

119TH CONGRESS
1ST SESSION

H. R. 3122

To advance United States national interests by prioritizing the protection of internationally recognized human rights and development of the rule of law in relations between the United States and Vietnam, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2025

Mr. SMITH of New Jersey (for himself, Mr. CORREA, Mr. TRAN, and Ms. LOFGREN) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To advance United States national interests by prioritizing the protection of internationally recognized human rights and development of the rule of law in relations between the United States and Vietnam, and for other purposes.

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; TABLE OF CONTENTS.**

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

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Statement of policy.
- Sec. 4. Sanctions for human rights violations in Vietnam.
- Sec. 5. Actions to combat online censorship and surveillance in Vietnam.
- Sec. 6. International religious freedom.
- Sec. 7. Annual reports on United States-Vietnam human rights dialogue meetings.
- Sec. 8. Definitions.

3 **SEC. 2. FINDINGS.**

4 Congress finds the following:

5 (1) The relationship between the United States
 6 and the Socialist Republic of Vietnam has grown
 7 substantially since the end of the trade embargo in
 8 1994, with annual trade between the countries
 9 reaching \$124,000,000,000 in 2023.

10 (2) Expanded economic activity and trade be-
 11 tween the United States and Vietnam, has not been
 12 matched by greater political freedom or substantial
 13 improvements in basic human rights for the people
 14 of Vietnam.

15 (3) Vietnam remains an authoritarian state
 16 ruled by the Communist Party of Vietnam (CPV)
 17 which continues to expand cooperation with the
 18 Communist Party of China (CCP) for example re-
 19 cently joining General Secretary Xi Jinping’s anti-
 20 United States “Community of Common Destiny”.

1 (4) According to the Department of State, the
2 Government of Vietnam engaged the arbitrary arrest
3 of political activists and individuals who protested
4 land seizures or other matters deemed politically
5 sensitive and detained at least 187 persons for polit-
6 ical or human rights activism.

7 **SEC. 3. STATEMENT OF POLICY.**

8 It is the policy of the United States to—

9 (1) embed human rights concerns across the
10 full spectrum of official interactions between the
11 Government of the United States and the Govern-
12 ment of Vietnam to convey the entire spectrum of
13 United States interests in diplomatic engagement,
14 including that concrete human rights improvements
15 are key parts of trade, security, humanitarian co-
16 operation, and economic development;

17 (2) assess Vietnam’s progress toward respecting
18 the basic rights of workers, as described the report
19 required by section 702 of the Foreign Relations Au-
20 thorization Act, Fiscal Year 2003 (Public Law 107–
21 228; 22 U.S.C. 2151n note), to ensure that Amer-
22 ican workers are not disadvantaged by unfair labor
23 practices in Vietnam, and press for Vietnam’s ratifi-
24 cation of ILO Conventions No. 87 (Freedom of As-
25 sociation and Protection of the Right to Organize)

1 and No. 98 (Right to Organize and Collective Bar-
2 gaining) and the recognition of independent labor
3 unions;

4 (3) bar from entry into the United States im-
5 ports from Vietnam that include inputs made with
6 forced labor from the Xinjiang Uyghur Autonomous
7 Region, such as cotton, aluminum, polysilicon, rayon
8 or other raw or finished materials identified by the
9 Department of Homeland Security, per the Uyghur
10 Forced Labor Prevention Act; and

11 (4) to protect United States nationals and
12 United States businesses by taking steps to address
13 cyber-espionage and transnational repression efforts
14 conducted by Vietnam's Ministry of Public Security.

