

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5157

To prohibit the designation of Vietnam under title V of the Trade Act  
of 1974.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2012

Ms. ZOE LOFGREN of California (for herself, Ms. LORETTA SANCHEZ of California, Mr. WOLF, Mr. CONNOLLY of Virginia, and Mrs. DAVIS of California) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To prohibit the designation of Vietnam under title V of  
the Trade Act of 1974.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fostering Rights  
5 through Economic Engagement in Vietnam Act” or  
6 “FREE Vietnam Act”.

1 **SEC. 2. PROHIBITION ON DESIGNATION OF VIETNAM**  
2 **UNDER TITLE V OF THE TRADE ACT OF 1974.**

3 (a) IN GENERAL.—Section 502(b) of the Trade Act  
4 of 1974 (19 U.S.C. 2462(b)) is amended by adding at the  
5 end the following:

6 “(3) VIETNAM.—

7 “(A) IN GENERAL.—In addition to the  
8 countries listed in paragraph (1), Vietnam may  
9 not be designated as a beneficiary developing  
10 country for purposes of this title unless the  
11 President submits to Congress a certification  
12 described in subparagraph (B).

13 “(B) CERTIFICATION.—A certification re-  
14 ferred to in subparagraph (A) is a certification  
15 that contains a determination of the President  
16 that—

17 “(i) Vietnam is not on the special  
18 watch list under section 110(b)(3)(A) of  
19 the Trafficking Victims Protection Act of  
20 2000 (22 U.S.C. 7107(b)(3)(A));

21 “(ii) the Government of Vietnam does  
22 not engage in pervasive violations of inter-  
23 nationally-recognized human rights, includ-  
24 ing freedom of speech and freedom of reli-  
25 gion; and

1                   “(iii) Vietnam otherwise meets the re-  
2                   quirements of this title.

3                   “(C) WAIVER.—The President may waive  
4                   the application of subparagraph (A) if the  
5                   President determines and certifies to Congress  
6                   that it is in the national interest of the United  
7                   States to do so.”.

8                   (b) EFFECTIVE DATE.—The amendment made by  
9                   this section applies to goods entered, or withdrawn from  
10                  warehouse for consumption, on or after the 15th day after  
11                  the date of enactment of this Act.

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