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'Cambodia has been able to bring about the death of a greater portion of its population than any other country in this century.'

THE MIAMI HERALD Sunday, July 9, 1978

Cambodia — The 'Auschwitz of Asia'

By LEO CHERNE

"It appears to have taken six years to kill nine million human beings in Nazi Germany and in the countries it occupied. It appears to have taken one day to inflict catastrophic disaster on more than three million Cambodians."

With these words, three years ago Freedom House filed an appeal with the U.N. Commission on Human Rights for an inquiry into the events in Cambodia reported in such compelling detail by Sidney Schanberg's Pulitzer Prize-winning articles in The New York Times. The commission took three months to respond to that appeal — negatively.

Three years later, in 1977, the House International Relations Subcommittee inquired into the events occurring in Cambodia. Richard Holbrooke, Assistant Secretary of State for East Asian Affairs, eloquently denounced the events occurring in Democratic Kampuchea, as Cambodia now calls itself.

In the spring of 1978, the Canadian government denounced the killing and suffering in Cambodia. On April 20, 1978, President Carter, detailing reports of atrocities committed by Communists in Cambodia, called the Cambodian government "the worst violator of human rights in the world today." And on April 21 an international inquiry initiated by Norway invited witnesses from many countries to testify in Oslo.

UNTIL THESE RECENT developments, no government leader or international body sought to penetrate the silence. Only Chaim Herzog, Israeli Ambassador to the United Nations, has raised a solitary voice to attract attention to the horror of Cambodia. The blunt fact is that "three to four million people fell into a deep, black, echoes hole."

Cambodia has become the Auschwitz of Asia. There are deadly parallels in the actions and purposes, however differently pursued, between those taken by Nazi Germany and those which are occurring in Cambodia.

- Both were ruthless in exterminating the enemies of the state.
- The ruthlessness by each was in the service of an ideal — racial purity in Nazi Germany, political purity in Cambodia.
- Each nation set out to create a new man fit for such an "ideal" society. All who failed to fit the mold were to be reshaped or eliminated.
- And most ironic of all, although Germany was fascist and Cambodia Communist, each identified a neighboring Communist state as its ultimate enemy from the very beginning.

TO THE NAZIS, the enemy was always Bolshevik Russia. To the new leadership (of Cambodia), the enemy had from the very beginning been the Hanot-led state of Vietnam.

It also is clear that where technology was the main instrument in Hitler's destruction of the polluters of his Aryan ideal, brutality was the primary agent of Cambodia's "cleansing" of the corrupting and resisting elements within its borders.

If the similarities between Nazi Germany and Cambodia are striking, there are also striking dissimilarities.

Hitler's vision was of a thousand-year Reich built on the steel of technology, science and military might and an elaboration of the industrial state beyond challenge. The Kampuchean ideal appears to envisage a return to the agricultural model of the Khmer empire at its 14th-Century peak.

In the last three years, Cambodia has been able to bring about the death of a greater portion of its population than in any other country in this century. The government has used the simple methods of starvation and of death administered by a hoe, a wooden club, an ax.

APPARENTLY ONLY the fatigue of the executioners occasionally produces the use of the rifle. The rifle is used when the number to be killed is simply too wearying for the teenage Khmer who performs the necessary chore.

We know that during the first few hours after the Khmer Rouge victory and the establishment of Democratic Kampuchea, every citizen, every Cambodian, whatever age or sex, was ordered to evacuate the towns and cities and was compelled to evacuate those cities.

We know that many traveled an estimated 85 miles and that there were no provisions for their sustenance along the route. We know that many of them died in the course of this forced march, and that few of these children survived the ordeal.

We know that every patient in every hospital in Phnom Penh, whatever his condition, was compelled to leave.

There were roughly 20 international journalists in that largest city of Cambodia at the time of the victory of the Khmer Rouge. They were interned in the French Embassy for the next couple of weeks, but they were not blindfolded.

REPORTS BY THESE journalists show us some of the gruesome details of that initial phase of Khmer Rouge revolution.

We know that doctors who were in the midst of surgery were in some instances compelled to leave their work unfinished. We know that when they were unable to leave their rooms, some were dropped to the pavement from the windows.

Like other cities and towns, Phnom Penh virtually is empty down from approximately three million at the end of the war to fewer than 20,000 people. Living conditions are primitive, with no shops, telephones or postal service. Because the authorities have eliminated currency, goods must be bartered.

It is unlikely that there's a more complete detailing anywhere of the evacuation of Phnom Penh than Sidney Schanberg's. He was able for the first time to file his correspondence when he arrived in Bangkok with the others who had been interned. In conversations and writing since by Schanberg, he goes out of his way to assert that the United States is not without responsibility for these events.

His thesis, and it is not without merit, is that the Khmer Rouge was a small secret rag-tag Communist army until the American bombing of the Parrot's Beak and the U.S. incursion into Cambodia in 1970. Those actions helped convert this small force into an army of nearly 100,000 men on the overthrow of the Lon Nol government and the creation of the first pure Communist society anywhere in the world.

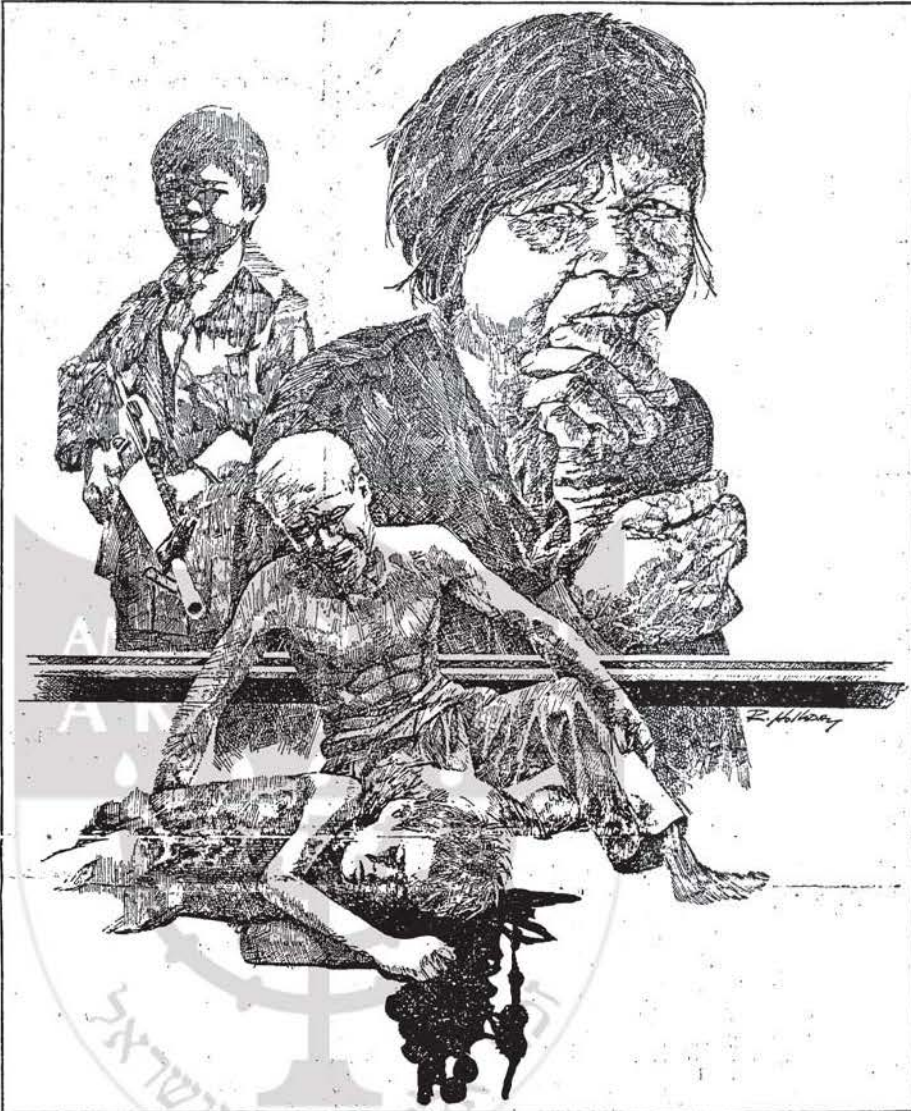
THE NAZI doctrine of racial purity sought to eliminate the "inferior" or obstructing elements — the Marxists, the Gypsies, the anti-Nazi clergy and political leaders, the mental defectives, the Jews.

Cambodia sees with equal clarity that all those who carry the virus of the old, corrupt and imperialist culture must be eliminated. Any association with the Lon Nol or the Sihanouk governments must simply be stamped out. So too must the Buddhist monks, the irrevocably religious among the population, the commercial classes, the teachers and scholars, except for the handful who previously had identified themselves with the Khmer Rouge.

The vast and total nature of the reordering of all of Cambodian life toward the accomplishment of these ends can be seen from just these few details.

The traditional family unit is one victim of the massacre.

Leo Cherne is chairman of the International Rescue Committee, a nonprofit agency which aids refugees. He is the executive director of Research Institute of America in New York, and has a home on Key Biscayne.



REGGIE HOLLADAY / MIAMI HERALD STAFF

diverse restructuring of Cambodian society. A certain amount of separation was an unavoidable consequence of the enormous population relocation that followed the Communist victory. However, the new regime apparently has deliberately tried to expunge family loyalties in order to forcibly substitute new loyalty patterns — to the commune and to the state.

TYPICALLY, everyone is organized in groups of 10, with one supervisor and three cells of three persons. Each member of a cell is responsible for the behavior of the other two. People who make too many "mistakes" are led away and never seen again. The constant fear of death keeps everyone working long hours, the more able-bodied far from their homes and the more frail closer to home.

Meanwhile, the Cambodian government sees a threat from Vietnam. Pol Pot, secretary-general of the reborn Communist Party, said during a recent visit to Peking: "In our Cambodian society, there also exist life-and-death contradictions. Enemies in the shape of various spy rings working for imperialism and international reactionaries are still planted among us to carry out subversive activities against our revolution."

With the Americans long gone and Lon Nol's forces destroyed, his structures about security quite clearly were aimed at Hanot: "There is also another handful of reactionary elements who continue to carry out activities against us and attempt to subvert our Kampuchean revolution."

Pol Pot's concern was not without warrant. It is clear that there was an abortive revolt inside Cambodia in April 1976, in which hundreds and perhaps thousands were eliminated. Another attempted coup took place in northwestern Cambodia in the spring of 1977. There were mass arrests of party and military leaders in March and April. Many officials, accused of being Thai or American agents, apparently were executed.

WARS REQUIRE two participants. Hanot is not unaccommodating. The following letter was published in the Vietnamese paper Nhan Dan and considered impetuous enough to be broadcast on Radio Hanoi. It describes a midnight Khmer Rouge attack on a Vietnamese village six months ago:

"All of the houses were surrounded by Cambodian soldiers who immediately opened fire and used machetes, axes, sabers and sharpened sticks to slay the villagers. . . . A fleeing child was caught by a soldier who cut off his leg and threw him into the flames. All seven members of Mrs. Truong Thi Rot's family were beheaded and the heads were put on a bamboo pole. Rot was disemboweled and had a seven-month fetus placed on her chest."

"All the eight members of Nguyen Van Tam's family were beheaded and the heads were put on a table for amusement. All eight persons in Nguyen Thi Nganh's house were also disemboweled. The killers took out her

five-month fetus, then cut off her breast and chopped her body in three parts. Her 2-year-old boy . . . was torn to two and dumped into a well."

All of this establishes the sheer ruthlessness which can exist within a Communist nation.

IT DOES NOT adequately detail what has happened inside Cambodia since 1975 to cause 100,000 to flee to the doubtful safety of Vietnam and nearly 50,000 toward the ancient antagonism and doubtful safety in Thailand.

Even desperation has its levels of comparative intolerance. If one is to understand the sheer terror which must have voluntarily driven tens of thousands of Cambodians into the arms of the traditionally hated Vietnamese, we must first refresh our sense of the desperation that exists in Vietnam.

To this day, some 3,000 to 4,000 Vietnamese crowd into anything that will float, knowing that they risk their lives if their plans to escape are discovered or frustrated.

The flight from Vietnam continues, even as the flight of Cambodians into Vietnam in some undetermined number is surely going on.

Father Francois Ponchaud, the man who has made the most thorough study of the refugees from Democratic Kampuchea, was the subject of a recent article in The New York Review of Books.

"Ponchaud, after long experience in Cambodia, originally welcomed the prospect of a revolutionary change. After leaving in 1975 and talking to refugees in Thailand, he was forced to conclude that a horrifying system was being imposed on the Khmers. His research was based not only on Cambodian government radio broadcasts and on 94 written statements by refugees but also on his own careful questioning of most of these refugees as well as hundreds of others.

"Indeed, Father Ponchaud says he has by now talked to well over 1,000 Cambodian refugees, seeing them not only in Thailand but also in France, where some 10,000 of them now live."

AT THE END of February, Ponchaud gave the following summary of his most recent research:

"The estimate that more than 100,000 Khmers have been executed must now be taken as an absolute minimum. It is possible that two or three times as many people have been executed. The number who have died because of the lack of food and of medical and sanitary facilities, and from the frantic pace of work, may well be more than two million. I have had reports of villages in which a third, half, or even nine-tenths of the population had died."

Refugees are accused of being "one-sided." The memorial at Dachau contains only such "one-sided" accounts.

The refugees say there are no "people's courts," and it is left to the local Communist squads to decide who lives or dies. In most areas, all former civil ser-

vants have apparently been executed along with their families.

Those who were in authority before the Communists took over, such as village headmen, are killed with their families. In most cases, the executions are not public, the Communists being satisfied to quietly eliminate potential problems.

THE WIDESPREAD executions have deprived Cambodia of the bulk of irreplaceable special skills. Doctors have either been killed or sent to the rice paddies and have been replaced by youths who are given three months training. Primitive methods are used, such as injections of coconut milk into patients as a kind of cure-all (a technique used by Viet Cong doctors when plasma was in short supply). This loss of talent inevitably makes the regime more dependent on Chinese advisers.

Diplomats in several of the Southeast Asian countries conclude there is no way even for the Communists to make a serious estimate of how many have died, but the diplomats have guessed that the population may be down by from 15 to 20 per cent. With so many potential troublemakers already executed and the population utterly cowed, executions are becoming less common.

Three ambassadors to Peking from Scandinavian countries who wished to visit Angkor Wat were given permission by the Cambodian authorities to visit Phnom Penh and Siem Reap. Their reports are extremely revealing. The cities are crumbling, deserted, almost as lifeless as Angkor Wat. About 20,000 workers are trucked in and out of the capital daily to perform some essential chores. Among them there must be those who bring the food, the meals, the necessities, and the mail to the ambassadors from the friendly Communist states who cannot leave their embassy grounds.

These Scandinavian diplomats noted, too, what so many of the refugees have reported, the sheer absence of older people. The young are the "new men" best suited for this society in pursuit of purity.

THE AMBASSADORS refused to draw any conclusions on what happened to the old. But one of the diplomats, experienced in the many ways of a curious world, did say this of the Cambodia he saw: "It was like an absurd film. It was like a nightmare. It is difficult to believe it is true."

What even experienced foreigners may find difficult to believe, Cambodians are required to express quite explicitly. These are the words of their new national anthem:

The red, red blood splatters the cities and plains of the Cambodian fatherland.

The sublime blood of the workers and peasants.

The blood of revolutionary combatants of both sexes.

That blood spills out into great indignation and a resolute urge to fight.

17 April, that day under the revolutionary flag. The blood certainly liberates us from slavery."

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July 12, 1978

TO: Members of the I.R.C. Citizens Commission on
Indochinese Refugees

Dear Colleagues:

This will be an effort to bring you up to date on a number of developments of concern to our efforts, some of which you may already know.

On March 29 President Carter approved his Task Force's recommendations for a 25,000 parole. Despite the President's approval, the Attorney General did not actually authorize that parole until June 4, effective June 14. That number will have to last until May 1, 1979. In addition, one half (12,500) will be for the boat cases and the other half for persons who are in the land refugee camps in Thailand. Of the 12,500 boat case paroles, 1,500 are set aside for refugees picked up at sea - I will detail this later in the memorandum.

No special provision was made either for Vietnamese land cases or for Cambodian refugees. Since the usual refugee criteria will apply, first priority will be given to those who have close relatives in the United States; second priority will go to those who were directly employed by the U.S. Government. The Vietnamese land refugees fit neither category, and among the Cambodian refugees few have relatives in the United States and virtually none in the camps were ever employed by the U. S. It was, I am told, the intention of the Task Force to recommend special treatment for Cambodian refugees; the absence of such treatment is neglect or mistake, not intention. For this reason, the Commission has appealed to the President for a 15,000 special ethnic parole for Cambodian refugees. In the meantime, after some hard negotiating, I had been promised by the State Department Human Rights staff that as many as 1,500 Cambodians will be squeezed into the parole authorization under a provision which exist for "special humanitarian considerations."

By the time the Attorney General got around to authorizing the parole the entire Indochinese picture had changed dramatically. When we were in Thailand an estimated 1,500 boat cases a month were arriving in Thailand, Malaysia and other Asian points. In April, that number had increased to 5,500; in May, to 6,000 and the tentative total for June appears to be 5,500. It is believed that the element of favorable weather on the sea plays

some part in this dramatic increase of those fleeing, but by June the monsoon season had already started and the number has not declined significantly. Virtually all who follow the picture closely are agreed that the new measures employed by the Vietnamese Government against the commercial classes is the main spur to what could cause 40-50,000 boat people to flee Vietnam within the next twelve months. Since an estimated 60% of those whose businesses have been closed are Chinese, this has considerably enlarged the inflow of Chinese in Hong Kong and the Chinese Government has sent two ships which, to our knowledge, are still negotiating the matter of picking up Chinese who wish to leave Vietnam.

Despite the termination of refugee status by Thailand for those crossing from Laos, the number of land cases is estimated to have doubled to nearly 4,000 a month during this same period. Carel Sternberg was in Thailand and Malaysia a couple of weeks ago and reports that forceable repatriation to Laos is still continuing when refugees are caught entering Thailand. However, the number of those managing to get through is now so large that the effort to place those not repatriated into detention centers is breaking down and apparently hundreds of those who are not officially regarded as refugees are apparently squatting adjacent to the existing refugee camps in Northern Thailand.

Vice President Mondale, on his visit to Thailand, promised the Thai Government that the U. S. would take 15,000 of the land refugees within the next year. Under the recent parole order that promise is theoretical at best. Eleven thousand boat cases are now on the beaches of Malaysia alone and it is expected that Malaysia will soon begin pushing boats back to sea. Thailand is virtually accepting no additional boat cases.

There are bottlenecks in the entire resettlement process for those authorized to come to the U. S. and I am enclosing a memorandum which went to Brezezinski, Mondale and Vance, in response to Brezezinski's request that our Commission look into this problem. (Al Kastner has already sent this to you.)

In the meantime, as you are undoubtedly aware, there has been a sudden burst of media interest in the Cambodian refugee. Our effort accounts for a part of that, but several television programs which we did not stimulate played the greater part. I, myself, participated in the ABC Morning Show and the McNeil-Lehrer Program on PBS. A CBS hour-long special program on Cambodia was strikingly good.

John Richardson arranged for the Center for Strategic and International Studies to conduct a noon session on the Hill for members of the House, Senate, White House and press. The session was entirely devoted to Cambodia and was extremely well attended. That session directly led, within 24 hours, to Senator Dole's deciding to submit an amendment to the Justice Department Appropriation Bill calling for admission to the U.S. of the Cambodian refugees. Congressman Solarz was also among those present and he is introducing legislation in the House. I received a phone call the very next day from the White House which led to my meeting with several people on the Georgia side of the staff, as a result of one of them being present at that session. Their interest was to explore means whereby the White House could organize a bipartisan Congressional action to admit Cambodian refugees coupled with full White House support. Approaching Carter on this has been put off until his return from Bonn. However, the Dole amendment will not wait and may come up next week when the Appropriation Bill is up on the floor of the Senate. I have been trying to synchronize the House and Senate effort with the steps being taken in the White House but it is a tricky business and I cannot speculate on the outcome except to say that the atmosphere appears favorable to a special action for the Cambodians. The State Department is completely

for these efforts we are making. Unlike our previous effort this one does not involve the National Security Council and if the parties can be brought to act in concert there is some indication that the Attorney General would not resist this parole because it would originate in the Congress.

Immediately following the CSIS briefing, Bill Casey, John Richardson and I testified before the House Subcommittee on Asian and Pacific Affairs, at their request, on the whole subject of the refugee crisis, but with particular emphasis on Cambodia. That Committee has been visiting Southeast Asia during the July 4th recess but should be back this week. Unlike the Eilberg Committee, the Wolff Committee was very sympathetic to our testimony.

By mid-June it was apparent that the entire Indochinese refugee flow had already far outdistanced the new parole order. Had our original recommendations been followed, calling as they did for a continuous program without numerical limit and calling for special treatment for the boat cases and the Cambodians with the U. S. as the country of last resort for all in those categories, the present situation could still be covered even though we did not anticipate the explosion of the numbers of refugees in flight.

On one of the problems we addressed ourselves to, the boats in distress passed by at sea, the government, thanks to Secretary Vance, has in fact gone further than we recommended. You will recall that when we visited Secretary Vance he tried out on us his proposal to issue instructions to all American owned shipping companies requiring them to have their captains pick up all refugees in distressed vessels and then take them either to the nearest port, or their next scheduled port, where the U. S. Consul would accept responsibility for them. The U. S. Immigration Service in that port would quickly process them for transportation to the U. S. The Attorney General's parole order provides 1,500 numbers for just such cases, with an ambiguous phrase which suggests that more numbers will be available if needed. But if that proves to be the case, that additional number would probably have to come out of the 11,000 parole numbers left for boat cases.

After a great deal of negotiating between State and Immigration, the Secretary of State has just recently issued his order. It had been planned to routinely have the Maritime people in State notify the companies and administer the procedures. I learned of this in time to urge on State that they hold off just long enough to alert the White House in the hope that the President might personally announce this extremely responsive action. A compromise was reached whereby an unnamed official announced the decision as the President's policy. Fortunately considerable space was given to that "Carter policy decision" in the New York Times and Washington Post. The hope in making this effort was that this kind of visibility might similarly influence other governments to take comparable action involving their own maritime fleets.

Early in June it was apparent to Bill Casey, myself and colleagues at the I.R.C., but most importantly to the State Department, that all of the U. S. governmental action taken or contemplated this far would prove obsolete or at least grossly inadequate. The State Department was quite candid in expressing its hope that a few members of the Commission might find it possible to return, especially to Thailand and Malaysia, to take a look at the altogether new elements in the desperate refugee picture as it is now developing.

I met with those members of the Commission who could attend a dinner at the Century Club on June 19 and it was agreed that a small group be reassembled to make a fresh survey and if possible come back with recommendations appropriate to the changed nature of the problems. We agreed to bear the cost of doing so since it was clear that the I. R. C. could not undertake that cost on top of the heavy burden we are already feeling because of the inadequate resettlement grants (\$350 per person), for those Indochinese we are accepting responsibility for. We feel a strong moral obligation to carry as heavy a number of the new refugees to be resettled as we possibly can.

Albert Shanker, who was unable to go the last time, is going on ahead of the group and will be there within days; Leonard Marks, I. R. C.'s President, will this month also visit Thailand and Malaysia. Our main group is planning to go to Malaysia in the last week of August, then to Thailand where it appears as though our visit will coincide with the arrival of the U.N. High Commissioner for Refugees in Bangkok. We will then go on to Hong Kong hoping to meet the same U. S. and Crown Colony officials we conferred with in February, but with enough time to look into brand new problems now occurring in Hong Kong because of the Chinese aspect. Our projected press conference will take place in Hong Kong on September 6 and we will return to New York on September 9. At present the group going includes Casey, hopefully for at least part of the trip; Warren Meeker, who at the last moment was unable to join the last time; Bayard Rustin. Bob Simon is hoping to join us for at least part of the trip if he can rearrange his schedule. Bob DeVecchi will go ahead as advance man and in fact remain in Bangkok when we leave, to review the I. R. C. operations there in the light of the new circumstances. Al Kastner, Deputy Executive Director of I. R. C., will join our group and be with us throughout. There are one or two other doubtful participants who were with us in February.

One apparent change in the picture which makes our meeting with the High Commissioner especially important is the growing feeling that today's acute problem and tomorrow's possibly larger number of refugees increasingly requires internationalizing the resettlement effort, quite apart from any additional numbers the U. S. Government can be persuaded to accept.

I am sure I have neglected some other developments but I must not forget an important piece of work by Steve Young. He undertook to prepare a brief on the subject of the legality of the parole method for resettling groups of refugees. You will recall that the Attorney General had grave doubts of the propriety of the parole process and is reported to have said privately after he signed the recent parole order that this was the last parole he would authorize. Steve Young's memorandum was prepared for the Committee on Human Rights of the Association of the Bar of the City of New York. We have been circulating it where it can be useful in the government and plan to seek a visit with the Attorney General prior to our leaving for Asia. I am enclosing a copy of Steve's memorandum as well as a letter from Senator Kennedy commenting on it. I am also enclosing a copy of the State Department's notification to its various missions overseas about the new plan for boats in distress. I am, in addition, enclosing a memorandum from Tom Barnes concerning the Cambodian refugees as well as my answer to him. Al Kastner may additionally append other items.

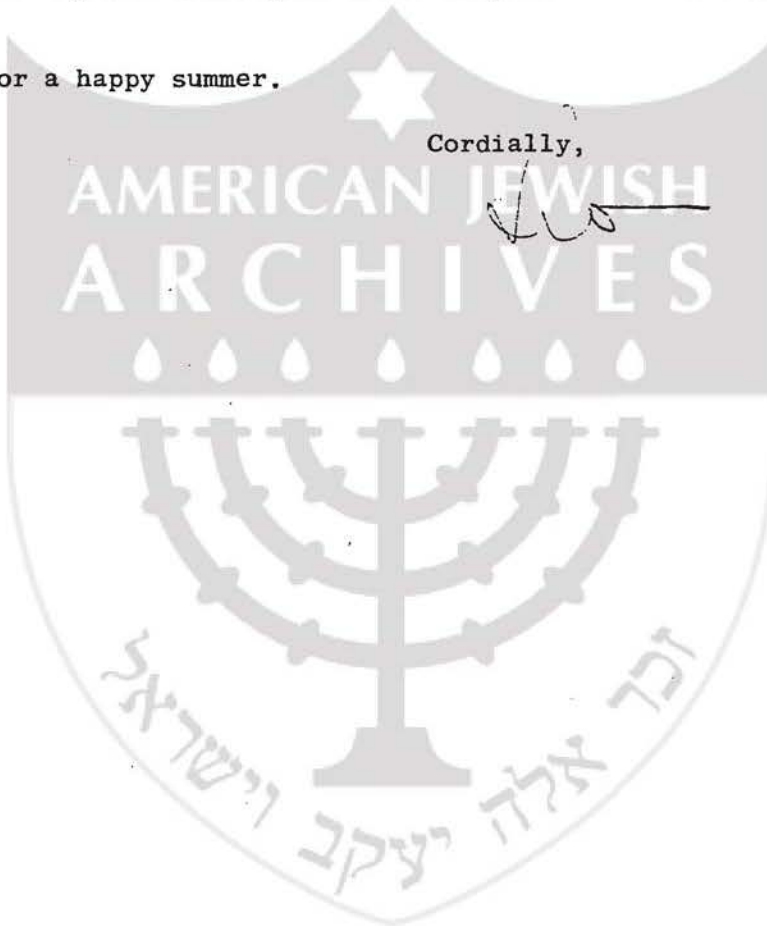
I cannot close these lines without saying that the association we have had and continue to have leaves me in the deepest personal debt to each of you. Whatever our specific disappointments, we have succeeded beyond anything we would have candidly acknowledged when we started. Even Henry Kamm's well-deserved Pulitzer in its citation noted not only his remarkable journalism, but specifically mentioned the beneficial human results which were stimulated by his coverage. You can't display it but you each own a piece of a Pulitzer Prize. And, after all, there will be 25,000 Indochinese resettled in the U. S. by next May who were not on their way here when we left Bangkok, and there will be many lives saved at sea because we helped to inspire the Secretary of State. There is one other group which deserves enormous praise - the group functioning under Patt Derian, and especially her colleagues under Shep Lowman in the Division of Refugee Affairs.