15 **SEC. 4. SANCTIONS FOR HUMAN RIGHTS VIOLATIONS IN**
16 **VIETNAM.**

17 (a) STATEMENT OF POLICY.—It is the policy of the
18 United States to regularly assess reporting from intel-
19 ligence, diplomatic, open source, congressional, and non-
20 governmental organization sources to identify and impose
21 travel and financial restrictions on officials of the Govern-
22 ment of Vietnam and other foreign persons working di-
23 rectly or indirectly for the Government of Vietnam who,
24 based on credible evidence—

25 (1) are—

1 (A) responsible for, ordered, or are
2 complicit in the arbitrary detention, torture, en-
3 forced disappearances of individuals in Vietnam
4 seeking to obtain, exercise, defend, or promote
5 internationally recognized human rights; or

6 (B) responsible for, ordered, or are
7 complicit in acts of significant corruption, in-
8 cluding the expropriation of private or public
9 assets for personal gain, corruption related to
10 government contracts or the extraction of nat-
11 ural resources, bribery, or the facilitation or
12 transfer of the proceeds of corruption to foreign
13 jurisdictions;

14 (2) are responsible for surveillance, censorship,
15 or detention of individuals in Vietnam for exercising
16 the right to the freedom of expression online or
17 those responsible for forcing United States compa-
18 nies to censor or reveal personally identifiable infor-
19 mation of any individual exercising this right; or

20 (3) are responsible for particularly severe viola-
21 tions of religious freedom (as such term is defined
22 in section 3 of the International Religious Freedom
23 Act of 1998 (22 U.S.C. 6402)).

24 (b) SANCTIONS.—

1 (1) GLOBAL MAGNITSKY HUMAN RIGHTS AC-
2 COUNTABILITY ACT.—The President should impose
3 sanctions under the Global Magnitsky Human
4 Rights Accountability Act (22 U.S.C. 2656 note)
5 with respect to any person described in subsection
6 (a)(1).

7 (2) DEPARTMENT OF STATE, FOREIGN OPER-
8 ATIONS, AND RELATED PROGRAMS APPROPRIATIONS
9 ACT, 2019.—The Secretary of State should impose
10 sanctions described in section 7031(c)(1)(A) of the
11 Department of State, Foreign Operations, and Re-
12 lated Programs Appropriations Act, 2019 (division
13 F of the Consolidated Appropriations Act, 2019;
14 Public Law 116–6) with respect to any person de-
15 scribed in subsection (a)(2).

16 (3) IMMIGRATION AND NATIONALITY ACT.—The
17 Secretary of State should impose the sanctions de-
18 scribed in section 212(a)(2)(G) of the Immigration
19 and Nationality Act (8 U.S.C. 1182(a)(2)(G)) to
20 any foreign person described in subsection (a)(3).

21 (c) REPORT.—

22 (1) IN GENERAL.—The Secretary of State shall
23 submit to the appropriate congressional committees
24 a report on sanctions imposed on persons described

1 in subsection (a) under the provisions of law de-
2 scribed in subsection (b), including information on—

3 (A) the number of times sanctions were
4 imposed on such persons under such provisions
5 of law;

6 (B) the reasons for imposing such sanc-
7 tions; and

8 (C) where appropriate, an identification of
9 the sanctioned persons.

10 (2) INCLUSION.—The report required by this
11 subsection shall be submitted as part of the report
12 required by section of the Foreign Relations Author-
13 ization Act, Fiscal Year 2003 (Public Law 107–228;
14 22 U.S.C. 2151n note).

15 **SEC. 5. ACTIONS TO COMBAT ONLINE CENSORSHIP AND**
16 **SURVEILLANCE IN VIETNAM.**

17 (a) FINDINGS.—Congress finds the following:

18 (1) Vietnam continues to have one of the
19 world’s most restrictive internet environments, with
20 pervasive filtering of content and the frequent ar-
21 rests of bloggers and others whose only offense is to
22 advocate online for positions different than those
23 held by the government.

24 (2) Since 2013, the Government of Vietnam has
25 issued laws and decrees, including a cybersecurity

1 law, that increased its ability to surveil its citizens
2 without judicial oversight or recourse. The cyberse-
3 curity law has been used to charge Vietnamese citi-
4 zens with vague crimes of “negating revolutionary
5 achievements” and distributing “misleading informa-
6 tion among the people”. Vietnam’s Penal Code and
7 Decree 15 have also been used to render many legiti-
8 mate online activities illegal, leading to the arrest
9 and detentions of political prisoners.

