proved that we pay a heavy price for instability in Southeast Asia.

I urge you to vote yes for H.R. 51.

Madam Speaker, I reserve the balance of my time.

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

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

There was no objection.

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

Madam Speaker, I rise in opposition to H.J. Res. 51, a resolution approving the U.S.-Viet Nam Bilateral Trade Agreement.

As my colleagues know, this debate is no longer about the limited use of issue of whether Vietnam should be eligible to participate in U.S. credit and credit guarantee programs, which I also oppose at this time. Approval of this resolution would allow Vietnam to be eligible to receive normal trade relation status, or NTR, on an annual basis similar to what China had for the last 20 years.

I also believe, Madam Speaker, that this debate is about something much more important. As I said last year, I do not oppose the eventual normalization of relations with Vietnam, but I do oppose declaring business as usual when the remains of American service personnel are still being recovered. According to the Department of Defense Prisoner of War Missing Personnel Office, we are receiving newly discovered remains on a fairly frequent basis.

In the most recent joint field activity accounting which concluded on August 7, 2001, just 4 weeks ago, Madam Speaker, the remains of five more American military personnel were identified. They will be formally repatriated in the next few weeks. Two of the identified are unilaterals meaning the Vietnamese simply handed over the remains. In my opinion, this indicates that the Vietnamese government has more information about our missing personnel.

My question, Madam Speaker, is this: Cannot we just wait until this process is completed?

I have stated before on this floor, Madam Speaker, the story of my family as it relates to Vietnam. On August 9 of 1970, my brother, Bill, HM–3 William F. McNulty, was killed in Vietnam. He was a Navy medical corpsman transferred to the Marines. He spent his time patching up his buddies, and

one day he stepped on a land mine and lost his life. That was a tremendous loss to the members of our family. I can tell my colleagues from personal experience that while the pain may subside, it never goes away.

There is a difference between what the McNulty family went through and what an MIA family goes through because Bill's body was returned. We had a wake and a funeral and a burial. What we had, Madam Speaker, was some closure. I can only imagine what the family of an MIA has gone through over these past several decades.

Madam Speaker, until there is a more complete accounting for those missing in action, I will propose that my colleagues vote against NTR for Vietnam.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, clearly our relationships with Vietnam represents a major challenge. There is the troubled past, and the gentleman from New York (Mr. MCNULTY) has once again reminded all of us here in the Nation of that past. The present reality is, as the chairman has indicated, we are dealing in relationships with an economy and a society still controlled by a single political entity. So the question in facing this major challenge is how do we respond.

I think we are struggling once again for a formula that combines engagement and pressure. The bill that we just passed reflects the need for pressure from this country on the country of Vietnam.

What has happened in terms of engagement is, more or less, this: we are dealing with a large nation of over 80 million people. As some progress was made in 1994 regarding POW/MIA's, the embargo was lifted. In 1995 diplomatic relationships were established. At that time, there was the beginning of negotiations for a bilateral trade agreement. These negotiations went on for several years. They were finalized within a few years, by 1997.

As the gentleman from California (Mr. THOMAS) indicated, this agreement has some very major ingredients, and I think basically positive ingredients in terms of our national interest: market access for industrial and agricultural goods; protection of intellectual property rights; market access for services on a broad basis, assuming they are enforced in a country with a weak rule of law; investment provisions; and also, very importantly, some transparency provisions to try to strengthen the rule of law within Vietnam.

So here we are today considering normal trade relations as a result of this trade agreement. We have waived Jackson-Vanik several times now, and that allowed an agreement to provide certain economic support for our businesses.

Madam Speaker, I support this agreement, realizing and pointing out its shortcomings. One of those relates to the failure to address labor market issues. Several years ago, a number of us urged our Ambassador in our administration to address these issues. As we review the chronology that was sent to us by the former Ambassador, Pete Peterson, it is clear that the embassy and the administration attempted to move the ball in terms of labor market issues. And I will not relate the entire history of it, but it included involvement of OPIC, of the AFL–CIO, of teams from the AFL–CIO under OPIC auspices, to discuss worker-rights issues within Vietnam.

We urged that the administration and the Ambassador go further, and I think in part because of that there was a Memorandum of Understanding that was reached with the Vietnam Government that provided for technical assistance, including by the ILO regarding labor market issues.

However, those are provisions for technical assistance. And the question remains as Vietnam goes further, what efforts will be made not only to free up their capital markets but also to free up their labor markets.

In July of this year, a letter was sent by the gentleman from New York (Mr. RANGEL) and Senator BAUCUS, Chairman of the Senate Committee on Finance, and myself to the Ambassador saying the following: ''Since the BTA was signed last year, we have been working to ensure that as we move forward in strengthening the U.S.-Vietnam economic relationship, we also move forward to advance the issue of labor standards in Vietnam. Vietnam has taken some steps in that regard, including by signing a Memorandum of Understanding on labor issues with the United States last November. However, more should be done.

''To that end, we urge the administration to include a positive incentives labor provision in the eventual U.S.-Vietnam bilateral textile and apparel agreement. This approach would provide incentives for Vietnam to take additional, concrete measures to strengthen adherence to core labor rights and would reward Vietnam with tangible, commercial benefits as it continues to strengthen labor standards.

''We encourage the administration to make clear its intent to pursue a labor provision in the textile and apparel agreement as the BTA resolution moves through the Congress. We know that a number of Members of Congress share our belief that addressing these concerns will strengthen the bipartisan support necessary for prompt congressional approval of the BTA, and will represent positive action on trade legislation.''

The response we received some weeks ago from Mr. Zoellick on behalf of the administration was disappointing, essentially noncommittal, so I want to say just a few things rather quickly about the labor provision.

Number one, there is no use of calling it a social issue. It is an economic issue. It is part of the trade equation. I refer to a letter that was sent by Senator LOTT and a number of other Senators and House Members to Mr. Zoellick on February 9, 2001. It is just one example of how labor market issues are relevant to the trade and competitive equation. I quote from this letter. ''We are concerned about imports from Vietnam of an Asian-type catfish displacing U.S. farm-raised catfish in the U.S. and world market.

''Most of the fish from Vietnam are grown in floating cages under the fishermen's homes under the Mekong River Delta. Vietnam can produce these fish at a much lower cost because of cheap labor and very loose environmental regulations for ponds, therapeutics and feed.''

The letter continues, ''It is our hope that as the USTR, you will keep our concerns foremost in mind when you meet with top Vietnamese trade officials. It is essential that we take every action possible to preserve the U.S. catfish industry.''

Another example is the agreement that was negotiated with Cambodia regarding the textile and apparel industry. I refer to an article of July 12, 2001, in the New York Times, and I urge that everybody read this article if they have any doubt about the importance of labor market issues in our relationships in our competition. This article talks about this negotiation, about the efforts by Cambodia to adopt a labor code with the help of the AFL–CIO and the ILO. I quote, ''The incentive to improve working conditions and permit unions has come from Washington where in 1998 trade negotiators were preparing to put quotas on fast-growing Cambodian garment imports. Amid pressure from American unions and public opinion, the Clinton administration pushed Cambodia to accept unprecedented conditions. If Washington decided in an annual review that its industry was in substantial compliance with Cambodian labor law and international standards, it would raise Cambodia's quota by 14 percent.''

□ 1430

This article describes how it is an uneven picture, but I think it is basically clear that with the help of this provision in the textile agreement there has been improvement in the ability of workers in Cambodia to associate, to represent themselves, and to get a piece of the action.

So this is what I want to make clear. As we did in Cambodia, as was done in the Jordan agreement, as was done in the CBI agreement, it is important that labor market issues be part and parcel of trade negotiations.

There is going to be an annual review of Vietnam and its progress; and I want everybody to know that for myself and many, many other members, we will be watching this administration. We will be watching Vietnam to see, if and when there is an apparel and textile agreement, there is due consideration

of labor market issues as there was with the Cambodia agreement and in other trade agreements.

I consider it to be not a social issue alone. It is clearly an economic issue and indispensable issue. How we handle this can be basis for disagreement but not whether it is relevant.

So I urge support within that statement, within these circumstances for this agreement, while I also indicate that we have to be vigilant. As we are in human rights through the agreement or the resolution we just passed, we have to be vigilant that as our relationship with Vietnam unfolds, it broadens in a way that makes sense in terms of Vietnam, in terms of its ability to progress; but that we, as these relationships unfold, take into account the full economic competitive picture.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in strong opposition to the bilateral trade agreement with the Communist government of Vietnam.

Madam Speaker, we just had a vote in this body of 410 to 1 reconfirming that we believe that human rights in Vietnam is something of importance to the people of the United States.

I would submit that large votes like that, being followed by basically agreeing to a treaty to treat the Communist government of Vietnam the same way we treat economically democratic countries of not only that region but throughout the world, is one reason why, number one, the dictators of the world do not pay attention to us and think that we are being either frivolous or lying about our commitment to human rights.

It also is a disheartening factor for people who live under tyranny, because those people who live under tyranny, their only hope for many of these people who live under tyranny is the commitment by the people of the United States of America to try to make this a better world.

These types of contradictions between human rights, but giving precisely the same trade rights and economic rights to these vicious dictatorships as we do to democracies, is very disillusioning to most of the free people of the world who struggle for democracy.

I urge my colleagues to vote no on this Vietnam bilateral trade agreement. Let us remember, as we have just stated in the last debate, during the last 12 months, despite presidential waivers, the Communist regime has actually increased its brutal repression of religious clergy, advocates of democracy and ethnic tribal minorities, many of whom were actually loyal to the United States during the war.