Warmest wishes for a happy summer.

Cordially,



LC:db
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6 July 1978

FYX -

AMERICAN JEWISH

I am very pleased that you were able to attend our June 8th meeting sponsored by the Center for Strategic & International Studies, to discuss: CAMBODIA: What can America Do? The panel discussion, your presence and subsequent attention in the media demonstrated an important measure of concern and interest.

In focusing on the tragic situation of the Cambodian people, our purpose is to stimulate action which can in some way reduce their suffering. One measure agreed upon at the meeting was that this country should admit 15,000 among more than 100,000 Cambodian refugees who are facing a desperate future and the continuing risk of force return to what Leo Cherne called "the Auschwitz of Asia".

The Carter Administration has not yet agreed to admit additional refugees from Cambodia. Therefore, there is an urgent need to support efforts to admit more Cambodians and provide humanitarian help in the refugee camps.

I hope that you will participate through your own relationships in a continuing effort to persuade the Administration to act. Please let us know the steps you are taking. If you have any further suggestions for us at Freedom House, CSIS or the International Rescue Committee, they would be most welcome.

Sincerely,



John Richardson, Jr.

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LEGALITY OF PAROLE ADMISSION OF REFUGEE GROUPS

In connection with the Carter Administration's desire to respond adequately to the moral claims of the Indochinese refugees now in temporary havens in Southeast Asia for immediate succor and permanent resettlement, it has been asserted by various members of Congress that the authority granted to the Attorney General by Section 212(d)5 of the Immigration and Naturalization Act of 1952 (8 U.S.C. 1182(d)5) to parole aliens into the United States outside the normal channels whereby visas are issued should not be used to admit groups of refugees into this country. This restricted interpretation of the Attorney General's parole authority arises from a failure to distinguish clearly between the power to admit physically aliens into the United States and the power to grant citizenship. In the past such a restricted view of the parole authority has not been the general view of informed authorities. The Attorney General's power to admit groups of refugees through use of Sec. 212(d)5 parole authority has been acknowledged by the Congress and confirmed by the courts. Further use at this time of the parole authority to admit considerable numbers of Indochinese refugees is therefore both legal and appropriate, pending congressional enactment of a permanent refugee policy for the United States.

Article I, Section 8, clause 4 of the Constitution gives Congress the power to establish a uniform rule of naturalization. The granting of United States citizenship to those not born to it is thus exclusively within Congressional purview. However, even here, the Congress has not seen fit to maintain naturalization as a legislative function. Congress has made the grant of citizenship a judicial act and, accordingly, has empowered federal district courts to naturalize qualified aliens.

Separate and distinct from the procedures and qualifications leading to citizenship is the issue of who can enter the territory of the United States. Many - tourists, businessmen, diplomats - enter the United States with no intention of becoming citizens. The power to admit or exclude these aliens, an inherent attribute of sovereignty, has not been expressly granted exclusively to the Congress by the Constitution. According to the Supreme Court, some part of this sovereign power rests with the executive. In U.S. ex rel. Knauff v. Shaughnessy, 338 U.S. 537, 70 S.Ct. 309 (1950), the Supreme Court said:

"....exclusion of aliens is a fundamental act of sovereignty. The right to do so stems not from the legislative power but is inherent in the executive power to control the foreign affairs of the nation. When Congress prescribes a procedure concerning the admissibility of aliens, it is not dealing alone with a legislative power. It is implementing an inherent executive power. Thus the decision to admit or exclude an alien may be lawfully placed with the President, who may in turn delegate the carrying out of this function to a responsible executive officer of the sovereign, such as the Attorney General."

Here the Supreme Court specifically approved delegation of discretionary authority to the Attorney General to admit or exclude aliens as part of the sovereign's power to conduct foreign affairs. The situations in which the parole power, a discretionary power of the Attorney General, has been used to admit large groups of refugees - Hungarians in 1956, Cubans after 1965 and Indochinese in 1975 - were each dramatic episodes in the foreign affairs of this nation, intimately tied to the posture and policy of this country vis-a-vis the expansion of communist states or parties.

The parole power has its origin in the inherent power of the executive to permit aliens to step upon the territory of the United States. It does not need a statutory grant of authority for its valid exercise. The parole power

first developed as an administrative device. Conceiro v. Marks, 360 F.Supp 454 (DCSDNY June 25, 1973) It provided an enlargement of the place of initial alien detention, such as Ellis Island. Paktorovics v. Murff, 260 F. 2nd 610 (CA 2d Nov. 6, 1958) For example, a parolee could leave Ellis Island to convalesce in a hospital in Manhattan but remain legally subject to the Ellis Island immigrant admission procedures. In 1952, it was incorporated into federal legislation and given a statutory basis, but even today parole admission confers no claim or right to permanent habitation in the United States or to United States citizenship. Leng May Ma v. Barber, 357 U.S. 185, 78 S.Ct. 1072 (June 16, 1958) Legally, parolees remain complete aliens. Once paroled into the United States, an alien is considered in the legal custody of the executive so that a habeus corpus proceeding may be brought on behalf of such an alien. Nguyen Da Yen v. Kissinger, 528 F2d 1194 (C.S. 9th, Nov. 5, 1975).

Thus the groups of refugees previously allowed to enter the United States through use of the parole power could only begin the process of becoming citizens of the United States after the Congress had passed special enabling legislation, pursuant to its Constitutional power to establish the rule for naturalization, which exempted such refugees from the normal, annual quota limitations on immigration for permanent residence. The status of the Hungarians was moved from the temporary one of parolees to permanent residents by 72 Stat. 419 two years after they had arrived in this country. The 1966 act of Congress adjusting the status of Cubans was P.L. 89-732, 80 Stat. 1161, and the Indochinese were permitted to become citizens only 2 years after their initial arrival by P.L. 95-145, 91 Stat. 1223.

Thus entry to the United States via the parole power is only tentative. No expectation of permanence is created thereby. Parole entry can be terminated

and the alien expelled through an exclusion hearing to which due process does not apply in full and from which there is no right of appeal. On the contrary, someone admitted on a visa as part of the process leading to citizenship can only be deported through an expulsion hearing to which due process rights adhere. An alien paroled into the United States is "still at the boundary line of the United States" subject at all times to the complete discretion of the executive as whether or not such alien may continue to stay here or must go elsewhere. (Ma v. Barber, supra.) The parole power does not trespass upon the Congressional prerogative to determine who may be admitted to the naturalization process because parole entry confers no rights or privileges on the alien admitted. Parole is nothing more than a temporary, highly revocable, permission to be physically present in the United States.

A number of judicial opinions, though not confronting the issue directly, indicate that the Attorney General's use in the past of the parole power to admit groups of refugees did not exceed his authority. A Cuban paroled into the United States who then had his parole revoked due to his anti-Castro military activities had no right to a full hearing on the revocation of his parole. Aherns v. Rojas, 292 F.2d 406 (CA 5th, June 30, 1961) His initial admission and subsequent expulsion were evidently valid. Vietnamese orphans brought to the United States in Operation Babylift as the Republic of Vietnam was collapsing were validly admitted to the United States via the parole authority. Nguyen Da Yen v. Kissinger, 528 F. 2d 1194 (CA 9th, 1975) In two cases involving groups of Haitians who were first paroled into the United States, interviewed and then had their parole revoked and their claim for political asylum denied, the courts where they challenged the revocation of their parole left untouched the initial parole of these groups into the United States, though such entry gave the refugees no right to contest the ultimate exclusion order. Pierce v. U.S., 547 F.2d 1281 (CA 5th, March 7, 1977); Sannar v. U.S., 427 F: Supp 1270 (DCSD Fla 1977) The parole into the United States

of a Vietnamese minor child as part of the Indochinese refugee program granted valid custody of the child to the United States government. In a subsequent dispute over the custody of the child between two private citizens, the court held that the federal government should transfer its custody to one of those parties as the law of the state of California provided. Le Thi Sang v. Levi, 426 F. Supp 971 (DC ED Calif 1977)

In the one case discussing the nature of a group refugee parole, the Second Circuit Court of Appeals not only validated the use of parole authority to admit a large group of refugees but even held that in the special case of Hungarians, revocation of parole required adherence to due process safeguards. Paktorovics v. Murff, supra. The court said there that the case of Paktorovics, who had been admitted from Austria on parole but then excluded when it was discovered that he had concealed his former membership in the Communist Party of Hungary, was sui generis because the use of the parole authority to admit him as part of the foreign policy of the United States. Thus the letter of the Immigration and Naturalization Act of 1952 was not to be followed in excluding Paktorovics for other factors in addition to the legislative scheme had entered into the case.

Here in the case most relevant to consideration of the use of the parole authority to admit groups of refugees, the Second Circuit followed the lead of the Supreme Court in U.S. ex. rel. Knauff v. Shaughnessy, supra, in recognizing that the parole power of the Attorney General rests in part on authority other than that conferred on him by Section 212(d)5 of the Immigration and Naturalization Act of 1952. There is, in addition to the statutory provision, inherent sovereign power in the executive, not to grant any claim to citizenship or permanent residence, but to admit as an expedient measure groups of refugees as part of the national foreign policy. This discretionary, extra-statutory power in the executive

has been accepted by the Congress which in the cases of Hungarian, Cuban and Indochinese refugees failed to take any action to curtail or abridge such executive action and even confirmed such action by subsequently adjusting the status of the refugees and admitting them to the naturalization process. The Congress has thus participated in a de facto refugee policy for 20 years.

In 1965 on amending the Immigration and Naturalization Act, the Congress created as part of the naturalization process in the conditional entry category for a limited number of 10,200 refugees a year in Section 203(a)7 of the Immigration and Naturalization Act, 8 U.S.C. 1153(a)7. But this addition to the naturalization scheme left untouched the parole authority. Gordon and Rosenfield, Immigration Law and Procedure, p. 2-371.

Senator Kennedy in his proposed Refugee and Displaced Persons Act of 1978 (S. 2751) accepts the broader interpretation of the parole power. First, the bill would replace parole admission with authority to admit up to 40,000 refugees per year as part of the naturalization process. Second, in emergency situations where more than 40,000 refugees would be admitted in any one year, the current practice of using the parole authority would be given an explicit statutory basis of authority. Under the Kennedy bill, the Secretary of State would recommend to the Attorney General admission of the refugees as part of our foreign policy. The Attorney General would then consult with the Congress. Refugees admitted through this emergency process would still be in line for eventual naturalization. Until passage of this legislation, Senator Kennedy called upon the Attorney General to continue to use his parole authority.

Thus when the Senate committee reports on the original Immigration and Naturalization Act of 1952 and its fundamental overhaul in 1965 refer to the Attorney General's use of the parole power in very narrow terms, as a power really only to admit individuals for medical purposes or for prosecution, such reports can be understood to refer only to the extent of the power conferred by Congressional enactment. In addition to that limited source of power, the Attorney General may

rely on the inherent executive power arising from the constitutional locus of sovereignty in foreign affairs. Consequently, nothing today bars the Attorney General from validly admitting groups of refugees by use of his parole power. His is fully authorized to assist the Indochinese refugees.



Prepared by Stephen B. Young,
Assistant Dean of the Harvard Law
School, for the Committee on
International Rights of the Bar
Association of the City of New

United States Senate

WASHINGTON, D.C. 20510

June 19, 1978

Mr. Oscar Schachter
Committee on International Human Rights
The Association of the Bar
of the City of New York
42 West 44th Street
New York, N.Y.

Dear Mr. Schachter:

Many thanks for sending me a copy of Mr. Stephen Young's memorandum on the "Legality of Parole Admission of Refugee Groups."

As you probably know, I fully support the conclusions of his memorandum, and have strongly advocated a more expeditious response by this Administration to a wide-range of refugee resettlement needs around the world, especially in Indochina. Indeed, I wrote to the Attorney-General last October -- many months earlier than the citation Mr. Young makes in his memorandum on page 6 -- strongly urging the Attorney-General to utilize his parole authority.

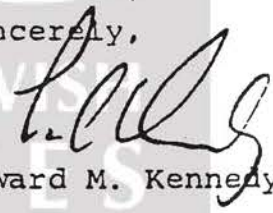
Hopefully the Congress will move to reform the out-dated and discriminatory provisions of the immigration law as it relates to the admission of refugees, and adopt the kind of language contained in my refugee bill (S. 2751). But, pending that, there is absolutely nothing standing in the way of the Attorney-General utilizing the authorities he clearly has under the law, as evolved in practice over the past 20 years and sanctioned repeatedly by acts of Congress.

Again, many thanks for sharing the memorandum with me, and for your kind words of support. In light of your interest, I am enclosing the texts of my refugee bill as well as my letter to the Attorney-General.

In the days ahead, I shall be interested in any additional studies or work your Committee may do in the areas of refugees and humanitarian affairs.

With all best wishes,

Sincerely,



Edward M. Kennedy

AMERICAN JEWISH
ARCHIVES

Enclosures.



Leo Cherne



*The B'nai B'rith Institute of America Inc.
589 Fifth Avenue, New York, N.Y. 10017*

July 10, 1973

Mr. Thomas J. Barnes
Refugee Coordinator
American Embassy
Refugee Section
APO San Francisco 96346

Dear Tom:

Please forgive my delay in answering your letter.

First, let me say how deeply I value your very generous comments about the effort we made. All of us, but especially the refugees, would have been saved unnecessary grief and altogether new efforts which will have to be made on their behalf had the recommendations of our Commission been followed more completely. But, as you undoubtedly know, at the time we undertook the mission we did not expect even the result which was finally achieved. As a result of the new dimensions the problem has developed, a smaller number of our Commission will be returning to Bangkok, Malaysia and Hong Kong late in August.

Your spelling out of the actual details of the Cambodian refugee picture as it presently exists is helpful. I have conveyed the summary of those numbers both to people in the White House whom we have interested in the problem of the Cambodian refugees as well as to Senator Dole, who plans to move an Amendment to the Justice Department Appropriation Bill expressing the sense of the Congress that as many as possible of the Cambodian refugees be resettled in the United States promptly.

If anything comes of this initiative and it is, I would guess, a 50% chance, it would be over and above the 25,000 Indochinese parole. Though the actual number is less than 15,000 Cambodian refugees and though it is not only possible but important that a significant number of them be resettled in Thailand, I am urging that, if any number is used at all in this new initiative, it remain 15,000. I think it important that we not again underestimate future possibilities, and the Cambodian picture, because the war with Vietnam is suf-

ficiently dynamic to provide some surprises. If the number proves to be a problem in connection with a special ethnic parole for the Cambodians, I would of course not be unhappy to see the number drop to 10,000.

I look forward especially to discussing this and many of the other remaining problems when I see you in Bangkok. I will consider myself singularly unlucky if, when we arrive in Thailand, you should for any reason be on leave.

With warm regards,

AMERICAN JEWISH
ARCHIVES

Sincerely,





EMBASSY OF THE
UNITED STATES OF AMERICA
Bangkok, Thailand

June 21, 1978

Mr. Leo Cherne
Chairman
International Rescue Committee
386 Park Avenue South
New York, New York 10016

Dear Leo:

Thanks once again for your strenuous efforts in promoting the new program for Indochinese refugees. Thailand is getting a generous share of the total.


I have followed from this distance your campaign to obtain special consideration for Cambodian refugees. I admire your courage and persistence, and support your objective. The events inside Cambodia certainly demand a significant humanitarian response for those who have managed to survive by escaping their country. At the same time, I would like to add a word of caution about the figure of 15,000 you are using. The UNHCR regional representative in Bangkok reported as of May 31 that there were only 14,136 refugees from Cambodia in the UNHCR-supported camps in Thailand. The current escape rate from Cambodia to Thailand remains low, and the US and France over the next months will be taking several hundred Khmer out of Thailand. We are reserving substantial numbers of spaces for Khmer under the new program.

Even the figure of 14,000 is additionally complicated by the RTG round-up in mid-1977 of over 3000 Khmer living in Aranyaprathet. The RTG placed these refugees, some of whom had been living in Thailand for 25 years, in the Aranyaprathet camp. The UNHCR has reluctantly agreed to provide additional rations to Aranyaprathet so that the legitimate refugees there would not go hungry, but neither the UNHCR nor the US are processing these 3000 for resettlement abroad.

Besides, I have made special efforts to reduce the population in the Khlong Yai camp, which contains Khmer and is the smallest in Thailand. Since most of the refugees in that camp arrived in Thailand by boat, we were able to accept almost 400 from Khlong Yai under the more relaxed boat criteria. The RTG has recently responded to our effort to empty the Khlong Yai camp by filling it up with individuals who have been settled and working in Trat province for at least three years. The Khlong Yai population was about 450 when we started working there; after we accepted almost 400 of them, the population as of May 31 was 492. If the newcomers were recent arrivals from Cambodia, we would have no qualms about processing them. Given the circumstances, however, we have discontinued further interviewing in Khlong Yai.

I would like to reemphasize that the foregoing comments are not meant to discourage you from your campaign, which I fully support. I am only asking that you be wary of using the fixed number of 15,000. In sum, the reasoning is that there are currently 1000 fewer Khmer in the UNHCR-supported camps in Thailand, and that total is likely to decrease over the next few months. Again, at least 3500 of those in the camps are long-time residents of Thailand. Finally, any mass emptying-out that we do could tempt the RTG to replenish the camps to the former levels with individuals who are not recent arrivals from Cambodia.

Sincerely,


Thomas J. Barnes
Refugee Coordinator

cc: Mr. Shepard Lowman
Director, Office of Refugee Affairs,
Bureau of Humanitarian Affairs
Department of State
Washington, D.C.

from IRC

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Department of State

OUTGOING
TELEGRAM

PAGE 01 STATE 161499
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STATE 161499

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INS/CO:JREBSAHEN
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TAGS: SREF

SUBJECT: INDOCHINESE REFUGEES RESCUED AT SEA
REFS: STATE 109486; STATE 152208 (PARA 3)

HONG KONG FOR DIDIR FELDMAN

1. THE DIFFICULTIES ENCOUNTERED BY SOME SHIPS IN GAINING PERMISSION TO DISEMBARK REFUGEES RESCUED AT SEA AT THE NEXT PORT-OF-CALL MAY DISCOURAGE OCEAN-GOING VESSELS FROM ASSISTING, UNDER RECOGNIZED TENETS OF INTERNATIONAL LAW AND PRACTICE, SMALL CRAFT IN DISTRESS WITH SUCH REFUGEES ON BOARD. SOUTHEAST ASIAN COUNTRIES WHOSE SEA LANES BORDER ON VIETNAM, IN PARTICULAR SINGAPORE, HAVE SOMETIMES REFUSED ENTRY TO BOAT REFUGEES WHO DO NOT HAVE A FIRM GUARANTEE OF THIRD COUNTRY RESETTLEMENT. THESE REFUSALS HAVE OCCASIONALLY DELAYED MERCHANT VESSELS INCLUDING U.S. FLAG, OR FORCED THEM TO ALTER THEIR SAILING SCHEDULE TO FIND PORTS WHICH WOULD ACCOMMODATE REFUGEE PASSENGERS.

2. THE CONDITIONAL ENTRY AND PAROLE CLAUSES OF THE IMMIGRATION AND NATIONALITY ACT WHICH STRESS THAT INDIVIDUAL CONSIDERATION MUST BE GIVEN TO EACH CASE HAS MADE IT EXTREMELY DIFFICULT TO OFFER THE "BANKABLE GUARANTEE"

DESIRED IN ADVANCE BY GOVERNMENTS HAVING JURISDICTION OVER PORTS-OF-CALL. THE DEPARTMENT AND THE IMMIGRATION AND NATURALIZATION SERVICE SHARE A CONCERN, HOWEVER, THAT THE REQUIREMENT FOR GUARANTEES NOT RESULT IN SITUATIONS WHERE VESSELS OF ANY COUNTRY BY-PASS DISTRESSED BOATS BECAUSE THEY WILL BE UNABLE TO LAND THE RESCUED REFUGEES IN A TIMELY MANNER. IN CASES OF INDOCHINESE REFUGEES PICKED UP AT SEA BY AMERICAN FLAG OR AMERICAN-OWNED VESSELS, THE FOLLOWING GUIDANCE WILL FACILITATE THE PROCESSING OF SUCH REFUGEES AND PROMOTE THEIR TEMPORARY ACCEPTANCE AT PORTS-

A. THE USG WILL EXTEND PROMPT AND SYMPATHETIC CONSIDERATION FOR ADMISSION TO THE UNITED STATES ON A CASE-BY-CASE BASIS ON HUMANITARIAN GROUNDS WITHIN THE FRAMEWORK OF EXISTING PROCEDURES AS DEFINED BY SECTION 203 (A) (7) (CONDITIONAL ENTRY) OF SECTION 212 (D) (5) OF THE INA.

B. DETERMINATION IN SUCH CASES WILL BE MADE BY THE INS/DISTRICT DIRECTOR IN WHOSE JURISDICTION THE SHIP'S CAPTAIN PROPOSED TO DISCHARGE THE REFUGEE PASSENGER; IT IS UNDERSTOOD THAT THESE DETERMINATIONS WILL BE BASED IN PART ON SECURITY AGENCY CHECKS. VESSELS WITH RESCUED REFUGEES ON BOARD SHOULD NOTIFY THE NEAREST AMERICAN CONSULATE AS SOON AS POSSIBLE, WHICH IN TURN WILL RELAY ALL PERTINENT INFORMATION TO THE REGIONAL INS OFFICER TELEGRAPHICALLY AS WELL AS INFORMING THE NEAREST REPRESENTATIVE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES.

C. A REQUEST FOR AN ACCEPTANCE OF RESPONSIBILITY BY THE UNITED STATES WILL BE ACTED UPON PROMPTLY AND THE CONSULATE AND THE VESSEL INFORMED IMMEDIATELY SO THAT THE SHIP MAY DISCHARGE ITS PASSENGERS AT THE NEXT REGULAR PORT-OF-CALL OR AT THE NEAREST FEASIBLE LANDING PLACE, AS APPROPRIATE TO THE CIRCUMSTANCES. THE DISTRICT DIRECTOR OF INS IS EMPOWERED TO AUTHORIZE THE AMERICAN CONSUL TO PROVIDE TO THE HOST GOVERNMENTS THE GUARANTEE OF RESETTLEMENT IN THE UNITED STATES IN A REASONABLE TIME FOR ANY REFUGEE NOT ACCEPTED BY OTHER COUNTRIES. LIAISON WITH THE GOVERNMENTAL

AUTHORITIES IN THE PROPOSED DISCHARGE PORT WILL BE THE RESPONSIBILITY OF THE AMERICAN CONSULATE HAVING JURISDICTION. SUCH RESPONSIBILITIES, HOWEVER, WILL BE DISCHARGED IN CLOSE COORDINATION WITH THE UNHCR REPRESENTATIVE WHOSE RESPONSIBILITY IT IS TO COORDINATE RESETTLEMENT OFFERS. IF THERE IS NO UNHCR REPRESENTATIVE-CONSULAR OFFICERS SHOULD NOTIFY THE UNHCR VIA CABLE TO US MISSION GENEVA AND AMEMBASSIES KUALA LUMPUR AND BANGKOK FOR UNHCR REGIONAL OFFICES, INFO SECSTATE.

3. VISAS FALCON NAMECHECK REQUESTS SHOULD BE INITIATED BY THE U.S. CONSULAR/REFUGEE OFFICER AS SOON AS POSSIBLE AFTER THE REFUGEES ARE PERMITTED ASHORE AND CAN BE INTERVIEWED. ON THE BASIS OF PAST EXPERIENCE, THE NUMBER OF CASES WHICH MIGHT BE INADMISSIBLE UNDER INA IS NEGLIGIBLE. IN THE UNLIKELY EVENT THAT ANY REFUGEES ARE FOUND INADMISSIBLE AS A RESULT OF NAMECHECK OR INS FINAL INTERVIEW, EVERY EFFORT TO PLACE THESE INDIVIDUALS MUST BE MADE WITH THIRD COUNTRIES BY THE UNHCR.

4. PLEASE USE THIS GUIDANCE AS APPROPRIATE WITH HOST GOVERNMENTS.

5. OCEANSHIPPING INTERESTS ARE BEING INFORMED OF THESE PROCEDURES AND REQUESTED TO DISSEMINATE INFORMATION TO THEIR CLIENTS. VANCE

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2 Section 5 ☆

Wednesday, June 28, 1978

For Indochinese refugees

When President Ford said in May, 1975, as the United States withdrew from Saigon, "Our long national nightmare is over," he was only partly right. For the citizens of Viet Nam, Cambodia, and Laos, the nightmare is still mounting in horror. Their nightmare has to be in part ours also.

Under the leadership of Leo Cherne and the International Rescue Committee, a deservedly influential group of Americans has been acting vigorously this year in behalf of refugees from the countries of Indo-China. At their prompting, the Carter administration has agreed to accept 25,000 Indochinese refugees a year, subject to certain conditions, and to encourage Thailand, where most of the refugees are, to resettle many of them there. Secretary of State Cyrus Vance has reminded American shipowners of the maritime law mandating rescue of people on boats in distress. All this is well and good, though as the International Rescue Committee says it is insufficient to meet the need. There are more than 110,000 in refugee detention centers in Thailand, and the numbers escaping each month from the Indochinese countries are rising — more than 4,000 in May.

Ever since Adolf Hitler's rise to power in Germany, the modern world has had the unmet needs of refugees on its conscience. The United States still has no settled policy towards refugees, but requires concerned citizens to expend vast energy nudging their own government into action. Sen. Edward Kennedy [D., Mass.] has prepared a bill which, if enacted, would go far to fill a vacuum. But meanwhile there is a present and continuing need for sponsors and jobs for Indochinese refugees.

Immediately after the American with-

drawal from Viet Nam in 1975, the United States received about 130,000 Vietnamese and about 5,000 Cambodians. These refugees have proved adaptable and industrious. The country is better rather than worse for their presence. Individuals who have the ingenuity, initiative, and courage to get out of Indochina are survivors of rigorous selection. They are almost by definition superior people. In view of the American role in the recent history of their homelands, they have more than an ordinary claim on our consideration.

Resistance to the admission of Indochinese refugees would be expected to come, if at all, from spokesmen for organized labor and unemployed blacks. But the case for the Indochinese refugees is so compelling that George Meany, president of the AFL-CIO, is himself among their active champions, as are dozens of black leaders, including Mayors Coleman Young of Detroit, Richard Hatcher of Gary, and Kenneth Gibson of Newark, and A. Philip Randolph, Roy Wilkins, Jesse Jackson, Julian Bond, Ralph Abernathy, etc.

Anything that any of us does, whether in lobbying official Washington to assist Indochinese refugees or in providing one-on-one assistance to individual refugees, will be a contribution to a good cause.

