and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, again I rise in strong support of this legislation and thank my good friend, the gentleman from New Jersey, on the other side of the aisle for his support in managing this legislation. I also want to thank the leadership of the Foreign Affairs Committee, Chairman LANTOS and our senior ranking member, Ms. ROS-LEHTINEN, for their leadership and support of this bill.

Mr. Speaker, to millions around the globe, Peace Corps is the ''human face'' of America. For more than 46 years, the Peace Corps has helped the people of developing countries meet their needs for trained men and women and in the process has promoted a better understanding of America.

The legislation before the House today is a technical bill requested by the administration. It will facilitate the provision of separation pay to the many foreign nationals who work for the Peace Corps overseas. The bill accomplishes this objective in an open and transparent manner to ensure the complete accountability to the American taxpayers.

With that, I urge my colleagues to support this bill.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3528, legislation introduced by our distinguished chairman, TOM LANTOS, that will help the Peace Corps eliminate a small but important discrepancy between its accounting and its expenditures.

Under foreign local law and the terms of their contracts, the Peace Corps is frequently required to make separation payments to personal service contractors overseas, for example, a lump sum payment equal to 1 month's salary for every year of service. The Peace Corps is required to account for that liability on its books every year even though those funds are not paid out to the contractor until the end of their service with the Peace Corps, which sometimes can be more than a decade.

However, because unspent funds revert back to the U.S. Treasury 5 years after they are obligated, the Peace Corps must pay obligations from beyond that time frame out of current operating funds. The bill would create a fund into which those obligations could be paid as they accrue, which can be used only for that purpose. Since this does not affect Peace Corps appropriations or obligations, there are no costs associated with this fix.

This also provides us with an opportunity, Mr. Speaker, to again commend the Peace Corps and its many volunteers for the important work that they do in building bridges of understanding between the American people and communities, families, and individuals overseas.

We support this legislation.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and pass the bill, H.R. 3528.

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

A motion to reconsider was laid on the table.

VIETNAM HUMAN RIGHTS ACT OF 2007

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3096) to promote freedom and democracy in Vietnam, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3096

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Vietnam Human Rights Act of 2007''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Purpose.
TITLE I—PROHIBITION ON NONHUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIETNAM
Sec. 101. Bilateral nonhumanitarian assistance.
TITLE II—ASSISTANCE TO SUPPORT DEMOCRACY IN VIETNAM
Sec. 201. Assistance.
TITLE III—UNITED STATES PUBLIC DIPLOMACY
Sec. 301. Radio Free Asia transmissions to Vietnam.
Sec. 302. United States educational and cultural exchange programs with Vietnam.
TITLE IV—UNITED STATES REFUGEE POLICY
Sec. 401. Refugee resettlment for nationals of Vietnam.
TITLE V—ANNUAL REPORT ON PROGRESS TOWARD FREEDOM AND DEMOCRACY IN VIETNAM
Sec. 501. Annual report.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially over the past 12 years, with annual trade between the 2 countries reaching over $9,000,000,000 per year.

(2) The Government of Vietnam's transition toward greater economic freedom and trade has not been matched by greater political freedom and substantial improvements in human rights for many Vietnamese.

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

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

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

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

(7) Since Vietnam's accession to the WTO on January 11, 2007, the Vietnamese Government arbitrarily arrested and imprisoned several individuals for their peaceful advocacy of democracy, including Father Nguyen Van Ly and human rights lawyers Nguyen Van Dai and Le Thi Cong Nhan.

(8) The Government of Vietnam continues to detain, imprison, place under house arrest, convict, or otherwise restrict persons for the peaceful expression of dissenting political or religious views, including Bui Kim Thanh, Hang Tan Phat, Truong Quoc Huy, Vu Hoang Hai, Nguyen Ngoc Quang, Pham Ba Hai, Dr. Le Nguyen Sang, Huynh Nguyen Dao, Nguyen Bac Truyen, Tran Quoc Hien, Nguyen Tan Hoanh, Tran Thi Le Hang, Doan Huu Chuong, Doan Van Dien, Le Ba Triet, Nguyen Tuan, Tran Thi Thuy Trang, Nguyen Phong, Nguyen Binh Thanh, Hoang Thi Anh Dao, Le Thi Le Hang, Tran Khai Thanh Thuy, Ho Thi Bich Khuong, Hong Trung, Danh Tol, Kim Muot, Thach Thuong, Ly Suong, Ly Hoang, Nguyen Van Tho, Le Van Soc, Nguyen Van Thuy, Duong Thi Tron, Truong Minh Duc, and Dr. Pham Hong Son, among others.

(9)(A) The Government of Vietnam continues to limit freedom of religion and restrict the operation of religious organizations.

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

(C) Unregistered ethnic minority Protestant congregations suffer severe abuses because of actions by the Government of Vietnam, which have included forced renunciations of faith, the arrest and harassment of pastors, the withholding of social programs provided for the general population, confiscation and destruction of property, and subjection to severe beatings.

(D) The Unified Buddhist Church of Vietnam (UBCV) suffers persecutions as the Government of Vietnam continues to restrict

contacts and movement of senior UBCV clergy, including the Most Venerable Thich Huyen Quang, and the Most Venerable Thich Quang Do for refusing to join the state-sponsored Buddhist organizations, and the Government also continues to place leaders under ''pagoda'' and house arrest, destroy religious property, and harass and threaten local practicing Buddhists.