What does voting against this agreement really do, and what are we talking about? What will happen with this agreement? We are not talking about breaking relations or isolating Vietnam. That is not what this debate is about. This will not in any way, no matter how we vote, break our relations with Vietnam. We will not be isolating Vietnam.

People will still be free to trade. Americans can still go over there and sell their goods and services, and so it is not about whether or not we are going to have relations or isolate Vietnam. It is not about whether American companies can sell their products there, because there will be no law in the United States preventing that.

So what is this bill all about? I have repeated this on numerous occasions because we have studied this trying to find what other reason a bill like this has such momentum in Congress.

This bill is about whether or not American businessmen who want to build factories in Vietnam to exploit the near slave labor there and the lack of labor rights that they have in Vietnam, whether or not those American businessmen will be eligible for taxpayer subsidies or loan guarantees so that they can set up their factories over there, literally putting American workers out of work and setting up factories to exploit the near slave labor of this Communist tyranny in Vietnam done with American taxpayer subsidies and guaranteed loans through the Export-Import Bank and other international financial institutions that are supported by the taxpayer.

This is a travesty. I do not know anybody who can really defend that policy. But, as I have presented the case, those people on the other side have refused to even acknowledge this part of the debate. And over the years, even though I have made this charge over and over again, no one seems to even comment on it, the people who are advocating from the other side. I would like to hear the proponents of this trade agreement tell me why it is a good thing for the American taxpayers, our working people, to be taxed in order to subsidize and guarantee loans to American businessmen so they can build factories over there which will produce goods that will compete with the jobs of the American people over here. I want to hear a comment on that. I would hope that my colleagues who are supporting this trade agreement will at least take that into consideration. So we are extending American tax dollars to subsidize and insure the businesses going into a Communist dictatorship.

This is bad business, for one thing, because the reason they need the government to guarantee, meaning our tax dollars, to guarantee their investments over there is that it is a risky proposition to invest in a dictatorship. And it is especially risky to invest in Vietnam. It is a risky thing, because when you do not have really the rule of law working in a country and it is a dictatorial regime, they can have their property confiscated. Many American businessmen have already fled Vietnam. But they will not invest with their own money and our banks certainly will not give them a loan, unless the taxpayers guarantee it.

That is bad business, and it is also contrary to American values. If we really do believe in democracy and human rights, it is contrary to our values. If we are going to be using taxpayer dollars to guarantee loans so that American businessmen can do business in a foreign country, and I do not think we should even be doing it anywhere, but if we do, at the very least it should be with democratic countries. And by insuring these loans and insuring this type of an incentive for American businessmen to go use that slave labor, we are not only hurting our own people, we are hurting governments and people like who are in the Philippines.

In the Philippines they are struggling to have democratic government. They have got opposition newspapers. They have got opposition parties. They have trouble with keeping a truly democratic system because of corruption there. But there are honest people who want to have democratic government in the Philippines. What are we doing? Instead of encouraging our businessmen to go to the Philippines, a country that loves us, we are subsidizing our businessmen to plant factories in a Communist dictatorship. This makes no sense. No wonder why the dictators of the world do not believe us when we pass 410–1, a resolution claiming that we believe in human rights and that it is important to us.

Let me talk about one last element here, and I appreciate the gentleman from New York (Mr. MCNULTY) yielding me the time that he has and the points that he made about American POWs in Vietnam. This is an important point. I have been in Vietnam numerous occasions. I took this personally upon myself.

My chief staff member here, Al Santoli, was wounded three times in Vietnam. I was not in the military, but I spent time in Vietnam during the war in 1967 doing political work there; and so I have over these last 30 years had a personal interest and have gone back many times, as has Mr. Santoli, to Vietnam.

The idea that the Communist regime in Vietnam has in good faith cooperated with us on the POW issue is a fraud. It is not true. There is no basis to it. They have exploited the POWs search since day one. Even to this day they are charging the American Government a million dollars every time we go out and try to search for some bones. What they have done is relegated our search for justice and our search for real truth about what happened to our POWs to a search for bones which they give up every now and then. The fact is that there were over 200 Americans last seen in captivity, alive and in captivity, in Communist hands that were never accounted for. Since that time, during

this supposed cooperation, the Government of North Vietnam has done nothing that will help us determine what happened to those 200 men.

I have repeatedly asked during this debate, during trips to Vietnam in which I talked directly to the leaders of North Vietnam, I asked for the records of the prisons in which American POWs were held during the war. Why? Because if we get those records, we can find out exactly who was in the prison, how many people were kept there, how much food was bought because they had the number of prisoners and we can determine if there is a difference between the number released and the number that they were taking care of during the war. What have I been told? ''Oh, those records aren't available. They were destroyed in B–52 raids near the end of the war.''

Well, baloney. The Communist regimes throughout this world have been noted time and again for the fact that Communists keep such incredible records. They keep records of everything. When they have meetings of their central committee, they keep intricate notes. They did not throw away those records. They were not burned by B–52 raids. They will not give them to us because it indicates that they kept Americans after the war. Now, why with a regime like this are we going to give our businessmen subsidies to invest over there and create jobs over there, exploiting their slave labor? This is ridiculous.

I would hope that we can see an evolution in Vietnam. The people of Vietnam are wonderful people. In fact, I represent many Vietnamese in my area, Vietnamese Americans. They came to the United States and under freedom these very people have prospered. They are the very best of citizens. They love democracy. They have taken advantage of the opportunity to increase the standard of living of their lives. That could be true of all of the millions of people who live in Vietnam if they were not suffering under the yoke of tyranny. This is not the time to ignore what that government has done about the POWs. It is not time for us without any democratic reform going on in Vietnam.

We have heard about what was happening in Cambodia. In Cambodia, they have not had those same reforms in Vietnam that they have had in Cambodia. In Cambodia there are opposition parties. There are actually opposition newspapers. They have got nothing like that in Vietnam. Let us see some reform there before we bestow upon them subsidies by our taxpayers and incentives for our businessmen to go over there and create jobs over there.

I strongly urge my colleagues to vote against this bilateral trade agreement with Vietnam and to really take human rights seriously. If the United States takes human rights seriously like we did with Ronald Reagan and the Soviet Union during the Cold War, we will be striking a blow for peace. Ronald Reagan never provided most-favored-nation status for the Soviet Union. And the Soviet Union fell apart, and we have a chance for true democratic government there today. Let us do the same thing in China, and let us do the same thing in Vietnam. Let us do the same thing with dictatorships around the world. Let us let America be a shining light of hope of liberty and justice for all.

Madam Speaker, I reserve the balance of my time.

Mr. LEVIN. Madam Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Madam Speaker, I rise in support of the resolution.

There has been such a long period now between our war on Vietnam and now that I think it is only appropriate to have a trade agreement which symbolizes how far our two countries have come.

It was not very long ago that President Carter and President Ford were unable to establish any kind of relationship with Vietnam, accordingly, the first Bush Administration got more positive responses to their attempts to begin a new relationship. This set the stage for President Clinton in 1994 to order the lifting the trade embargo against Vietnam. The following year the two countries established ambassadorial-level diplomatic relations. And former Congressman Peterson who had been held as a POW in Vietnam was sent as our first ambassador. I think it says a lot about the need for healing that we have the Vietnam Trade Agreement before us today. Of course, it would not have occurred if the Vietnamese had not become sensitized to our need to return American bodies to their families. And to also have yearly reports made on their progress on human rights—a subject we will discuss later today.

But it is here! A bilateral trade agreement which took almost five years to craft. When one goes to Vietnam one expects to be confronted as an American for what took place during the war but 50% of the population were not alive at that time. This is really an old country with very young population who do not see Americans in the same light as their parents and want to establish a new relationship with us.

They are eager to open up their country to trade even though to this day there is disagreement between the economic hard-liners and those who want to really open up the Nation.

This agreement will do that. Although we do not export much to Vietnam and vice versa at the present time, this is a young and vibrant nation that wants to participate in global economics.

They have a high literacy rate and the desire to open up their markets. And American industry wants to sell them lots of goods. Who would have thought that all these years later that our war with Vietnam would result in what could be a highly productive relationship. I believe this is the beginning of a whole new era.

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

First of all, all of us express continued regret about the loss of American lives in Vietnam and treatment that Americans received during that war. Some of those very same individuals have been and are Members of the United States Congress.

□ 1445

The stories that they tell are ones that truly depict a very difficult and troubled time. I do believe, however, that we can make a relatively firm statement that a no vote on this measure will not increase our ability to work with the Vietnamese for the fullest possible accounting of missing Americans.

I also want to respond briefly to my colleague from Michigan about the question of a lack of a labor agreement in this particular provision. The last administration, in November of 2000, entered into a very specific labor agreement with the Socialist Republic of Vietnam. I might underscore that they are no longer on my map as a North Vietnam and a South Vietnam. There is a Socialist Republic of Vietnam.

That agreement, which was announced on November 17, 2000, was a United States and Vietnam agreement on labor cooperation. The press release issued by the last administration stated, in the Secretary of Labor's words, ''This is a significant step in establishing labor issues as an important component of our overall relationship with Vietnam. In fact, more than $3 million in technical assistance is being provided in collaboration with the International Labor Organization to address such issues as establishing skills training and employment services, including placement services, development of unemployment insurance and pension systems, improving access to employment for workers with disabilities, eliminating child labor and child trafficking, and launching workplace education to prevent HIV and AIDS.''

So although there is no specific labor component in this particular agreement, clearly the two countries have entered into an ongoing relationship to improve the labor standards and working conditions in Vietnam.

I would respond to my friend from California to indicate that this is a bilateral trade agreement to establish normal trade relations with the Socialist Republic of Vietnam. It pertains to the tariffs that apply to Vietnamese goods coming into the United States. It does not apply to credits extended to American business people who wish to do business in Vietnam. That is a provision of the Jackson-Vanik structure, and this body voted 91 no, 324 yes on the Jackson-Vanik waiver. That was the structure that provided the credits to the Socialist Republic of Vietnam.