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July 7, 1978

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

The new policy of your Government, requiring U.S. ships to pick up Vietnamese refugees at sea whose boats are in trouble, deserves the deepest admiration of the American people. The collateral arrangements worked out by the State Department and the Immigration and Naturalization Service will clearly have the effect of saving hundreds of lives which would otherwise be lost. I know of few actions during recent years which more completely express the very best and most generous of America's purposes.

Those of us who were members of the Citizens Commission on Indochinese Refugees expressed our deep concern with this problem but were unable to recommend an action as creative as this plan which Secretary Vance explored with us and then proceeded, with your approval, to implement.

We can only hope that the attention this new policy has received in the press may spur other governments to similarly instruct ships which carry their flags.

With our deep appreciation,

Sincerely,

Leo Cherne
Chairman

LEO CHERNE
Chairman

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Vice-Chairman

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July 7, 1978

The Honorable Cyrus R. Vance
Secretary of State
Department of State
Washington, D.C. 20520

Dear Mr. Secretary:

I am enclosing a letter I have just written to President Carter, expressing our gratification at the fact that the proposal you conceived and first advanced to us when our Commission met with you is now an accomplished fact.

I must, however, separately salute the creativity of your plan and the profound human and philosophic benefits which will flow from this extraordinary initiative. I know of few actions during recent years which more completely express the very best and most generous of America's purposes.

With my deep regard,

Sincerely,

Leo Cherne
Chairman

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Chairman

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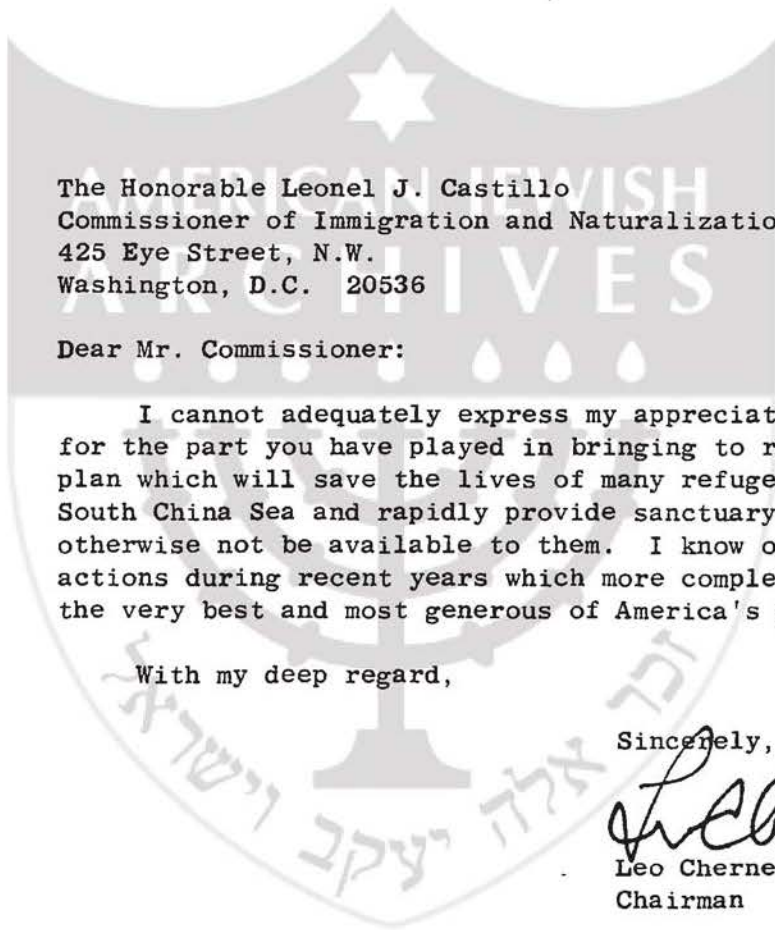
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July 7, 1978



The Honorable Leonel J. Castillo
Commissioner of Immigration and Naturalization
425 Eye Street, N.W.
Washington, D.C. 20536

Dear Mr. Commissioner:

I cannot adequately express my appreciation to you for the part you have played in bringing to reality a plan which will save the lives of many refugees in the South China Sea and rapidly provide sanctuary which would otherwise not be available to them. I know of few actions during recent years which more completely express the very best and most generous of America's purposes.

With my deep regard,

Sincerely,

Leo Cherne
Chairman

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21 July 78
BKK Post



A familiar sight...armed Meo hilltribesmen clamber up the banks of the Mekong River in Nong Khai after fleeing their homeland.

IN the old, old days when the earth was no bigger than a mountain valley and the great Meo chieftain Sin Sai was departing to fight evil spirits and giants in another world, he told his people: Stay up in the high hills and wait for me until I come back because there may be many who will want to harm you.

So goes the legend. Recorded in the history of the Meo tribesmen are struggles and forced migrations out of China, battles against Indochina's French colonialists and great losses as the best guerrilla soldiers fighting for the United States against communist forces in Laos. There are few peaceful chapters.

Today, thousands of the tough hilltribesmen are making what appears to be a last-ditch stand. They are barely clinging to the high hills. And their one-time leader, Vang Pao, is a refugee in the United States and unlikely to return.

Because they served as resistance fighters, more than 60,000 Meo already have fled since the communist victory in Laos in late 1975. Most live in crowded refugee camps strung out along the Laotian border in Thailand. The exodus continues.

Nai Nua Xiong, who escaped a month ago from near Phu Bia, says he was a captain in Long Cheng, a mountain base for the US Central Intelligence Agency and the charismatic leader Vang Pao.

Meos lose homes in the hills

by Denis D. Gray
of Associated Press

away across the brown, swift-flowing river.

A few hours earlier, just before dawn, the 18 had made a typical escape. The adults clung to crude bamboo rafts and the children, one 3 years old, hung on to their backs as the current carried them across the Mekong. None could swim.

MARKS

The group eats a pile of sticky rice and dried beef, leaving nothing uneaten but the skeletons of a few fish. Lee says they had not eaten anything for two days and existed largely on bamboo shoots and roots during their 10-day trek from the mountains near Phu Bia to the river bridge.

They moved at night to avoid communist patrols. A young girl stepped on a

"We need help from the outside," says Laor Neng, a 23-year-old former student who was shot in the arm during his escape. "If we had supplies we could hold out for another 10 years. If supplies don't come we won't last longer than a year."

Since March 1 this year, an estimated 5,000 Meo have attempted to escape, but only 2,000 have crossed the Mekong, according to sources following developments in Laos. The rest have either been killed or captured or turned back in disengagement, the sources say. Gunfire is heard from Laos nightly and Thai soldiers say that from time to time they see the bodies of would-be refugees floating down the river.

In the large refugee camp at Dong Hoi about 7,500 Meo have settled in for a long stay. The hill-

FIGHTER

The Meo fought well but took heavy casualties in battles against the North Vietnamese and Pathet Lao. A generation of Meo youth was decimated.

Xiong claims that after the war the communist victors searched out and executed Meo officers of Vang Pao's army and made the exiles men work like buffaloes. The 38-year-old, ex-soldier dresses in faded jungle fatigues which he says the Americans gave him in Long Cheng.

Wang Chong Lee, a 40-year-old former district officer, says: Every man in our village was a resistance fighter. The government sent spotter planes over his farming fields and the community of some 300 families and those called in artillery strikes — high explosive and anti-personnel shells and some the refugee claims contained poisonous gas.

Later, ground troops entered the village, burning homes, destroying wells and rice fields and gunning down some of the inhabitants. Lee and his family hid and then decided to flee to Thailand.

Lee and 17 others — members of two families — rest near the banks of the Mekong River. Their feet are swollen and their legs caked with dirt and dried blood from cuts and jungle leeches. Houses and an occasional vehicle can be clearly seen in Laos, less than a mile

says. A boy points to a few blue-black puncture marks on his chest and shoulders, wounds from the same mine blast.

"If we had stayed maybe we would have died," another of the Meos says. "We will have suffering now but we will bear it."

Western and Thai analysts, while not able to confirm individual refugee stories, are certain there is an ongoing campaign against the stubborn Meo by the Laotian government, with some degree of backing from Vietnamese forces stationed in that country.

One knowledgeable Indochina analyst discounts some claims that the campaign amounts to genocide, and says it appears aimed at breaking armed resistance of the fiercely independent Meo and dislodging them from their traditional mountain strongholds for both security and economic reasons.

The fighting for more than a year has been concentrated in the rugged Phu Bia region about 80 kilometres from the Thai frontier. The analyst estimates that between 70,000 and 100,000 of Lao's Meo population of about 350,000 are found there.

Some, the analyst says, have surrendered or fled — others have moved into the remote recesses of the area where the mountains soar higher than 2,700 metres but are plagued by lack of food and ammunition.

tribes people are generally regarded as more difficult to resettle than other Indochinese refugees — Vietnamese, Cambodians and lowland Laotians. The United States has taken about 12,000 and France nearly 4,000 over the past three years.

SPIRIT

"The Meo have good spirit and morale," says Levi M. Roque, a Filipino doctor who runs the camp clinic. "They rarely complain or demand."

Roque, who works for the New York-based International Rescue Committee, says about 80 per cent of the refugees suffer from some disease or malnutrition when they enter the camp after their escapes. The 36-year-old doctor sometimes works 15 hours a day or more and his 33-bed clinic is full.

A 4-year-old Meo boy sits awkwardly on the floor of the clinic, his eyes gazing at nothing and his arms dangling unnaturally. Roque says the boy cannot walk and probably has suffered permanent brain damage from extreme malnutrition.

The healthy ones have little to do. Some plot or are engaged in resistance activities.

"The Americans would help us if someone made a request to the American President. But we need a clan," Xiong says. "I think Vang Pao will come back one day, and we will fight."



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July 28, 1978

To: Members of the IRC Citizens Commission
on Indochinese Refugees

Dear Colleagues:

In addition to consulting members of the U.S. Mission in Bangkok, officers in the Department of State, at Bayard Rustin's suggestion we have consulted Senator Kennedy's office and the office of the High Commissioner for Refugees. The judgment is unanimous that a Commission inquiry during the last week of August and first week of September would be ill timed. Some State Department people are so alarmed at the growing number of refugees, the inadequacies of the recently instituted parole, and so concerned that this could be the only time we could go that they differ from the general judgment only in concluding that if this is the only time possible it would be better than not going at all. The reasons against the late summer timing are:

1. We would return with a report just as Congress enters the last four weeks of this session before it hustles home to campaign. They have an over-flowing plate of priority legislation before them and could neither hold hearings nor muster interest in anything else.
2. The subject would not contribute to their chances of election.
3. The Attorney General just ordered 25,000 paroles effective June 14. They are being doled out on a monthly basis to keep them from being used up quickly and an early fall mission would seem much too soon after the A.G. has just acted.
4. Legislation has just passed the House by an overwhelming vote which is expected to pass the Senate similarly. It is a technical bill which combines the eastern and western hemispheres immigration preferences. Since the western hemisphere preferences tend to run about seven or eight thousand more than are actually used, the effect of this the State Department estimates

might add as many as six thousand new numbers for boat cases without the necessity for an additional parole. This too, therefore, further delays a visible crisis among the Indochinese refugees.

As a result of these facts and the advice we have received, we have cancelled our August 23rd departure plans and are now scheduling a trip to leave about December 8th and to return by December 23rd. This timing will not only bypass the election, it will enable us to issue a report and recommendations aimed at the new Congress with the knowledge of which members will be elected to the Congress. Seven months will have passed since the A.G.'s action and any new urgencies we stress will not seem premature. The actual fact is they would not be premature right now but it would be swimming upstream to persuade the government and perhaps the media of that fact.

The press has once again fallen back into its earlier posture of simply not covering the Indochinese refugee picture. Best evidence of that is that 1,800 Vietnamese refugees arrived by boat in Malaysia last week and not a line has appeared anywhere in the press. We had been misled into hoping that the number was in the process of declining to roughly 3,500 a month from the May peak of 6,000 a month (it was 1,500 a month when we conducted our study). The heaviest monsoon period is July and August for those who flee from the south of Vietnam, and August and September for those who flee from the north of Vietnam. Yet even though we are at the very peak of the monsoon season now, if last week's number continues all records thus far would be broken.

The A.G. doles out 908 numbers a month for boat cases and State Department's great anxiety is that any day Malaysia may simply do as Thailand already has and refuse to accept any more boat people. There are some 14,000 along the beaches of Malaysia right now and the new parole program only authorizes 11,000 from June 14, 1977 to May 1, 1978. Another 1,500 numbers are reserved for those picked up at sea by U.S. owned ships.

Tom Barnes was in the States for a few days. I spoke to him yesterday and he also added that the land picture has become aggravated though not as dramatic. When we were in Thailand in February the number of refugees in Ubon was 13,000; it's now 27,500. These are for the most part not new refugees but Lao who are being picked up in the countryside of Thailand and being rounded up into the camps. The model camp of Nongkhai had a 22,000 population in February - it's roughly 29,000 now. Most of these are new refugees. The total inland refugees plus illegals in Thailand are now 118,000.

I understand that an informal arrangement has been reached by the United States and Australia, according to which if the U.S. takes a thousand boat cases a month, Australia will increase its intake of boat cases to Australia by 500 a month. Unfortunately, this would still mean a continued large growth of additional boat people on the beach in Malaysia.

There are additional problems connected with this. It is doubtful that the U.N.H.C.R. can build camp facilities in Malaysia anywhere near the total of those presently arriving. In addition, the U.N.H.C.R. is running into serious funding problems with little likelihood that the U.S. will in fact

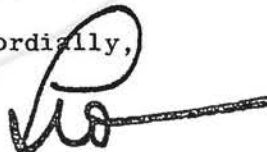
make up the financial deficit. On the contrary, I understand that Proposition 13 is having a pronounced effect on the White House and especially on the Office of Management and Budget. The OMB is going over the cost of the refugee operations with a fine tooth comb and pressing the Office of Human Rights to reduce staff. In addition, the Refugee Office in the State Department is being asked to justify the proposed increase from \$300 to \$350 as the resettlement grant which is given to the volunteer agency for each refugee resettled. As we pointed out in our memo to Brezezinski, \$350 is grossly inadequate. In the light of these problems and similar ones which do not require our going to Asia to elicit the facts and make recommendations, we are presently contemplating a two-day meeting of the Commission some time toward the middle or end of September. One day would be in Washington and one day in New York. The State Department has offered to us conference room facilities if we wish to use them. Our object would be to seek consultation with the key people involved in the government. In Washington we would devote a day to a series of meetings at which we would seek to be briefed by State, Justice, Immigration, White House and respective key Immigration figures from the Congress. The day in New York would enable the heads of the various volunteer agencies to share their experiences, problems and recommendations with us and it would also provide us an opportunity for us to hear from the representatives from the U.N.H.C.R.

Since in the course of the two days we will acquire a substantial body of information, Bill Casey has suggested that we might hold a meeting reception at the end of the second day to which we would invite a number of leading businessmen and community leaders and foundation heads in order to share with them the essence of what we had learned and concluded. This would not be a fund raising function but would hopefully indirectly lead to that outcome subsequently. Please indicate whether the following days are available to you: Tuesday, September 19th in Washington; Wednesday, September 20th in New York; Tuesday, September 26th in Washington; Wednesday, the 27th and Thursday, the 28th in New York. The September meeting would enable us to make some urgent recommendations which may not wait until the end of the year while keeping alive the fact of our Commission's continuing existence.

May I also suggest that those of you who are thinking of going in December block out the time on your calendar between December 8th and 23rd. Please advise us whether or not it seems likely that you will be available. I am enclosing a few exhibits which you will find interesting.

Warmest regards.

Cordially,

A handwritten signature in dark ink, appearing to be 'R. P.', with a long horizontal stroke extending to the right.

LC:db
Enclosures

CHICAGO
SUN-TIMES
CHICAGO, ILL.
D 561.533 SUN. C12.0-3

JUL 10 1978 *Cher*

A Helping the 'boat people'

The plight of Indochina's "boat people"—refugees from Vietnam, Laos and Cambodia—is cruel enough in that too few countries accept them. Their tragedy has been increased by the incredible sight of military and civilian ships passing them by, leaving them adrift in their often-makeshift vessels.

To his credit, President Carter last week ordered all American ships to pick up these boat people. A State Department spokesman said the refugees may resettle in the United States if they wish.

Not only will the cost of accepting the refugees be minute compared to the billions spent in the Vietnam War, but we also stand to gain in the long run. Most of the escapees are the kind of people who accept the work

ethic and whose activities generate new jobs.

For instance, Leo Cherne, chairman of the International Rescue Committee, says that refugee youngsters already here have proved to be highly motivated students in schools and nearly 92 per cent of the employable adults have found jobs.

Canada has accepted some Indochina refugees, as have Israel and a few other countries. But since Hanoi's victory in Vietnam in 1975, the number of refugees has far exceeded the number accepted. Cherne says churches and individual families can do more to help, too. He's right, and many have.

Carter's decision was a humanitarian one. If other countries follow suit, this modern tragedy can be substantially eased.

D R A F T

STATEMENT
BY
ALBERT SHANKER
PRESIDENT OF THE AMERICAN FEDERATION OF TEACHERS (AFL-CIO)
JULY 12, 1978

I have just spent several days in Thailand visiting camps for Indochinese refugees. I travelled to Nongkhai in the northeast and to Aranyaprathet and Laemsing in the east. Nongkhai, the largest camp in-country, currently contains almost 28,000 refugees, principally Lao and Hmong. Aranyaprathet holds refugees who have arrived overland from Cambodia; and Laemsing, boat refugees from Vietnam. I thus had the opportunity to meet and converse with individuals representing the four major ethnic groups among the over 113,000 Indochinese refugees populating the 15 camps supported by the United Nations High Commissioner for Refugees.

In visiting these refugees in their huts, conversing with them in the camps, and reviewing the dossiers of others, I am struck above all by the fact that the extreme reorganization of the societies from which they have come has played a principal role in their decision to leave their native countries. The actuality and threat of "re-education" centers, which are little more than forced labor camps; the denial of traditional means of making a living; the forced movement of large numbers to rural areas and the threat of even larger movements in the future with no government-furnished means of making a livelihood, all convinced me that these refugees have departed not for convenience but to survive.

The most poignant proof of the desperate circumstances facing these people in Indochina, is the extreme risks they chose to face in leaving. I have talked with refugees from Cambodia who are the sole survivors of groups of six or seven young men cut down by Khmer soldiers as they fled toward Thailand. They told me that they considered and rejected escaping with their families because of the difficulties along the way. Almost no women or children now manage to leave Cambodia.

Refugees from Laos also face increasing danger in trying to escape. The Hmong people in Laos are facing constant and heavy military pressure which some might call genocide. The Hmong often struggle in the jungle for 10 days or more before reaching the Mekong River which is now high and swift. Along the way, they tell a tale of surviving on roots and leaves, and frequent harassment by well-armed military patrols.

Those fleeing from Vietnam are leaving a governmental system of such harsh control that in large numbers they are willing to face a multitude of risks on the high seas. Often ignored by passing ships, in flimsy craft designed for coastal fishing, many of these refugees simply don't make it. Those that do manage to get near to countries of safe-haven are often preyed upon by vicious pirates. I have met some of these intrepid people. Those who are merely robbed, and allowed to go on their way, count themselves lucky.

I am impressed that these refugees of all nationalities and ethnic groups are fleeing from desperate circumstances for reasons of deep conviction. Nothing else can explain their willingness to escape against such long odds.

Thailand is the refuge for the majority of those exiting Indochina. Thailand is a victim of geographic proximity. Countries of traditional resettlement and migration should open their doors wider to these individuals, who promise to make a significant contribution to the new societies that admit them.



Members of Congress who have
placed items in Congressional Record
that are favorable to Indo-Chinese Refugees

As of 7-10-78

Senate

Subject Matters

Robert Byrd	D-W. Va.	Cambodians Only
Frank Church	D-Idaho	" "
Allan Cranston	D-Cal.	All Indo-Chinese
Bob Dole	R-Kans.	Cambodians Only
Thomas Eagleton	D-Mo.	" "
John Glenn	D-Ohio	" "
Orrin Hatch	R-Utah	" "
Mark Hatfield	R-Ore.	" "
Edward Kennedy	D-Mass.	All Indo-Chinese
George McGovern	D-S.D.	Cambodians
Chas. Mc C Mathias	R-Md.	"
Edmund Muskie	D-Maine	"
Claiborne Pell	D-R.I.	All Indo-Chinese
Wm. Proxmire	D-Wis.	Cambodians
Strom Thurmond	R-S.C.	"

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Robert Drinan	D-Mass.	" " "
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Marjorie Holt	R-Md.	"
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James Mattox	D-Tex.	"
John Murtha	D-Pa.	"
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James Weaver	D-Ore.	"
Lester Wolff	D-N.Y.	All Indo-Chinese
Chalmers Wylie	R-Ohio	Cambodians
Clement Zablocki	D-Wis.	"
Pete Stark	D-Cal.	All Indo-Chinese

DAIICHI CHUO KISEN KAISHA

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10th July, 1978

Mr. Leo Cherne
Chairman
International Rescue Committee, Inc.
386 Park Avenue South
New York, N.Y. 10016.

Dear Sir,

I thank you for your letter dated 28th June enclosed with the article appeared in the New York Times.


I am delighted to know that the "Tomoco", our timechartered vessel with the Philippino crew rescued the Vietnam refugees off Danan, Vietnam on the 14th June and took them safely to Bangkok, the vessel's discharging port. I have not a bit of feeling to twit the captain for his action of having rescued those unfortunate people, nor will I give a suggestion to put him in an awkward position. I am agreeable to your remarks mentioned in your letter, and will support you from the point of humainty.

For your reference, in addition to the Tomoco our timechartered Asia Seagal rescued 8 men and all were delivered at a Japanese port in October, 1976. Other Japanese operators have been reported rescued many Vietnam refugees. Our staff has done his best effort every time to let them land, cooperating with Japanese government officials and the parties concerned.

I again thank you for your letter for giving me your kind advice and assure you of my best cooperation in this field.

Yours sincerely,

DAIICHI CHUO KISEN KAISHA


T. YAMADA President

Leo

INFORMATION SECTION
EMBASSY OF JAPAN
2520 MASSACHUSETTS AVENUE, N. W.
WASHINGTON, D. C. 20008
234-2266

July 12, 1978

Miss Jeanne MacDaniels
Director
International Rescue Committee, Inc.
1028 Connecticut Avenue, N.W.
Washington, DC 20036

Dear Miss MacDaniels:

The Government of Japan has followed with deep concern the plight of Indochinese refugee families who are arriving in neighboring countries by the thousands each month, or are being rescued from open boats on the high seas.

The Government of Japan is also well aware that the emergency tasks of providing adequate temporary care for these refugees, and of arranging for their resettlement in their countries, is severely straining the limited resources of the Office of the United Nations High Commissioner for Refugees (UNHCR).

For these urgent, humanitarian reasons, the Government of Japan is implementing the decisions as explained in the enclosures.

Sincerely yours,

Taizo Watanabe
Information Counselor

TW:clt

Encls.

The following measures have been taken by the Government of Japan concerning the Indochinese refugees.

1. In FY 1978, Japan has made the contribution of \$1.7 million (at US \$=¥225) to UNHCR for the Indochina refugee problem. Also, the Government of Japan is to take necessary domestic measures to arrange for a special contribution of \$10 million to UNHCR for the Indochinese refugee support. This intention was expressed by Prime Minister Fukuda to President Carter during the recent summit meeting in Washington, D.C.

2. On April 28, 1978, the Cabinet made the following decision concerning the resettlement of the Vietnamese in Japan.

Out of the Vietnamese desplaced persons who are temporarily staying in Japan, one who wishes to resettle in Japan and is recognized as capable of leading a good social life and falls under one of the following categories, may be granted permission to stay for the purpose of resettlement in Japan.

(1) The spouse, parent or child of a Japanese; or the spouse, parent or child of an alien who resides lawfully in Japan and is recognized as leading a stable life. (Including an adopted child of a person of good character who is suitable for becoming a guardian over a long period of time)

(2) A person who has a foster parent who is leading a stable life and is recognized as a person of good character suitable for becoming a guardian over a long period of time.

(3) A person who is healthy and has a job which promises a stable life and who has a guarantor who is recognized as a reliable guarantor over a long period of time; as well as this person's spouse, parent or child.



Boat people test Carter refugee policy

by Michael R. Gordon

"I believe there is no more profound test of our Government's commitment to human rights than the way we deal with these people." So spoke Vice President Mondale May 5 after a tour of a crowded refugee center in Bangkok, Thailand during his spring sweep through Asia.

But while Mondale has articulated the Carter Administration's commitment to Indochinese refugees in no uncertain terms, the Administration's refugee policy remains far from clear.

Mondale spokesman Albert A. Eisele, for example, confirms that when Mondale visited Thailand in May the Vice President told Thai Prime Minister Kriangsak Chamanan that the US would accept approximately 20,000 of the more than 100,000 refugees in Thai camps each year "for several years." But on June 14 when Attorney General Griffin B. Bell authorized the admission of an additional 25,000 Indochinese refugees through April 1979, Bell conspicuously said nothing about repeating the authorization a year from now.

Similarly, The New York Times reported March 31 that President Carter had approved an "interim refugee policy" calling for the admission "without limit [of] all Vietnamese 'boat people' unable to find homes elsewhere." But when Bell announced that the US would be taking in another 25,000 Indochinese refugees, he stated that no more than half of them would be "refugees who escaped from Vietnam by boat."

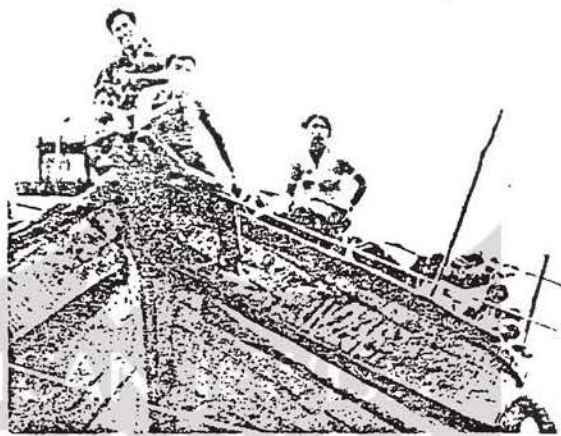
One State Department official who deals with refugee matters acknowledges that there have been differences between

the State Department and the Attorney General on Indochinese refugee policy. Bell's recent authorization, he says, departed from a State Department recommendation that Bell announce the US' intention to accept Indochinese refugees on "an indefinite basis." But this official says that the difference is "mostly a matter of tactics." By admitting the refugees on a onetime basis, he says, Bell hopes to pressure Congress "to come to grips with the problem of new legislation."

But tactics aside, Bell's decision has been widely criticized by private refugee experts, such as Leo Cherne, as falling short of the Carter Administration's professed commitments to the Indochinese refugees. As chairman of the International Rescue Committee (IRC), Cherne has helped organize a special 12-man delegation which has visited refugee camps throughout Southeast Asia—a delegation which includes former Under Secretary of State for Economic Affairs William J. Casey and black civil rights leader Bayard Rustin. Cherne reports that this delegation's recommendation that the US adopt a flexible refugee policy, endorsed by the AFL-CIO, was warmly received by Secretary of State Cyrus R. Vance and Presidential national security adviser Zbigniew Brzezinski.