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

(F) During Easter weekend in April 2004, thousands of Montagnards gathered to protest their treatment by the Government of Vietnam, including the confiscation of tribal lands and ongoing restrictions on religious activities. Credible reports indicate that the protests were met with violent response as many demonstrators were arrested, injured, went into hiding, and that others were killed. Many of these Montagnards are still serving long sentences for their involvement in peaceful demonstrations in 2001 and 2004.

(G) Ethnic minority Hmong in the Northwest Highlands of Vietnam also suffer restrictions, abuses, and persecution by the Government of Vietnam, and although the Government is now allowing some Hmong Protestants to organize and conduct religious activity, some government officials continue to deny or ignore additional applications for registration.

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

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

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

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

(C) The Department of State has agreed to extend the September 30, 1994, registration deadline for former United States employees, ''re-education'' survivors, and surviving spouses of those who did not survive ''re-education'' camps to sign up for United States refugee programs, as well as the Vietnamese In Country Priority One Program in Vietnam to provide protection to victims of recent persecution on account of race, religion, nationality, political opinion, or membership in a particular social group.

(D) The former United States Immigration and Naturalization Service agreed to resume the processing of former United States employees under the U11 program, which had been unilaterally suspended by the United States Government, as well as to review applications of Amerasians, children of American servicemen left behind in Vietnam after the war ended in April 1975, for resettlement to the United States under the Amerasian Homecoming Act of 1988.

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

(14) Enhancement of relations between the United States and Vietnam has proved an opportunity for a human rights dialogue and could lead to future progress on human rights issues in Vietnam.

SEC. 3. PURPOSE.

The purpose of this Act is to promote the development of freedom and democracy in Vietnam.

TITLE I—PROHIBITION ON NONHUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIETNAM

SEC. 101. BILATERAL NONHUMANITARIAN ASSISTANCE.

(a) ASSISTANCE.—

(1) IN GENERAL.—Except as provided in subsection (b), United States nonhumanitarian assistance may not be provided to the Government of Vietnam in an amount exceeding the amount so provided for fiscal year 2007—

(A) for fiscal year 2008 unless not later than 30 days after the date of the enactment of this Act the President determines and certifies to Congress that the requirements of subparagraphs (A) through (D) of paragraph (2) have been met during the 12-month period ending on the date of the certification; and

(B) for each subsequent fiscal year unless the President determines and certifies to Congress in the most recent annual report submitted pursuant to section 501 that the requirements of subparagraphs (A) through (E) of paragraph (2) have been met during the 12-month period covered by the report.

(2) REQUIREMENTS.—The requirements of this paragraph are that—

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

(B)(i) the Government of Vietnam has made substantial progress toward respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference by or involvement of the Government; and

(ii) the Government of Vietnam has made substantial progress toward returning estates and properties confiscated from the churches;

(C) the Government of Vietnam has made substantial progress toward allowing Vietnamese nationals free and open access to United States refugee programs;

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

(E)(i) neither any official of the Government of Vietnam nor any agency or entity wholly or partly owned by the Government of Vietnam was complicit in a severe form of trafficking in persons; or

(ii) the Government of Vietnam took all appropriate steps to end any such complicity and hold such official, agency, or entity fully accountable for its conduct.

(b) EXCEPTION.—

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

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

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

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

(c) DEFINITIONS.—In this section:

(1) SEVERE FORMS OF TRAFFICKING IN PERSONS.—The term ''severe form of trafficking in persons'' means any activity described in section 103(8) of the Trafficking Victims Protection Act of 2000 (Public Law 106–386 (114 Stat. 1470); 22 U.S.C. 7102(8)).

(2) UNITED STATES NONHUMANITARIAN ASSISTANCE.—The term ''United States nonhumanitarian assistance'' means—

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

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

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

(iii) assistance for refugees; and

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

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

TITLE II—ASSISTANCE TO SUPPORT DEMOCRACY IN VIETNAM

SEC. 201. ASSISTANCE.

(a) IN GENERAL.—The President is authorized to provide assistance, through appropriate nongovernmental organizations and the Human Rights Defenders Fund, for the support of individuals and organizations to promote internationally recognized human rights in Vietnam.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President to carry out subsection (a) $2,000,000 for each of the fiscal years 2008 and 2009.

TITLE III—UNITED STATES PUBLIC DIPLOMACY

SEC. 301. RADIO FREE ASIA TRANSMISSIONS TO VIETNAM.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to take such measures as are necessary to overcome the jamming of Radio Free Asia by the Government of Vietnam.

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to such amounts as are otherwise authorized to be appropriated for the Broadcasting Board of Governors, there are authorized to be appropriated to carry out the policy under subsection (a) $9,100,000 for the fiscal year 2008 and $1,100,000 for fiscal year 2009.

SEC. 302. UNITED STATES EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS WITH VIETNAM.

