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**Legislative Bulletin.....September 6, 2001**

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**H.J.Res. 51—Approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam. (Armeiy)**

**Order of Business:** The resolution is scheduled to be considered on September 6, 2001, subject to a rule adopted by unanimous consent on Wednesday, September 5th.

**Summary:** The resolution states that the Congress approves the extension of nondiscriminatory treatment (normal trade relations--NTR) with respect to the products of the Socialist Republic of Vietnam transmitted by the President to the Congress on June 8, 2001.

**Additional Background:** A bilateral agreement providing for reciprocal nondiscriminatory trade treatment between the United States and Vietnam was signed by both countries on July 13, 2000. However, Congress has not yet approved the agreement. Therefore, the President must grant a waiver for Vietnam to receive NTR treatment.

President Bush requested this extension of waiver authority from Congress, which would allow for NTR to continue with Vietnam, despite Vietnam's emigration and other restrictions on its people (what would otherwise disqualify a nonmarket economy nation from being granted NTR). Since Congress did not pass a resolution of disapproval within 60 days after July 2 (the annual expiration date of NTR), the President's extension request automatically took effect. On July 26, 2001, the House rejected H.J.Res. 55, a resolution of disapproval that would have prevented an extension of NTR for Vietnam.

**Cost to Taxpayers:** The resolution authorizes no expenditure.

**Does the Bill Create New Federal Programs or Rules?:** No.

**Constitutional Authority:** A committee report citing constitutional authority is unavailable.

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**H.R. 2833—To promote freedom and democracy in Vietnam.  
(Smith, Christopher)**

**Order of Business:** The bill is scheduled to be considered on September 6, 2001, subject to a rule adopted by unanimous consent on Wednesday, September 5th.

**Summary:** H.R. 2368 would prohibit new U.S. nonhumanitarian assistance indefinitely to the Government of Vietnam unless the President determines and certifies to Congress that the Government of Vietnam has complied with certain human rights requirements (such as the release of political prisoners, significant progress towards freedom of religion, etc.). By “new” assistance, the bill means assistance that was not provided to the Government of Vietnam in fiscal year 2001 and not in an amount greater than what was provided in fiscal year 2001. The bill would also direct the President to ensure that any multilateral nonhumanitarian assistance to Vietnam is done in accordance with current law (i.e. in accordance with human rights considerations).

H.R. 2368 would also authorize \$2 million for each of fiscal years 2002 and 2003 for the President to provide assistance, via nongovernmental organizations, for the promotion of human rights and nonviolent democratic change in Vietnam.

The bill would also authorize \$9.1 million in fiscal year 2002 and \$1.1 million in fiscal year 2003 to take the necessary steps to overcome the jamming of Radio Free Asia by the Government of Vietnam.

U.S. policy would be established as follows: 1) U.S. educational and cultural exchange programs should actively promote freedom and democracy in Vietnam, and 2) Appropriated funds to the State Department’s Migration and Refugee Assistance account may be used for the protection and resettlement of Vietnamese refugees and asylum seekers, including Montagnards in Cambodia.

The Secretary of State would be required to submit an annual report to Congress certifying that the requirements of this Act have been met, with a specific update on the progress of countering the jamming of Radio Free Asia, promoting freedom and democracy through educational and cultural exchange programs, and protecting and resettling Vietnamese refugees.

H.R. 2368 outlines a long list of findings about the Government of Vietnam’s record of political and social oppression against the Vietnamese people.

**Cost to Taxpayers:** Though no CBO cost estimate is available, the bill would explicitly authorize \$11.1 million in new expenditures for fiscal year 2002 and \$3.1 million in new expenditures for fiscal year 2003.

**Does the Bill Create New Federal Programs or Rules?:** The bill contains new authorizations of funds and tightens current prohibitions on assistance to Vietnam.

**Constitutional Authority**: A committee report citing constitutional authority is unavailable.

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