However, Cherne sees little evidence that his recommendations have influenced Bell's decision. "I am terribly disappointed in it," says Cherne, who predicts that the quota of 25,000 Indochinese refugees will be filled months before Congress gets around to adopting new, comprehensive refugee legislation. "It's a onetime parole and not a program, and we strongly urged a program."

Other refugee experts also



say that Bell's failure to announce a long-term refugee program will adversely affect the worldwide refugee effort. "The US is really making it almost impossible for anyone involved to do any rational planning at all," says Nan Borton, Coordinator of Indochinese Programs for the IRC, who recently returned from 18 months in Thailand. "If other countries could count on the US to take a quarter of the burden each year, it would make it a lot easier to talk other countries into taking more refugees." (According to statistics amassed by the office of the United Nations High Commissioner for Refugees, which has been promoting resettlement efforts, the US has accepted 40,200 Indochinese refugees since 1975; France has taken 32,200; Australia has accepted 9,000; Canada has taken 7,000. Other nations trail way behind.)

And Bell's policy, Borton adds, "is hell on the refugees. A refugee who may know that he's perfectly eligible for admission to the US except that he arrived too late for the current program has no way of knowing whether he will be picked up in another program or

whether he should go to France or New Zealand or Great Britain."

For their part, State Department officials acknowledge that Bell's authorization is at best a stopgap measure. According to one official, Bell's decision to admit 12,500 "boat people" will allow the US to take in most of the 8,000 Vietnamese refugees who have been in camps in Malaysia for up to three years, as well as refugees plucked out of the sea by US-owned ships. But Vietnamese refugees, he notes, are currently escaping by sea at the rate of 5,000 to 6,000 a month, and there will be a backlog of tens of thousands of "boat people" a year from now.

Nor, he says, will Bell's decision do much for Cambodian refugees. Under Bell's decision, Indochinese refugees who have relatives in the US, have worked for the US Government or "who had close relationships with other US interests in Indochina" get priority treatment—a practice which virtually ensures that the 15,000 Cambodian refugees now in Thailand will not number significantly among the 25,000 refugees admitted into the US.

Like many private refugee experts, State Department officials see a long-term solution to the problem in legislation sponsored by Senator Edward M. Kennedy (D-Massachusetts). Kennedy's refugee bill would raise the annual worldwide quota of refugees the US takes in under normal procedures from 17,500 to 40,000. The bill would also give the Secretary of State the authority to direct the Attorney General to admit additional refugees in emergency situations after consulting with Congress. And the bill would trim the often lengthy consultation period between the Attorney General and Congress by establishing a 30-day deadline for Congressional approval.

Most importantly, the legislation would enlarge the US definition of *refugee* to include those uprooted because of civil strife or natural disasters and those from non-Communist countries. (Current US law defines a refugee as a person from a Communist-dominated country or the Middle East who has left his country and cannot return for fear of political persecution.)

Senator Kennedy's assumption as of January of the chairmanship of the Senate Judiciary Committee is expected to give his bill a major boost; some observers predict it could become law before 1980. But refugee experts caution that delay in adopting legislation such as the Kennedy bill could have a high human cost. "What the Thai Government does for refugees depends very much on what the US Government does," says Borton. "Whenever there's a backlog of 'boat people' in the camps, boats get pushed off when they try to land, and the Thai Navy stops boats from coming to shore."

Nye: At the nuclear crossroads

(Continued from page 1)

adequate proliferation policy in the long run.

So if you look at the Carter Administration policy, we have taken a number of steps designed to reinforce countries' sense of security so that they won't feel that nuclear weapons will be important or necessary for their security, to increase

France; and that leaves only Cuba before the Treaty of Tlatelco comes into effect as a nuclear-weapons-free zone of Latin America. We've also taken strong actions in terms of moving toward both a SALT agreement and a Comprehensive Test Ban agreement, which help to reduce the role of nuclear weapons through negotia-

uses, and what we're trying to do in the International Nuclear Fuel Cycle Evaluation (INFCE) is first of all ask about time—How soon do you have to move in that direction? Second, to ask questions about technology: Are there some things that could be done which would make that technology more proliferation-resistant

despite the various measures that you listed: Isn't the impact of all these rather modest thus far, and aren't the means that are open to the United States in this aspect of proliferation much more limited than they are on the technological side? Well, I'm not sure. You could think of it in terms of dogs that don't bark. There hasn't been

of noise about this or a lot of fuss about this, but that's been a constant consideration, almost the bedrock of our proliferation policy. I think if somebody had to ask me is that side of the equation more important or the technological side of the equation more important, I'd say that the political dimensions were more im-

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INTERNATIONAL RESCUE COMMITTEE, INC.

386 PARK AVENUE SOUTH • NEW YORK, NEW YORK 10016

TEL. (212) 679-0010 • CABLE: INTERESCUE, NEW YORK

June 28, 1978

President
Daiichi Chuo Kisen Company
Tokyo, JAPAN

Dear Sir:

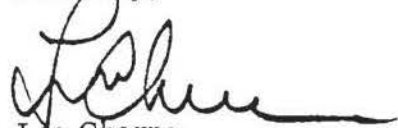
I am enclosing a story which appeared in The New York Times and which was reported by the U.S. journalist who just a month ago received the highest journalistic award given in the United States, the Pulitzer Prize.

As Chairman of the International Rescue Committee, we have since 1975 been deeply involved in assisting refugees from the three Indochinese countries and at present are actively involved in helping as many of the boat people who flee from Vietnam and reach Thailand or Malaysia as we can. At our urging, the Secretary of State of the United States will, within the next few days, issue an order to all American-owned vessels that they will be held accountable to the United States Government if they don't comply with the law of the sea and are therefore required to pick up any refugees whose boats are in trouble.

From the point of view of humanity, Captain Edgar A. Silverio deserves the highest commendation for the fact that he saved the lives of 31 people recently and rescued 18 others a year ago. I deeply hope that his concern that this may cause him to lose his job is completely unwarranted, and I know that thousands of Japan's friends in the United States will be horrified if that indeed were to happen. I therefore wish to express the deepest hope of my organization that you will promptly relieve him of his anxiety.

With our most urgent wishes,

Sincerely,


Leo Cherne
Chairman

LC:is
Enclosure

Boat People Find Refuge In the U.S.



Associated Press
Mrs. Nguyen Thi Yen cradled her daughter, Hvang, in her arms as she pleaded for help after fishing boat loaded with Vietnamese refugees arrived in Thailand five months ago. Above, Mrs. Yen and Hvang sat recently in their apartment in Tampa, Fla., after sponsors brought them to the United States.

Captain Who Saved 49 Vietnamese Fears for Job

By HENRY KAMM
Special to The New York Times

BANGKOK, Thailand, June 22—Capt. Edgar A. Silverio has just saved the lives of 31 people, but in view of the fact that a year ago he rescued 18 others, he is worried whether he will be allowed to keep his job.

Captain Silverio, a 37-year-old Filipino, is master of the freighter Tomoco, operated by a Japanese concern and flying the Panamanian flag of convenience. The 31 who are alive today because of him are Vietnamese who were escaping from their country in a small fishing boat, as were the 18 whom he rescued last June.

So disturbed are shipowners and operators at the losses of time resulting from their ships, having picked up Vietnamese "boat people" because of the unwillingness of most Asian countries to let them ashore, that over the last year or so, since the flow of such refugees became sizable, they have cautioned their captains not to rescue them.

This is a violation of the traditional law of the sea, which obliges ships to come to the rescue of any vessel in peril. Although the United Nations High Commissioner for Refugees and many national officials have appealed to shipowners and captains not to leave refugees to the mercy of the sea, hardly a refugee boat has reached land whose passengers do not tell of having been passed by in distress.

Many Drown at Sea

How many "boat people" drown at sea will never be known, but it is considered doubtful that more than half the boats that set out from Vietnam's long coast reach land. The losses are believed to be particularly high now, when the exodus is at the highest rate it has ever reached and the monsoon season has begun. About 5,800 refugees came ashore, mainly in Thailand and Malaysia, last month; the April total was 4,900.

The growing size of the refugee outflow has surprised all officials concerned and threatens to make insufficient all existing

refugee quotas, particularly the new program for 25,000 Indochinese announced by the United States.

The Tomoco was the 15th ship to pass the small craft carrying the 31 refugees. The previous one, whose home port was Singapore, stopped long enough to drop some food and drink to the exhausted and hungry Vietnamese—14 men, 8 women and 9 children, the youngest 10 months old—but did not heed their pleas to be taken aboard.

The boat was in its ninth day at sea, near the Vietnamese island of Con Son. It left Vung Tau, a fishing port near Ho Chi Minh City, formerly called Saigon, on June 6, with mainly fishermen and their families aboard.

'Came Across Very Pathetic Scene'

"Came across very pathetic scene of occupants who appeared indiscriminately pale and haggard of exhaustion, desperately in distress, pleading for help to be rescued, waving white and red cloth just to be seen," Captain Silverio wrote in his report to the shipowners, the Daichi Chuo Kisen Company, Tokyo.

The captain described the sea as "rough to very rough," causing his 8,000-ton vessel to pitch, with waves sweeping on her deck and fore-castle. The refugees, interviewed in port here, said that their boat had been damaged and most of them were too tired to care.

"Deep in our hearts we wanted to ignore them," said Federico Reyes, second mate of the Tomoco, who spotted the small craft. "But when you see them in the telescope, crying and the women

holding their babies..." Mr. Reyes ended the phrase with a mute gesture.

Captain Silverio recalled that when he arrived in Japan last year with five of the refugees whom he had rescued still aboard his ship—France had accepted the 13 others as immigrants during his call at Bangkok—his owners had "flattered" him but ended by suggesting, "if possible, please avoid it in the future."

Three Sleepless Nights

But he wrote to the owners:

"Considering the impending danger of any calamity they might encounter after their sad experience from a very rough weather staying at sea for nine days, I did not hesitate to welcome them on board this vessel for fear that I would be bothered by a feeling of guilt and anxiety if I had refused."

"I haven't slept for three nights thinking about this," Captain Silverio said when asked how his company would react to the rescue. He expressed hope that instead of dismissing him, it would assign him to a ship whose normal voyages would not face him with the refugee flow.

A United Nations official said that the Tomoco was the only ship that had rescued refugees more than once. "Of the 12 ships that sail for my company, I am the only one who would pick up refugees," the captain said.

There is another reason Captain Silverio has not been able to sleep. Shortly before intercepting a message from the Greek ship Zephyro, reporting that it had just given food, water and fuel to a boat carrying more than 50 Vietnamese, including babies, the message concluded: "But with approaching weather their life is in danger. Kindly provide humanitarian assistance."

It has not yet been learned whether that boat reached land or its passengers were taken aboard another ship, and Captain Silverio is troubled because he did not order the Tomoco a few miles off her course to rescue that group.

The U.N. Today

June 23, 1978

GENERAL ASSEMBLY

Ad hoc committee on the 10th special session on disarmament—10:30 A.M.

Tickets are available at the public desk, in the main lobby, United Nations headquarters. Tours: 9 A.M. to 4:45 P.M.

THE WHITE HOUSE


WASHINGTON

July 18, 1978

Dear Leo:

Thank you for your letter of June 27, about the resettlement of Indochinese refugees. Your detailed analysis of the resettlement process will be most helpful in formulating U.S. Government plans to implement the parole announced by the Attorney General in mid-June. My staff is reviewing your assessment for action and I have forwarded a copy to the Department of State.

Sincerely,



Zbigniew Brzezinski

Mr. Leo Cherne
Chairman
International Rescue Committee, Inc.
336 Park Avenue South
New York, New York 10016

THE SECRETARY OF STATE
WASHINGTON

June 28, 1978

Dear Mr. Meany:

I share your deep concern over the tragic events in Cambodia and applaud as you do the President's recent statement condemning the regime for the genocide it is perpetrating.

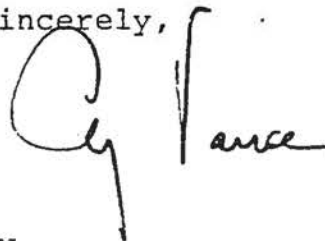
Recent publicity, including testimony of members of the International Rescue Committee Citizens' Commission, has highlighted the plight of the approximately 15,000 Cambodian refugees who remain in camps in Thailand following their rescue from Cambodia subsequent to spring 1975.

As you correctly point out, the parole of 25,000 additional Indochinese before May 1, 1979 will help relatively few Cambodians because they fail to meet the criterion of close relationship, either to people already in the United States or to U.S. government programs or policies, which is applied for selection of refugees under our programs.

Nevertheless, we shall remain concerned about the Cambodians now in Thailand and will continue exploring how we might assist them in a manner consistent with the wishes of the Congress and other interested parties.

I shall certainly keep your comments in mind as we work toward a solution for this very real and humanitarian problem.

Sincerely,



Mr. George Meany,
815 Sixteenth Street, N. W.,
Washington, D. C.

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'All the News Without Fear'

82nd Year No. 28,543

日刊 The Japan Times 1978

MONDAY, JUNE 19, 1978

Romulo Warns Viet Refugees May Become Asia's Palestinians

MANILA (UPI) — Philippine Foreign Minister Carlos P. Romulo warned Sunday the continued flow of Vietnamese refugees to other Southeast Asian countries could escalate into a conflict similar to the Palestinian problem.

Romulo said the refugees and Vietnam's tension with Cambodia and China are the biggest problems confronting the Association of Southeast Asian Nations and were discussed at length last week during the 11th ASEAN ministerial conference.

In an interview with newsmen shortly after his return from the conference in Thailand, Romulo said few people realize the seriousness of the refugee problem that strains the economies of some ASEAN members.

Romulo said the differences

Vietnam has with China and Cambodia are "destabilizing factors" in ASEAN and could disrupt development programs still in their initial stages.

Referring to economic discussions at the ASEAN conference, Romulo said Malaysia, the Philippines, Singapore, Thailand and Indonesia, the group's member nations, are "moving forward steadily."

He said preferential trading arrangements would be expanded to include more than 700 items.

On the talks with Japanese Foreign Minister Sunao Sonoda after the ASEAN meeting, Romulo said the ASEAN ministers stressed the importance of Japan's meeting its aid commitments to the region.

"We would like Japan to

understand that help is now welcome rather than when we are weak and sick and instead of help we will need a blood transfusion," Romulo said.

'Rumor-Monger' Seized
HONG KONG (Kyodo-Reuters) — Vietnam Sunday announced that it had arrested one of the "rumor-mongers" who had close connections with the Chinese Embassy in Hanoi and bullied Chinese residents into leaving the country.

The Vietnam News Agency, quoting an article in the official Hanoi newspaper Nhan Dan, identified the arrested person as Tran Hoat without giving his nationality.

Hanoi has denied Peking claims that thousands of Chinese residents in Vietnam have been expelled from the country.

The paper referred to its publication earlier this month of excerpts from alleged confessions by "bad elements among the Hoa (Chinese) people who had enticed and driven Hoa people into an exodus to China."

Hanoi Raps Aid Cut

The Vietnamese Foreign Ministry issued a communique Saturday accusing China of having unilaterally canceled almost all of its aid to Vietnam, according to Radio Hanoi monitored here.

China has said it decided to cancel part of the aid projects to Vietnam to divert funds to facilitate arrangements for the life of more than 100,000 overseas Chinese who were expelled from Vietnam.

The communique revealed for the first time an exchange of official documents between the two countries in their escalating dispute that started about a month ago over Vietnam's handling of Chinese residents.

'U.S. Supply Of N-Fuel To India Unresolved'

NEW DELHI (UPI) — Prime Minister Morarji Desai Saturday said the one outstanding issue between the United States and India is U.S.-supplied enriched uranium to India.

Desai on his return from an 11-day tour of three Western nations, said at a crowded news conference he had made it clear to U.S. President Jimmy Carter and other American officials that the United States should stick to its contract to supply the fuel for the U.S.-built atomic power plant in Tarapur, near Bombay.

Desai spent most of his time in the United States and also stopped in Brussels, London and briefly in Tehran.

The Prime Minister said, "I found a great deal of friendly feelings (in the United States) for the Indian people. There was no hostility."

He said his talks with the American leaders were friendly. "There was no difference between us. The only difference was on the question of supply of nuclear fuel to Tarapur."

Desai, who arrived home from his trip early in the morning, arrived for the news conference as scheduled at 5 p.m. He looked fresh and immediately asked newsmen to fire questions at him.

A majority of the questions related to differences between factions of the ruling Janata Party and the Government's attitude toward former Prime Minister Indira Gandhi.

Desai admitted there are differences within the Janata Party, but said, "They are not serious and will be tackled properly."

Oil Doll



Saudi Arabian O gestures to newsmen in Geneva where O tries were meeting o

Talks on Lead to

HELSINKI (Kyodo) — U.S. and Soviet oil have been having preliminary talks on the production of oil satellites said Satu now could better t each others views.

The talks had been by fears of a vastly arms race in space Swedish peace inst has already cost v and Moscow some each

"These discussions continued," the office a joint statement

DSP Mission Lea For America, Eu

A five member me Democratic Socialist for Washington Su ming on a tour of States and Europe

The mission led Chairman Ryosaku S met Vice President Mondale, other Ga officials, congress

Sonoda Visiting Bangkok To Talk With Kriangsak

BANGKOK (UPI) — Japanese Foreign Minister Sunao Sonoda arrived in Bangkok Sunday on an official visit to Thailand designed to further "heart to heart" understanding between the two countries.

But Thai and Japanese diplomats agreed most of the discussions will concern "pocket to pocket transactions" and hard-headed assessments of the escalating conflicts among the Communist nations of Asia.

Sonoda met Japanese businessmen for a two-hour lunch Sunday afternoon and was scheduled for a long dinner and discussion with Premier Kriangsak Chomanan at his private residence.

Sonoda is expected to brief Kriangsak on his upcoming trip to Peking to wind up negotiations on the long-delayed Japan-China friendship treaty.

Sonoda told ministers from the Association of Southeast Asian Nations Saturday he expected to make the trip by mid-July and said he is convinced that remaining difficulties over the "anti-hegemony" clause can be worked out.

Kriangsak, who went to China in April, will be asked for his assessment of the Chinese leadership, Japanese sources said.

The two are also expected to discuss the Sino-Soviet rivalry in Asia, the disputes between Vietnam and China and the Vietnam-Cambodia border war.

With Japanese industrial productivity neatly complementing Thailand's agricultural and mineral richness Japan is Thailand's largest single trading partner accounting for 20 per cent of Thailand's imports and 32 per cent of its exports.

A drought throughout much of the northeast and a 27 per cent increase in imports from Japan boosted Thailand's trade deficit with Japan to a record \$280 million in 1977.

Much of the discussions are expected to focus on how to reduce that deficit.

A high ranking Japanese diplomat said Sonoda will listen sympathetically to Thai problems.

"We realize the Thais have real needs, though they may speak politely. We understand that though they may not make their demands as bluntly as, say, the Americans, they deserve every consideration," he said.

Sonoda Kriangsak Meet

Autopsy Shows Aldo Moro Not Given Any Drugs

ROME (AP) — An autopsy has shown that the Red Brigades killers of Aldo Moro did not give the former Premier drugs during his 55 days of captivity, several Rome newspapers reported Sunday.

The report said the conclusion was reached by a commission of experts who examined Moro's body. The results were still unofficial, pending an inquiry by

Israel Set to Outline Occupied Land Plans

JERUSALEM (Kyodo-Reuters) — The Israeli Cabinet agreed by majority vote Sunday on a reply to two vital American questions about the future of the Jordan West Bank and Gaza Strip.

Wording of the reply was not immediately disclosed pending transmission of the reply to the United States. A spokesman said it would be published later Sunday evening.

The decision followed four weeks of intensive backstage political haggling which at one stage appeared to threaten a serious rift in the cabinet of Prime Minister Menachem Begin

negotiations.

Begin was reported to favor a hardline reply which in effect would refuse to commit Israel to any decision in five years time.

His theory was, according to political aides, that any commitment to a future decision would automatically imply a pledge to offer something better than restricted self rule.

And the Premier has made it clear he believes the areas must remain under indefinite Israeli control.

Before the meeting it was widely believed that the views of Begin, possibly in a slightly modified form, would prevail

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cc: Yarnum
Fine

HYMAN BOOKBINDER

August 2, 1978

To: Marc Tanenbaum ✓

I was visited today by a group of four people concerned with the Cambodian situation. One was an American Peace Corps employee and his Cambodian wife, a young Cambodian who recently visited the refugee camps, and another Cambodian who works at a low level in the refugee program at State. They had all been involved in that June demonstration at which I spoke.

Today's session was pathetic. They seemed totally alone, groping for things they might do to keep the issue alive. While they denied they'd come for money, they talked about their need for \$1000 so that they could produce a recording about the Cambodian plight, and to organize a New York demonstration at the United Nations. I told them that no thousand dollar budget could really make any difference -- but then I also could not send them away empty-handed so I gave them a \$50 contribution for AJC, but then also suggested people they might see, including WISC and AFL-CIO. You may also be contacted by one of their New York colleagues. They gave me a couple of copies of the attached "Cambodian Appeal" published by volunteers and sent free to about 1000 people. They scrounge the funds as well as they can. Today's group said they were organized as the People United for Human Rights in Cambodia.

I feel depressed. Any ideas?

Washington Representative, American Jewish Committee
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CAMBODIAN APPEAL



CAMBODIA:

A TIME TO SPEAK OUT

When the film "Holocaust" was shown on television recently, many people reacted with horror at the terrible tragedy which befell millions of people in the concentration camps of occupied Europe under Adolf Hitler. No rational person wants to see that happen again.

But a "Holocaust" is happening again. This time, this abominable savagery is occurring in a small far away land called Cambodia, causing incalculable destruction and the loss of nearly 3 million lives. As it continues it threatens to extinguish a race and a culture. Out of a population of some 7.5 million, nearly half the people of Cambodia are now dead.

Before the Cambodian Communist Khmer Rouge took power in Phnom Penh on April 17, 1975, anti-war demonstrators took to the streets waving banners and demanding a cessation of the killing. They demanded that US aid to the Cambodian republican regime end to bring it down in order to return the country to "peace." The aid was cut, the republican regime fell, and the Communists marched victoriously into Phnom Penh. The influence of the American media played a significant and decisive role in charting Cambodia's fate.

More than 3 years have passed. There has not been any "peace" in Cambodia and the "killing" continues at full speed: the right-wing Cambodian regime has been toppled and the Khmer Rouge are in power. In the face of a holocaust of such magnitude, the anti-war demonstrators have fallen silent. Silent, too, are most senators, congressmen and America's press corps. Rarely do we come across a statement or an article calling for an end to the killing.

If indeed we all are sincere about our distaste for a regime

of terror, and if indeed we value human lives as we say we do, the time to speak is now. The time is long overdue. In this time of danger to an entire nation and people, good men and women must rise above hypocrisy and speak out time and again. It is the minimum requirement of membership in the civilized world that all do so.

Mankind cannot ask for less.

-CAMBODIAN APPEAL-

**SOLZHENITSYN:
THE BETRAYAL OF FAR EASTERN NATIONS**

However, the most cruel mistake occurred with the failure to understand the Vietnam War. Some people sincerely wanted all wars to stop just as soon as possible; others believed that there should be room for national, or communist, self-determination in Vietnam, or in Cambodia, as we see today with particular clarity.

But members of the U.S. antiwar movement wound up being involved in the betrayal of Far Eastern nations, in a genocide and in the suffering today imposed on 30 million people there. Do those convinced pacifists hear the moans coming from there? Do they under-

stand their responsibility today? Or do they prefer not to hear?

The American intelligentsia lost its nerve, and as a consequence thereof danger has come much closer to the United States. But there is no awareness of this.

Your shortsighted politicians who signed the hasty Vietnam capitulation seemingly gave America a carefree breathing pause; however, a hundredfold Vietnam now looms over you.

No weapons, no matter how powerful, can help the West until it overcomes its loss of willpower...

Commencement Address, Harvard University, June 8, 1978

CBS:

"A LOOK AT CAMBODIA TURNED INSIDE OUT"
June 7, 1978

In a one hour special report on Cambodia, Ed Bradley of CBS News skillfully attempted to expose what has been happening to Cambodia since the Khmer Rouge takeover. The report was well balanced and Bradley left the viewer to decide for himself whether or not "genocide" has occurred in Cambodia. Bradley based his report on thorough research and filmed documentation in Bangkok, Hong Kong, Paris, Belgrade, Washington and elsewhere.

Bradley showed a rare Yugoslav film taken in Cambodia. A contrast was shown between Cambodia of the past, when Cambodians were portrayed as "people who loved living" and their favorite pastimes were "making love, listening to the wind and watching rice grow"; and present-day Cambodia under the Communist Khmer Rouge, where all towns and cities are uninhabited and people perform manual labor in the field from 5

o'clock in the morning for 9 hours a day, with a rest of three days per month when they must attend political courses.

The large and crowded streets full of activity -- vehicles, bicycles, peddycabs, people, sidewalk markets, noise -- no longer exist, and the Yugoslav film showed only the literally dead city of Phnom Penh where all buildings and shops are locked, the large

boulevards are empty, and not even a wandering dog or a Khmer Rouge was seen. Where are all the people? According to the Yugoslav film they are in the countryside busily working in the vast fields, digging canals. Though the Yugoslav television crew was on a "guided tour," the smiles on the faces of some workers lacked joy -- something not reminiscent of "the people who loved living." Young men were seen using a giant improvised hammer -- three or four of them held on to its handle -- and in rhythm they swung the hammer against a train rail: railway repair. Small boys and girls, surely no more than 10 years old, worked in a factory: they had to use little stools to reach the large machines. In Kompong Som, a group of young boys pulled a rope which was appeared to be as thick as their arms.

The Yugoslav film showed an interview with Pol Pot, the Khmer Rouge prime minister, who boasted that he was the son of a peasant; he was a monk for many years; he was a teacher; and he joined the maquis. He appeared husky and well nourished.

Ed Bradley of CBS showed a film of interviews with Cambodian refugees in camps in Thailand: in particular, a young boy cried as he recounted the story of how he witnessed the murder of his parents and other inhabitants in his village by the Khmer Rouge. The boy himself was also hit in the head by a club. When asked what the

boy wanted to do now that he is free in Thailand, his reply was that he wanted to revenge. Bradley reported severe mental depression found among the estimated 15,000 Cambodian refugees in 16 camps in Thailand.

Bradley also showed an interview with a leader of a Cambodian resistance movement called "Serei Ka" -- the Khmer Rouge called the movement the "jungle gangsters." The rebel claimed that his forces penetrated inside Communist Cambodia and made contact with the people there. In a positive manner, he said he could inflict serious damages on the Khmer Rouge if he could only obtain some supplies from outside.

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"If you have rice you can have everything you need," the Khmer Rouge were reported by the Yugoslavs to have told the people who work in the field. Daniel Brustein, an American Marxist who went to Cambodia with 3 others, told Bradley on CBS that this is "the first time that people have enough to eat." Bradley reported from Thailand that thousands of refugees from separate areas who succeeded in crossing the Thai frontier report the same thing: death, suffering, malnutrition. "90% of the story can be discounted," said the American Marxist Brustein. Father Francois Ponchaud, a French priest who did not hide his feelings of distaste for the bungling of the Cambodian republicans

and the Americans, said that if all the things reported are not true, then the Cambodians are the only people in the world who have mastered the art of credible lies. Father Ponchaud said that even if one discounted the stories by the intelligentsia and former officials, how is one to explain the testimonies of down-trodden poor farmers and simple private individuals and children? Italian journalist Terzani pointed out that the issue is not the figure of how many people were killed but was there a "deliberate policy" of extermination. The Englishman William Shawcross spoke of the violation of human rights by the Khmer Rouge and, an American, Gareth Porter, expressed his displeasure with what goes on inside Cambodia and referred to the "human suffering that undoubtedly still exists" in Cambodia. Australian Anthony Paul, co-author of *Murder of a Gentle Land* with John Barron, plainly branded what goes on in Communist Cambodia as "autogenocide: one race kills...its own race." He claimed that between 1.8 and 2.2 million people have died in Cambodia as a consequence of the Khmer Rouge's policies or executions.