10 (3) Vietnam has recently enacted Decree 147,
11 a stringent internet regulation that took effect on
12 December 25, 2024. Decree 147 significantly
13 tightens governmental control over the internet in
14 Vietnam, posing substantial threats to human rights
15 and freedom of speech by enforcing user identifica-
16 tion, facilitating state surveillance, and enabling
17 rapid censorship of online content.

18 (4) The Government of Vietnam uses the cyber-
19 security law to require United States companies to
20 store information in Vietnam, censor social media
21 posts on demand, and to turn over sensitive personal
22 information about users. Companies such as
23 Facebook and Google comply with these requests, in-
24 cluding through the censorship of social media con-

1 tent of United States citizens and permanent resi-
2 dent aliens.

3 (5) United States companies Facebook and
4 YouTube have been instrumental in this crackdown,
5 complying with Vietnam’s request to censor and
6 “geoblock” content determined to violate local Viet-
7 namese law, which often contradicts international
8 law and Vietnam’s treaty obligations.

9 (6) In the first half of 2020, Facebook in-
10 creased its content restrictions in Vietnam by 983
11 percent, a dramatic increase from the second half of
12 2019.

13 (7) Facebook complied with 90 percent of Viet-
14 nam’s censorship requests and YouTube with 95
15 percent of such requests, a fact the Government of
16 Vietnam noted with satisfaction.

17 (8) As of December 31, 2023, the local legal
18 provisions that directly enabled Facebook and
19 YouTube’s censorship, Articles 117 and 331 of Viet-
20 nam’s Penal Code, were used to imprison most of
21 the 258 prisoners of conscience.

22 (9) A free and open internet and the free flow
23 of news and information—

24 (A) are fundamental components of United
25 States foreign policy because they foster eco-

1 nomic growth, protect individual liberties, and
2 advance national security;

3 (B) are critical to the advancement of both
4 United States economic interests and inter-
5 nationally recognized human rights globally;
6 and

7 (C) are severely hindered by Vietnam's cy-
8 bersecurity law which would allow the Govern-
9 ment of Vietnam to access private data, spy on
10 users, require United States businesses to turn
11 over personally identifiable information or block
12 content of users, including outside of Vietnam,
13 and further restrict already limited online
14 speech.

15 (b) STATEMENT OF POLICY.—It is the policy of the
16 United States to—

17 (1) pursue an open and free internet in Viet-
18 nam as an issue promoting United States economic
19 interests and advancing internationally-recognized
20 human rights;

21 (2) engage all appropriate United States Gov-
22 ernment agencies to promote the free flow of news
23 and information in Vietnam;

24 (3) use all appropriate United States diplomatic
25 instruments to pressure the Government of Vietnam

1 to halt requests to force social media companies to
2 disclose identity, or block accounts and content of
3 individuals whose content the Government dis-
4 approves;

5 (4) use all available diplomatic instruments
6 available to pursue trade policies with Vietnam that
7 expand internet freedom and the information econ-
8 omy in Vietnam by—

9 (A) ensuring the free flow of information
10 across the global network;

11 (B) promoting stronger international
12 transparency rules; and

13 (C) ensuring fair and equal treatment of
14 online services regardless of country of origin;
15 and

16 (5) require companies with contracts with the
17 United States Government that accede to requests of
18 the Government of Vietnam to engage in censorship
19 or to reveal sensitive personal information to report
20 such requests to the Department of State at the
21 time such requests occur and to report the nature of
22 such requests and the companies' responses publicly.

23 (c) ACTIONS.—The Secretary of State is authorized
24 to take such actions as may be necessary to—

1 (1) prioritize the immediate distribution of cen-
2 sorship circumvention tools for computers and
3 smartphones in Vietnam; and

4 (2) prioritize projects to ensure the safety and
5 privacy of bloggers and journalists and human rights
6 defenders in Vietnam.

7 (d) BRIEFING.—The Secretary of State, in consulta-
8 tion with the Secretary of Commerce and the United
9 States Trade Representative, should brief the appropriate
10 congressional committees on an action plan outlining ef-
11 forts to—

12 (1) promote internet freedom and the free flow
13 of news and information in Vietnam; and

14 (2) promote efforts to assist United States
15 internet companies to fulfill their stated missions to
16 promote openness, transparency, and connectivity by
17 opposing requests by the Government of Vietnam to
18 remove political speech or content of journalists, es-
19 pecially when content is removed from the accounts
20 of users in the United States.