A no vote on this particular measure, House Joint Resolution 51, would be a vote against allowing Americans, consumers, business people, to bring Vietnamese goods into the United States

not subject to the tariff. So if you are looking for a measure to stop the international credits going to business people doing business with Vietnam, that is under the Jackson-Vanik waiver. If you vote no on this particular measure, you are trying to make sure that Americans do not get the benefit of a tax-free relationship with the products that are going to be imported into the United States.

Madam Speaker, I yield 4 minutes to the gentlewoman from Washington (Ms. DUNN), a member of the Subcommittee on Trade of the Committee on Ways and Means.

Ms. DUNN. Madam Speaker, I rise in support of this joint resolution to approve the United States-Vietnam Bilateral Trade Agreement. I am very happy to see that we are finally passing this important trade agreement with the third largest nation in ASEAN, which is the Association of Southeast Asian Nations, and the second most populous country in Southeast Asia.

This is an historic agreement. It will reduce tariffs and it will improve market access for United States services and for our products.

I am also very pleased with Vietnam's commitment to adopt international standards to protect intellectual property rights. This is a very important step for Vietnam, and it will help very much in reducing piracy and in safeguarding American innovation.

For the State that I represent, Washington State, this agreement could mean more high-paying jobs. The Vietnamese Government has made a commitment to purchase four 777 airplanes. These are commercial aircraft. Their construction will be directed by people who live in the district I represent.

For our farmers in eastern Washington, lower tariffs and better transparency rules will reduce the red tape that has caused us great trouble in finding markets abroad, and it will expand the exports of our apples, potatoes and wheat to Vietnam.

I think it is very important, as we continue this debate, to reaffirm that continuing economic engagement with Vietnam does not diminish our commitment for a full accounting of American soldiers still missing in action. I would say to the gentleman from California that engagement with Vietnam also does not diminish our commitment toward pressing the Vietnamese Government to respect basic human rights. This is important to all of us, and we will not take our eyes off the interaction between our governments.

We appreciate that much must be done before Vietnam can join the global community, but by expanding economic freedom, I think that we can foster an environment for further political reforms that can lead to greater openness and tolerance.

It seems to me that it is time that we no longer view Vietnam simply as a war. We have got to begin seeing the Vietnamese as a people who want to build a stronger relationship with us and who will provide enormous economic opportunity for our American producers. Continuing our policy of engagement is the best way, I believe, to help both our people and the Vietnamese people.

I ask my colleagues to support this joint resolution.

Mr. MCNULTY. Madam Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. EVERETT).

(Mr. EVERETT asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. EVERETT. Madam Speaker, I rise in opposition to H.J. Res. 51, a bill that would grant permanent normal trade relations with the communist country of Vietnam. I am especially concerned that until Vietnam stops illegally substituting an inferior species of fish for U.S. farm-raised catfish, the American consumer and the American farmer will continue to suffer.

The catfish industry in Alabama and in the southeast is a very vital industry that employs tens of thousands of workers in primarily rural and economically depressed areas, and contributes hundreds of millions of dollars annually to these states' economies. In Alabama, for example, catfish production ranked second nationally and had over $81.6 million in sales last year. Nationwide, the catfish industry accounts for over 50% of the total volume and value of all U.S. aquaculture at 600 million pounds.

Additionally, the catfish industry has contributed over $50 million to familiarize the American consumer with the superior quality of the U.S. farm-raised, grain-fed catfish product. As such, the substitution of fish that are not even in the same genus or species as the North American channel catfish has led to consumer confusion. These Vietnamese fish are raised in cages in rivers, the same polluted rivers that sewer and waste are dumped into. Moreover, they are fed a diet of various things including other fish, not a completely grain-fed diet like the U.S. farm-raised catfish.

Efforts to substitute the cheaper Vietnamese species of fish, through what I and many believe is the improper use of the name "catfish", has also led to unprecedented levels of imports that have displaced American catfish. In fact, Vietnamese fish imports are displacing U.S. catfish at a rate of 70 million pounds annually according to U.S. Census Bureau estimates in May. This is equivalent to an estimated 15–20% of the total U.S. farm-raised catfish market.

It also appears that Vietnam is encouraging increased production and export of these fish by recently announcing new incentives for collateral-free loans until 2005 for investment in aquaculture. Figures from the Department of Commerce indicate that imports of these fish from Vietnam have tripled from what they were this time last year, and now account for 84% of catfish imports into the U.S. This has also led to the decreased exports of farm-raised catfish from the U.S. to other countries.

U.S. catfish farmers have spent millions of dollars and years of hard work to build a market for their product based on its guaranteed quality and safety and do not deserve to have it destroyed. Moreover, consumers deserve to know exactly what kind of food they are putting on their dinner tables.

Industry officials have met with the Administration, and with the government of Vietnam and so far have not had their problems addressed. Until the Administration and the government of Vietnam address this issue satisfactorily, I cannot support normalizing trade relations with Vietnam.

Mr. MCNULTY. Madam Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. SHOWS).

Mr. SHOWS. Madam Speaker, I stand before you today to speak of something that I care deeply about and have been working hard to correct, irresponsible trade agreements that ignore the needs of rural communities. I am not opposed to free trade, but I am opposed to trade agreements which further harm communities, families and industries in Mississippi and across rural America.

Today we are considering extending normal trade relations with Vietnam. We must promote reasonable, responsible trade agreements, and we must be mindful of some of the unintended consequences trade agreements have had on rural America, and especially in Mississippi.

Where I come from in rural Mississippi, some of our trade agreements, like NAFTA, have failed our rural communities. The result has been factory shutdowns and job losses that have devastated communities throughout my district. This is the case in rural communities and urban cores across America.

We know that NAFTA has worked fine for many of the places in our Nation, but our rural communities have been ignored. Hard-working people in places like Prentiss, Collins, Magee or Centreville have been hurt by these trade deals. When a factory shuts down in a rural community like this, it is devastating to every family.

We have a responsibility to fight for fair trade that supports American workers, families and communities from unwise trade agreements. Today I stand in opposition to extending normal trade relations to Vietnam.

One example is the damage even restrictive trade with Vietnam has done to the catfish industry in Mississippi. Domestically grown catfish, which meet strict environmental and health standards, are being displaced by inferior and potentially unsafe products from Vietnam. These fish products are disguised by labels that imitate those placed on legitimately farm-raised catfish to mislead the consumer about the origin of the product.

I urge a no vote on this measure.

Mr. LEVIN. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Madam Speaker, I thank the gentleman for yielding me time.

Madam Speaker, I rise today to speak about an issue that is very important to some the citizens of my district. Over the August recess I met with a large group of Southeast Asian and Vietnamese Americans about issues of importance to them. The issue they expressed the greatest concern

about had to do with human rights in Vietnam. They expressed to me their fear that an increase of trade with Vietnam may only serve to strengthen the hand of the Communist government that denies its citizens basic freedoms of association, religion and other human rights. I believe those fears are valid and important for us to consider.

I do not believe we can discuss trade with Vietnam without addressing the human rights violations of the Vietnam Government. Therefore, I was very pleased that the legislation we passed earlier today addressed precisely these issues. Without adequately monitoring human rights situations and without real consequences for noncompliance, I would have had strong reservations about passing the Vietnam trade agreement we are debating now. But by considering these bills in conjunction, we will be able to send a message that the U.S. believes in engaging Vietnam and strengthening economic and political ties, but we still demonstrate our concern for the lack of rights afforded to the Vietnamese people.

I think it is especially important to send to the Vietnamese Government the message that it remains unacceptable for them to continue to imprison religious leaders, including individuals such as Father Nguyen Van Ly, the Venerable Thich Tam An, Thich Khong Tanh, Thich Quang Hue, Ly Tong, and other religious and political prisoners.

Madam Speaker, I will vote in favor of this legislation, but only because this body has assured us that we will continue to put pressure on this country to further human rights.

Mr. ROHRABACHER. Madam Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore (Ms. BIGGERT). The gentleman from California (Mr. ROHRABACHER) has 18 minutes remaining, the gentleman from California (Mr. THOMAS) has 19½ minutes, the gentleman from Michigan (Mr. LEVIN) has 17 minutes remaining and the gentleman from New York (Mr. MCNULTY) has 25 minutes remaining.

Mr. ROHRABACHER. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, let us, as this debate goes on, remember that Vietnam as it is today does not have an independent court system, does not have opposition parties, does not have freedom of the press, not to mention all the political prisoners they have thrown in jail, et cetera, and the persecution of religion. But without courts, without opposition parties, without freedom of the press, what does that mean normally? What it means is exactly what you have got in Vietnam, a corrupt system.

We may try to say, well, we have already given these loan guarantees and these subsidies with the Jackson-Vanik waiver already passed by this House. The fact is, this vote freezes that into place. This vote freezes those loan guarantees and those subsidies into place that we put into place over my objection with the passage of the Jackson-Vanik waiver.

We should not in a situation, in an environment where there are no courts or opposition parties or freedom of the press, expect that our businessmen are going to go over there and find anything available to them without a bribe. What they are going to find, and that is what is happening there, our businessmen are faced with bribes, they are faced with a corrupt regime they are not used to.

And then what happens? The American taxpayer, because we have given these subsidies and loan guarantees, has to pick up the check when these businessmen close up their operation and flee back to the United States of America.

This is a bad deal. It is bad business. Not only is it bad in terms of American values, in terms of human rights and freedom, but it is just a bad deal all around, having the taxpayers subsidize loans and guarantee these loans in order to go into this corrupt environment where you do not even have a court system that can operate independently and provide judgments there, when you have people asking for bribes, et cetera, et cetera.