It is the policy of the United States that programs of educational and cultural exchange with Vietnam should actively promote progress toward freedom and democracy in Vietnam by providing opportunities to Vietnamese nationals from a wide range of occupations and perspectives to see freedom and democracy in action and, also, by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

TITLE IV—UNITED STATES REFUGEE POLICY

SEC. 401. REFUGEE RESETTLMENT FOR NATIONALS OF VIETNAM.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to offer refugee resettlement to nationals of Vietnam (including members of the Montagnard ethnic minority groups) who were eligible for the Humanitarian Resettlement (HR) Program, the Orderly Departure Program (ODP), Resettlement Opportunities for Vietnamese Returnees (ROVR) Program, the Amerasian Homecoming Act of 1988, or any other United States refugee program and who were deemed ineligible due to administrative error or who for reasons beyond the control of such individuals (including insufficient or contradictory information or the inability to pay bribes demanded by officials of the Government of Vietnam) were unable or failed to apply for such programs in compliance with deadlines imposed by the Department of State.

(b) AUTHORIZED ACTIVITY.—Of the amounts authorized to be appropriated to the Department of State for Migration and Refugee Assistance for each of the fiscal years 2008, 2009, and 2010, such sums as may be necessary are authorized to be made available for the protection (including resettlement in appropriate cases) of Vietnamese refugees and asylum seekers, including Montagnards in Cambodia.

TITLE V—ANNUAL REPORT ON PROGRESS TOWARD FREEDOM AND DEMOCRACY IN VIETNAM

SEC. 501. ANNUAL REPORT.

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

(1)(A) The determination and certification of the President that the requirements of subparagraphs (A) through (E) of section 101(a)(2) have been met, if applicable.

(B) The determination of the President under section 101(b)(1), if applicable.

(2) Efforts by the United States Government to secure transmission sites for Radio Free Asia in countries in close geographical proximity to Vietnam in accordance with section 301(a).

(3) Efforts to ensure that programs with Vietnam promote the policy set forth in section 302 and with section 105 of the Human Rights, Refugee, and Other Foreign Policy Provisions Act of 1996 regarding participation in programs of educational and cultural exchange.

(4) Steps taken to carry out the policy under section 401(a).

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

(6) A description of the development of the rule of law in Vietnam, including, but not limited to—

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

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

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

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

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

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

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

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

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

I rise in strong support of this resolution. I would be remiss if I do not first recognize my good friend, the gentleman from New Jersey. Not only do I have the highest respect for him but certainly as a champion of human rights issues all over the world, and for this I want to commend him for his authorship of this proposed bill. And I would like to also thank Chairman LANTOS and senior Ranking Member ROS-LEHTINEN, the leadership of our Foreign Affairs Committee, for their support and efforts in bringing this proposed legislation for consideration by our colleagues.

Mr. Speaker, Vietnam stands at a crossroads, and the world is watching carefully to see the choices that it will make.

Like many other countries of the world, Vietnam has a responsibility to protect human and religious rights and provide political freedoms to its people. The Vietnamese people and their leaders should have a deep appreciation of the need to protect and foster the human rights of its people especially after being subjected to many years of abuse and dictatorial and colonial rule of the French Government.

I commend Vietnam's efforts to improve its economy, which grew by over 8 percent last year. In November also of last year, Vietnam played host to the Asian Pacific Economic Cooperation summit, and in January it joined the World Trade Organization. So we must recognize the extraordinary economic achievements Vietnam has made in a short time. This economic growth has bettered the lives of millions of the people of Vietnam.

But recent reports have given serious indications on how the Vietnamese Government has arrested and placed several religious and political leaders in prison without due process and in violation of their human rights.

Mr. Speaker, Congress played an important role in seeing that Vietnam became a member of the World Trade Organization. And yet since its accession, Vietnam has arrested numerous individuals simply for peacefully advocating for democracy.

Vietnam continues to limit freedom of religion, freedom of the press, and freedom of information. It remains as a one-party political system in which the Communist Party is the final arbiter of all decisions.

Mr. Speaker, U.S. engagement with Vietnam has helped spur economic growth and improvements in the lives of the Vietnamese people. But engagement must not be limited to foreign direct investment. We must also seize the opportunity to work with Vietnam to promote political openness and improve human rights.

This bill promotes just this kind of engagement. It prohibits increased assistance to Vietnam above fiscal year 2007 levels other than for humanitarian efforts. This bill makes it clear to Vietnam that the only factor limiting increased aid is positive action by the Vietnamese Government on political, human, and religious rights.

The bill also supports civil society groups in Vietnam that promote human rights. It supports educational exchanges that would enhance freedom and democracy in that country. And it makes it the policy of the United States to offer safe resettlement here to those who are forced to flee Vietnam and become refugees.

Mr. Speaker, Vietnam is increasingly integrated into the global economy; but to be considered a friend of our Nation, it must protect human rights and provide its people political and religious freedom. We all wish this future for Vietnam, and we hope there will be more positive results of our continued efforts to dialogue with the leaders of the people of Vietnam.

With that, Mr. Speaker, I urge my colleagues to support this proposed bill.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Let me begin by thanking my good friend and colleague, Mr. FALEOMAVAEGA, for his leadership on human rights. We have worked together on those issues around the world. We have served on the Human Rights Committee for years, and he has been one of those champions with whom I am just so glad to associate myself. And I want to thank Mr. LANTOS, the chairman of our committee, for bringing this bill to the floor and express my strong gratitude to him and to Ranking Member ILEANA ROS-LEHTINEN and to the leadership for posting this bill for consideration today.

