

July 9, 2024

The President  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, DC 20500

Dear President Biden,

We are writing to express our deep concerns regarding the Socialist Republic of Vietnam's request to be granted market economy status by the United States.

Earlier this year, Representative Rosa L. DeLauro, along with 24 House Members, sent a letter to Secretary of Commerce Gina Raimondo urging the Department of Commerce to reject the Vietnamese government's request for a Changed Circumstances Review (CCR) to obtain market economy status. In addition, Senator Elizabeth Warren and Senator Sherrod Brown led a letter with 6 other Senators to Secretary Raimondo on this issue. Most recently, 37 bipartisan House Members of the Congressional Steel Caucus wrote to Secretary Raimondo, calling the granting of market economy status for Vietnam "premature and unwarranted".

The letters from Congress outlined six statutory factors under the Tariff Act that the Department of Commerce must consider in any request for a CCR and the facts are that Vietnam does not meet any of the criteria for a market economy designation due to:

1. **Lack of Foreign Currency Convertibility** - *exchange rate is determined by the government-controlled central bank. Vietnam is on the U.S. Treasury's "currency monitoring" watchlist.*
2. **Wage Rates Not Determined by Free Bargaining Between Labor and Management** - *workers in Vietnam cannot form independent labor unions to bargain for wages and protect their rights. Child labor, forced labor, and other labor rights violations remain widespread in Vietnam.*
3. **Restrictions on Joint Ventures and Investment** - *Foreign Direct Investment (FDI) remains tightly controlled by the government while state-owned enterprises (SOEs) are deeply entrenched in the economy and outcompete FDI.*
4. **Government Control Over Means of Production** - *SOEs receive favorable treatments and access to resources at all levels of government.*
5. **Government Control Over Allocation of Resources** - *With its full ownership of the banking sector, the government controls prices and promotes SOEs.*
6. Additional factors must be considered include Financial Corruption, Weak Rule of Law, Judicial Corruption, and Vietnam's close economic relationships with China.

As community-based advocacy organizations, we are concerned with the issues of free labor bargaining, the weak rule of law, pervasive corruption, and human rights.

In Vietnam, labor unions organized by workers do not exist. The Vietnam General Confederation of Labor (VGCL) is a Vietnamese Communist Party controlled entity that consistently fails to protect workers' rights. Numerous incidents have been reported where Vietnamese workers were mistreated by foreign employers, particularly Chinese employers, including physical abuse, harsh and unsafe working conditions, unpaid wages when companies abruptly left Vietnam, delayed wage payments, and elimination of bonuses. In these instances, the VGCL has not supported Vietnamese workers in seeking fair treatment from foreign companies.

Furthermore, over the past two years, Vietnam has been plagued by financial scandals and corruption, predominantly benefiting high-level officials. This corruption has drained national resources, robbed people of their savings and seriously endangered the Vietnamese banking system.

In October 2023, the U.S. and Vietnam elevated the bilateral relationship to a so-called Comprehensive Strategic Partnership. However, shortly after this historic development, Vietnamese authorities continued to commit serious violations of human rights. Numerous activists have been arrested and handed lengthy prison sentences under ambiguous security laws, drawing condemnation from human rights organizations. The U.S.'s policy of "benefit for change" appears to be one-sided, with a minority connected to the Communist Party amassing significant wealth during the economic boom, while the broader population continues to struggle with basic needs.

Given these critical issues, we strongly urge you not to grant the Socialist Republic of Vietnam market economy status at this time. It is imperative that the Vietnamese government make substantial progress in labor rights, root out corruption, strengthen the rule of law, and improve human rights before being considered for market economy status. Unless there are meaningful reforms in Vietnam, granting market economy status would benefit neither the American nor Vietnamese people.

Thank you for your attention to this pressing matter.

Sincerely,

Viet Tan  
*Duy Hoang, Executive Director*

Vietnam Worker Defenders  
*Huy Nguyen, Director*

Justice for Formosa Victims  
*John-Hoa Nguyen, President*

Vietnam Human Rights Network  
*Tung Ba Nguyen, Executive Director*

Federation of Vietnamese American  
Communities in the USA  
*Anh Tran, President*

Vietnamese Community of Dayton, Ohio  
*The Le, President*

Vietnamese-American Community of  
Massachusetts  
*Khang Nguyen, Vice President*

The Vietnamese Refugee Community of  
Los Angeles County  
*Long Nguyen, President*

Vietnamese Community of Houston & Vicinity  
*Bryan Chu, President*

Vietnamese Community of San Diego  
*Kim-Trang Dang, President*

Free Vietnam Organization Hawaii  
*Hoang Van Nguyen, President*

Alliance for Democracy in Vietnam  
*Minh Phat Le, Advisory Board Chair*

Humanistic Socialist Party  
*Kien Nguyen, Chairman*

Captien Forum  
*Robert N. Le, President*

Assembly for Democracy in Vietnam  
*Ha Thanh Nguyen, Coordinating Chair*

Brotherhood for Democracy  
*Nguyen Van Dai, President*

Me Boun Foundation  
*Borasmy Ung, President*

US Filipinos For Good Governance  
*Eric Lachica, Washington DC Coordinator*

Association of Former Vietnamese  
Political Prisoners of Stockton, CA  
*Linh Duy Vo, President*

Coalition of Vietnamese Americans  
Against Communism  
*Nhon Ky Phan, Chairman*

Vietnamese Seniors Association in  
San Joaquin County, CA  
*Em Nguyen, President*

Hoi Den Hung Vuong of Hawaii  
*Phen Bob Pham, President*

TNT Media Live  
*Binh Vo, Director*

National Viet Radio  
*Sophie Duong, Director*

CC: Honorable Gina Raimondo, U.S. Secretary of Commerce  
Honorable Antony Blinken, U.S. Secretary of State