This is not what we should be doing. It is bad business and contrary to our values.

Mr. THOMAS. Madam Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. WATKINS), a member of the Committee on Ways and Means.

(Mr. WATKINS of Oklahoma asked and was given permission to revise and extend his remarks.)

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Mr. WATKINS of Oklahoma. Madam Speaker, I stand in support of H.J. Resolution 51. Let no one be fooled. What this basically does is normalize the trade relationship with Vietnam. We are trying to have a bilateral trade relationship with this country. I am very proud of the fact that the State of Oklahoma was the first State to have an office in Vietnam to do trade. We are still the only office basically there that has a presence, but we have an office there, and we have people there.

Yes, Oklahomans are there trying to engage in having a normal trade relationship, but we are also trying to work with educational and cultural exchanges, because we know the only way we are going to resolve the human rights problems are to be able to engage and be able to carry on that conversation one on one with our values, our values. I started to say we normalized California. A lot of Okies went out that way, but the chairman is from California so I have to be very careful about what I say about California.

But let me say I know there are conditions there, and I visited with the gentleman from Alabama (Mr. CALLAHAN) about some economic trade policies that we need to continue to be concerned about and aware of, and I yield to the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Madam Speaker, I thank the gentleman for yielding and for bringing this point up.

First let me say that I have great respect for the Committee on Ways and Means chairman and the subcommittee and all of my colleagues who have worked so feverishly and so effectively on these free trade policies. I am a free trader I do not deny, and I am quite proud of it, and I have voted for each and every bill they have brought to the floor. But sometimes we have to talk to our own administration and the only chance we have to talk to them effectively, and usually I do this on the appropriation bills, is by threatening to withhold their money.

But we do have a tremendous problem in the catfish industry. The catfish industry in Alabama is a growing industry that is employing thousands of people. They have developed a hybrid catfish that is raised in fresh water ponds that are grain fed, that are high quality catfish. Now we find that the Vietnamese, and the Commerce Department or the FDA is allowing them, to ship into the United States, the Vietnamese, a poor quality fish that is not even a catfish, that is labeled a catfish.

The reason I stand here today is to shoot a bow over the front of the ship of the FDA, and I have written Ms. Janice Oliver a letter and asked for her immediate decision on this classification.

We do not mind importing any product from the Vietnamese that is a safe, edible product, but we do not want it mislabeled, and the FDA can do something about it. My message today to the FDA is to do something about it and do it immediately, or else they are going to be facing my wrath when these appropriation bills come to the floor.

I had to do it one other time. I remember I had the same problem with the chairman that is sitting right behind my colleague now, and I threatened to withhold $1 million a day until they made a decision. I am not threatening to withhold $1 million a day from the FDA; I am just insisting that FDA make this decision today, make it as expeditiously as they can, and let us get on with this ability to trade with Vietnam and other countries.

Mr. ROHRABACHER. Madam Speaker, I yield myself 1 minute.

I would ask our colleague, the gentleman mentioned the catfish industry. Is the gentleman aware of whether or not the American company dealing with the catfish industry there, was there any loan guarantees by the Export-Import Bank to any American company that was involved or a subsidy from the American taxpayer involved in the creation of the catfish industry in Vietnam that is now wreaking such havoc in the gentleman's State?

Mr. CALLAHAN. Madam Speaker, if the gentleman would yield, I am not familiar with anything that the Ex-Im Bank has done there, although I am a big supporter of the Ex-Im Bank. I do know that the government of Vietnam is offering interest-free loans for people, which I think is in violation of all of our agreements, is offering interest-free loans to people to start catfish farms, and if they want to do that and play on the same level playing field that we are playing on here in the United States, that is all right with me too.

Mr. ROHRABACHER. Madam Speaker, reclaiming my time, there is a real possibility, and neither one of us knows that now, but I do not think there is anyone on this floor that would step up and say, no, it is impossible; the catfish industry in Vietnam has not been created with the help of subsidies from the American taxpayers. We cannot say that, because we do not know. We are laying down the rules now, so that would be a real possibility.

Mr. MCNULTY. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. GEORGE MILLER).

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

Mr. GEORGE MILLER of California. Mr. Speaker, I urge my colleagues in the House to vote for this legislation.

Mr. Speaker, I urge my colleagues in the House to vote for this legislation to establish a bilateral trade relationship with Vietnam. This legislation is the product of long negotiations between our governments, and builds on the trade relationship we have been developing over the past decade. Just a few weeks ago, this House again voted by an overwhelming vote against imposing trade restrictions on Vietnam; now, we should pass this BTA by just as overwhelming a vote.

We all recognize the sensitivity of any legislation involving Vietnam because of our nation's past history. But we in the House have begun a healthy, expanding and maturing relationship with this country of nearly 80 million people. And this legislation is not about the past; it is about the future relations of our governments and our economies.

I have had the opportunity to visit Vietnam, to meet with government leaders and private citizens, and to talk at length with our former ambassador, Pete Peterson, who has been one of the most passionate supporters of improved political and economic relations with Vietnam. Ambassador Peterson has devoted countless hours during his years of service to developing improved economic and political relationships between Washington and Hanoi, and between the American and Vietnamese people. Our vote today is, in no small way, a testament to the success of his efforts and a credit to his hard work.

Vietnam is a large and changing country. There are multinationals involved in production of oil and gas and the manufacture of sportswear; Vietnam is also a country where most people labor in rice paddies and start businesses with micro-loans of less than $100. It is a country of educated, industrious people that will continue to play a key role in the future of Southeast Asia. We should not cut ourselves off from that nation, but rather work closely to help it advance and to encourage moves towards a more open economy.

We are building a new and positive relationship with Vietnam, which is the 12th largest population in the world and plays a key role in the political and economic security of Southeast Asia. Last year, the Congress enacted legislation I helped to write creating a program to promote higher education exchanges between our countries. We should continue to build on these efforts, because they are in the best interests of both nations.

Some may wish to turn this debate into one over sensitive issues between the United States and Vietnam. That strategy is inappropriate here, and should be rejected. Vietnam, as illustrated by our annual Jackson-Vanik votes, has made great strides on immigration and is a full partner in the effort to locate remaining American soldiers missing in action. Negative and unjustified attacks on Vietnam's efforts at cooperation can only injure future efforts, and have no place in this debate.

However, let us note that this BTA does not end our review of Vietnam's moves towards openness and transparency. We will still engage in annual reviews of its practices. Nor does this BTA or the memorandum of understanding concerning labor standards adequately address concerns I have, along with many others, about the need for a free labor movement in Vietnam that allows workers to organize and collectively bargain with their employers. As we move towards the next stages of trade agreements, we will continue to press for assurances that the working men and women of Vietnam will enjoy the basic rights to free association recognized by the International Labor Organization.

Free trade unionism, improved environmental policies, expanded political and religious rights for all Vietnamese: these are, and should be, legitimate factors for securing improved and lasting trade relations with the United States and other democracies. We will continue to work with the Vietnamese to assure that these goals are achieved.

Those are issues that remain to be discussed in the course of future negotiations. For today, we should move ahead and pass this Bilateral Trade Agreement which sets the stage for those future discussions, while helping to bring our countries and our people together.

Mr. MCNULTY. Mr. Speaker, I yield 6 minutes to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Speaker, I rise today in opposition to House Joint Resolution 51, which extends temporary most favored nation status to the Socialist Republic of Vietnam. The Vietnam-U.S. bilateral trade agreement is unwarranted until Vietnam demonstrates tangible progress in addressing its human rights and the moving forward to a more market-oriented economy.

Free trade does not mean trade at any cost. In the case of Vietnam, certain conditions, I believe certain conditions should be met, to have long, meaningful, lasting trade relations developed. I am concerned that we are losing our economic leverage without gaining concrete, verifiable steps towards reform in exchange.

In our support for the economic revitalization of Vietnam, we cannot ignore basic human rights issues that need to be resolved.

Mr. Speaker, I have the privilege of representing the largest Vietnamese community outside of Vietnam. They are the parents, the siblings, the children of families who fought communism for over 2 decades, and they, the majority of these people, do not want to establish normal trade relations with Vietnam until we do something about immigration, political and human rights issues for the people of Vietnam.

Recently, I have learned of the distressing case of Mr. Dac Vi Hoang, a former Vietnamese businessman who fled Vietnam recently to escape persecution. His situation is emblematic of the economic repression and political corruption that stifles free enterprise in Vietnam. Mr. Hoang was a prominent Vietnamese entrepreneur who owned Thanh My, Incorporated, an international exporter of lacquerware. In fact, he enjoyed an astounding success, this private corporation, in the midst of a communist regime, with annual sales of $3 million and over 400 employees. Thanh My was internationally recognized as the first private corporation in Vietnam to receive permission to sell its shares to a foreign entity, although that permission was eventually revoked by the Vietnamese government. Nonetheless, just 1 year ago, in August of the year 2000, Mr. Hoang found himself having to flee Vietnam with his family, leaving this entire business behind.

Let me take a minute and tell my colleagues the story. In February of 1976, nearly 1 year after the end of the war, Dac Vi Hoang started his small, family-oriented company specializing in lacquerware products. At the time, the communist government was closing down large corporations and industrial plants because they were considered to be tools of capitalism, but they allowed a few small, private companies to operate, as long as they did not have a lot of capital or heavy machinery.

Although the business was allowed to remain in operation, Mr. Hoang was imprisoned for 5 years so that he could be ''reeducated,'' which meant that his wife had to run the business in the meantime. During his time, it should be noted that Mr. Hoang was severely tortured, mentally and physically, when he underwent reeducation.