Mr. Speaker, Vietnam has long been known as a major violator of human rights. Sadly, in recent months the human rights situation in Vietnam has deteriorated and become substantially worse, and a new ugly wave of brutal repression has been launched by Hanoi. Over the last couple of months, some of the bravest champions of democracy have been dragged into court and sent to the gulag for simply promoting human rights and justice and free trade unions.

I would note to my colleagues that the House of Representatives has gone on record time and time again condemning and deploring these violations, but this is a new wave that comes on the heels of PNTR, as well as the WTO accession by the Vietnamese Government.

I would note that on May 2 of this year, this House unanimously adopted a resolution that I sponsored which called on the Government of Vietnam to immediately and unconditionally release Father Nguyen Van Ly, Nguyen Van Dai, Le Thi Cong Nhan, and other political prisoners and prisoners of conscience. During consideration of that resolution, Mr. Speaker, I noted that I had been to Vietnam on many human rights trips. I have chaired several hearings on the issue of human rights in Vietnam and have been joined by my friend Mr. FALEOMAVAEGA, Mr. ROYCE and others in those hearings. But on one of the most recent trips, I actually met with Father Ly, who was just sentenced to 8 years in prison. Just sentenced. I also met with Nguyen Van Dai and about 60 other human rights activists and religious leaders and people who are pressing for reform in that country. And one by one those individuals are being caught in this dragnet.

I was struck when I met with these individuals, Mr. Speaker, by how extraordinarily generous, compassionate, talented, and kind hearted these people are. They are extraordinary. They are Vietnam's best and brightest and certainly their bravest. I was amazed at how they harbored no malice, no hate towards the government that hates them, nor do they hate the government leaders. They only want a better future for their country. Each and every one of the people I met with is committed to peaceful, nonviolent reform.

I met with Father Ly when he was under house arrest, and he sounded just like the activists that I had met and spoken to during the dark years of the Warsaw Pact and the Soviet Union. My first human rights trip, I would note parenthetically, was in 1982 on behalf of Soviet refuzniks. It was like being right back there, deja vu, talking to these individuals just like back then, the Shcharanskys of this world or Vaclav Havel or Lech Walesa, people like the folks in Charter 77 in the Czech Republic who only wanted freedom, democracy, and human rights.

□ 1500

And none of them wanted violence. And these reformers of Vietnam want nothing whatsoever to do with violence. And yet, they are accused of slandering the state. To criticize an unjust policy is construed by the state to be slander. Father Ly has now been sentenced to 8 years, and that's in addition to the 14 years he had previously served in the Gulag on trumped-up charges.

Just days after the House adopted the Resolution 243 calling for a reversal of human rights violations, Nguyen Van Dai was sentenced to 5 years imprisonment and 4 years of house arrest. Attorney Van Dai is a tenacious campaigner for human rights who uses the rule of law in a nonviolent manner to press his case.

On the same day that Mr. Van Dai was sentenced, another human rights lawyer, a labor activist, Le Thi Cong Nhan, received 4 years imprisonment and 3 years of house arrest from the same ruthless regime. She, too, punished for engaging in activities recognized internationally as protected human rights.

I've read the 2007 trial proceedings and the government sentencing record, which I intend to put into the RECORD. And I ask every Member to read that and to read it very carefully. It reads like a chilling chapter out of George Orwell's book, ''1984.''

At the trial, the presiding judge, Nguyen Huu Chinh, accused and condemned Dai of being a member of an Independent Trade Union. A member of the Communist party in Poland, Jaruzelski, accused Lech Walesa of that same thing, an independent trade union. That accusation carries with it a time in the Gulag in Vietnam today.

In Vietnam today, men and women are going to jail for very long periods of time for what the government calls ''disseminating propaganda against the Government of the Socialist Republic of Vietnam.''

I point out to my colleagues that the day after the House passed the resolution on May 2, the U.S. Commission on International Religious Freedom indicated in its annual report that the removal of Vietnam from the State Department's List of Countries of Particular Concern was premature based on the evidence that the current situation in the country has not allowed religious freedom. Again, it was part of an effort, I think, of suggesting that if they just got into the World Trade Organization, somehow they would matriculate from dictatorship to democracy. Regrettably, that has not happened. And we've seen a snapback to repression that is very, very severe, cruel, and very, very ugly.

The legislation before us, Mr. Speaker, would prohibit an increase in U.S. nonhumanitarian assistance to Vietnam unless the government makes substantial progress in the following areas: the release of political and religious prisoners; respect for religious freedom; allowing open access to the United States for our refugee program, because very often those who would like to become a part of that have to pay bribes to communist officials or they are simply detained and not allowed to apply; and respect for the rights of ethnic minority groups, including the Montagnard.

Beginning in fiscal year 2009, there would also be a need to show that neither any official of the government nor any government agency was complicit in the trafficking of human persons. The president may waive this restriction on assistance if he determines that the assistance would promote human rights or would otherwise be in the national interests of the U.S.