21 **SEC. 6. INTERNATIONAL RELIGIOUS FREEDOM.**

22 (a) FINDINGS.—Congress finds the following:

23 (1) The promotion and protection of the univer-
24 sally recognized right to the freedom of religion is a
25 priority of United States foreign policy as stated in

1 section 402 of the International Religious Freedom
2 Act of 1998 (22 U.S.C. 6442) and the Bipartisan
3 Congressional Trade Priorities and Accountability
4 Act of 2015 (title I of Public Law 114–26; 19
5 U.S.C. 4201 et seq.) which requires the Administra-
6 tion to take religious freedom into account when ne-
7 gotiating trade agreements.

8 (2) In 2024, the United States Commission on
9 International Religious Freedom recommended to
10 the United States Government to designate Vietnam
11 as a “country of particular concern”, or CPC, for
12 engaging in systematic, ongoing, and egregious viola-
13 tions of religious freedom, as defined by the Inter-
14 national Religious Freedom Act (IRFA), and to sup-
15 port legislative efforts to improve religious freedom
16 in Vietnam, including the Vietnam Human Rights
17 Act.

18 (3) On December 29, 2023, in accordance with
19 the International Religious Freedom Act of 1998,
20 the Secretary of State, for the second consecutive
21 year, placed Vietnam on the Special Watch List for
22 having engaged in or tolerated severe violations of
23 religious freedom.

24 (b) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that—

1 (1) the designation of Vietnam as a country of
2 particular concern for religious freedom pursuant to
3 section 402(b)(1) of the International Religious
4 Freedom Act of 1998 (22 U.S.C. 6442(b)(1)) would
5 be a powerful and effective tool in highlighting
6 abuses of religious freedom in Vietnam and in en-
7 couraging improvement in the respect for human
8 rights in Vietnam; and

9 (2) the Secretary of State should, in accordance
10 with the recommendation of the United States Com-
11 mission on International Religious Freedom, des-
12 ignate Vietnam as a country of particular concern
13 for religious freedom.

14 **SEC. 7. ANNUAL REPORTS ON UNITED STATES-VIETNAM**
15 **HUMAN RIGHTS DIALOGUE MEETINGS.**

16 Section 702 of the Foreign Relations Authorization
17 Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C.
18 2151n note) is amended by adding at the end the fol-
19 lowing:

20 “(9) Ending incidents of torture, police beat-
21 ings, deaths in police custody, and mob or societal
22 violence targeting religious groups or dissidents.

23 “(10) Returning properties of independent reli-
24 gious communities or organizations that have been
25 reportedly expropriated by the Government of Viet-

1 nam or by government-sanctioned religious organiza-
2 tions.

3 “(11) Addressing individual claims by United
4 States citizens whose properties have been expropri-
5 ated by the Government of Vietnam without effec-
6 tive, prompt, and fair compensation.

7 “(12) Implementing section 4 of the Girls
8 Count Act of (Public Law 114–24; 22 U.S.C. 2151
9 note) and how such section has been applied in Viet-
10 nam.

11 “(13) Ensuring internet freedom and specific
12 efforts to ensure the safety and privacy of Viet-
13 namese bloggers and journalists on the internet or
14 other forms of electronic communication.”.

15 **SEC. 8. DEFINITIONS.**

16 In this Act:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—Except as otherwise provided, the term “ap-
19 propriate congressional committees” means the
20 Committee on Foreign Affairs of the House of Rep-
21 resentatives and the Committee on Foreign Rela-
22 tions of the Senate.

23 (2) INTERNET.—The term “internet” has the
24 meaning given such term in section 231(e)(3) of the
25 Communications Act of (47 U.S.C. 231(e)(3)).

1 (3) PERSONALLY IDENTIFIABLE INFORMA-
2 TION.—The term “personally identifiable informa-
3 tion” means data in a form that identifies a par-
4 ticular person.

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