Although business operations were kept to a minimum, when he was released, he started into the business, and by 1991, Thanh My was allowed by the Government of Vietnam to actually export its lacquerware to other countries. Ultimately, Thanh My became one of Vietnam's largest exporters with customers in the U.S., in France, Japan, Germany, Sweden, even Canada. Because of his success, however, Mr. Hoang became a well-known

member of the Vietnamese business community. He was one of the founding members of the Vietnam Chamber of Commerce and Industry; he was elected Vice President of the Union of Associations of Industry and Commerce, and he was also featured in Baron's Who's Who in the Asian Pacific Rim.

Well, all of this caught the attention of the Vietnamese communist government. Mr. Hoang voiced the concern of the business community with respect to what was going on. His criticisms of the government were unfair and arbitrary taxing against private corporations and that there was corruption at virtually every level of doing business.

In recent years, the communist government of Vietnam began cracking down on executives of leading private corporations. Using various pretexts, the communist regime has imprisoned executives of successful, private companies when they are considered too vocal, too vocal, in criticizing the government or when their companies become too successful, thereby threatening the regime's grip on power.

This is what was happening to Mr. Hoang when he decided to flee with his family. He learned from the government ministry of public security task force officer who was assigned to monitor what was going on at Thanh My that Mr. Hoang was a target for persecution. This security officer was someone that Mr. Hoang gave side bribes to in addition to the usual money you have to pay these people to supervise what was going on with Thanh My. He would give this money to get good government reviews and not have problems with the government. Finding out that a change in the government supervision over Thanh My was going to occur, was going to be an excuse for the government to come in and bring somebody to try to find incriminating evidence against him, Mr. Hoang took his family and fled Vietnam leaving the entire business behind. He currently is residing in southern California while he awaits his political asylum hearing.

I ask my colleagues to understand that this is continuing to happen in Vietnam. As the person who represents so many of the Vietnamese, we get all of these cases all of the time. After hearing this story, does Vietnam appear to be a country that is moving toward market-oriented reforms?

Mr. Speaker, I cannot support this, and I hope that my colleagues will help and not support this either.

Mr. LEVIN. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. EVANS), a very distinguished colleague who has had a very long and deep interest in this issue.

Mr. EVANS. Mr. Speaker, I urge all of my colleagues to support normal trade status for Vietnam.

The vote today is really about how we best achieve change in Vietnam, and I believe the record speaks for itself. We have achieved progress by engagement: by encouraging Vietnamese cooperation on important issues such as human rights, immigration and political and economic reform.

I can speak about this personally. I have been to Vietnam and seen the work of the Joint Task Force-Full Accounting, our military presence in Vietnam tasked with looking for our missing servicemen and women. I have visited these young women and men, and they are among the bravest and most motivated soldiers I have ever seen. Every day, from the searches of jungle battle sites to the excavation of crash sites on precarious mountain summits, they put themselves in harm's way to recover our missing. In talking with them, it made it clear to me that they were performing a mission that they truly believed in.

On April 7 of this year, that danger became all too real. On that date, seven American members of the joint task force, along with nine Vietnamese, lost their lives in a helicopter crash as they were on their way to a recovery mission. This tragedy was a huge blow for our recovery efforts, as we lost both Americans and Vietnamese who had deeply been involved in finding our missing. We should remember our deceased Americans are heroes who gave their lives in pursuit of a mission they believed to be a high honor and a sacred duty.

The only way we can carry out this mission effectively is to have a presence in Vietnam. To maintain that presence means reciprocating on the promises that we made to reward Vietnamese cooperation. Failing to approve this resolution would definitely send the wrong signal to the Vietnamese, not to mention the brave American men and women who are still searching for our missing in the rice paddies and mountains of Vietnam.

□ 1515

The opponents of this argument or the opponents of this agreement will say that the Vietnamese Government has a terrible record on human rights, that they do not deserve normal trade arrangements with our Nation.

I will not defend the Vietnamese human rights record. It needs serious improvements. We should focus on obtaining basic freedom for all Vietnamese. But former Ambassador and colleague here in the House of Representatives, Mr. Pete Peterson, demonstrated that we can achieve progress on human rights and a number of other issues that are important to our Nation by encouraging cooperation from the Vietnamese.

As our first ambassador to this nation since the war, his stewardship led to tangible and dramatic progress on issues that have changed the lives of North Americans and Vietnamese for the better.

By continuing this policy, the families of POWs and MIAs will get the answer about their missing, Vietnamese emigres will also be reunited with their families, and our country will have benefits from the fruits of Agent Orange research. We can risk all this if we turn our backs on this successful policy. Voting against this agreement would do just that.

Mr. Speaker, earlier this year the House overwhelmingly supported a waiver of the Jackson-Vanik amendment restrictions on Vietnam. This is the fourth year in a row that the House, with growing and overwhelming support, voted for better relations with Vietnam.

I believe that we should follow this course. Let us support the Joint Task Force for Full Accounting, and let us support our Nation's bipartisan policy that has only furthered our goals towards a more cooperative and open Vietnam. Please vote for this resolution.

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

Mr. Speaker, we have learned that the Vietnamese catfish industry is having a very detrimental impact on Americans who were involved with producing catfish for the American table. Yet also, at least I suggested, and I have not heard anything to the contrary, that what we are doing is laying down the economic ground rules so that we can subsidize, through American taxpayer subsidy or loan guarantees, businessmen to go to Vietnam and set up other businesses in order to do to the current businesses of the United States what the catfish industry from Vietnam did to the catfish industry here.

That does not make any sense to me. What is this all about? This is about a dictatorship in which some American businessmen want to go over there and exploit the slave labor, and want to do so with loan guarantees and subsidies by the American taxpayer.

I am very happy to hear that Oklahoma set up a business office in Vietnam. A lot of other people set up business offices in Vietnam. But what we need to hear about are all the offices that have closed up, all the businessmen who thought they were going to do business there, but the environment is so corrupt that they were unable to do business, and that they have closed shop and left.

The only way American business companies are going to go over there is if we guarantee their loans and subsidize them. That makes no sense. We have already put all these people who grow catfish, we put them out of work. What is the next industry that we want the Vietnamese slave labor forces to be able to put out of work with the subsidy from American taxpayers? What industry is that?

How about refrigerators, radios, clothing? I do not know what factories these people want to open. Probably I would guess it would be tennis shoes.

I believe in free trade. People who oppose this particular trade legislation, it does not mean they are opposed to free trade. I believe in free trade between free people. When we sort of set

the same rules with vicious dictatorships as we do with democratic countries, surprise, surprise, we are going to bolster the strength of the regime, of the clique that holds power in those dictatorships.

No, we should be having freer trade with countries like the Philippines, who are struggling, struggling to have a good democracy with human rights, instead of giving more incentives and more ways of making profit by setting up businesses in dictatorships like Vietnam.

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

Mr. THOMAS. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. KOLBE), someone who has been extensively involved in a number of trade discussions and debates.

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

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding time to me.

I thank the gentleman again for yielding me this time, and I appreciate the leadership he has shown with his committee on so many trade issues this year. This is just one of them.

Mr. Speaker, I do rise today in support of House Joint Resolution 51, which would extend normal trade relations to the nation of Vietnam. Let us begin, as I know the chairman has made clear earlier, what this is and what this is not. This is not a free trade agreement. It is a bilateral trade agreement, a trade agreement that allows us to trade on the same basis as we trade with all the other countries of the world except the very small handful with whom we do have a free trade agreement.

Because Vietnam is a socialist or a Communist country, it comes under the banner of the Jackson-Vanik requirements, and still, with this passage, would require an annual Jackson-Vanik waiver from the President of the United States.

Mr. Speaker, in 1995 this country embarked on a new path with the country of Vietnam. We chose to take a different direction toward better political, economic, and consular relations. In making that decision, we recognize the need to encourage the development of Vietnam as a prosperous country, and believed, as I believe today, that doing so would begin to bring about the fruition of democracy within that country.

We understood how important it is to integrate our former adversary, with whom some of us in this body itself fought in a war in that country, to integrate that former adversary into the economic progress of Asia and ultimately into the global community.

Since starting down the path, our policy, I believe, has reaped some very important benefits. It secured Vietnamese cooperation on achieving the fullest possible accounting of the POWs and MIAs from the Vietnam War. It has helped to contribute to regional stability. It has helped to open a new market for U.S. businesses and U.S. workers in the world's 13th most populous country.

Mr. Speaker, just 2 weeks ago today I returned from a trip to Vietnam. It was my first time in that country in 10 years, in exactly the 10 years ago that I was there, and the 22 years before that that I had been there during the Vietnam War. I was struck with the tremendous changes that have taken place over the last 10 years.

Ten years ago, we had no embassy in Hanoi. We had no consular office in Ho Chi Minh City. We had no American business presence. In fact, there was almost no foreign business presence anywhere in Vietnam at that time.

Today we find the city of Ho Chi Minh, or Saigon, with five-star hotels, with very upscale restaurants and shops catering to foreign shoppers, high-rise buildings and a skyline that is beginning more to resemble Hong Kong or Bangkok than the somnolent Saigon many of us knew during the time of the Vietnam War when we served there 30-plus years ago.

It is a different city. It is changing. I believe with this agreement we will accelerate that change. I believe that change will be to the good, both for the United States, but most importantly, for the people of Vietnam.

Certainly the U.S.-Vietnam foreign policy relationship is one that is still maturing. We would all agree that we must continue to make progress in our relationship along several dimensions.

But today, this legislation marks a very important milestone in the development of that relationship. Today we can support the extension of normal trade relations between our two countries. U.S. trade and economic ties with Vietnam can help the country see the benefits of developing a society that is based upon the rule of law. That faith in the rule of law can then serve as a foundation upon which further social and political development can be based.