Other important provisions would authorize $2 million of assistance in both 2008 and 2009 to support democracy in Vietnam, and approximately $10 million over 2 years to overcome the jamming of Radio Free Asia by Vietnam. Let me tell my colleagues, they're jamming Radio Free Asia, jamming it, so the message that we think is so important simply cannot get through. And again, the only thing that any dictatorship needs anywhere to survive and prosper is a secret police, got that in Vietnam, and a control of the message, the propaganda. And by jamming Radio Free Asia, they preclude other voices, other opinions from reaching the people.

The bill would also extend U.S. refugee programs to Vietnamese who were previously eligible but were unable to apply for reasons beyond their control, like I said, like not wanting to pay bribes to Vietnamese officials.

Mr. Speaker, in November of 2006, pursuant to a boatload of assurances and solemn promises that the human

rights situation would improve, Vietnam became the first country to be removed from the Countries of Particular Concern. It was also part of an effort to try to get into the World Trade Organization.

Despite this flurry of international recognition, tangible economic benefit, despite the hopes of many, including and especially the Vietnamese people, Vietnam has reverted with a vengeance to its repressive practices and has arrested, imprisoned and imposed lengthy prison sentences on numerous individuals who only want freedom.

Mr. Speaker, these massive human rights violations perpetrated by the Government of Vietnam cannot be overlooked, they cannot be trivialized. These human rights violations occur as we meet here today, and they cannot continue without equally serious consequences.

I do believe that this snapback to human rights abuse underscores perhaps the unwitting naivete on the part of some who think if we just trade, things will get better. It has not.

And finally, I would ask my colleagues to take a look at pages H 4248 and H4249 from the May 1, 2007 CONGRESSIONAL RECORD, a manifesto that was written and signed on April 8, 2006, called the 8406 Block. It is a call for freedom and democracy and nonviolence.

One by one, those who have signed this very important human rights document in Vietnam have been hunted down, arrested and incarcerated by the government. That's like the people who signed the Declaration of Independence, or again, during the Soviet years, those who would sign manifestos calling for human rights, like Charter 77, who because they espoused freedom, found themselves in a Gulag or being mistreated by the government.

I urge Members on both sides of the aisle to support this. This is a bipartisan bill, and I appreciate that. This is the kind of expression that I think this body is known for, speaking with one voice, truth to power, on behalf of human rights.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to associate myself with the distinguished and most eloquent statement made by my good friend from New Jersey.

I have not had the privilege of visiting Vietnam since the days of the war in 1967, 1968, but I do intend to visit that country since it comes under the jurisdiction of my subcommittee.

But again, I want to thank my good friend for the facts and the data that he just presented. I hope my colleagues will take him up on reading some of these important documents that he had shared with us in his presentation.

At this time, I would like to yield 5 minutes to the distinguished lady from California, my good friend, Ms. Sanchez.

Ms. LORETTA SANCHEZ of California. I thank the chairman for allowing me to speak today on this issue of the Vietnam Human Rights Act of 2007.

As you know, I represent the largest Vietnamese community outside of Vietnam in the world, and so I've had the chance to visit Vietnam now three times. Actually, I just finished visiting in April of this year. Before that, I had been denied a visa to visit Vietnam for three times in the past 2½ years.

Now, I rise today in support of my colleague's House Resolution 3096, because this is a very critical time in our relationship with Vietnam.

Before being accepted in the World Trade Organization in January, the Government of Vietnam assured the world that they would make significant progress in the area of human rights, things that we, as Americans, really sometimes take for granted; freedom of speech, freedom of the press, freedom of collective bargaining, freedom to assemble as we wish, and most importantly, really one of the reasons our country was founded, freedom of religion.

As my colleague from New Jersey stated, we had put Vietnam on the List of Particular Concern with respect to the infringement on religious beliefs of the people of Vietnam, and even they were taken off in anticipation of this issue of going into the WTO. Many, many promises in the 11 years that I have served in the Congress, many, many promises by the communist Government of Vietnam, yet nothing ever holds up. And in this particular case, every person who has stood up to speak inside of Vietnam for democracy, for democracy, for something other than the communist party, for free elections, for return of land confiscated by that government, for their ability to practice the religion that they want, for their ability to assemble three or four or five on a street corner with a simple sign, asking, wanting, searching for democracy. And each and every one of these people are under house arrest, have been put in prison. One of them, Father Ly, for example, was given a trial, a trial that lasted one day, no attorney available to him, in a very famous photograph sent across the world of the communist government with their hand over his mouth at his very own trial because they didn't want him to be heard by the world.

The venerable Thich Quang Do, a Buddhist, through peaceful means saying we need religious freedom, recognize the church where most of the Buddhists in Vietnam want to belong. But nothing. Instead, he is under house arrest. All of these dissidents, and yet they continue to speak up and try to tell the world that there is no human right in Vietnam. And they continue to fight.