Meanwhile, Ed Bradley, standing by a ricefield near the Thai-Cambodian border, looked beyond the frontier to the Cambodian side longing to go in to find his Cambodian friends and to see what has happened to a country he once knew and loved.

-Penh Sophorn-



24 HOUR FAST
FOR HUMAN RIGHTS IN CAMBODIA

June 3, 1978

The weather forecast predicted rain. But when a congregation of about eighty Cambodian refugees -- men, women, old, young -- from a range of political, economic and social backgrounds assembled with some American friends in front of the White House at 9 a.m. on Saturday, June 3, the sun was shining hot and the sky was partly cloudy. The "hawks" and the "doves" were present, among them were former republican officials, diplomats, officers, soldiers, students, merchants, private individuals and homemakers. A small booth was set up, a few small signs and pictures and a large cloth banner proclaiming the 24 hour fast for human rights in Cambodia were posted on the sidewalk with the crowd of participants lined up, sitting and standing along the iron fence on the Pennsylvania Avenue side of the White House. A few Cambodians carrying billboard signs depicting a brutal Khmer Rouge execution of a civilian victim paced back and forth on the sidewalk.

The participants in the fast conducted themselves in a peaceful and very orderly manner. There was no shouting, no speeches, no histrionics; only solemnity. Young Cambodian women politely passed leaflets headlined, **Holocaust! It's Happening Again!** to people who passed by. "Nearly 3,000,000 people, over one third of the Cambodian population, has been murdered or has starved to death," read the leaflet. "We are a non-partisan group made up of individuals who share the common feeling that we cannot, in our conscience, remain silent on this issue," and "we seek only to address ourselves to the present and continuing holocaust." Vehicles passing in front of the White House slowed down; some stopped to pick up leaflets; others took pictures. Some people stopped and chatted with the participants; others donated money, offered sympathy and best wishes.

I WHISPER YOUR NAME...

*I had a lover who died at the battle of Plain.
I had a lover who died at the battle zone --
Who died at Kra-cheh,
Who died at Phnom-Penh,
He died far away on the distant frontier.*

*I had a lover who died in the battle of Kam-pot.
I had a lover whose body drifted along a river,
Who died in the dark forest,
Whose charred body lies cold and abandoned.
I want to love you, love Cambodia.*

*The day when the wind is strong
I whisper your name, the name of Cambodia.
We are so close, the same voice and brown race.
I want to love you, Cambodia.*

*I had a lover who died at Koh-kong.
I had a lover whose twisted body lies in a valley,
Who died under a bridge, naked and voiceless.
I had a lover who died at the battlefield.*

*I had a lover who died last night,
She passed away as in a dream...*

-SOPAGNA POCH '77-

Sopagna Poch, 19, is a Cambodian refugee attending college in Richmond, Va. He wrote this poem upon his graduation from high school in Richmond where he lives with his father, Thach Poch, former colonel of the republican armed forces. Ed.-

The number of participants increased to well over one hundred as newcomers began to join in the sit-in fast. Some Cambodians came from out of state: Connecticut, Missouri, Pennsylvania, New York... Messages of support came from many of the 50 states from some 7,000 Cambodian refugees scattered across the United States.

There were no accidents or incidents.

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As I sat with the crowd that day, perspiration dripped down my face. It was a hot and muggy day. By early afternoon, it began to rain. Those who did not have raincoats or umbrellas were wet but stayed on. The night was cold and rainy. Some of us huddled together to keep warm.

We were hungry and tired. Some of us chatted all night long. My soul and spirit drifted to a land far away: my beloved country, Cambodia... My spirit and body felt heavy as my thoughts wandered to my parents and relatives, my wife and children, all still in Cambodia, lost to me for the past 3 years. Hardly 20 hours had passed and I was famished; how have they managed during the more than 3 years since the Communists took power, with insufficient food, overwork and without medicine? I can only guess. Testimonies given by refugees recently arrived in Thailand are no comfort to me. As my mental depression progressively overwhelmed me, I collected myself, and forced feelings of hope to displace my despair. I wiped my tears from my eyes. Behind the iron fence on which I leaned was the large mansion housing one of the most powerful men on earth: "America cannot avoid the responsibility to speak out in condemnation of the Cambodian Government, the worst violator of human rights in the world today," he said last April 21, 1978. Will he do anything else, I wondered, and are words sufficient to

save lives? I do not understand politics, but I know that life is the most precious thing to be had and I also know that millions of lives in Cambodia are being seriously threatened and well above 2 million have already been lost since 1975. **Why not**

the best ?

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The following day, June 4, I hurried to a drugstore to buy some newspapers. There was no mention of the fast anywhere. I wondered what happened to that television crew which promised to show up to report on the fast. I wondered if anybody really cared. No, we did not create disorder; we did not create a traffic jam; and we did not beat any heads. Perhaps that was why there was no news printed about what we did. Not that we, individually wanted to be on the evening or morning news, but I am sorry that our activities were not noted. I understand. "All The News That's Fit To Print" is, in fact, selective! We must go on to our next activities.



COMMEMORATION CEREMONY

CAPITOL BUILDING

June 12, 1978

On June 12, 1978, from 1:30p.m. to 5p.m., a crowd of about 300 Cambodians from all over the United States assembled on the steps at the west front of the Capitol Building in Washington to hold a solemn commemorative ceremony in memory of the nearly 3 million Khmer people of all walks of life who have died following the Khmer Rouge takeover of Cambodia on April 15, '75. The ceremony was attended by a number of dedicated American friends and joined by a small number of foreign nationals and on-lookers. It was among the more well-mannered, peaceful and orderly rallies in the capital city of America.

Some in the crowd carried large banners reading "Stop The Killing In Cambodia," "Help Rescue The Cambodian People," "Why The Silence From the Protestors of Yesterday?" "Help Bring Cambodian Refugees to the USA."

Mr. Pheach Srey, chairman of **Cambodian Appeal**, opened the commemoration ceremony by outlining the purposes of the rally and asking all participants to remain calm. The group sang "God Bless America," then the crowd bowed their heads in silence for one minute in memory of those who have died under the Khmer Rouge.

In an eloquent speech addressed to the rally,

Chhang Song, former minister of information of the Khmer Republic, painted the image of Democratic Kampuchea in the darkest terms. "We have a picture of an entire nation toiling from dawn to dusk under the guns of their guards," Chhang told the crowd. "Khieu Samphan, Ieng Sary, Pol Pot, Son Sen and their women must be held accountable for one of the worst crimes of the 20th century."

Deputy Assistant Secretary of State Mark Schneider, speaking about the "hundreds of thousands of men, women and children who have been murdered," told the crowd that "no one can avoid condemning as a pariah, a government whose inhuman policies and practices have destroyed incalculable lives and still threaten an entire population." Schneider, who read President Carter's April 21, 1978 statement condemning Cambodia as "the worst violator of human rights in the world today," assured the rally that "this Administration shares your anguish." He added: "I have come here today to express to you this Administration's continuing determination not to be silent before the holocaust deliberately ignited by the Cambodian regime." He ended his speech saying: "We will not forget and we will not be silent."

The American Jewish Committee was represented by Mr. Hyman Bookbinder who read a resolution recently unani-

mously passed by the AJC condemning the Khmer Rouge as "guilty of the ultimate violation of human rights." "The American Jewish Committee was dismayed," continued the resolution, "by the failure of all but a few states to take cognizance of the killings, and the failure of the United Nations itself to deal with the situation with the great urgency it warrants." The AJC "called upon the developing nations of the world, especially in Africa and Asia, to register publicly their outrage and protest against this deliberate and massive destruction of life." The AJC urged the US and other countries to take in Cambodian refugees now in camps in Thailand. It called upon President Carter to invited the leaders of democratic nations "to meet with him, to consider possible courses of action to bring to bear maximum moral and political pressure against the reign of terror in Cambodia." And it called for the establishment of "an international inquiry tribunal...to hear testimony from escapees and others." Mr. Bookbinder assured the rally that all American Jews "will not stop with a passage of a resolution."

Mr. Robert Brown of the AFL-CIO spoke of the killing of "hundreds of thousands, if not millions, of its inhabitants" by the Cambodian

Communist Party. "We of the AFL-CIO cannot ignore this," said Mr. Brown. "This horrible tragic genocide must become part of the memory and the consciousness of mankind. To this end, the AFL-CIO gives you an unswerving support," he added.

Several congressmen and a senator addressed the rally.

Congressman Robert Dornan (R. Calif), expressed his disappointment at the small turnout, but "maybe we can make up in passion what we lack in numbers." The congressman told the crowd that the US Congress passed a resolution earlier in the morning condemning Idi Amin of Uganda; he said he told the 50 congressmen on the floor, that six to seven times as many people have been slaughtered in Cambodia, and "if they weren't hypocrites and they were sincere to just walk out here in about 50 minutes -- and that's been an hour and a half ago -- and join in this condemnation of an even worse slaughter and genocide." Cong. Dornan was particularly critical of Sen. George McGovern and former Congresswoman Bella Abzug for having stood at those very same steps of the US Congress addressing a crowd of antiwar demonstrators and talking about the killing in Indochina. "Well, the killing has not stopped," Dornan said, "it goes on at this very moment" and "you are being murdered in this country in spirit by a gap of silence, and it is a disgrace. And I apologize to you for it." "Your gentle land will

not be forgotten," he continued, "as long as some of us in the House of Representatives and the Senate will remember that the bloodbath that we worried about for years did take place in the name of a vicious communist oppression that still sweeps the world." "I will not forget you, I promise you that," Cong. Dornan told a cheering crowd.

Cong. Stephen Solarz (D. New York) had asked his representative to read a strong statement condemning the regime of terror in Cambodia: "Americans in particular have a special responsibility to the people of Cambodia. In addition to causing the displacement of Cambodians and the destruction of much of their land, the US involvement helped create the conditions which we now relent. We must use every means at our disposal to bring pressure to bear on the Khmer Rouge." Solarz urged the admission of 15,000 Cambodian refugees in Thailand to the USA.

Senator Robert Dole (R. Kansas), vice presidential nominee of the Republican Party in 1976, also addressed the rally. The senator called the genocidal practices in Democratic Kampuchea "a throwback to mankind's most primitive and uncivilized condition," and told the crowd that the United States must "take action wherever possible to relieve the suffering of the Cambodian people and to deny the Communist regime the support it needs to retain its authority." The senator urged the media (NBC, ABC

and the VOA were there), and all others to speak out time and again against the inhumanity which reigned in Communist Cambodia today.

Besides the speakers quoted above, many other American and Cambodian speakers addressed the rally.

Former Cambodian republican premier, In Tam, now a refugee in Utah, spoke of the appearance of happiness of Cambodian refugees in the US while their spirits and souls have been eaten away by sorrow as the Khmer Rouge are conducting a "clean sweep" of Cambodia's society. "Nearly 3 million Cambodians have died," he said, "out of a total population of about 7.5 million." In Tam appealed to the American government, congress and people to help rescue the Cambodian people from the present holocaust and to help bring Cambodian refugees in Thailand for resettlement in the United States.

An eight year old boy, Nuon Kheav, who escaped from Cambodia with his mother in May 1978, went up the stage to sing Cambodian folk songs summarizing the suffering he and his mother underwent during the Khmer Rouge's rule. An American folksinger also wrote and sang a song about the ordeal of the Cambodian inhabitants following the takeover of Cambodia by the Khmer Rouge.

-Miss Neary Tep-

STOP THE KILLING NOW!

THE FATE OF CAMBODIA: AN OVERVIEW

The present holocaust perpetrated by the Khmer Rouge in Cambodia, if not stopped, is going to bring about the extinction of the Cambodian race, its culture and the nation itself as an entity on the world map.

Since the Communist takeover, Cambodia has been brought back to square one, starting its civilization all over again: a nation of cattle has been born and nearly half of the population is dead as a result of governmental policies and executions and the use of terror as the only effective means of control.

On top of this, Cambodia's Vietnamese neighbors look beyond their frontier, and are plotting to establish their rule over the entire Indochinese peninsula. Taking advantage of the unhappiness and suffering of the Cambodian people under the Khmer Rouge butchers, the Vietnamese are openly sponsoring a Cambodian rebel movement to challenge and topple the Phnom Penh regime. If the movement succeeds, Hanoi will emerge dominant in Cambodia. Eventually, the Vietnamization of Cambodia will finish off the nation as an entity.

Unless the present devastation is ended, the fate of Cambodia and the Cambodian

people will be grim. Time passes quickly and is fast running out. The situation is clear-cut, but the civilized democratic nations are acting too slowly. Courses of action must be devised in concert to bring maximum political, moral and even economic pressure to bear on the regime of terror of Communist Cambodia, either directly or through Cambodia's Chinese mentor. If the Carter Administration is sincere in its defense of human rights in the world, and in Cambodia in particular, American-Chinese relations should be brought to a test under the banner of humanity: an end must be brought to the abhorrent barbarities which menace the survival of a small nation and the defenseless people of Cambodia.

This must be done unless "politics" is to be placed above the inalienable rights to life, liberty and the pursuit of happiness.

-Prak Rin-



CAMBODIAN APPEAL

529 Fourteenth Street, N.W.
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Washington, D.C. 20045

BULK RATE
PERMIT No. 2935
HYATTSVILLE, MD.

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CARE OF INTERNATIONAL RESCUE COMMITTEE, INC.

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August 8, 1978

The Honorable Robert J. Dole
United States Senate
Washington, D.C. 20510

Dear Senator Dole:

One day, I hope, there will be a free Cambodia. When that happy day arrives, the highest award of that nation must surely go to you.

While our Ad Hoc Committee concerned with the plight of the Indochinese refugees was actually formed three-quarters of a year ago with the help and nourishment of the International Rescue Committee, we have not until this moment gotten around to printing up stationery. In fact, we have been too busy until now doing everything possible to open doors just a crack wider for these desperate people. It is therefore especially fitting that the very first use of this letterhead be for the purpose of commending you for your successful action in the unanimous passage of the Dole amendment on behalf of the Cambodian refugees.

With my deep appreciation and admiration,

Sincerely,



LC:is

Leo Cherne



Executive Director
The Research Institute of America, Inc.
589 Fifth Avenue, New York, N.Y. 10017

August 14, 1978

Rabbi Marc H. Tanenbaum
National Director, Interreligious Affairs
The American Jewish Committee
165 East 56th Street
New York, New York 10022

Dear Marc:

I can't imagine a warmer and more generous letter.

I'm especially delighted that you're deeply involved in this new effort which is being organized by Anne Wexler. As I have been thinking about the directions on which your thoughts have been moving, it is clear to me there is simply no substitute in this country either for the White House directly or an entity stimulated by the White House which could provide a platform or fulcrum for you to make the kind of contribution nationally in just slightly more broader terms than the already broad ones you make as the voice and spirit which reaches across our major religions. Quite frankly, there is an additional advantage of working with the White House people at this moment: They have long been in trouble but they now know it and in Anne Wexler you are dealing with a professional person who understands the complexities of politics (though it is not my view that the team as a whole has what it takes).

The Foreign Aid issue is, in addition, an excellent one from which the spiritual basis of your entire complex of beliefs is so readily and unartificially focused. The tentative thinking that I have had on the question you put to me had already led me to conclude that whether or not I come up with another idea, I would surely be taking advantage of those occasions in my contacts with White House personnel and particularly those in the Brzezinsky camp to advance the clear fact that you represent a resource of considerable magnitude.

Let's stay in touch.

Cordially,

LC:is

Flow too heavy, hearing told

Problem of refugees baffles rescue officials

By HENRY L. TREWHITT
Washington Bureau of The Sun

Washington—Everyone could see the problem at a House committee hearing yesterday: an awesome movement of 10,000 destitute refugees from Indochina each month. No one had an easy solution.

"The fact is that existing programs don't meet the problem," said an official of the International Rescue Committee after the hearing. "The math just doesn't balance."

Right now the math includes 5,000 to 6,000 so-called "boat people," mostly Vietnamese who flee in anything that will float, every month. It also includes an estimated monthly total of 3,500 refugees, including 3,000 Laotians, who leave their homes by land.

Programs to absorb them cover about 4,000 each month, with the U.S. currently accommodating 2,000. "It won't reach," a State Department official remarked.

Representative Lester L. Wolff (D, N.Y.) called the hearing of a House subcommittee yesterday to survey developments since April. What he found was that both aid and numbers of refugees were rising, with the problem growing faster.

Directly or indirectly, the surge of refugees has resulted from the end of the war in Indochina, and the communization of Vietnam, Cambodia and Laos. Instead of subsiding with time, however, the refugee flow continues to increase.

Already the U.S., accepting special responsibility because of its role in Vietnam, has taken in about 170,000 refugees. The administration has cleared the way for about 25,000 more over the next year. Other democracies, including France, Canada and Australia, have refugee programs

that together match the U.S. programs. But there are now about 115,000 refugees in camps in Thailand and about 23,000 others, who fled Vietnam by boat, scattered throughout Southeast Asia.

The figures that concern the U.S. do not include the rough estimates of refugee movement among Communist countries. Some specialists, admittedly offering approximations, suggest that as many as 150,000 Cambodians have fled into Vietnam during the summering border conflict of recent months.

Even more ethnic Chinese—estimates range from 200,000 to 300,000—have fled Vietnam for China because of harassment in Vietnam this year. The Chinese government, which welcomed them at first as relations with Vietnam crumbled, finally had to close its border.

Many Western analysts had predicted years ago, even before the end of the war in 1975, that the victors would be unable to work together. Vietnam now dominates Laos, but has been unable to reach an understanding with the xenophobic government of Cambodia—which President Carter has called "the worst in the world."

But no one here foresaw the magnitude of the refugee problem. Nor did anyone in Washington predict, once it developed, that it would continue to grow with time.

Robert B. Oakley, a deputy assistant secretary of state, said yesterday it had "changed both quantitatively and qualitatively" since early this year. The reason for the increase in the number fleeing by sea, he said, apparently was Vietnam's de-

See REFUGEES, A4, Col. 1 P.

cision to speed the communization of the conquered south.

"Decrees issued in the latter part of March nationalized private business throughout the country, confiscated inventories and unified the currency," he told Mr. Wolff's committee. "These measures hit businessmen and traders, including the ethnic Chinese, particularly hard. They not only lost their livelihood, but saw their savings wiped out."

At the same time the Vietnamese government began moving tens of thousands of unemployed workers—including many who worked for the former government—into the countryside to develop "new economic zones." Living conditions were harsh, and as many as could find a boat—any boat—headed out to sea.

The fragile condition of the boats that reach port or are found at sea "make it apparent that many others must have sunk without trace," Mr. Oakley said. Others will do so, he added, if governments unable to care for refugees deny them entry.

Many of the refugees from Laos, he said, are Meo hill tribesmen "who are escaping an ongoing military campaign by Lao and Vietnamese forces against their tribal areas." Others are Laotians who are

Problem baffling

fleeing political oppression imposed because of their former association with the United States or the former anti-Communist government.

More recently, Mr. Oakley reported, the number of refugees from Cambodia has risen sharply. Even so the numbers have been far smaller than those leaving Vietnam and Laos.

"We believe this is a result of the tight security that Kampuchean [Cambodian] soldiers have enforced along the Thai-Kampuchean border," he said. Other officials reported that the relatively greater numbers of recent weeks appear to be the result of the troop transfers to the Vietnamese border.

Increasingly the democracies involved in the relief efforts are coordinating their programs. But an American official said yesterday there was little prospect that they could cope with the present refugee rate.

"What we have to do," he said, "is develop a sustained program, greater than the present one, and hope that the monthly numbers decline—as they must. The responsible countries in the area, such as Thailand, can accept the immediate burden if they are convinced that it will be relieved with time. We simply have to keep the programs going to provide that relief after the numbers begin to go down."

THE SUN

BALTIMORE, MD.

(MORNING)

D. 174,755 SUN. 559,019

AUG 16 1978

8/16

Lutheran Immigration and Refugee Service National Conference
Madison, Wisconsin
August 21, 1978

Leo Cherne, Chairman
Citizens Commission on Indochinese Refugees

I must first express the deep debt I feel for the opportunity to be part of your meeting. As Chairman of the International Rescue Committee for nearly thirty years, I am as sensitive as you that the IRC is but one and among the smaller of the religious-affiliated and secular voluntary agencies which have made a deep contribution to humanity by our collective work which has assisted the hundreds and hundreds of thousands of those for whom during these last tragic generations there has been no room at the inn.

I know, however, that the invitation to share some thoughts with you is as Chairman of the Citizens Commission on Indochinese Refugees. Our group of independent citizens came to understand almost a year ago that the repetition of refugee crises to which we in this country have responded appeared to be developing a deadening of compassion, a reduction of the willingness or ability of government to respond even as a new flood-tide of horror was rising in a part of the world we had hoped we had seen the last of just a few years ago.

The fourteen-member Citizens Commission, co-chaired by former Undersecretary of State William J. Casey, was an urgent expression of private America concerned about an aspect of its public responsibility. We assembled a group of fourteen men and women of different disciplines, backgrounds and views, but

especially without commitment to any government agency or the special needs and problems of the voluntary agencies from which several of us came. It can now be said that had we been less private, we would have been handicapped. Had we been less powerful, we could not have developed the ability to persuade those whom we did. Had we been less objective, no one would have listened.

There is one aspect of my own background in the International Rescue Committee which enriches this moment for me beyond measure and of which you're almost certainly unaware. When the curtain rose on the great tragedy of the early 1930's, a small group of educators and theologians formed the IRC as a non-sectarian agency to assist those who would flee the darkening night of Europe. One of that small handful of men and women moved by an overwhelming compassionate concern was one of the Protestant Church's moral giants, Reinhold Niebuhr. And when he suffered the first of a series of strokes in 1951, he honored me by urging me to assume the responsibilities of chairmanship which he had been carrying.

To have invited one, not of your religious persuasion, to address the distinguished conference leadership of the five Lutheran Church bodies at a meeting which includes as well the representatives of the other voluntary agencies adds to the sense of debt which I feel toward you.

As a result of our collective efforts, all of ours represented here, the gates of our national-response-have-widened to include-some-25,000 Indochinese refugees who are to be resettled among us by next May 1st, half of them the boat people from Vietnam. In addition, at this very moment, there is before the Congress of the United States the unanimously-passed Dole Amendment which, if approved in conference (and it will take

further effort on our part to assure that outcome) would add to those 25,000 up to 15,000 of those who have languished in Cambodian refugee camps in Thailand. Simply for reasons of the priorities established in our parole system, they are the least able to qualify for resettlement without such special provision.

And still on top of that there are the unused preferences available to the Western hemisphere which may be added to those presently unavailable and unused in the Far East with the result that an additional 6,000 human beings may be added to those for whom we must find homes, new roots, employment, and all that is contemplated in the phrase "a new life."

Forty thousand, and that may well be the number, of those who have suffered beyond description and to whom we owe much is a sizeable resettlement commitment we simply must meet. It will not be easy to do so. The financial cost of such an undertaking is large. The contribution of government to that cost is shrinking, and inflation has added its burden to each of the efforts we make.

The most generous among your Churches, the most compassionate among your parishioners, in addition, have already been the first to respond and in such heroic measure. As one who has been a political scientist all of his life, I would have to candidly say that this new need would not be met were it not for the fact that this economy and this culture has created a private sector which does things which government can't, does them more cheaply than government will, while in the process working with the most dedicated people in the government who feel our obligation to these people every bit as deeply as we do.

There is now no alternative to the part that each of our agencies must play. For the Lutheran Churches you face the ambitious undertaking of reinvigorating the sense of stimulating further and longer among your churchpeople the warmth and depth of the reception, the resettlement, the generous integration of the thousands of Indochinese who are now still to come.

I've heard it said that no one cares about Indochinese refugees. I would be less than candid if I did not acknowledge that we are always the more likely to be forthcoming to those more nearly like ourselves. But it is simply not true that no one cares about Indochinese refugees, as the events of this year and the response, both public and private, have made dramatically evident. What is true is that not everybody cares about Indochinese refugees. And caring is less and less a spontaneous fact of American community life. But those who care, care deeply. And it is they who must be stimulated anew.

Why? Because the lives and future of others who have suffered most is at stake. But perhaps more fundamentally because it is our own humanity which is at issue. The need of others denied dooms those who are the ones who immediately suffer. But need denied and help withheld diminishes all of us who are unresponsive.

This outpouring of fellow feeling is so vital an expression of your religious beliefs. There are singular facts uniquely Lutheran which must be acknowledged. The Chairman of the Governing Board of the International Council of Voluntary Agencies is Dr. Gene Riës who is so vital a part of the Lutheran World Federation. The new High Commissioner for Refugees, Poul Hartling, is undoubtedly best known for the prominent role he has played in Danish politics and diplomacy, always though as a man of deep human and spiritual direction. The well from which his life-long commitment to service and especially his new responsibility flows surely has its roots in the fact that Hartling is a Lutheran Pastor.

The role of the UNHCR in the months ahead will have to be increased simply because the tragedy we face refuses to ebb or plateau. The contribution to the amelioration of this flow of pain which grows with each passing month will have to be shared more actively by many other governments. Several governments have long been generous in their hospitality, others are now stepping up their help ; some have been inactive, and a handful of others have been unfeeling and insensitive.

The United States has, of necessity, and will continue to assume a leading role in these efforts to cope with a refugee crisis of the most poignant nature. It is, however, not solely an American responsibility to seek solutions. It is an international problem. The American Labor movement has been forceful in its support of a generous American policy of long perspective. The black community has spoken up in sympathy with "its Asian brothers and sisters in refugee camps." The National Maritime Union has supported President Carter's order to U.S. flag vessels to rescue refugees from boats in danger of sinking. But the message has to be carried to the free nations of the world. This is the time to call an international conference which would come to grips with a problem that will not go away but, if not confronted responsibly, will aggravate the social and economic ills of Southeast Asia.

At home, what is needed is to move from words to action. It is shameful that not even the initial funds for the movement of refugees already approved under the new program have yet materialized. It is not right to ask the voluntary agencies that have been carrying the heavy burden of resettling the newcomers to do so without substantially increased financial support. It is wrong to expect the states to provide for the needs of refugees. It is wrong because what we are faced with is a national obligation.

We are in a time when the vital monetary contribution made by governments to the UNHCR will not come easily from governments battling deficits of trade, fighting inflation, seeking to cut their costs and, believe me, all of them weary of the unending but terribly real passion play of our times. Yet the governmental contributions to the UNHCR must not only be continued, they must be increased.

The misguided efforts to retrench federal government expenditures for these purposes is a deceptive tightening of the public purse. It will simply overburden the voluntary agencies, abbreviate and shallow their work toward solid integration. It will handicap the stimulation of new sponsors. It will pinch the help they need and will inevitably shift a portion of the emergency to the social welfare ledger of the states and municipalities.