Mr. Speaker, no country can engage in trade with other countries, can engage in foreign relations, without ultimately having to come to terms with the rule of law. That is the most important aspect of this legislation.

So to my colleagues in the House, I urge their support for this resolution.

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

(Ms. LOFGREN asked and was given permission to revise and extend her remarks.)

Ms. LOFGREN. Mr. Speaker, I oppose House Joint Resolution 51, and I urge my colleagues to vote against this resolution. I am fortunate to represent Santa Clara county, an area in California with a vibrant Vietnamese-American population. Quite a few of my constituents came to San Jose as refugees escaping an oppressive political regime.

Over the last 25 years, as the Santa Clara County supervisor, as an administration lawyer, and as a Member of Congress, I have worked closely with these Americans; and many of them have become my friends. I value their knowledge, experience, and support, and believe they have a unique perspective on the United States' relationship with Vietnam.

While we are told that the government in Vietnam is making progress in the area of human rights, I continue to hear about religious persecution, political persecution, and unwarranted detentions from my friends in the Vietnamese community. During the past 12 months, the Vietnamese Government has intensified its campaign of brutal oppression, especially against religious leaders and ethnic minorities.

When I, along with the gentleman from Illinois (Mr. Davis) and the gentlewoman from California (Ms. Sanchez) hosted a hearing on human rights in Vietnam this spring, we learned of this firsthand. One after another, religious leaders testified to the lack of religious freedom in Vietnam. Several invited witnesses were unable to leave Vietnam to deliver their testimony in the face of government threats. They smuggled out written or audio testimony so their stories could be heard.

In light of the government crackdown on religions, dissidents, and minorities, unconditional ratification of the bilateral trade agreement will send the wrong message to the Vietnamese leadership. The U.S. Commission on International Religious Freedom recommended that the U.S. Congress ratify the BTA only on the condition that Vietnam undertake substantial improvements in its policy towards and treatment of religion.

I am a firm believer in trade. I have voted repeatedly for trade agreements, but the situation in Vietnam is different. We have a clear opportunity to change the course of the nation's behavior by denying it what it desires greatly, a trading relationship with America.

President Bush, please stand up to the communists in Vietnam and insist on human rights in exchange for trade. We have the tools at hand to improve the human rights situation in Vietnam. I ask my colleagues how they justify not using this tool when so many have asked for our help.

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

Mr. ROHRABACHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. WICKER).

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

Mr. WICKER. Mr. Speaker, I rise in opposition to this legislation, until such time as the administration can reach a fair agreement with Vietnam on the catfish issue.

□ 1530

Well, my suggestion is that they are going to continue stealing our software

in Vietnam, just as in China, now that we have liberalized trade with them. It has not changed their practices one iota at all.

So let us understand that when we make agreements with these types of regimes, these criminal regimes around the world, surprise, surprise, we are not going to be treated as if we are dealing with an honest democratically elected government that keeps its word. Instead, we are dealing with gangsters who pirate, and not only pirate but repress their own people, even commit murder. I mean, they murder their opponents in these regimes, and that means Vietnam, and yet we expect them to abide by some nice trade agreement with us? No. The agreements that they make with us will only be followed to the point that they are beneficial to the Vietnamese Government and the clique that runs that country.

Let us take a look. We have heard about the catfish industry. I am very happy that the catfish industry was brought up today because we do not know whether or not the catfish industry in Vietnam was established with the help of a taxpayer loan or subsidy from the U.S. taxpayers, but we do know that we have several Congressmen from a variety of States here worried about their constituents being put out of work because catfish from Vietnam are flooding into our market. We do not know whether or not that catfish industry was set up with a taxpayer subsidized loan; but we do know that there is slave labor in Vietnam, that there are none of the environmental health standards in Vietnam, and there are none of the other types of protections in Vietnam that would be required of them if they were raising those catfish in the United States.

And by the way, those same requirements might be put on Vietnam if they had a democratic government. If they had a democratic government, maybe they would be forced to pay their people more, or perhaps the people of Vietnam would demand higher health standards. But they do not have a democratic government. They have a gangster clique that runs the country and they are going to manipulate the catfish industry for their benefit. I would bet some of this clique in Hanoi are making money off the catfish industry by putting our people out of work.

By making this agreement today, we will just do for the rest of American industry, step by step, what was done to the catfish industry, and we will be doing it with subsidies from the American taxpayers and loan guarantees from the American taxpayer. It makes no sense.

Let us talk a little bit about the issue of human rights. And I will just say to my colleagues that suggest that if we would just open up these economic ties, there will be more respect. In fact, we have heard some people claim there has already been progress.

There has been no progress. There has been retrogression in China, and there has been no progress about opening up that system democratically in Vietnam whatsoever. There are more five-star hotels around so that there our big businessmen with guaranteed loans in their pockets from the American taxpayers can go over there and invest and set up factories over there to use slave labor. Oh, yes, there are some five-star hotels, but that is not progress. That is not progress at all.

What we still have are no opposition parties, no independent courts at all. There is no rule of law in that country, no freedom of the press, so nobody can criticize the corruption there. And that is why people do not invest unless they have government guarantees and loans or subsidies, because it is too risky a proposition.

Why are we setting up the rules of the game and doing trade with a country like that when instead we should be seeking to encourage people to invest in democratic countries like the Philippines or in our own country to protect people with our own jobs?

Last but not least, the POW issue. I have spent so much time on this issue over my 13 years in Congress. I cannot say it is more than any other Member, but I know that I have spent considerable time on it. I have been to Vietnam numerous occasions and Southeast Asia numerous occasions on this issue. I have studied it and I, without hesitation, can tell my colleagues that I do not believe this government has cooperated in good faith with the United States in trying to have an accounting for those Americans who were seen alive in captivity before the return.

There were over 200 of those Americans who were in captivity; we knew they were, yet they were not returned at the end of the war. We want to find out what happened to those people. We do not want to have this obfuscation. We do not want this issue sugar-coated or candy-coated.

They show pictures of this issue, of our people there digging for bones. Yes, digging for some of those bones will bring closure to some people, but we want truth. We want to establish the truth. If they kept those people and they murdered them later on, let us hear about it, and we can close this chapter of the book. But let us not let them get away with the same falsehood they have been using on their own people.

I would ask for my colleagues to join me in opposition to this trade deal. It is contrary to America's interests. It is a bad deal. It is contrary to our values and will not bring a close to the Vietnam era. It will just leave this corrupt dictatorship thinking they put one over on us.

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

Mr. LEVIN. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in allowing me to speak on this important legislation.

I agree with one thing from the comments of my colleague from California, and that is that this is closing a chapter in American history. But I think, most important, it represents opening a new era in relationships between the United States and Vietnam.

We have heard people talk on this floor about the painful experience. And I think there is no question why people feel so strongly and passionately about it. This was a chapter in our history where traditional measures simply do not apply.

Traditional concepts are of winning or losing a war, for example. Certainly the American public has lost over the course of the last third of a century. Certainly we paid heavily in economic terms, costing billions of dollars and throwing our economy into chaos.

Families lost. We all know people who lost loved ones. Over 56,000 Americans did not return. And there have been massive efforts on behalf of both the United States and the Vietnamese Governments to try to account for everyone, more than any other war in American history. Yet we are still striving to close that chapter.

And, of course, we have to look no further than the streets of America now where we see troubled and, in some cases, homeless veterans who returned seared by the process.

But those of us who have experienced a little bit of the situation in Vietnam recently, who have talked to our constituents who are here now and who are of Vietnamese heritage know that this chapter exacted a horrible price on Vietnam itself. There were hundreds of thousands of casualties, tens of thousands of missing and still unaccounted for, and it produced a flirtation with global communism as an ally that has delayed the modernization of that country, including not just its economy and human rights, but reintegration into the family of nations.

Thankfully, soon after the formal fighting ended, there were courageous people who stepped forward to try to begin this new era. No discussion of this issue would be complete without noting the unique contributions by American heroes, like Senator MCCAIN, Senator KERRY, and our own former colleague on the floor of this House and ambassador to Vietnam, Pete Peterson, who worked to engage our two countries.

We have made tremendous progress in reconciling our past to the new future. It is still not going to be easy. This terrible tragedy in Vietnam continues to claim victims every day. And those who visited the country lately cannot help but be touched by the young children who continue to be maimed by land mines and other unexploded ordnance, by people struggling with war injuries, physical and psychological, children with birth defects.

We have hundreds of thousands of Vietnamese who have fled to the United

States, who are now citizens of our country, who are trying to reconcile it as well, struggling with the past, and who are hungry for reconciliation with divided families. This trade agreement is an opportunity to open up whole new avenues of commerce and contact between our two countries, but particularly for Vietnamese Americans.

Vietnam today is an entirely different nation, unlike what some would lead us to believe. It is entirely different from what we saw 40 and 50 years ago. The architects of the Vietnam War on the side of the Vietnamese, like Ho Chi Minh and his contemporaries, are gone. It is an oft-cited statistic that 60 percent of the Vietnamese people have been born after the conclusion of that war and the vast majority have no memory of those efforts.

I appreciate the gentleman from Michigan (Mr. LEVIN) yielding me this time, and I apologize if I got carried away a little bit, but we see this new country that is emerging that can take advantage of this trade agreement to forge new links. Southeast Asia is a cauldron today of over 600 million people, of diverse countries rich in natural resources, economic energies and rich cultures, and Vietnam is right in the middle of it. It is a country that has a long history of being leery of the country of China, for instance, and a thousand years of experience to back it up.