Many of my colleagues on the other side and on our side of the aisle have been working to get this message out. So then they got WTO, and they imprisoned everybody. I was there in April. There were no dissidents to meet. I asked to go to the prisons. I asked to go see those who had been put behind bars. They laughed. They would not let me. They said, How dare you ask. You know better than to ask to see these people. And our ambassador, at his residence there, put together a tea of the wives and the mothers of the dissidents, not people who had spoken up, simply because they were married and these women were worried about their husbands. And they came to talk to us. They were stopped at their homes. They were barricaded in their homes. The streets were barricaded to their homes so they couldn't get out. And the two who made it, now in a very famous video playing on the Internet, as I came to the home, so did those women, the two who got through. And about 25 communist government soldiers descended upon us, pulling us apart and dragging away one of the women. The ambassador came out. He said these women are simply here to come and have tea with us. But they would have none of it. This is democracy? These are the human rights that this government promised?

So I say today, let us not be conspirators with this government in the backslide of progress. Please, I ask my colleagues, join us in voting for this resolution today.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California (Mr. ROYCE), who has spoken out on behalf of human rights in Vietnam with great faithfulness, is also a cosponsor of this legislation, and also promoted legislation that was successful in expanding Radio Free Asia.

Mr. ROYCE. Mr. Speaker, I also rise in support of the Vietnam Human Rights Act of 2007.

I join Congressman SMITH, and the efforts made by others here that have been tireless, the strategy of trying to shine some light on Vietnam, trying to get the international community to look at what is happening there.

I've worked with Congressman SMITH on this legislation since 2001, and I know the importance of having it passed, but also, I know the trouble that it has been met with in the other body. And if we can overcome the objections of a few in the other body, this bill will be an important tool in pressing Hanoi to end its wanton disregard for human rights.

I think the necessity of this legislation is because since early this year the crackdown has intensified in Hanoi, in Vietnam to such an extent that especially students, especially spokesmen for religious organizations there are receiving these one-hour show trials where afterwards they're being sent to a penitentiary, 8 years in the case of Father Ly. It was 14-some years ago when he was sent away the first time. And Mr. Speaker, I've had the opportunity there, in Vietnam, to meet with the venerable Thich Quang Do, when he was under house arrest, and Le Quang Liem and see the incredible repression that they face, and to

see what is really a slow strangulation of the culture and of the traditional religion as the state attempts to rewrite religion without the support of the religious leaders, and thus come down hard on those religious leaders and try to remove them from society and try to imprison them certainly when they speak out.

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As Human Rights Watch said, this is the worst crackdown that we have seen in Vietnam in 20 years. In the past year, Vietnamese officials brought this harassment to religious leaders and political dissidents and student activists to these new draconian levels that, unfortunately, force us to act here.

This bill's focus on Vietnam suppression of the democratic movement and its tight control over the media will be an important component in bringing change. Why? Because with this legislation, Radio Free Asia will now better be able to bring objective news and to be a surrogate voice for opinions and news outside of the state-sponsored propaganda, so the Vietnamese people will hear of the spread of democratic values in Asia.

Frankly, the spread of democratic values in Asia is critical to U.S. security interests. It is important to note that Vietnam has recently ratcheted up its efforts to block radio broadcasts from Radio Free Asia. This tells me that not only are these broadcasts having a positive effect in combating state propaganda, but Hanoi is feeling increased political pressure. This bill provides the means to overcome radio jamming and the funds for continued broadcasts.

So, Mr. Speaker, I urge passage of the bill. I think it sends a firm message to Hanoi that abuse of this kind to nonviolent citizens in the country will not be met with silence, but, frankly, that we will take action not only in terms of the broadcasting, but this also authorizes our administration to provide U.S. assistance through appropriate nongovernmental organizations and the Human Rights Defenders Fund for the support of the individuals and organizations to promote human rights and to promote nonviolent democratic change inside the country.

So besides capping U.S. nonhumanitarian assistance, this other leverage will be very helpful in terms of trying to protect the human rights and dignity of the students and of the religious leaders right now that are facing such persecution inside Vietnam.

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

Mr. Speaker, I want to thank my colleagues from California, Mr. ROYCE and Ms. SANCHEZ, for their most outstanding statements and their support of this proposed legislation offered by my good friend, the gentleman from New Jersey.

It saddens me because of the times and the periods that I have had the opportunity of meeting with several delegations that have represented Vietnam for the past couple of years. As my good friend from New Jersey has stated earlier, they have made a lot of promises. We have taken their promises in good faith, and now we find ourselves in a situation where their promises have been severely questioned. I kind of like to think that when a country makes a promise, they like to keep it. If this is the way Vietnam is doing business, then certainly we ought to do something about it.

Again, I want to thank my good friend from New Jersey for his authorship of this bill.

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

Mr. SMITH of New Jersey. Mr. Speaker, before yielding back the balance of our time, again, I want to thank Mr. FALEOMAVAEGA and just remind my colleagues that this is the third time this legislation, both under the Republican leadership, and now, thankfully, the Speaker has seen fit to bring this to the floor, as well, the third time I have brought this bill to the floor. Twice it passed the House. Hopefully, it will pass it again.

I think there is a greater sense of urgency now because there is this new, and I would call it an ugly and pervasive, crackdown. They got all their economic benefits. They got their World Trade Organization accession, and, as I said before, PNTR was passed by this House and the bilateral agreement before that. So they got all of that. Now, they just have gone right back to the ugliest commissions of crimes against their own people.