To the tragedy itself -- its reality, direction, and dimensions: Of all people, you most know the facts. Yet some must be brought up to date. We must remind ourselves that when the Citizens Commission started its work early this year, the unbelievable total of those who were fleeing Vietnam by boat and reached a friendly or unfriendly shore was averaging 1,500 a month. The observations of that Commission and the response of the government was in large measure quantified by simply projecting that total. Yet before the parole of 25,000 itself was finally signed, the monthly number of those reaching safety began to climb to 4,000 a month, then 5,000, then 6,000.

When the monsoon started, experts thought the refugee flow would subside. The storms of the South China Sea would succeed where the watchdogs and soldiers of the new regimes failed, they told us. It has not happened. The number of those who never reach a safe haven is undoubtedly growing during today's monsoon storms. But so is the number of those who arrived in Malaysia, Thailand, Hong Kong and the other countries

of first destination. In July, 6,000 boat people entered the refugee camps of Malaysia, and 600 more made it during the first week of August, bringing their total to close to 15,000. In Thailand the boat people alone now number about 2,500. Hong Kong has reached the same figure. Altogether more than 23,000 boat people are waiting in camps and transit centers from Indonesia to Japan and from Thailand to the Philippines. We now find ourselves unable to resettle and absorb them as quickly as they are arriving.

We impotently face the ghastly tragedy of Cambodia -- the Auschwitz of Asia -- knowing that at the very most 40 or 50 a month make their way across the mountains, the jungles, the dense Khmer Rouge patrols stationed in a 20-mile depth behind the border of Thailand. For each of those who do reach safety, four do not!

And in some ways the least attention of all has been paid to the tragedy which is largest numerically -- the more than 100,000 who have at awesome cost fled Laos into Thailand. And for these people there is the special tragedy since last November when Thailand just simply said that it would no longer accord refugee status to those who succeed in crossing the Mekong. Those who are caught in this passage are often forcibly returned instantly. And since the river is a narrow one, journalists have often observed from the Thai shore that the return voyage is often an instant appointment with death. And those who are not immediately detected are arrested when they are apprehended, imprisoned, neglected in detention centers. And most significant of all, because they do not enjoy the refugee status which only a local government can confer, are beyond the authorized reach of the United Nations High Commissioner for Refugees. But they are not beyond our reach, and our agencies month after month stretch out further our thinning resources to bring some measure of our own hope to their hopeless lives.

And if it was hoped that the refugee movements to the United States, France and Australia would reduce the camp population all along Thailand's Northern and Western borders to manageable proportions, new arrivals from Laos, Hmongs as well as Laotians, have augmented it beyond any previous level. The refugee camps of Nong Khai, facing Vientiane, the capital of Laos, held 18,000 refugees a few months ago. Today it holds 24,000. In all, there are 130,000 in the Thai camps alone. Thus virtually every step that has been made toward solving the Indochinese refugee problem has been overtaken by events before it was implemented.

A few weeks ago when the United States announced an admission program for 25,000 refugees, Australia offered to take an additional 9,000. The movement planned over a 12-month period has not yet started: no funds have as yet been made available for the transportation and resettlement of the refugees. But there are already more new refugees waiting in the camps than the new U.S. program was devised to accommodate. And as new refugees come, by sea and by land -- suddenly also from Cambodia where the soldiers guarding the western frontier were moved east to face the enlarged Vietnamese army, thus making escape possible again -- the fear rises that Thailand, Malaysia and all the others will make good their threat to turn back all those who are still on the way.

I would like to read a few paragraphs from the most recent report dated July 18 of a soft-spoken and infinitely compassionate woman, Dr. Domenica Garcia, a doctor from the Philippines who has devoted herself to the Laotians:

"Reports from newcomers are truly distressing. With their little crops destroyed by poison gas, they leave their villages with no food provisions. For weeks they hide in mountain jungles avoiding Vietnamese and Pathet Lao patrols. They eat roots and leaves, sometimes poisonous mushrooms. Nobody dares beg for rice from Lao settlements. Many contract malaria; whiplashes from brambles and bushes get infected and become festering ulcers; their feet terribly swollen. When enemy troops sight them, they are fired upon and a number sustain gunshot wounds which, too, get readily infected.

"Out of the thousands who leave the villages only a few hundred reach the river where more are decimated by drowning. Women with babies traditionally strapped to their backs are so faint with hunger, pain and fear that they lose consciousness while being towed by the 'stronger' members of the family. When they regain consciousness, the babies at their backs have died by drowning.

"The Mekong River at this time is quite swollen and debris swirls wildly in the current. Being mountain people, the Hmongs are helpless in water and cannot swim. They grab on any number of floating objects, banana stalks, dead limbs of trees. A few manage to bring empty plastic gallon containers, still others inflate ordinary grocery plastic bags. It is not unusual to find these survivors clinging to their makeshift 'lifesavers' even long after they have been in the detention centers. They carry them up to the hospital wards where they finally get proper treatment.

"Those delirious with fever due to various causes simply float unmindful of which side of the river they are. They are plucked out of the water by fellow escapees. Then they are picked up by Thai patrols and brought to the nearest detention center.

"The horror and misery of their flight to safety is etched in their blank, tear-stained faces. Men and women weep readily at the nightmarish memory of their ordeal. Husbands, wives, children, parents have been lost in the process. Gone is the familiar look of initial elation found among newcomers. One is ready to assume that they know very little the difference between communism and freedom. Their main concern is to escape oppression and annihilation of their tribes."

Southeast Asia has become the stage of events the significance of which cannot yet be fully grasped. What has become palpable is the tremendous cost in human suffering and human lives. Since the Nazi holocaust, no country has had to endure what has been imposed on the people of Cambodia. And for the first time two Communist countries are actually waging war on each other. At the same time, Vietnam has developed its own version of forced collectivization and in the process turned on its Chinese minority. In Laos, the hill tribes, the Hmongs as they call themselves, are being decimated and forced into exile.

If these developments are unprecedented so are the desperate methods used by those who are trying to save themselves by escaping from the ravages of Indochina.

Let those who are ready to impugn the motives of the refugees ask themselves whether they can visualize conditions which would lead them to place their wives and children in frail river boats to set out on a sea voyage of hundreds of miles at the risk of never making it; or attempt to cross the Mekong River tied to inflated plastic bags after walking for days, without shoes, and without food, through dense forests.

Yet they continue to come even though they know that the countries to which they are fleeing do not want them and even though they know that they may be pushed back across the river or out to sea where pirates may swoop down on them, stealing their belongings, raping their women and kidnapping their daughters. A new dimension has been added to the horror, as if the readiness to let them drown were not horrible enough.

This, of course, is what this historic meeting is all about.

Why here? Why now? Why you? Why do those of us not of your particular faith join you in tribute, in debt? I suspect one must be Lutheran to wholly understand the full answer. But one need only have lived through the tragic time of this century to partially understand the very special roots, in some ways contradictory, in other ways enormously reinforced by the bestial tragedy of our times. The last 45 years have, in the Lutheran tradition, produced still another dimension of faith and purpose and the love of God which we can perhaps express most fully in the love of life and our reaching out toward those who are not permitted to share what we so richly enjoy.

As I have come to understand it, the Lutheran emphasis toward truth, simpler faith and purer justice moved in its own way to reinforce the compassionate responses by your emphasis on tragedy and ambiguity. And it is of course your sensitive sense of tragedy which is so powerful a force for all that you have done and are doing and will continue to do.

It was also this emphasis which in a unique way helped shape the Lutheran response to the impotence and overwhelming urgency we felt but could not act on when the succession of tragedies of this century developed a magnitude so vast as to leave us not with answers but with questions. How as it possible? What might we have done? And it is not surprising that precisely from that Lutheran tradition the response to the succession of refugee crises emerged as a vital, continuous and profoundly individual expression of the need to share the safe, free and compassionate life we take for granted.

It is a singular fact that almost without conscious decision but as a spontaneous response, there is the singular Scandinavian emphasis which has so often taken among the refugees those most distant, most different, but especially those most handicapped.

Whether as secular leaders or religious leaders, our obligation to the future is clear. Whatever the magnitudes of the problems we face, we must respond to them. Whatever responsible actions are required from our own government must be pressed for. Whatever contribution need be made by other governments must be advanced, not on the basis either of our own fatigue or sense that we have shared an unequal burden, but on the more solid foundation of our own continuing and widening commitment. The instructions by the Secretary

of State to the entire American shipping industry which plies the waters off Southeast Asia reminding them of their obligation under the Law of the Sea to save those who are in danger is, in my opinion, a perfect illustration of perfect policy. This governmental action did not content itself with exhortation but arranged simultaneously that those picked up at sea, with the fullest cooperation of the Consular Service and the Immigration Service, be received at the next port of call and processed rapidly for resettlement to the United States. No other nation has yet emulated this action, nor have we explicitly urged that they should. Our own action is the more eloquent exemplar one which we hope other maritime nations will quickly follow.

Because of the very nature of this meeting, the final and most urgent responsibility of all is to stimulate with all the imagination, vigor and warmth, amplified by both the creative and spiritual force assembled here, the urgent link for sponsorship of the new refugees by communities, by churches, by families, by individuals of these people who seek to enter our midst. Even if their faces are different than ours, they bring to that difference as well a remarkable beauty and harmony and love of family and sense of responsibility to each other, which we in our more contemporary, atomized culture can so very richly benefit from. It is not a surprising fact that of that large initial group of Indochinese refugees who poured into America in 1975 and 1976, more than 94% of all of those who were employable are employed, a percentage which is just a shade greater than that which prevails among those of us who already have roots and for whom, however difficult it is, it is nevertheless easier.

I close with a deep sense of debt to you that I am permitted to share not simply this meeting but more importantly this work with you. In a time in which so much is focused on personal enhancement, self-enrichment, self-actualization, there are adhesive and cooperative values which have fallen into silence, if not into disuse. A word rarely heard in this time is noble. More than anything else, I am thrilled that I share with you an ennobling opportunity.



Leo

Hearing
Subcommittee on East Asian and Pacific Affairs
of the Senate Foreign Relations Committee
August 21, 1978

The Subcommittee on East-Asian and Pacific Affairs of the Senate Foreign Relations Committee held hearings on August 21 regarding the refugees situation on Indochina. The Chairman of the Subcommittee is Senator John Glenn. Also present was committee member George McGovern. The basic purpose of the Subcommittee meeting was S-Res 469 and S-Res 323 regarding Human Rights in Cambodia. Enclosed are copies of Senator Glenn's statement; the statement prepared for the record by Senator Dole and a specialist on Indochinese Affairs.

Among other things Glenn stated that he favors low-level diplomatic contacts with all nations even those whom we might not consider friendly nations. He feels that dealing with third party countries is not productive. He asked Oakley if Vietnam was making any overtures to ASEAN? Oakley replied that while they have not made any efforts to join that specific organization they are obviously trying to mend their fences with the individual countries involved in ASEAN. Glenn said he assumed that Vietnam is now as strong as they were ever likely to be because of the left-over U.S. arms. Since they are not now fighting to conquer the rest of Southeast Asia they obviously don't plan to do so in the future. Pike agreed with this and said that the only way all of Southeast Asia could be conquered would be not by force but by consensus. Pike said he felt that Vietnam believed they could conquer Cambodia but their forays have showed them that this is not a good strategy. In response to a question Oakley replied that the U.S. has made no attempts at present to open diplomatically relations with Cambodia.

The 10-minute rule was in effect and when it was McGovern's turn to speak he spent most of his first 10-minutes explaining his anti-war views on Vietnam and claimed if we had not gone in there, Vietnam would now be flourishing and Laos would be free.

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The one question during this 10-minute period was whether or not the stories coming out of Cambodia could be believed. Both Pike and Oakley assured him that there was a great deal of truth in these stories of how many have been killed/ but exact figures could not have been. During the next 10-minute period he suggested the idea that a International force conquer Cambodia. Pike told him that this would be an impossible matter because of the unique way which Cambodia Government is set up and that there would have to be a military force in every small village and Hamlet.

Glenn asked how extensive was the PRC aid to Cambodia and Pike replied it was a significant amount. In fact all of Cambodia's military supplies are coming from China. He added that Vietnam was getting arms for USSR. Glenn asked what the Vietnamese thought of the communists in Thailand and Pike replied that Vietnam thinks they are losers. Glenn asked the extent of India's help to Vietnam and Oakley replied that it was minor. He added that Vietnam was getting help from other countries including non-communist nations.

Glenn complained that the lack of advance planning by the U.S. Government and stated all he saw was alot of hand wringing but little actual help. He felt that the U.N. was doing very little and that there was really no coordination of the help being offered. He said he doesn't want another study group but he thinks somebody ought to be in charge of planning. Pike stated that it is very difficult to plan ahead or predict what will go on in Southeast Asia. Glenn didn't seem to think this answered his question but he dropped it.

Glenn asked if there was any truth to the Jack Andersons stories the other day about harsher treatment of Cambodians in camps than other refugees in camps. Oakley replied that they had asked Thailand for clarification on the stories and could find no evidence that Cambodians are treated differently.

TESTIMONY OF SENATOR BOB DOLE
SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS
SENATE FOREIGN RELATIONS COMMITTEE

AUGUST 21, 1978

MR CHAIRMAN, I APPRECIATE THE INVITATION TO TESTIFY BEFORE THE SUBCOMMITTEE WITH REGARD TO THE RECENT HISTORY OF CARNAGE AND TRAGEDY IN THE COUNTRY OF CAMBODIA, A "GENILE LAND", AS AUTHOR JOHN BARRON HAS PUT IT.

IT HAS BEEN THREE YEARS NOW SINCE THE CAMBODIAN REPUBLIC WAS RUTHLESSLY CRUSHED BY THE COMMUNIST KHMER ROUGE, AND THE PEOPLE OF CAMBODIA LEFT HELPLESS IN THE HANDS OF A SMALL GROUP OF MERCILESS POLITICAL FANATICS. SINCE THAT TIME, CAMBODIA HAS BEEN DRAGGED THROUGH ONE OF THE MOST INCREDIBLY VIOLENT SOCIAL DISRUPTIONS IN HISTORY: OUT OF A COUNTRY OF SOME 7 MILLION PEOPLE, THIS DISASTER HAS CLAIMED AN ESTIMATED 2 MILLION LIVES THROUGH DISEASE, STARVATION, AND DIRECT SLAUGHTER. THE WIDELY RESPECTED HUMAN RIGHTS MONITOR, FREEDOM HOUSE, FILED ITS APPEAL TO THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS FOR AN INQUIRY INTO THESE EVENTS WITH THE WORDS "IT APPEARS TO HAVE TAKEN SIX YEARS TO KILL NINE MILLION HUMAN BEINGS IN NAZI GERMANY AND IN THE COUNTRIES SHE OCCUPIED. IT APPEARS TO HAVE TAKEN ONE DAY TO INFLICT CATASTROPHIC DISASTER ON MORE THAN THREE MILLION CAMBODIANS."

WE HAVE A MODERN DAY "HOLOCAUST"—A SITUATION OF NEARLY UNPRECEDENTED PROPORTION—GOING ON RIGHT BEFORE US, WITH ALMOST NO NOTICE OR OUTCRY. THIS IS PARTLY DUE TO THE EXTREMELY ISOLATED NATURE OF CAMBODIA TODAY—SHE HAS RELATIONS WITH ONLY NINE OTHER COUNTRIES. BUT IT IS ALSO DUE TO A DEPLORABLE APATHY ON THE PART OF MANY RESPONSIBLE PEOPLE, IN THE UNITED STATES AND IN MANY OTHER COUNTRIES OF THE WORLD. I CAN REMEMBER THE GREAT OUTCRY AND PUBLIC OUTRAGE OF MANY PEOPLE EIGHT YEARS AGO OVER AMERICAN MILITARY ACTION IN CAMBODIA. WHERE ARE THOSE VOICES NOW? WHO IS WILLING TO SPEAK OUT FOR CAMBODIA NOW? IF THERE EVER WAS A NEED FOR OUTRAGED PROTEST, IT IS NOW, ON BEHALF OF THESE UNFORTUNATE PEOPLE, IN PROTEST OF THESE DEPLORABLE CRIMES.

A VIOLENT HISTORY

THE INDOCHINESE PENINSULA HAS HAD A SAD AND VIOLENT HISTORY IN THIS CENTURY. CHRONIC VIOLENCE AND SOCIAL DISRUPTION HAVE PLAYED HAVOC IN VIETNAM, LAOS, AND CAMBODIA. THE SADISTIC EXCESSES OF THE NOW-ENTRENCHED COMMUNIST REGIMES OF THESE COUNTRIES CONTINUE TO PREY UPON THE INNOCENT PEOPLES OF THESE LANDS. THE STREAM OF REFUGEES INTO THAILAND FROM LAOS, CAMBODIA, AND VIETNAM PRESENTS VIVID TESTIMONY— THAT OF THOSE WHO "VOTED WITH THEIR FEET." FLIGHT FROM THE HORRORS OF THE "RESTRUCTURING " OF CAMBODIAN SOCIETY IS THE MOST DIFFICULT AND PERILOUS, HOWEVER. THE ESCAPE FROM CAMBODIA TO THE RELATIVE SAFETY OF THAILAND INVOLVES GREAT RISKS ACROSS TERRAIN SO DIFFICULT, SO THOROUGHLY MINED AND PATROLLED, THAT IT IS REMARKABLE THAT ANYONE WOULD ATTEMPT IT, LET ALONE SUCCEED. AND YET EACH MONTH, AN AVERAGE OF 50 CAMBODIANS MAKE THEIR WAY ACROSS THE BORDER TO ONE OF THE FOUR REFUGEE CAMPS IN THAILAND.

JUST RECENTLY, I UNDERSTAND, THIS FIGURE HAS INCREASED SOMEWHAT, AS THE TROOPS OF "DEMOCRATIC KAMPUCHEA" ARE RELOCATING AWAY FROM THAILAND TOWARDS THE MILITARY FRONT WITH VIETNAM. YET ESCAPE STILL REPRESENTS A TASK OF TREMENDOUS PERIL. ONLY THROUGH THE TESTIMONY OF THESE BRAVE PEOPLE HAS THE WORLD BEEN ALERTED TO THE ACTUAL EXTENT OF THIS TRAGEDY.

THIS TESTIMONY HAS BEEN POORLY HEEDED IN THE UNITED STATES. DESPITE THE FACT THAT THE HOLOCAUST STARTED THREE YEARS AGO, AND WAS THE SUBJECT OF JOHN BARRON'S DETAILED ACCOUNT "MURDER OF A GENTLE LAND", IT WAS ONLY OFFICIALLY RECOGNIZED BY THE ADMINISTRATION THIS PAST SPRING. RECENTLY, BOTH THE PRESIDENT AND SOME MEMBERS OF CONGRESS HAVE BEEN HIGHLY CRITICAL OF HUMAN RIGHTS VIOLATIONS IN LATIN AMERICA AND SOUTH AFRICA. AS MUCH AS THESE VIOLATIONS MAY CONCERN US, THEY ARE GREATLY OVERSHADOWED BY THE GROSS BRUTALITY THAT HAS CHARACTERIZED THE COMMUNIST GOVERNMENT OF CAMBODIA. YET OUR GOVERNMENT WAITED 2½ YEARS TO MAKE A FORMAL CONDEMNATION, AND STILL HAS DONE NOTHING IN THE WAY OF AFFIRMATIVE ACTION TOWARDS ALLEVIATING THE SITUATION, OR EVEN MOBILIZING INTERNATIONAL OPINION AGAINST IT.

SENATE CONCERN

SOME IN THE UNITED STATES SENATE HAVE BEEN ACTIVE IN CONDEMNING THE ATROCITIES OF THE KAMPUCHEAN GOVERNMENT. THE SENATE MAJORITY LEADER, MR BYRD OF WEST VIRGINIA, INTRODUCED S. RES. 469 LAST MAY, CONDEMNING THE INHUMAN ACTS OF THAT GOVERNMENT. IN NOVEMBER OF 1977, I INTRODUCED A SIMILAR RESOLUTION, S. RES. 323, A CONDEMNATION AND A CALL FOR THE PRESIDENT TO TAKE EFFECTIVE MEASURES TO REGISTER THE DEEP CONCERN OF THE AMERICAN PEOPLE ABOUT THE VIOLATION OF HUMAN RIGHTS IN THAT COUNTRY. MR CHAIRMAN, I REQUEST THAT SENATE RESOLUTION 323 BE PRINTED AT THE END OF THIS TESTIMONY.

THIS CALL HAS BEEN JOINED BY MANY OF OUR SENATE COLLEAGUES, BY THE PUBLIC MEDIA, BY ORGANIZATIONS SUCH AS THE INTERNATIONAL RESCUE COMMITTEE, BY PRIVATE CITIZENS, AND FINALLY, BY THE PRESIDENT, WHO LAST APRIL CALLED IT THE "WORST VIOLATION OF HUMAN RIGHTS TODAY." PUBLIC AWARENESS IS GROWING. ON JUNE 12, A RALLY WAS HELD IN SUPPORT OF THE CAMBODIANS ON THE STEPS OF THE CAPITOL, AT WHICH I AND SEVERAL OTHER INDIVIDUALS EXPRESSED OUR DEEP CONCERN. THIS RALLY WAS ATTENDED BY BOTH THE PRESS AND THE PUBLIC.

CONCERN WAS EVIDENT HERE IN THE SENATE ON JULY 31, WHEN AN AMENDMENT PROPOSED BY THIS SENATOR AND OTHERS TO THE INTERNATIONAL MONETARY FUND AUTHORIZATION BILL WAS PASSED. THIS PROPOSAL INSTRUCTS THE AMERICAN REPRESENTATIVE TO THE IMF TO VOTE AGAINST ANY FINANCIAL ASSISTANCE TO THE CAMBODIAN GOVERNMENT, SO LONG AS THE ATROCITIES CONTINUE.

THE SENATE FURTHER EXPRESSED ITS ABIDING CONCERN FOR THE CAMBODIANS ON AUGUST 3, IN ACCEPTING WITHOUT DISSENT AN AMENDMENT WHICH I OFFERED TO THE STATE- JUSTICE-COMMERCE APPROPRIATIONS BILL, FOR THE RELIEF OF THE REFUGEE VICTIMS OF THIS HOLOCAUST. THIS AMENDMENT URGES THE ATTORNEY GENERAL TO EXERCISE HIS POWER OF PAROLE TO ALLOW FOR THE EMIGRATION OF 15,000 CAMBODIANS TO THE UNITED STATES, WHO ARE NOW IN REFUGEE CAMPS IN THAILAND. THESE PEOPLE HAVE NO FUTURE IN THAILAND AND ARE SUBJECT TO REPRISALS FROM THE KHMER ROUGE BORDER UNITS. UNANIMOUS ACCEPTANCE OF THIS AMENDMENT IN THE SENATE SHOWS THAT WE ARE CONCERNED ABOUT THE FATE OF THESE PEOPLE, ABOUT THE SITUATION IN CAMBODIA,

AND THAT WE ARE WILLING TO TAKE ON OUR RESPONSIBILITY, AS THE LEADER OF THE FREE WORLD, IN ATTEMPTING TO ALLEVIATE THIS TRAGEDY.

PUBLIC ATTENTION

SEVERAL PRIVATE INDIVIDUALS HAVE BEEN ACTIVELY INVOLVED IN THIS CAMPAIGN TO EXPOSE AND DENOUNCE THE CAMBODIAN TRAGEDY. MR CHHANG SONG, THE FORMER MINISTER OF INFORMATION OF THE REPUBLIC OF CAMBODIA, HAS DEDICATED HIMSELF TO BRINGING THESE BRUTAL CONDITIONS TO THE ATTENTION OF THE AMERICAN PUBLIC, AND APPEALING FOR RELIEF. HE HAS STATED THAT HE IS HERE IN THE UNITED STATES BECAUSE WE REPRESENT THE LAST GREAT HOPE FOR "JUSTICE AND FAIR PLAY IN THE FREE WORLD." MR LEO CHERNE, THE CHAIRMAN OF THE INTERNATIONAL RESCUE COMMITTEE AND THE EXECUTIVE DIRECTOR OF THE RESEARCH INSTITUTE OF AMERICA, HAS ALSO TAKEN A VERY ACTIVE PART ON BEHALF OF THE CAMBODIAN PEOPLE. HE HAS PREPARED A LUCID, DETAILED ACCOUNT OF THE SITUATION, WHICH I WOULD LIKE TO HAVE PRINTED AT THE END OF MY TESTIMONY, ALONG WITH REMARKS BY MR CHHANG SONG. COLUMNIST JACK ANDERSON HAS ALSO CONTRIBUTED SIGNIFICANTLY TO THIS CAMPAIGN TO INFORM THE PUBLIC. HIS MOST RECENT ARTICLE ON THE SITUATION IN CAMBODIA, "MISERY AND TORMENT FOR CAMBODIANS," SHOULD ALSO BE PRINTED ALONG WITH THIS TESTIMONY.

NO RESPONSE BY CAMBODIAN GOVERNMENT

MR CHAIRMAN, PROGRESS IS UNDERWAY IN EDUCATING THE PUBLIC AND AROUSING CONCERN HERE IN CONGRESS. THE LEGISLATION THAT I HAVE REFERENCED HERE, AND THE PRESIDENT'S DETERMINATION OF CAMBODIA AS THE "WORST VIOLATOR OF HUMAN RIGHTS" STAND AS TESTIMONY. CONDEMNATION OF THE PRESENT GOVERNMENT OF CAMBODIA COMES FROM MANY OF THE NATIONS OF THE WORLD, AND FROM THE UNITED NATIONS. INTERNATIONAL INDICMENT OF THE SITUATION IS CLEAR. BUT RESPONSE FROM THE CAMBODIAN GOVERNMENT IS NOT FORTHCOMING. THEY HAVE SHOWN NO INDICATION OF IMPROVING THE HUMAN CONDITIONS IN THE COUNTRY. ONLY THEIR RECENT MILITARY CONFLICT WITH VIETNAM HAS TAKEN SOME OF THE HOSTILITY AWAY FROM THE BORDER WITH THAILAND. AND THE IRON-FISTED RULE OF THE COMMUNIST REGIME HAS RESULTED IN THE APPEARANCE OF INTERNAL STABILITY. THE RULING CLIQUE OF POL POT APPARENTLY THINKS IT IS RIDING OUT THE STORM AND CAN REMAIN IMMUNE TO WORLD OPINION. THEY MUST BE HELD ACCOUNTABLE BEFORE THE REST OF THE WORLD.

NEW DOLE RESOLUTION

WITH THIS IN MIND, I FEEL IT IS THE PROPER TIME TO PROPOSE A NEW RESOLUTION. LAST WEEK, I PROPOSED AN UPDATED VERSION OF MY SENATE RESOLUTION. WITH THIS RESOLUTION, THE CONTINUING VIOLATION OF HUMAN RIGHTS WOULD BE CONDEMNED. THE PRESIDENT WOULD BE CALLED UPON TO USE HIS CONTACTS WITH THOSE NATIONS WHO MAINTAIN DIPLOMATIC RELATIONS WITH THE GOVERNMENT OF CAMBODIA-- PARTICULARLY THE PEOPLE'S REPUBLIC OF CHINA-- TO URGE AN END TO THESE ATROCITIES. AND FURTHER, THE PRESIDENT WOULD BE ASKED TO COOPERATE WITH OTHER NATIONS AND INTERNATIONAL ORGANIZATIONS, SUCH AS THE UNITED NATIONS, TO BRING MORE DIRECT PRESSURE ON THE CAMBODIAN GOVERNMENT. MY MOST RECENT RESOLUTION ALSO REITERATES THE SENATE'S CONCERN FOR THE WELFARE OF THOSE REFUGEE VICTIMS OF THIS HOLOCAUST, AND CALLS UPON THE PRESIDENT TO DIRECT THE UNDER SECRETARY OF STATE FOR HUMAN RIGHTS AND HUMANITARIAN AFFAIRS TO CONDUCT A FORMAL INQUIRY AND DOCUMENTATION OF THESE EVENTS, TO BE PRESENTED BEFORE THE UNITED NATIONS. I REQUEST THAT THE TEXT OF THIS RESOLUTION BE PRINTED AT THE END OF MY TESTIMONY.