We have seen people labor mightily over this trade agreement. We are going to see a new era of economic prosperity in Vietnam. It is going to help us economically, but it will be transformational for them, and it is going to empower a new generation of leaders, of entrepreneurs, speed the healing, and give them the energy to slam the pages closed on this chapter and open a new one.

I deeply appreciate the leadership of the Committee on Ways and Means, my colleague, the gentleman from Michigan (Mr. LEVIN), in bringing this forward, the many people who have labored mightily for this agreement, and I strongly urge its passage.

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

I had a chance at the beginning to lay out a perspective of mine and, I think, many, many of my colleagues on the Democratic side. I think this has been a useful discussion, and I hope many have heard it, though not here. I simply want to reemphasize that this is not an easy relationship. It is a complex relationship because of the past, but also because of the present and likely the near future.

There should be no rose-colored lenses. We are dealing with a society, a structure, that is very different from ours. Very different. A political structure that is very different and an economic structure that is very different. As a result, there is no automatic factor here. There is no magic wand. One thing will not lead automatically to another. I do not think a free capital market will lead automatically to a free labor market or to human rights.

I think, as a result, we need a well-rounded comprehensive approach. I think included must be engagement, including on intellectual property. This agreement covers intellectual property. It has restrictions in terms of how the Vietnamese handle it.

But beyond that, I think comprehensiveness must increasingly include, with this authoritarian society, their movement towards a free market in labor as well as in capital. That is why I think we need to both engage and pressure Vietnam. That is why I think, as we negotiate further agreements with Vietnam, we must consider the factors, including the labor market factors and perhaps even the environmental factors that at this point are not as critical.

□ 1545

So, in a word I think we need to move forward but in a comprehensive way. And on balance, I believe that this bill represents a movement forward, as long as we keep in mind the reality of a very different society with a very different structure that requires a different formula as we did with Cambodia, as we have wrestled with, with other countries, we would apply, if we were negotiating or approving an agreement with another industrialized democratic society.

So with this, I close, hoping that we will pass this within the framework that I have suggested and I believe so many of my colleagues agree with.

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

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

Mr. Speaker, my other colleagues who are in opposition to this measure have eloquently outlined the many reasons to oppose it. I will close by concentrating again just on the MIA issue.

Mr. Speaker, I thank Boyd Sponaugle, Ron Cima and Chuck Henley of the Office of the Secretary of Defense for the updated information on the search for our MIA's. I am grateful to them and all who are working to bring our MIA's home.

As I grow older, Mr. Speaker, I try to keep my priorities straight. That is why when I get up in the morning, the first two things I do are to thank God for my life and then veterans for my way of life. Because had it not been for my brother Bill and all of those who gave their lives in service to this country through the years, had it not been for people like the gentleman from Texas (Mr. SAM JOHNSON) and PETE PETERSON and Senator MCCAIN who endured torture as prisoners of war, had it not been for people like Pete Dalessandro, a World War II Congressional Medal of Honor winner from my district who was laid to rest 2 years ago in our new cemetery in Saratoga, had it not been for them and all of those who wore the uniform of the United States military over the years, I would not have the privilege as an American citizen to go around bragging, as I often do, how we live in the freest and most open democracy on the face of the Earth. Because freedom is not free. We paid a tremendous price for it.

So today, Mr. Speaker, based upon the comments that I made earlier and the comments of my colleagues, and on behalf of all 1,474 Americans who are still missing in Vietnam, I ask my colleagues to join me, the American Legion, the Veterans of the Vietnam War, the National Vietnam Veterans Coalition, and the Disabled American Veterans in opposing this measure.

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

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

Mr. Speaker, first of all, let me say that ordinarily in this debate the gentleman from Illinois (Mr. CRANE), would be heavily involved in the debate; but due to a family circumstance, the gentleman is not here today.

Mr. Speaker, in my response to my friend, the gentleman from New York (Mr. MCNULTY) and his poignant comments, I too share the concern that he expresses.

I think it is important to note, however, that, for example, in World War II there were more than 50,000 missing in action. It is true we have a better capability and we have carried on a much longer search to verify each and every individual who was missing in action; but the two former major Axis Powers are now two of our major trading partners. I do have to say we engage in trade disputes periodically, but we do so in an ordered process.

I believe most of us who are in support of this resolution to enter into normal trade relations with the Socialist or Communist Government of Vietnam is to believe that this too will have a better outcome.

I do want to respond to my colleague, the gentleman from California (Mr. ROHRABACHER), about his concern in terms of taxpayers' money. While this debate has gone on, we have engaged in a number of conversations. For example, the Export-Import Bank of the United States has indicated that there have been no transactions, therefore, no funds have been authorized for participation in Vietnam by American businessmen.

We pursued farther. The Overseas Private Investment Corporation has indicated that there has been no activity. Beyond that they are required by law to examine any project to determine if it would have a negative impact on the U.S. economy and business. They would be required by law to turn a project down. So although there may be somebody's private dollars involved in the catfish operation, at this point I believe I can offer a degree of assurance to the gentleman from California (Mr. ROHRABACHER) that there has been no taxpayer dollars.

But the point he makes, if not specific to the catfish industry, is one that

we have to be concerned about. And that is why this agreement can be revoked at any time by the President under the structure that we have established. This is a year-to-year renewal. It is an embarkation on an attempt with a nonmarket economy to improve not only the labor areas that the gentleman from Michigan (Mr. LEVIN) has indicated he has a concern about, but the intellectual property rights guarantee that has caused so much pain by the copying around the world. Of course, the key to that is the transparency in the transactions. This will be a good test of the Government of Vietnam to see if they can be trustworthy.

In fact, I find it entirely appropriate to reflect on the comments of the President of Mexico in the address he gave to the joint session today. He indicated one of the key commodities to improve the relationship between the United States and Mexico is a degree of trust. He indicated that notwithstanding the democratic title of the country over a number of years, it was far more authoritarian, that was his word, than democratic, but that there is a new era.

Mr. Speaker, I cannot say the same for the current government of Vietnam, but I do believe sincerely that this agreement will move us more in the direction of an open opportunity for Vietnamese citizens to express themselves.

Currently, this will be in the more economic realm rather than in the political realm. There is no question they have what they believe to be a semblance of what they call a democracy; but the fundamental core of a democracy is that the decisions be made quantitatively with each person getting equal weight. We know that is not now the case in the Socialist or Communist Republic of Vietnam.

All of those facts laid bare on the table, House Joint Resolution 51, introduced by the gentleman from Texas (Mr. ARMEY), the majority leader, and the gentleman from Missouri (Mr. GEPHARDT), the minority leader, with the support of the chairman of the Subcommittee on Trade, the gentleman from Illinois (Mr. CRANE), is worthy of a ''yes'' vote. We should move forward with this ongoing engagement with the Socialist or Communist Republic of Vietnam. It will be a yearly test to see if, in fact, our trust is well placed. If it is not, we can change. But for today, I urge my colleagues to vote ''yes'' on House Joint Resolution 51.

Mr. GILMAN. Mr. Speaker, I rise in strong opposition to H.J. Res. 51, a resolution approving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam.

Amnesty International reports that the government of Vietnam continued to prevent independent human rights monitors from visiting the country and dozens of prisoners of conscience remained in prison throughout 2000. Restrictions on released prisoners continued to be harsh. Political dissidents, independent labor leaders and religious critics of the government were subjected to imprisonment, beatings, torture, surveillance, harassment and denial of basic freedoms, including freedom of expression.

Last year, five members of the Hoa Hao Buddhist Church were sentenced to between one and three years' imprisonment on trumped up charges.

The State Department points out that the government of Vietnam prohibits independent political, labor, and social organizations; such organizations exist only under government control. The Vietnamese Government also restricts freedom of religion and significantly restricts the operation of religious organizations other than those entities approved by the State. Dissident groups of Buddhists, Hoa Hao, and Protestants, in particular, faced harassment by authorities.

Accordingly, we should not reward the Vietnamese communist dictatorship with trade benefits. It is an insult to the thousands of American and Vietnamese men and women who were wounded or died during the war fighting for democracy, the rule of law and human rights.

Accordingly, I urge my colleagues to vote against H.J. Res. 51.

Mr. GEPHARDT. Mr. Speaker, last January, I traveled to South Korea, Cambodia and Vietnam to discuss issues of peace, reconciliation, trade and security between the United States and Asia. It was a remarkable trip that helped us to learn. We learned so much about Vietnam and I became convinced that implementation of this Bilateral Trade Agreement is the right policy both for the Vietnamese and the American people. Therefore, I urge Members to vote for the Vietnam trade agreement to establish a regular trade regime between the United States and Vietnam.

Thanks to Pete Peterson, former Ambassador to Vietnam, thousands of American and Vietnamese veterans, and the hard work of literally millions of people we have made large strides in reconciling our two nations after the agony of the Vietnam war. Over 50,000 Americans died in that conflict, thousands more were injured, and the war took the lives of hundreds of thousands of Vietnamese and left the country devastated. Pete Peterson has said: ''We cannot change the past. What we can change is the future.''

Working in this spirit, America and Vietnam have established diplomatic ties, undertaken joint efforts to locate the remains of those still missing in action, and trade between our countries has increased. Last year, the United States and Vietnam completed this bilateral trade agreement, to set the stage for an even closer relationship between our nations and a trade regime that is more robust.

On the last night of our trip, I spoke in Hanoi to the American Chamber of Commerce. That night, it became clear that both Americans in Vietnam and the Vietnamese wanted free and fair trade to lift up the lives of both our peoples. There is a hunger not to forget but to use the war as a springboard for healing and hope for the future of both countries. Virtually everyone we met said they wanted to join the global community and reap the benefits of the twin revolutions in trade and technology that are sweeping the globe.