Mr. Speaker, let me just also say to my colleagues that we have heard from some very reliable sources that those who have been incarcerated, those who are being intimidated are being told that the United States really doesn't care about human rights; that all that we care about is the almighty buck, the dollar, and making profits. I want to remind them that we have not walked away. This is a bipartisan expression of concern for their well-being.

Of course, we know why they do this. I will never forget Wei Jingsheng, the great human rights Democracy Wall leader, who spent years in the Chinese laogai, or gulag, coming and testifying at a hearing that I convened on human rights abuses in China. He said that one of the ways that they break people in prison is to say that nobody cares and that everybody has forgotten. It says in the Bible that without hope, the people perish. And that is I think doubly, triply true when you are an incarcerated political prisoner and you are told that you have been abandoned.

I want those individuals to know we have not abandoned them. We care deeply for them. We pray for them; and we are trying to do what we can do, using legislation to try to effectuate their release and hopefully, some day, welcome a Vietnam that is democratic, free, and a protector of human rights, not a violator.

Mr. Speaker, let me also finally say that right after we passed this legislation out of committee in the International Relations Committee in a totally bipartisan effort, the Communist Party of Vietnam's online newspaper berated me and my colleagues very, very, I think, viciously. They did what all human rights abusers always do. They said, Don't interfere with our internal affairs.

Well, we have heard that before, Mr. Speaker. We have heard it from the Soviet Union. We have heard it from Cuba. We have heard it from countries where gulags are filled with human rights activists and freedom-loving individuals. We heard it from South Africa in the 1980s when many of us spoke out passionately against apartheid. They said, Don't intervene in our internal affairs.

I hope the Senate takes note. I hope my colleagues will read what is truly going on in Vietnam today. I have put this in the RECORD, the 8406 Manifesto, a great statement of human rights call, and will include as the judge's findings in the sentencing of the two people, including Dai that I mentioned earlier. You read this and you realize why we get so concerned, those of us like Mr. FALEOMAVAEGA and others who follow this day in and day out. This is an indictment on the system, not on the individuals who have been sent to prison.

Mr. Speaker, I urge my colleagues to read this. I urge passage of this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 3096, the Vietnam Human Rights Act of 2007, introduced by my distinguished colleague, Mr. SMITH. This important legislation provides economic and political incentives for the Vietnamese government to improve its human rights record and ensure freedom and democracy. This bill also encourages the dissemination of information to the people of Vietnam through promoting free media and encouraging educational exchanges with the United States that will allow for a true democracy of truth and knowledge develop.

Mr. Speaker, despite a recent history of warfare and an oppressive command economy, Vietnam is now making extraordinary progress. Last year, Vietnam's economy grew by over 8 percent, and it hosted the Asia Pacific Economic Cooperation Summit. In January 2007, Vietnam joined the World Trade Organization.

This rapid economic progress has improved the lives of millions of Vietnamese. However, I remain concerned about the lack of political openness and reported human rights abuses. In this repressive atmosphere, the government arrests individuals who are peacefully advocating democracy as well as limiting the freedom of religion, freedom of the press, and freedom of information.

Vietnam today is at a crossroads, the government must now choose to accept its responsibilities to its citizens or continue upon its trajectory of shunning them, facing increasing international scrutiny. The United States and the Congress must react to the situation in Vietnam with firmness and resolve; we are

unable and unwilling to ignore human rights abuses and political suppression anywhere in the world.

By limiting the amount of funds the United States provides to the Vietnamese Government pending a substantial and documented improvement in its human rights record, the United States will show its commitment to the promotion of freedom and democracy throughout the world. This bill will prohibit the provision of additional non-humanitarian funds unless the Vietnamese Government has released political prisoners, made progress on respecting freedom of religion, made progress on returning church properties, allowed the Vietnamese people access to U.S. refugee programs, made progress on protecting ethnic minority rights, and has held accountable any official who is found to have been complicit in the trafficking of humans.

The provisions of this legislation work to ensure that the Vietnamese Government halts any and all human rights abuses, while also respecting and ensuring the rights of its citizens. I believe that this legislation provides the necessary administrative outline that will allow the United States to pursue the best possible relationship with Vietnam and cement our position as an advocate of human rights in the realm of international affairs. The bill makes it the policy of the United States to actively promote democracy and freedom through educational exchanges, as well as offering refugee resettlement to all eligible nationals of Vietnam. This bipartisan resolution is a crucial step toward securing the promotion of freedom, democracy, and a respect for universal human rights in Vietnam, the United States and the world as a focal point of United States foreign policy.

I strongly urge my colleagues to join me in supporting this important legislation.

Mr. WOLF. Mr. Speaker, I rise today in support of H.R. 3096, the Vietnam Human Rights Act of 2007, a bill which I am pleased to cosponsor. Introduced by my good friend and colleague, Representative CHRIS SMITH of New Jersey, a champion of human rights in this House, this is an important measue which speaks to the deteriorating state of human rights in Vietnam.

After joining the World Trade Organization in January 2007, the politburo of the Vietnamese Communist Party (VCP) has carried out a large-scale brutal campaign of arrest against the nascent movement for democracy in Vietnam. Ignoring all international criticism and strenuous protests of the Vietnamese people, inside Vietnam and abroad, the communist regime in Hanoi has shamefully pushed ahead with its crackdown. Among others, the following events were particularly disconcerting to me:

On February 18, 2007, the second day of the Lunar New Year, which is the most sacred time in Vietnamese culture, the communist security forces raided Father Nguyen Van Ly's office within the Communal Residence of the Hue Archdiocese. Father Ly was later banished to a remote, secluded area in Hue.