THIS SENATE RESOLUTION IS AN APPROPRIATE RESPONSE TO THE LACK OF REACTION ON THE PART OF THE CAMBODIAN GOVERNMENT. JUST AS THE CRIMINALS OF NAZI GERMANY WERE HELD ACCOUNTABLE BEFORE THE WORLD FOR THEIR INHUMAN CRIMES AND VIOLATIONS OF HUMAN RIGHTS, JUST AS WE PRESSURE THE GOVERNMENTS OF RHODESIA AND SOUTH AFRICA POLITICALLY AND ECONOMICALLY TO END THEIR HUMAN RIGHTS VIOLATIONS, JUST AS WE CASTIGATE THE SOVIET UNION FOR THEIR REPRESSION OF DISSIDENT AND ETHNIC GROUPS, SO WE SHOULD TAKE AFFIRMATIVE APPROACHES TOWARDS THE CRIMES OF THE GOVERNMENT OF "DEMOCRATIC KAMPUCHEA". AS THE MORAL INTENT OF THE FOREIGN POLICY OF OUR COUNTRY IS BASED, IN PART, ON EFFORTS TO ADVANCE THE OBSERVANCE OF HUMAN RIGHTS THROUGHOUT THE WORLD, WE HAVE A RESPONSIBILITY TO CONTINUE TO ACTIVELY, DIRECTLY PRESS FOR A RETURN OF HUMAN DIGNITY TO CAMBODIA.

MR CHAIRMAN, IT IS MY SINCERE HOPE THAT THE CONSCIENCE OF THE UNITED STATES, AND THAT OF OTHER RESPONSIBLE COUNTRIES OF THE INTERNATIONAL COMMUNITY, WILL BE STIRRED ENOUGH BY THE WANTON EXCESSES OF THE COMMUNIST REGIME OF CAMBODIA TO PROMPT A MORE ACTIVE APPROACH TOWARDS THE PLIGHT OF THE INNOCENT PEOPLE OF THAT COUNTRY. IT IS A TEST OF THE CREDIBILITY OF AMERICAN FOREIGN POLICY, AND OF THE SINCERITY OF ALL PEOPLE OF THE WORLD WHO CONSIDER THEMSELVES

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From the office of

Senator John Glenn

204 Russell Office Building

Washington DC 20510 (202)224-3353



Contact : Steve Avakian

FOR RELEASE: 10:00 a.m. Mon. Aug. 21, 1978

Statement by Senator John Glenn, Chairman of the Foreign Relations East Asian and Pacific Affairs Subcommittee at hearings regarding the situation in Indochina, Monday, August 21, 1978.

The purpose of today's hearing is to examine the current situation in Indochina. This crucible of great power rivalries, historical antagonisms, and humanitarian problems compel our attention. It must also be realized that race, family and economic interests predominate in Indochina where national boundaries reflect arbitrary colonial divisions, not ethnic divisions. Thus, this oversight hearing is the first review of Indochina developments by the Committee on Foreign Relations since April 1975.

The present border war between Cambodia and Viet Nam, ongoing since the early 1970's, reflects deepseated national distrust. China, sharing a common border with Viet Nam, is perceived as dangerous, reflecting the long history of conflict between the two neighbors. Another nation, Laos, is a captive client of Viet Nam. China, a giant onlooker to Indochinese developments could exert substantial influence if she were to vigorously support insurgent movements. Thus, it must not be anticipated that Indochina will become a tranquil region.

Looking beyond the immediate needs of internal political consolidation and economic reconstruction, it must be realized that Viet Nam is the world's third most populous Communist country and the strongest military power in Southeast Asia, roughly equal to all non-Communist countries in the region. In the absence of any military constraint, we must evaluate Viet Nam's future political intentions. A militarily strong, politically cohesive, economically recovered Viet Nam could be an assertive power. Such a situation with regional rivalries could again encourage intervention by external powers thereby fracturing the delicate emergence of ASEAN, the first indigenous regional organization. The demise of ASEAN would destroy the present equilibrium. The U.S. policy objective, therefore, is clear: to preserve the existing balance of power and create conditions in which non-Communist states can survive and prosper.

Hundreds and thousands of people have left their homelands in search of sanctuary. The refugees face crowded conditions, lack of sufficient food, water, health care and sanitation facilities. They wait for news that they will be accepted into a new country as permanent residents. Yet, nations have difficulty in accepting the refugees and those that do, have quotas which are insufficient to meet the numbers and hopes of these refugees. In recent months the numbers arriving in Malaysian ports have increased from 1,000 and 1,500 to more than 5,000. The United Nations supported refugee camps in Thailand now house more than 110,000 with another 9,100 people in Thai government detention facilities. Now an exodus of Viet Nam's ethnic Chinese is underway. These refugees have taken enormous risks, braving fields sown with mines, angry seas, endless drifting, voting-with-their-feet, for escape. The refugee flow reveals few signs of abating. Yet, we have no coherent policy to deal with these refugees. It is indeed ironic that the free world which they have entered will allow them to venture no further than the confines of restrictive camps and the stench and filth of some offshore boat communities.

It is seemingly futile to speak out against the mass genocide Cambodia, with no aid program, without diplomatic relations, we have little leverage to express our disgust with murder, forced labor and deprivation of essential human rights. We have only one weapon--truth.

Glenn 2/2/2

Let us therefore trumpet that truth to the world, and especially to the seeming indifference of the United Nations. Reports of atrocities are commonplace, yet the United Nations awaits a response from the accused government. This compromise of the original British demand for a special investigator is like the avoidance of discussion of Amin's Ugandan terrors by the "Third World."

The genocidal dictatorship of the Khmer Rouge is evident in refugee tales and press accounts. Some of these accounts will be included in the appendix to this hearing. These gruesome tales of terror, the human costs of creating a radical collectivism, the mindless violence related by refugees stun one into speechless horror.

Because of these facts, the Subcommittee will consider S. Res. 323, introduced by Senator Dole, and S. Res. 469, introduced by the distinguished Majority Leader, Mr. Byrd.

The prospects for exciting diplomatic overtures do not exist. Rather, what is required is detailed diplomatic measures that resolve specific problems and enhance a "balance of trust" between Indochinese states. I do not at this time favor full ambassadorial diplomatic relations between the United States and Viet Nam. Although contact is desirable, step by step building of confidence must precede such full diplomatic recognition. The Vietnamese are apparently willing to drop their insistence on aid, have sent personnel to U.S. facilities in an attempt to help identify MIA's and have belatedly begun reuniting families. These are positive steps, but do not yet merit an exchange of ambassadors. Other intractable problems such as refugees and Cambodian violations of human rights require the same persistence if we are to achieve any progress.

In effect, two Asias are emerging. A Communist grouping divided by intramural strife politically and economically, and an anxiety-prone non-Communist Asia oriented toward freedom and free enterprise. But, because ideological division may increase potential confrontations either through external penetration or the possibility of regional arms races, the United States must carefully avoid the pitfalls of involvements which would irritate already convoluted relationships. The future of Indochina lies in reconciliation.

The Committee concerns, then, are fourfold:

1. The border war between Viet Nam and Cambodia;
2. Vietnamese relations with neighboring nations and the United States;
3. The refugee situation;
4. Human rights in Southeast Asia.

Our witnesses today are Robert B. Oakley, Deputy Assistant Secretary for East Asian and Pacific Affairs, Department of State; and Douglas Pike, an expert on Indochinese Communist affairs. We regret that the Majority Leader, Senator Byrd, and Senator Dole, are unable to be present today, but their statements will be included in the record.

Mr. Oakley, if you will begin...

[end]

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STATEMENT BY MR. ROBERT B. OAKLEY
DEPUTY ASSISTANT SECRETARY OF STATE

BEFORE THE

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS
OF THE
SENATE COMMITTEE ON FOREIGN RELATIONS

AUGUST 21, 1978

Mr. Chairman, Members of the Committee:

I am pleased to have the opportunity today to testify on the general situation in Indochina. The Communist victory there has brought in its wake two problems of great and inter-related humanitarian concern -- the massive flow of refugees and the closely-related problem from which, in large part, the refugee problem stems -- that of human rights. The other major development in Indochina has been the outbreak of tension and conflict among the Communist states. As Assistant Secretary Holbrooke recently said, "The sharpening of the Sino-Soviet split, the Vietnamese-Cambodian border skirmishing, and the recent deterioration of Vietnamese-Chinese relations clearly reveal serious and chronic problems among these countries. The roots of these three rivalries lie deep in the historical and geopolitical realities of Asia. We do not expect them to abate in the foreseeable future."

Indochina's neighbors -- our ASEAN friends -- met the new situation with both concern and fortitude. The establishment of Communist governments on their flanks and the uncertain intentions of a heavily-armed Hanoi, were of legitimate concern for the ASEAN countries; as was their understandable uncertainty over the role the United States proposed to play in the region.

At the same time, however, they had sources of reassurance and strength: the cohesion that developed through the growth of ASEAN as an economic institution and gradual development of mutual interests; the growing internal strength of their own societies stemming from rapid economic development and comparatively free institutions of government; the obviously increasing economic importance of their area to the free market economies of the West and Japan; and the realization, as the Carter Administration began to clarify its Pacific policy, that Southeast Asia remains an important element on the American agenda.

The ASEAN countries hoped that their own vision of a peaceful self-reliant Southeast Asia, free of great power contention, might come to be shared by their Communist neighbors as well as supported by the major

non-Communist powers. They sought to encourage this development by stressing their determination that ASEAN not become an alliance -- military or other -- against any other state or group of states, and by reiterating the desire of its members, individually and collectively, to maintain normal and peaceful relations with neighbors regardless of differing political and social systems. As many of you were able to judge for yourselves at the US-ASEAN dialogue August 2-4, these countries have enjoyed considerable success.

Meanwhile, however, a problem stemming from the end of the Indochina war has placed a burden on these countries -- and an obligation on other countries world-wide -- of a magnitude that was not anticipated when the hostilities ended. I refer, of course, to the refugee problem.

On the other side of the Southeast Asian equation, deep-rooted ethnic tensions, historical antagonism, territorial differences and ideological antipathy between the USSR, the PRC, Vietnam and Kampuchea have raised the political temperature between these Communist states, provoked bitter propaganda exchanges and, in the case of Kampuchea and Vietnam, resulted in serious armed conflict.

The United States, while eschewing any direct involvement and not taking sides in this extraordinarily complex situation, is following events closely. We are concerned over the increased tensions in the area, over the loss of life and economic damage, and over the growing numbers of refugees and displaced persons. We hope that the issues and conflicts will be peacefully resolved.

Yet the irony of this situation cannot be lost on any of us. As Assistant Secretary Holbrooke pointed out in his Honolulu speech -- where many had expected that if Vietnam fell a Communist monolith would roll over weak and unstable Southeast Asian countries, we see instead a striking contrast between the cohesion and economic growth of the non-Communist countries and the economic weaknesses and bitter conflicts among the Communist countries.

The ironies go even further. At odds with each other, the Communist countries are moving more rapidly than might otherwise be the case to diversify and strengthen their relations with their immediate neighbors and with other countries in Asia and elsewhere. Hanoi has been at particular pains to convince others that the aid it receives from the Soviet Union and its decision to join

CEMA have not put it under Moscow's thumb. It has abandoned its former hostility to ASEAN as an organization and is seeking to improve its economic and political ties not only with the ASEAN states but also Japan, Australia, and New Zealand. Kampuchea has also taken some steps to improve relations with a number of non-Communist states in Asia and elsewhere.

The internal changes that have followed the imposition of Communist regimes on South Vietnam, Laos and Kampuchea have exacerbated the human suffering caused by the conflicts between the Communist states. The initial exodus of refugees in 1975 was over 165,000. Since then, more than 210,000 others have come out of the three states of Indochina. Over the past six months the flow of refugees out of Vietnam has trebled, from 1,500 - 2,000 per month during 1977 to an average of 5-6,000 per month starting in April. There are now almost 15,000 boat refugees in Malaysian refugee camps, almost twice as many as there were in May and almost 24,000 in all of Asia. Boat refugees in significant numbers also have been arriving directly in Australia, Indonesia, the Philippines, Hong Kong, and Macau; and many hundreds of refugees have been rescued at sea from sinking

craft by vessels of the United States and other countries.

These refugees from Vietnam are of a different character from many of those who were received in the United States and elsewhere in the first two years after the war. Obviously the first to flee were those who knew that they and their families would be ruthlessly eliminated as "enemies of the regime" -- those who had been loyal supporters of anti-Communist governments and groups allied with the United States and the other countries fighting on the side of the GVN. Their only hope lay, as it had for so many of the political refugees who have peopled our own land, in seeking, if they could, to dig roots elsewhere.

This was a wrenching thought for a deeply and distinctively nationalist people with a particularly strong sense of attachment to the place of their ancestral roots. Many, whose past political commitments had perhaps been less strong, placed greater hope in indications that the new regime would move very slowly to reshape the South radically. However, early this year the Vietnamese regime instituted a series of measures apparently designed to accelerate the transformation of South Vietnam into an authoritarian, socialist society on the North Vietnamese model. Decrees

issued in the latter part of March nationalized private business throughout the country, confiscated inventories, and unified the currency, causing many to lose both their livelihoods and their saving.

At the same time, pressures were stepped up to force substantially more city dwellers to move to the "New Economic Zones." Initially largely drawn from the swollen ranks of unemployed in the aftermath of the war, those sent to the zones since March have tended to be the members of business classes and of the civil and military structure of the former governments who until then had managed to remain in the cities. Ethnic Chinese have been especially hard hit, provoking a flow of tens of thousands of refugees into the PRC and creating a major confrontation between the SRV and PRC.

At the same time, the flow of refugees from Laos is continuing at a rate of about 3,000 per month. Of these a substantial proportion are Hmong (Meo) hill tribesmen escaping a campaign by Lao and Vietnamese military forces against their tribal areas. The rest of those fleeing from Laos are primarily lowland Lao who appear to be motivated partly by (1) political repression; (2) increases in other government controls including forced labor for the state; (3) their resentment of the continued presence of Vietnamese troops in

Laos; and (4) continuing economic deterioration to the particular detriment of those Lao previously associated with the United States or the former Lao regime.

Thailand, of course, has received the most massive influx of refugees, some 130,000 since 1975, most of them over the land borders with Laos and Kampuchea. Of the approximately 115,000 refugees now in Thai camps, over 97,000 are from Laos, almost 14,000 from Kampuchea, and the remainder from Vietnam.

The refugees escaping from Kampuchea have not been as numerous as those leaving from Laos and Vietnam. We believe that this is a result of the tight security -- at least until recently -- that Kampuchean soldiers have enforced along the Thai-Kampuchean border. Those who have escaped, however, have testified to a level of oppression by their government, which the President of the United States has condemned as "the worst in the world." In recent weeks, the number of refugees fleeing from Kampuchea to Thailand has risen sharply. This increased flow appears to have been caused by requirements for deploying some Kampuchean forces away from the Thai border due to the hostilities with Vietnam. Refugees still face minefields and other barriers in the efforts to escape.

These refugees continue to report that executions and deaths directly attributable to GDK policies are taking a horrible toll in Kampuchea. Since 1975, observers sought to quantify this toll but as was noted in testimony before the House International Relations Committee in July 1977, it is impossible to make a precise estimate of the number killed. We could attempt to develop a "best estimate" of the numbers who have died based on all available information, but it is likely that this "official" figure would become a source of controversy and debate. The important question is not numbers, but "what can be done." We are continuing to discuss our concerns with other governments bilaterally and in the UN context. An important outcome of these discussions so far has been the decision by the Human Rights Commission to place the question of human rights in Kampuchea on the August agenda of the Subcommission on Prevention of Discrimination and Protection of Minorities. We are encouraging other governments to participate actively in this meeting. We also submitted to the Subcommission the official expression of concern by the Administration and Congress, and copies of a large number of detailed interviews with recent refugees from Kampuchea. The personal reports from the refugees provide insights into what has happened in Kampuchea far more effectively than any statistics.

The burden which these refugees from Indochina place on neighboring countries has grown, not only because of the increase in numbers but also because the rate of inflow has outpaced the rate at which the refugees can be resettled in other countries, thus leaving larger and larger numbers in temporary camps in countries that cannot assimilate them. This is something we were not able to foresee when the Administration's long-term refugee admission policy was developed early this year.

The longer the refugees remain in the countries of first asylum, particularly Thailand and Malaysia, the greater the alarm with which these countries view the political, economic, and security problems they generate. The continued hospitality and humanitarian concern of these countries deserves our warmest admiration and our continuing efforts to assist them. However, without adequate assurances that the refugees will be moved on for permanent resettlement, it will be increasingly difficult for the Governments of Thailand and Malaysia to maintain their present policies.

Other countries have perceived the humanitarian dimensions of the problem and are acting accordingly.

France has resettled approximately 12,000 refugees per year. Australia has been outstandingly responsible and generous as a country of permanent resettlement. It has already resettled more than 11,000 Indochinese refugees despite its own keenly-felt domestic economic problems and has announced a new program to resettle an additional 9,000.

The Attorney General has authorized the parole during the 12 months commencing May 1, 1978 of 25,000 Indochinese refugees. These include boat refugees who do not have offers of permanent resettlement from other countries and land refugees closely associated with the United States. This parole also provides resettlement opportunities for refugees who may be picked up at sea by American-owned or American flag vessels. This ensures that American vessels will not be penalized for humanitarian actions by being refused permission to disembark these refugees at their next port of call.

In pursuit of our continuing commitment to these two classes of refugees as approved by the President, the Administration has recommended to the Congress that the Immigration and Nationality Act be amended to permit up to 50,000 refugee admissions into the United States each year, of which half might be used to accommodate the continuing flow of Indochinese refugees. Over the shorter term, we would hope that legislation combining eastern and western hemisphere preferences could provide

a way to aid additional boat refugees in the coming months. This legislation has passed the House as H.R. 12443 and now awaits Senate action. Legislation which expressed, as the sense of the Senate, that 7,500 Cambodian refugees should be admitted under the Attorney General's parole authority in FY 1979 and a further 7,500 by FY 1980, has passed the Senate as an amendment to the State/Justice Appropriation Bill.

During the US-ASEAN meeting we discussed the possibility of broader international consultations, including a conference of concerned governments in conjunction with the UNHCR. We are discussing this with other governments as well. We are also continuing our own bilateral efforts to encourage others to do more.



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Testimony by Douglas Pike, Foreign Service Officer,
Author, and Specialist on Indochinese Affairs

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Before the Subcommittee on East Asian and Pacific Affairs
of the Committee on Foreign Relations.

United States Senate

August 21, 1978

"THE CURRENT SITUATION IN INDOCHINA"

STATEMENT BY DOUGLAS PIKE ON INDOCHINA SITUATION: August 21, 1978

I am a U.S. Foreign Service Officer with the International Communications Agency and a specialist on Indochinese communist affairs, a subject to which I have devoted myself full time for the past 18 years. I appear before you therefore as a resource person, willing to put my knowledge to your use and answer any questions I can on any aspect of the Indochina situation -- military, economic, foreign relations, etc.

It has been suggested that my opening statement might usefully be confined to a single aspect of the Indochinese scene, that is, the relationship among the three countries -- Vietnam, Laos, and Cambodia or Kampuchea -- and particularly to the long term relationship, that is the next several decades.

These prepared remarks on this subject are extracted from a draft of a longer and more generalized study I am doing on Vietnam's future foreign policy, which will be made available to the committee as soon as it is completed, within a week or so.

The interrelationship of the three Indochinese countries of Vietnam, Laos and Cambodia, looms extraordinarily large in the thinking of the rulers of Hanoi. The basic attitude of these leaders towards Laos and Cambodia is paternalistic. In fact, in their thinking, they scarcely differentiate between the interests involved. What is good for Vietnam is good for Indochina, and vice versa. In almost every official reference to the peninsula the term "special relationship" appears.

In strategic terms, Cambodia and Laos represent weakness for Vietnam, that is a flank where internal hostile forces (particularly non-communist) could develop and challenge the local regimes, ultimately posing as a threat to Vietnam. The "special relationship" with Laos and Cambodia -- Hanoi has made it clear -- is highly protective and dictates that any effort to roll back communism in either country would be regarded as tantamount to an attack on Vietnam itself. Even in the face of the Cambodian-Vietnam border war, there is no reason to believe that this policy has changed. Unholy as Pol Pot and his associates may be for Hanoi, a non-communist regime would be regarded as far worse.

Vietnam's ultimate goal in the peninsula -- and this is looking to the Year 2000 -- probably is creation of a Federation of Indochina. Early leaders, Ho Chi Minh and others, rather openly indicated this in the mid-1950's. Indochina was seen, as indeed it is, as a natural economic entity. Ethnic antipathies existed but in terms of fear of encroachment, the danger would be less within a federation which all parties wanted to succeed than outside a federation, where there would be no protection at all. In many ways the arrangement put together by the French colonialists worked better than the previous anarchy. So, Ho and others were led to the conclusion that French Indochina, without the French, was the proper ultimate political configuration for the peninsula.

Officially this remains Hanoi's thinking if not its present working policy. However the terminology has been softened somewhat.

A Vietnamese White Paper on Cambodia, dated April 7, 1978, said that the idea of a full federation had been the goal of the Indochinese Communist Party beginning in 1930, but that the idea had been officially abandoned in 1954. Hanoi officials when questioned these days on the matter, by visiting journalists and others, refer their questioners to the DRV policy statement made at the 1970 Indochinese Summit Conference. This statement calls for the three Indochinese states to pursue socialist state objectives and independent foreign policies, but within the context of a "confederation approach." The "confederated approach," idea these officials indicate, remains operative. Thus it appears that Hanoi's official position has retreated somewhat, from the goal of federation to the goal of confederation. Confederation of course is a much looser arrangement than federation, but it also may simply be a way station on the road to full federation.

As to present relations with its two neighbors, there is obvious and enormous disparity. As far as can be determined official Vietnamese-Laotian relations are now both close and harmonious. Many observers have virtually written off Laos as an independent country, asserting that in the past three years Hanoi has in effect turned Laos into a province of Vietnam. This may be an overstatement. But the Vietnamese presence in Vietnam is ubiquitous and Vietnamese control extensive. Also it appears that this does not bother the Lao excessively, perhaps a reflection of their national character, which generally is easy going and good natured.

In Cambodia the situation is very nearly the reverse. Cambodian antipathy for Vietnam is deep and abiding, as is Vietnamese disdain for most things Cambodian. The Cambodians fear the Vietnamese and with good historical reason. Mid-19th Century Vietnam was in the process of dismembering the Khmer Empire when French colonialists arrived and put a stop to it. The Cambodian fears the Vietnamese will resume what they were doing when interrupted. Vietnamese, in turn, tend to regard Cambodians contemptuously, characterizing them by various common geographic stereotypes: they are dirty, lazy, anti-mechanical, etc. Although lesser known this heritage of mutual ill will and distrust is as serious any existing anywhere, comparable to the Greek-Turkish, Arab-Jew, Moslem-Hindu antipathies. The present relation then, including the current border war, is part of an ethnic conflict whose roots can be measured in centuries. Even among fellow communists there has long been bad blood. This broke into the open last year and for the past six months the world has witnessed a more or less full scale war between these two erstwhile communist allies.

Relations between Vietnam and Cambodia therefore are -- for the moment -- about as poor as they could be. It is apparent that establishment of even tolerable Vietnamese-Cambodian relations can not begin until there is significant change of Cambodian leader. Even then improved relations can be achieved only slowly and over a period of years, if not decades. To date the Vietnamese officials in Hanoi have not demonstrated any particular skill in handling relations with Cambodia.

The Vietnamese have their work cut out for them -- to put it mildly -- if they hope to create a Federation of Indochina. Obviously the idea is moribund for the foreseeable future. But the Vietnamese are in no hurry. They play the long game, in the spirit of protracted militancy. Forces for federation are alive and at work in Laos. Given a change in leadership in Cambodia, a minimal working relationship could be established almost immediately, paving the way for fuller overtures. Actually, given a long time frame, prospects are fairly good for the creation of a Federation of Indochina. But, I stress, this is in the long run -- towards the Year 2000.



July 25, 1978

M E M O R A N D U M

FROM: MS. BRILL

TO: MR. WESELY

Re: International Rescue Committee/
Parole Authority

There is presently a debate within the Carter administration as to the proper use of the parole authority granted the Attorney General under the Immigration and Nationality Act § 212(d)(5), 8 U.S.C. § 1182(d)(5)(1970). Attorney General Bell and Representative Joshua Eilberg, the chairman of the House Immigration subcommittee, support the view that the parole authority was intended for true emergencies and not for allowing large groups of refugees on a regular and predictable basis. Secretary of State Cyrus Vance reportedly sides with Senator Edward Kennedy in supporting the opposing view that the parole authority is to be used on an unlimited, open-ended basis. While President Carter has approved an interim refugee policy for the admission of Vietnamese "boat people", new long-term refugee legislation will be sought next year. See N.Y. Times, March 31, 1978, at page A1.

The purpose of this memorandum is to explore the strength of some arguments that might be made in support of the Vance-Kennedy position on the parole authority. Specifically,

the question is whether the legislative history, the language, or the practical usage of Section 212(d)(5) might be used to buttress the argument for large-scale use of the authority.

I The Statute and its Legislative History

Immigration and Nationality Act § 212(d)(5) provides that:

(5) The Attorney General may in his discretion parole into the United States temporarily under such conditions as he may prescribe for emergent reasons or for reasons deemed strictly in the public interest any alien applying for admission to the United States, but such parole of such alien shall not be regarded as an admission of the alien and when the purposes of such parole shall, in the opinion of the Attorney General, have been served the alien shall forthwith return or be returned to the custody from which he was paroled and thereafter his case shall continue to be dealt with in the same manner as that of any other applicant for admission to the United States.

This statute originated in a 1952 Congressional revision of the Immigration laws which initially restricted parole to those aliens who required medical treatment in the United States. However, during the same year, upon the urging of the Immigration and Naturalization Service and the Attorney General that the statute reflect the existing practice of paroling aliens under all emergent and humanitarian circumstances, the statute was redrafted. See Comment, 13 San Diego L. Rev. 175 (1975). The Joint Committee Report; 2 U.S. Code Cong. & Ad. News 1653, 1706 (1952) stated:

The provision in the instant bill represents an acceptance of the recommendation of the Attorney General with reference to this form of discretionary relief. The committee believes that the broader discretionary authority is

necessary to permit the Attorney General to parole inadmissible aliens into the United States in emergency cases, such as the case of an alien who requires immediate medical attention before there has been an opportunity for an immigration officer to inspect him, and in cases where it is strictly in the public interest to have an inadmissible alien present in the United States, such as, for instance, a witness or for purposes of prosecution.