Our challenge is to work with Vietnam among other partners in trade to bend globalization for progressive ends: to make sure globalization produces higher living standards and stronger economies in developing and developed nations alike. This agreement is only a first step to raise living standards in Vietnam. It is not a free trade agreement. It establishes a formal trade relationship between our countries, lowering tariffs, increasing the flow of trade, and providing important new protections of intellectual property and investments in Vietnam by American companies.

I hope that passage of this agreement will eventually help to strengthen labor rights and human rights for the Vietnamese people. We must continue the dialogue developed by Ambassador Peterson on labor rights and the U.S. technical assistance program. Also, I strongly support the suggestion from Congressman LEVIN, among others, that any textile agreement between Vietnam and the United States include a provision to promote labor rights. The model for such a provision lies in the agreement between America and Cambodia, to provide positive incentives in which we have promised to increase textile quotes once progress on labor issues has been established.

I urge the Bush administration to continue to press in Vietnam for progress on human rights and religious freedom. If Vietnam moves towards the rule of law in commerce, I believe that it must also make progress in freedom for the Vietnamese people.

Since the war ended in 1975, our countries have traveled on a journey, often difficult and agonizing, yet remarkable all the same; a journey defined by peace and reconciliation, motivated by healing and deeper human understanding. This trade agreement moves both countries forward in this remarkable effort. It is a positive development for both people. I hope all of my colleagues will support this resolution, and help us take another step on the road to healing and hope for all.

Mr. CRANE. Mr. Speaker, I stand in firm support of House Joint Resolution 51, which approves the U.S.-Vietnam Bilateral Trade Agreement, grants NTR status to Vietnam, completes the normalization of our diplomatic relations begun in 1995. A failure to support this key legislation risks undercutting longstanding U.S. foreign policy objectives in Southeast Asia, damaging the credibility of the reform faction within the Hanoi government, and causing Vietnam's 80 million people to slide backwards toward isolationism.

In 1986, Hanoi initiated a policy of doi moi, or ''economic renovation.'' For the first time the government encouraged private business start-ups and permitted inward foreign investment. As a result, Vietnam sustained on average nearly 8 percent annual GDP growth and welcomed $8.3 billion in foreign investment during the 1990s.

I visited Vietnam this past April and was struck by its 92 percent literacy rate, its thriving entrepreneurship, and the thousands of zooming motorbikes. Industrial parks now line the suburbs of the major cities, and government is planning to open a stock exchange in downtown Ho Chi Minh City. As GDP has doubled and per capita income has risen 60 percent since 1990, a small but growing, consumer-oriented middle class is taking root.

Signed in July 2000, the U.S.-Vietnam BTA will buttress these enormous economic and social reforms. The BTA represents the most

far-reaching and comprehensive trade agreement ever negotiated with a non-market economy country. It grants the United States vastly improved access to Vietnam's potentially enormous consumer class, and improves market access for industrial and agricultural goods, services, intellectual property rights, and investment, while requiring greater transparency.

The U.S.-Vietnam Bilateral Trade Agreement will help Vietnam's reformers lock in the economic transformation that slower growth after the Asian financial crisis threatens to unravel. Continued engagement with the Vietnamese government also advances key U.S. foreign policy objectives, including the fullest possible accounting of Prisoners of War/Missing in Action (POW/MIA), freedom of emigration, increased U.S. business opportunities in Vietnam, and promoting Asian regional stability.

Former Vietnamese Ambassador to the United States, Le Van Bang recently noted the positive influence that continued engagement has had on the Vietnamese people. He said that since we first reestablished diplomatic ties, the Vietnamese people have changed their attitudes toward Americans from ''the bitterness of war to a love of America.'' In such a fresh and positive atmosphere, our values in other key areas surely stand a much better hearing and more open consideration if we continue down this road. Approval of the U.S.-Vietnam BTA demonstrates we too are healing from one of the most divisive wars in our nation's history and that we seek to begin a new and truly productive era in U.S.-Vietnamese relations.

Congressional approval of the U.S.-Vietnam Bilateral Trade Agreement and the expansion of business contacts between our two nations provides the strongest foundation for encouraging even further progress and reform in Vietnam. Therefore, I urge my colleagues to vote yes for H.J. Res. 51.

Mr. MORAN of Virginia. Mr. Speaker, I rise in strong support of this measure to expand our trade relations with Vietnam.

This resolution, which ratifies the U.S.-Vietnam bilateral trade agreement and extends normal trade relations to Vietnam, enjoys broad bipartisan support. The agreement represents a milestone toward building a stronger commercial relationship with Vietnam and promoting U.S. security and diplomatic interests in the region.

We have seen tremendous progress in our diplomatic and economic relations with the Vietnamese Government. The country is experiencing a new era, driven by a population where 65 percent of its citizens were born after the war. Vietnam today welcomes U.S. trade and economic investment.

Through a policy of engagement and U.S. business investment, Vietnam has improved its policies on immigration, cooperated on U.S. refugee programs, and worked with the United States on achieving the fullest possible accounting of POW/MIAs from the Vietnam War.

Despite problems of corruption and government repression, there is reason to believe that our presence in Vietnam can improve the situation and encourage its government to become more open, respect human rights and follow the rule of law. Former U.S. Ambassador to Vietnam, Pete Peterson, our esteemed former colleague and former POW, has been one of our nation's strongest advocates for expanding trade with Vietnam.

However, this resolution is not a blank check to Vietnam. Before the United States grants NTR status to Vietnam, the Vietnamese Government is required to sharply lower most tariffs; phase out all non-tariff measures; and adhere to WTO standards in applying customs, import licensing another measures.

This measure also takes an important step in requiring Vietnam to allow U.S., firms over a period of time to enter its services market in a full range of areas, including financial, telecom, engineering, computing, education, health and other services. Two other critical areas of this agreement require Vietnam to protect U.S. investments from expropriation and adopt a fully transparent trade and investment regime.

Mr. Speaker, disapproval of this resolution will only discourage U.S. businesses from operating in Vietnam, arm Soviet-style hardliners with the pretext to clamp down on what economic and social freedoms the Vietnamese people now experience, and eliminate what opportunity we have to influence Vietnam in the future.

Approval of this bilateral agreement will advance U.S. economic interests and, more importantly to our regional interests in Asia, further integrate Vietnam into the global economy. I urge my colleagues to support this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in favor of H.J. Res. 51. I am pleased to have the opportunity to vote in favor of free trade while respecting my commitment to Human Rights.

Mr. Speaker, last year the U.S. signed a sweeping bilateral trade agreement with Vietnam.

The State Department year 2000 review of Vietnam human rights noted that Vietnam has made improvements in its human rights record. Despite these improvements, the State Department still rated Vietnam as ''poor'' overall on human rights, highlighting continued government repression of basic political freedoms. The State Department also noted that the Vietnam Government is intolerant of dissenting viewpoints, and selectively represses the religious rights of its citizens.

Because of these factors, I voted in favor of H.J. Res. 55, legislation disapproving Waiver Authority with respect to Vietnam. Mr. Speaker, my vote was a protest vote, for I believe we cannot continue to hope that trade alone will guarantee the basic human rights of our trading partners.

Today, this House also considers H.R. 2368, the ''Vietnam Human Rights Act,'' which establishes a commission to monitor human rights in Vietnam. I regard this as a step in a new direction, and one that I applaud. By discussing trade with Vietnam in the same context as its human rights situation, we are finally moving in a more comprehensive direction that respects our global obligations.

As the leader of the free world, we have an obligation to promote core values when engaging the rest of the world. Thus, I have fewer reservations about moving forward with Vietnam.

As we move into this new millennium, our actions here today signal a commitment to expanding the marketplace in a manner that benefits both the United States and Vietnam. The extension of Normal Trade Relations will grant market access to American industrial and agricultural products previously denied from competition. U.S. firms are also granted access to the Vietnam services market. We will be allowed to compete in telecommunications, financial services, engineering, accounting, and a variety of industries that will help develop an infrastructure in Vietnam to support our new commitment to engage Vietnam on all levels of concern.

The approval of this legislation will ensure that U.S. firms committed to trade with Vietnam receive the protection of investments necessary to commit resources in a foreign country. By requiring a fully transparent trade regime with the promulgation of laws and regulations though a public process, this legislation helps Vietnam develop policies that will help this nation fully engage the world.

This legislation cannot be evaluated, however, without the approval of H.R. 2368. Advancing the agenda of global trade in countries that do not respect their citizens is tantamount to modern day feudalism, and should not be supported by this House.

Establishing a trade regime with Vietnam that will ease this nation's transition into the WTO means nothing unless prisoners like Catholic Priest Nguyen Van Ly, Mr. Le Quang Liem of the Inter-Religious Council, and Buddhist leaders the Venerable Thieh Huyen Quang and the Venerable Thieh Quang Do are ensured their right to freely exercise their respective religions.

Mr. Speaker, today this House goes a long way toward reconciling the concerns of all parties interested in global trade and its consequences. Passage of H.J. Res. 51 ensures that American products will be given fair access to the Vietnamese marketplace. By combining the extension of this trade with the recognition of Human Rights here on the House Floor, we set a positive precedent for future trade legislation. I therefore support H.J. Res. 51.

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

The Speaker pro tempore (Mr. SIMPSON). All time for debate has expired. Pursuant to the order of the House of Wednesday, September 5, 2001, the joint resolution is considered read for amendment, and the previous question is ordered.

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

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 51, the joint resolution just passed.

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

There was no objection.

REREFERRAL OF H.R. 1448 TO COMMITTEE ON RESOURCES AND COMMITTEE ON THE JUDICIARY

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be discharged from consideration of the bill,