On March 8, 2007, Reverend Nguyen Cong Chinch and his wife were brutally assaulted by security forces of Gia Lai Province in the Central Highlands, who then arrested Reverend Chinch on undisclosed charges.

Also on March 8, 2007, two prominent human rights activists and lawyers, Mr. Nguyen Van Dai and Ms. Le Thi Cong Nhan, were arrested in Hanoi and were told that they would be detained for four months as part of an undisclosed investigation.

On March 9, 2007, Mr. Tran Van Hoa, a member of the People's Democracy Party in Quang Ninh Province, and Mr. Pham Van Troi, a member of the Committee for Human Rights in Ha Tay, were summoned by security forces and threatened with ''immeasurable consequences'' if they do not stop their advocacy for human rights in Vietnam.

Also on March 10, 2007, state security forces also raided the home of Ms. Tran Khai Thanh Thuy, a writer, on the grounds that she advocated for ''people with grievances'' against the government. They took away two computers, two cell phones, and hundreds of appeals that she had prepared for victims of the government's abuses.

On March 12, 2007, lawyer Le Quoc Quan, a consultant on local governance for the World Bank, Asian Development Bank, UNDP, and Swedish International Development Agency, was arrested in his hometown, Nghe An, less than a week after he returned from a fellowship at the National Endowment for Democracy in Washington, D.C. His whereabouts are unknown at this time.

On April 5, 2007, the Vietnamese authorities in Hanoi rudely prevented Congresswoman LORETTA SANCHEZ (D–CA) from meeting with several dissidents' wives at a gathering organized at the U.S. Ambassador's home. The police reportedly used very hostile and undignified manners to intervene in the meeting.

Furthermore, the Hanoi communist regime is still imprisoning many political dissidents and labor advocates such as Huynh Nguyen Dao, Truong Quoc Huy, Nguyen Tan Hoanh, Doan Huu Chuong, and more than 350 lay people of the Protestant churches in the Central Highland.

I share the concerns of the Vietnamese-Americans in my district, as well as all across the country, who are very angered and distressed by what they perceive as a new and aggressive plan of the Hanoi government to reverse the progress of human rights in Vietnam. It seems to me that the Vietnamese government is conducting this crackdown on advocates of human rights and religious freedom because it believes that the U.S. has no further leverage in the region. Now that Vietnam has been admitted to the WTO, and met with the Holy See, they believe they can respond in this brutal fashion to supporters of democracy and freedom and we will not respond.

Throughout my years in Congress, I have worked to foster human rights and religious freedom throughout the world. I have raised this issue with U.S. government officials often, especially since this recent crackdown, in an effort to pressure the Vietnamese government to stop persecuting its citizens. I believe the State Department should consider putting Vietnam back on the list of Countries of Particular Concern if the human rights situation in Vietnam does not improve. I believe that the State Department is failing the Vietnamese people struggling for human rights, and is not doing all that it can do to advocate on behalf of the Vietnamese people. The Vietnamese people should be able to choose their own leaders through free and fair elections and to use the Internet freely without censure or restrictions.

Mr. Speaker, I urge a unanimous vote for passage of this legislation so that the Vietnamese people will know that the U.S. House of Representatives stands in support of their freedom.

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and pass the bill, H.R. 3096, as amended.

The question was taken.

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

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

COMMENDING THE FIRST DEMOCRATIC ELECTIONS IN ACEH, A PROVINCE IN SUMATRA, INDONESIA

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 238) commending the first democratic elections in Aceh, a province in Sumatra, Indonesia, and expressing support for the further democratic development and implementation of the Helsinki Memorandum of Understanding.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 238

Whereas for three decades there has been a continuous armed conflict in Aceh, a province in Sumatra, Indonesia;

Whereas violence between the Indonesian military and the Free Aceh Movement has resulted in an estimated 15,000 deaths in the region;

Whereas the tsunami on December 26, 2004, killed at least 165,000 people in Aceh, devastated the landscape, and led to the loss of livelihood for 600,000 people;

Whereas the Government of Indonesia and the Free Aceh Movement signed a Memorandum of Understanding on August 15, 2005, in Helsinki;

Whereas the Aceh Monitoring Mission (AMM), led by the European Union (EU), the Association of Southeast Asian Nations (ASEAN), Norway, and Switzerland, has supported the implementation of the Helsinki Memorandum of Understanding successfully;

Whereas the Free Aceh Movement has demobilized its military troops and decommissioned its arms;

Whereas the Government of Indonesia has withdrawn its nonorganic military and police forces from Aceh;

Whereas the Law on the Governing of Aceh (LoGA) was signed into law by Indonesian President Susilo Bambang Yudhoyono on August 1, 2006;

Whereas the general life situation of the Acehnese has improved significantly since the signing of the Helsinki Memorandum of Understanding and the Acehnese populate markets and celebrate festivities in public;

Whereas the first democratic and peaceful gubernatorial and district administrative