Neither the committee report nor the statute explicitly answered the question of whether parole was to be used to admit large groups of people. However, one analyst quoting from House subcommittee reports said:

"Statements made later by a member of the drafting committee, Michael Feighan, support the theory that the statute was intended to be used only in individual cases. Congressman Feighan stated: 'It [the parole statute] was intended as a remedy for individual hardship cases, no more, no less.' The Congressman also specifically noted that the committee did not intend parole to be used as authority for the admission of large groups of people. 'I know at the time we were thinking in terms of individuals in distress rather than any group.' Thus, the early Immigration Service practices, the wording of the statute, and the statements of Mr. Feighan demonstrate that the parole authority was enacted to allow the Immigration Service to continue to parole individuals."

Comment, 13 San Diego L. Rev. at 179 (1975).

Moreover, a 1965 Senate Committee Report, occasioned by a revision of the 1952 Immigration and Nationality Act, stated:

"Inasmuch as definite provision has now been made for refugees, it is the express intent of the committee that the parole provisions of the Immigration and Nationality Act, which remain unchanged by this bill, be administered in accordance with the original intention of the drafters of that legislation [8 U.S.C. § 212(d)(5) (1970).] The parole provisions were designed to authorize the Attorney General to act only in emergent, individual, and isolated situations, such as the case of an alien who requires immediate medical attention, and not for the immigration of classes or groups outside of the limit of the law."

S. Rep. No. 748, 89th Cong., 1st Sess. 16-17 (1965) (emphasis added).

When this legislative history is added to the wording of the statute itself, i.e. the singular "any alien", a discouragingly strong argument results in favor of Attorney General Bell's interpretation of the statute. The question then arises whether the history since 1956 of use of the parole authority to admit large groups of refugees, albeit contrary to legislative intent, is a legally strong argument in favor of construction of the statute today to admit large groups of refugees.

II. The Legal Arguments

The parole statute was used to parole refugees from the Hungarian Revolution in 1956, to parole large groups of Cuban refugees throughout the 1960's, to parole Chinese forced to move from mainland China to Hong Kong in 1962 and to parole 130,000 refugees from Indochina in 1975. Comment, 13 San Diego L. Rev. at 179-182. Given this substantial history of the use of parole as authority for the entry of large groups of refugees, the issue becomes how the conflict between the original Congressional intent and the actual use of the statute is to be resolved.

It is a well-established doctrine of statutory construction that the construction of a statute by those charged with its execution is accorded great deference in judicial interpretation, particularly where that construction is consistent and of long-standing.*

* For a listing of about 200 federal cases so holding, see 74 West's Fed. Prac. Digest 2d. Key 219(1).

Moreover, according to the author of a multi-volume treatise entitled Statutes and Statutory Construction,

"There is support for the view that a statute should not be confined in its operation to only what was within the contemplation or intention of the legislature which enacted it, but that, instead, the words of a statute should be regarded as embodying a kind of delegation of authority to exercise responsible creative judgment in relating the statutory concept, spirit, purpose, or policy to changing needs of society."

Sands, 2A Statutes and Statutory Construction § 45.09, p. 29 (1973).

Elaborating on the relevance of the contemporaneous history of a statute as an extrinsic aid to statutory construction, Sands continues:

"Since legislation is, in the nature of things, addressed to the future, information about contemporaneous and post-enactment facts and developments is relevant to a quest for legislative intent on the general ground that the legislature must have contemplated the interaction of the new law with such facts and developments even though it could not then foresee their precise character."

Id. at § 49.01, pp. 228-229. Hence, courts have long considered the practical interpretation of a statute by the executive officers charged with its administration and enforcement to be an invaluable aid in statutory interpretation. Viewed from a more abstract perspective,

"Words in legal documents . . . are simply delegations to others of authority to give them meaning by applying them to particular things or occasions. The only meaning of the word meaning . . . is an application to the particular."

Curtis, A Better Theory of Legal Interpretation, 3 Vand. L. Rev. 407, 425 (1950).

While this doctrine of statutory construction has a great deal of appeal in our efforts to have the parole authority interpreted in accord with its past practical use, there is a countervailing equally forceful doctrine of statutory construction which must be considered. That doctrine holds that while it is an established principle that the judiciary will show great deference to the interpretation given a statute by the agency or officers charged with its administration, this principle has no application where that interpretation is contrary to legislative intent or to the plain meaning of the statute's words. Discussion of a few of the many cases which have applied this principle should serve to illustrate its practical effect.

In Assoc. of American Railroads v. Costle, 562 F.2d 1310 (D.C. Cir. 1977) a group of railroads challenged the validity of an action of the Environmental Protection Agency promulgating railroad noise emission standards under the Noise Control Act which were limited to rail cars and locomotives. The court first examined the legislative history and the language of the Act. Concluding that they were consistent with the railroads' interpretation the court stated:

"The EPA argues that its interpretation of the Noise Control Act should be accorded deference by a reviewing court because it is the agency charged with administering the Act. While it is an established principle of administrative law that reviewing courts will generally 'show great deference to the interpretation given [a] statute by the officers or agency charged with its administration,' this principle has no application where, as here, the agency has misinterpreted its statutory mandate." 562 F.2d at 1318-1319.

Moreover, the fact that the administrative interpretation of a statute may be of long standing is in itself insufficient to overcome contrary legislative intent under either an estoppel argument or a congressional acquiescence argument. For example, in McDade v. Morton, 353 F. Supp. 1006 (D.D.C. 1973), aff'd. 494 F.2d 1156 (D.C. Cir. 1974) an action was brought to review a decision by the Interior Secretary refusing to issue certain oil and gas leases. The issue to be resolved was whether the current Interior Department regulations were a lawful administrative interpretation and implementation of the Mineral Leasing Act. Finding that they were, the court reasoned:

"It is well settled that courts are to show great deference to the administrative construction of a statute where the statutory language is reasonably susceptible to more than one interpretation

"However, should an administrative statutory interpretation or regulation however long standing be clearly erroneous or contrary to the manifest intent of the statute it purports to construe or implement, such interpretation or regulation will not be upheld by a court

"Nor is the administrative agency itself estopped by its former interpretation of a statute, however long standing, from correcting that which it presently feels to be clearly erroneous." 353 F. Supp. at 1012 (emphasis added).

Thus, where there is a long term administrative interpretation of a statute which is contrary to legislative intent and a subsequent revision by that agency to an interpretation more consistent with legislative intent, that agency will not be estopped from acting in accord with its new interpretation.

This principle is particularly applicable to the parole statute, as we are here faced with a long standing administrative

use of the statute to admit large numbers of refugees, apparently contrary to legislative intent, followed by a recent change in interpretation by the official charged with administering the statute, Attorney General Bell. It is doubly difficult for us to make the argument that past use of the statute to admit large groups of refugees is today entitled to great deference, given that (1) the prior use was contrary to manifest legislative intent and (2) the agency charged with administering the statute has renounced its former interpretation and changed to one more consistent with the legislative history.

As for the argument that acquiescence by the legislature in the long-continued use of a statute contrary to original intent implies ratification, Sands states in his treatise:

"[T]he acquiescence of the legislature seems to be of small consequence where there is no evidence to the effect that the statute or contemporaneous interpretation was called to the legislature's attention 'ratification by appropriation is not favored and will not be accepted where prior knowledge of the specific disputed action cannot be demonstrated clearly': D.C. Federation of Civic Assns, Inc. v. Airis, 391 F.2d 478 (D.C. Cir. 1968)." Sands, 2A Statutes and Statutory Construction § 49.10 at p. 261 (emphasis added).

The reason for this refusal to accept ratification by Congressional nonaction is discussed in Schiaffo v. Helstoski, 350 F. Supp. 1076 (D.N.J. 1972), an action by a candidate for Congress alleging violations of the franking privilege by the incumbent candidate. In upholding the plaintiff's narrow interpretation of the federal franking provision against the defendant's broader interpretation which was based in part on actual usage, the court stated:

"A law must set cognizable standards so as to be able fairly to regulate conduct and afford public scrutiny. When standards are so broad or vague so as not to be understood, they may be struck down as constitutionally infirm. Importing practice or usage into statutory construction would impart the same kind of infirmity. If a law passed by Congress can be changed and altered, not by official legislative Act, but rather by practice or usage, no scrutiny over legislative action is ever afforded the public. Congress can legislate by legislative act alone." 350 F. Supp. at 1094 (emphasis added).

Thus, courts have been reluctant to adopt administrative constructions of statutes that are outside the scope of congressional intent as evidenced by legislative history or the actual wording of the statute. As one court put it:

"'[J]udicial obeisance to administrative action cannot be pressed so far' as to justify adoption of an administrative construction that 'flies in the face of the purposes of the statute and the plain meaning of its words.'" March v. United States, 506 F.2d 1306, 1316 (D.C. Cir. 1974).

In March teachers in the Defense Department's overseas dependents schools system brought a class action challenging methods used by the Department of Defense to fix basic salaries. The plaintiffs alleged the Department's practices were inconsistent with the Overseas Teachers Pay and Personnel Practices Act. Agreeing, the court noted:

"To accept the Department's interpretation respecting the stateside salary year on which ODS teachers' salaries are to be computed would be to forsake the unmistakable mission of the Act We find the Act and the committee reports clear and unequivocal as to the intent of Congress, and our duty is to give that intent full effect." 506 F.2d at pp. 1316-1317 (emphasis added).

The plain result of this line of cases is that where the desire of Congress in enacting a statute is reasonably clear, an agency interpretation contrary to that desire cannot be given

customary deference, no matter how long standing the interpretation. Courts simply will not condone administrative redrafting of statutes by ratifying interpretations contrary to legislative intent.

The last avenue of legal argument supporting use of the parole statute on an open-ended basis that has been researched is one of analogy to criminal laws that have fallen into disuse. It had been hoped that where a criminal statute had not been enforced over a very long period of time, subsequent prosecution under the law would not be upheld despite the plain meaning of the statute's words. Case law indicates, however, that where criminal laws so long in disuse as to be no longer known to exist are enforced, that condition is merely an ameliorating factor in enforcement and has no bearing on the continuing validity of the laws. District of Columbia v. Thompson Co., 346 U.S. 100, 117 (1952). Thus, the judiciary's abhorrence of the alteration of laws by practice or usage (or here by non-practice or non-usage) is again demonstrated.

It should be noted parenthetically that arbitrary changes in the enforcement of laws may provide grounds for argument under the Constitution's equal protection clause. Thus, aliens in the United States (who enjoy the full benefits of the equal protection clause) might challenge the sudden cessation of use of the parole authority for one group of people (here, the Indochinese "boat people") as discriminatory in view of the long history of admission of other nationality groups. However, even assuming that such a group of plain-

tiff-aliens could prove no rational basis for the change in policy and thereby win the lawsuit, such a victory would have no direct and immediate impact on refugees outside the territory and jurisdiction of the United States.

III Summary

The legislative history and the actual wording of the parole statute strongly support the conclusion that the intent of Congress was to authorize the Attorney General to act only in emergent, individual and isolated situations. The use of the parole authority by the executive branch and attorneys general over a long period of time to allow large groups of refugees to be paroled on an open-ended basis was contrary to the legislative intent. There is support for the view that a statute should not be confined in its operation solely to what was within the contemplation of the legislature which enacted it. And, it is an established doctrine of statutory interpretation that the construction of a statute by those charged with its execution should be accorded great deference.

However, the weight of the case law argues against the success of that argument where the administrative interpretation is contrary to original legislative intent and to the plain meaning of the statute's words. Neither the theory of estoppel nor the theory of congressional ratification by acquiescence is likely to be successful. And, given the current Attorney General's interpretation, the prior long standing use of the statute to parole large groups of refugees loses much of its force.

Absent explicit congressional amendment, there is little support for the case that the statute creating the parole authority must today be interpreted as contemplating the immigration of classes or groups of aliens.





DEPARTMENT OF STATE

Washington, D.C. 20520

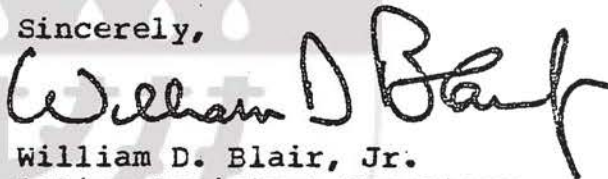
August 21, 1978

Mr. Leo Cerne, Chairman
International Rescue
Committee, Inc.
386 Park Avenue South
New York, New York 10016

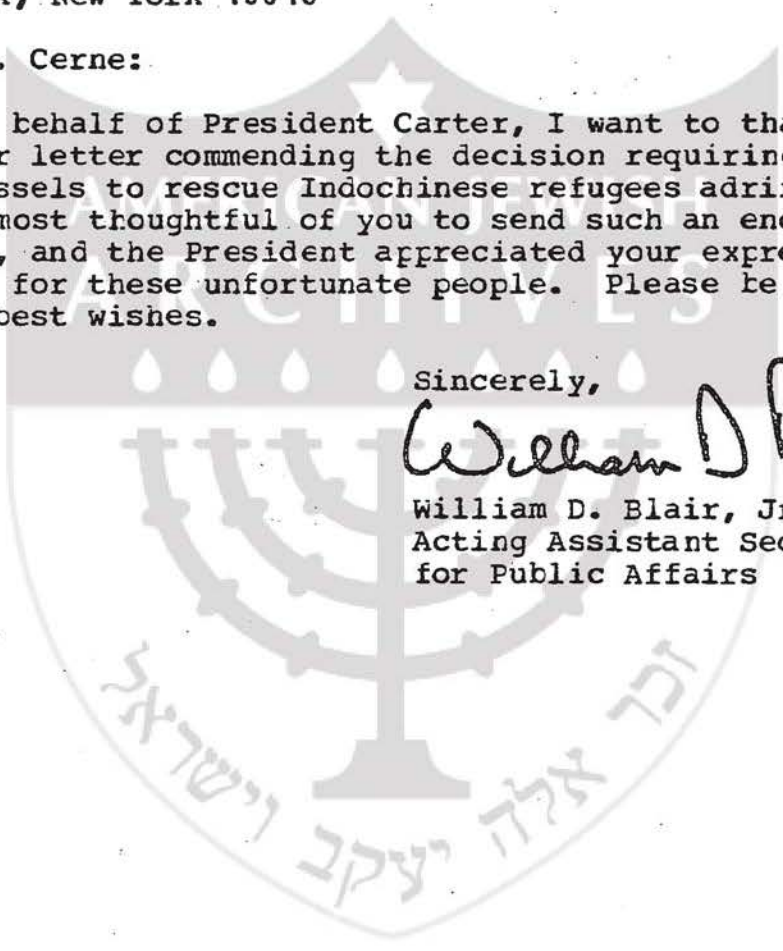
Dear Mr. Cerne:

On behalf of President Carter, I want to thank you for your letter commending the decision requiring U.S. vessels to rescue Indochinese refugees adrift at sea. It was most thoughtful of you to send such an encouraging message, and the President appreciated your expression of concern for these unfortunate people. Please be assured of our best wishes.

Sincerely,



William D. Blair, Jr.
Acting Assistant Secretary
for Public Affairs



Teinbaum

ADDRESS BY SHEPARD C. LOWMAN
DIRECTOR
OFFICE OF REFUGEE AND MIGRATION AFFAIRS
DEPARTMENT OF STATE
BEFORE THE
AMERICAN JEWISH
NATIONAL CONFERENCE OF THE
LUTHERAN IMMIGRATION AND REFUGEE SERVICE
IN
MADISON, WISCONSIN
AUGUST 21, 1978
6 P.M.



LADIES AND GENTLEMEN:

I AM PLEASED AND HONORED TO APPEAR BEFORE YOU THIS EVENING TO DISCUSS THE MANY DIFFICULT REFUGEE AND RESETTLEMENT PROBLEMS WHICH WE FACE NOW AND INTO THE FUTURE. THE MAGNITUDE OF THESE PROBLEMS PRESENTS US WITH A GREAT OPPORTUNITY FOR COMPASSIONATE SERVICE TO THOSE OF OUR FELLOWS WHO HAVE BEEN PERSECUTED AND CAST OUT BY THE TURMOIL OF OUR TIME IN MANY COUNTRIES AROUND THE WORLD. THEIR COMPLEXITY PRESENTS A REAL CHALLENGE TO ALL OF US TO FASHION A RESPONSE WHICH IS HUMANE, EQUITABLE AND EFFICIENT.

IT IS PARTICULARLY APPROPRIATE THAT WE DISCUSS THESE MATTERS AT THE NATIONAL CONFERENCE OF LUTHERAN IMMIGRATION AND REFUGEE SERVICE. OVER THE PAST THREE YEARS DURING WHICH I HAVE WORKED ON REFUGEE MATTERS IN THE BUREAU OF HUMANITARIAN AFFAIRS IN THE DEPARTMENT OF STATE, I HAVE SEEN AN ALREADY CLOSE WORKING RELATIONSHIP BETWEEN THE VOLUNTARY AGENCIES AND THE OFFICE OF REFUGEE AND MIGRATION AFFAIRS CONTINUE TO GROW AND BECOME EVER MORE FRUITFUL. A DAY DOES NOT PASS WITHOUT ONE OR MORE CONTACTS BETWEEN THE VOLUNTARY AGENCIES AND MYSELF OR OTHER MEMBERS OF THE OFFICE. SOMETIMES THESE ARE INFORMATIONAL OR OPERATIONAL QUESTIONS ON MATTERS

OF MUTUAL INTEREST. OFTEN, HOWEVER, AND INCREASINGLY SO, WE FIND OURSELVES IN REGULAR CONSULTATION ON POLICY, LEGISLATIVE AND BUDGETARY MATTERS STILL IN THE FORMATIVE STAGE. THUS, THE VOLUNTARY AGENCIES ARE, IN A VERY REAL SENSE, PARTNERS IN THE FORMULATION OF BOTH REFUGEE AND RESETTLEMENT POLICIES. IT IS, OF COURSE, IMPORTANT IN ANY AREA OF PUBLIC POLICY FORMULATION TO HAVE THE INPUT OF THE PRIVATE SECTOR AT AN EARLY STAGE. IT IS ENORMOUSLY IMPORTANT IN THE AREA OF REFUGEES AND RESETTLEMENT POLICY SINCE THE VOLUNTARY AGENCIES WILL BE CALLED UPON TO ACT AS PARTNERS WITH THE GOVERNMENT IN THE EXECUTION OF SUCH POLICIES ONCE THEY ARE APPROVED.

IN PAYING TRIBUTE TO THE PRODUCTIVITY OF THE INTERCHANGE OF VIEWS ON POLICY MATTERS WHICH WE HAVE ENJOYED OVER THE PAST YEARS, HOWEVER, I MUST GO ON TO SAY THAT I BELIEVE THAT BOTH WE, IN THE EXECUTIVE BRANCH, AND YOU, IN THE VOLUNTARY AGENCIES, HAVE FAILED TO SUFFICIENTLY EXTEND THESE INTERCHANGES AND CONSULTATIONS TO OTHER IMPORTANT AREAS INVOLVED IN THE FORMULATION AND EXECUTION OF REFUGEE AND RESETTLEMENT POLICIES. THE MOST IMPORTANT OF THESE IS IN THE CONGRESS. INCREASINGLY, MEMBERS OF THE CONGRESS ARE SHOWING CONTINUING AND DEEP INTEREST IN REFUGEE AND RESETTLEMENT MATTERS. ON MORE THAN ONE OCCASION

AND IN MORE THAN ONE COMMITTEE, MEMBERS HAVE EXPRESSED THEIR FRUSTRATION ABOUT WHAT THEY VIEW AS INADEQUATE CONSULTATION.

MOST OF US, OF COURSE, HAVE FREQUENT CONTACTS WITH THE CONGRESS. THERE HAS BEEN, I AM SURE, THE SAME WILL ON THE PART OF THE VOLUNTARY AGENCIES AS THERE IS ON THE PART OF THE EXECUTIVE BRANCH TO BE RESPONSIVE TO THE DESIRE OF THE CONGRESS TO BE INFORMED IN THIS FIELD. WE, FOR OUR PART, HAVE ATTEMPTED TO FULLY ANSWER REQUESTS FROM THE CONGRESS FOR INFORMATION AND EXPLANATION OF OUR POLICIES. WHEN REQUESTING LEGISLATION, APPROPRIATIONS OR CONCURRENCE IN OTHER MATTERS OF IMPORTANCE TO US, SUCH AS PAROLE ACTIONS FOR THE ADMITTANCE OF REFUGEES, WE HAVE TRIED TO BRIEF THE RELEVANT STAFF AND MEMBERS OF THE CONGRESS ADEQUATELY.

I BELIEVE THAT THE PROBLEM LIES NOT IN A WILLINGNESS TO BE FORTHRIGHT AND RESPONSIVE TO THE CONGRESS BUT RATHER IN THE STAGE AT WHICH WE HAVE HERETOFORE INVOLVED THE CONGRESS IN THE FORMULATION OF REFUGEE AND RESETTLEMENT POLICIES. TOO OFTEN, WE HAVE GONE TO THE CONGRESS WITH OUR IDEAS, PROPOSALS AND PLANS ALREADY FULLY FORMULATED AFTER EXTENSIVE DISCUSSION AND CONSIDERATION BOTH WITHIN THE

EXECUTIVE BRANCH AND WITH THE VOLUNTARY AGENCIES. IT IS EXTREMELY DIFFICULT FOR THE CONCERNED MEMBERS AND STAFF OF THE CONGRESS TO MAKE A POSITIVE AND CREATIVE INPUT INTO POLICY FORMULATION AT THIS STAGE.

IT HAS BECOME MORE AND MORE CLEAR THAT THIS WILL NO LONGER SUFFICE. WE IN THE EXECUTIVE BRANCH WHO DEAL WITH REFUGEE AND RESETTLEMENT MATTERS WILL HAVE TO MAINTAIN AN INCREASINGLY CLOSE AND REGULAR CONTACT WITH THE CONGRESS ON THESE MATTERS DURING THE EARLY STAGES OF POLICY FORMULATION IF WE ARE TO EXPECT AN UNDERSTANDING AND PRODUCTIVE RESPONSE. I WOULD URGE THE VOLUNTARY AGENCIES ALSO TO PURSUE SUCH CONTACTS ON A MUCH MORE REGULAR BASIS. IF WE ARE TO BRING THE CONGRESS MORE FULLY INTO THESE MATTERS OF GREAT CONCERN TO US, THEN WE MUST BE PREPARED TO CHANGE OUR PRIORITIES AND THE ALLOCATION OF OUR TIME IN ORDER TO BRING THEM IN AT THE BEGINNING OF OUR DELIBERATIONS AND NOT AT THE END. I HAVE NO DOUBT, THAT SUCH AN EFFORT WILL BE REWARDED BY A VERY PRODUCTIVE INTERRELATIONSHIP.

THE SECOND AREA WHICH I BELIEVE HAS BEEN GIVEN INADEQUATE ATTENTION IS THAT OF INTERCHANGE BETWEEN THE FEDERAL GOVERNMENT, THE VOLUNTARY AGENCIES AND STATE WELFARE AGENCIES INVOLVED IN REFUGEE RESETTLEMENT.

IN A NUMBER OF RECENT MEETINGS WITH MEMBERS OF THE COALITION FOR AN EFFECTIVE INDOCHINESE RESETTLEMENT, I HAVE BEEN VERY IMPRESSED BY THE POSITIVE AND CREATIVE WAY IN WHICH STATE WELFARE OFFICIALS ARE VIEWING THE FUNDS MADE AVAILABLE THROUGH THE INDOCHINESE REFUGEE ASSISTANCE PROGRAM. THESE OFFICIALS MAKE A VERY BASIC DISTINCTION BETWEEN THEIR EXPERIENCE WITH THE NORMAL WELFARE CASELOAD, MANY OF WHOM ARE HARD CORE WELFARE CASES FOR WHOM LITTLE CAN BE DONE OTHER THAN SIMPLE MAINTENANCE -- AND THE OPPORTUNITIES PRESENTED BY THE REFUGEE PROGRAM. THESE OFFICIALS ARE EXTREMELY OPTIMISTIC IN VIEWING A REFUGEE CASELOAD AS A LARGELY TRANSITORY ONE. THUS, THEY VIEW THE PROVISION OF WELFARE FUNDS THROUGH THE INDOCHINESE REFUGEE ASSISTANCE PROGRAM AS A MECHANISM FOR THE SUPPORT OF THE REFUGEE DURING HIS INITIAL PERIOD OF RESETTLEMENT AS HE DEALS WITH THE PROBLEMS WHICH HE MUST SOLVE IN ORDER TO MOVE INTO THE PRODUCTIVE MAINSTREAM OF AMERICAN LIFE. THE EXPERIENCE WHICH WE HAVE HAD WITH THE RISING PRODUCTIVITY OF THE INDOCHINESE REFUGEE POPULATION OVER THE PAST THREE YEARS AND THE FALLING PERCENTAGE OF SUCH FAMILIES REQUIRING CONTINUING WELFARE ASSISTANCE SUGGEST THAT SUCH OPTIMISM IS JUSTIFIED.

WHILE THERE IS OBVIOUSLY SOME INTERCHANGE BETWEEN THE VOLUNTARY AGENCIES AND THE STATE WELFARE OFFICIALS AND SOME BETWEEN THE FEDERAL GOVERNMENT AND THESE OFFICIALS, THESE APPEAR TO BE HAPPENSTANCE AND FAR LESS COMMON THAN WOULD SEEM DESIRABLE AND PRODUCTIVE. I BELIEVE THAT ALL OF US AND ESPECIALLY THE VOLUNTARY AGENCIES WOULD BE WELL SERVED IF AN EFFORT COULD BE MADE TO DEVELOP MECHANISMS WHICH PROVIDE AN INSTITUTIONAL FRAMEWORK FOR A MUCH MORE COMPREHENSIVE AND REGULARIZED INTERCHANGE WITH THE STATES ON REFUGEE AND RESETTLEMENT MATTERS. SUCH AN INITIATIVE MIGHT WELL COME FROM THE STATE GOVERNMENTS IN THE FORM OF DESIGNATIONS BY THE GOVERNORS OF STATES PARTICULARLY CONCERNED IN REFUGEE MATTERS OF A POINT WITHIN THE STATE GOVERNMENT WHICH COULD SERVE A COORDINATION FUNCTION BETWEEN THE STATE AND PRIVATE AND VOLUNTARY SECTOR. FROM WHATEVER POINT SUCH AN INITIATIVE MIGHT ARISE, HOWEVER, I WOULD URGE THAT ALL OF US BE ALERT TO THE DESIRABILITY OF INCLUDING THESE OFFICIALS IN THE PROCESS OF POLICY DELIBERATIONS ON A MORE THOROUGH GOING BASIS, AS WELL AS DEVELOPING BETTER COORDINATION MECHANISMS FOR THE DAY TO DAY IMPLEMENTATION OF SUCH POLICY.

IN ADDITION TO BROADENING THE FORUM FOR OUR POLICY DELIBERATIONS, I BELIEVE WE MUST ALSO REEXAMINE MANY OF OUR PRESENT POLICIES AND PRACTICES.

PARTICULAR POLICIES AND WAYS OF DOING THINGS HAVE OFTEN GROWN UP IN RESPONSE TO THE PECULIAR CIRCUMSTANCES OF A PARTICULAR REFUGEE SITUATION. THESE PECULIARITIES THEN BECOME IMBEDDED IN HISTORICAL PRACTICE AND VESTED BUREAUCRATIC INTERESTS. THIS IS NOT TO SAY ALL REFUGEE PROGRAMS SHOULD BE THE SAME. REQUIREMENTS DIFFER. THE CIRCUMSTANCES UNDER WHICH PROGRAMS ARE CARRIED OUT DIFFER AND OUR PERCEPTION OF OUR NATIONAL INTERESTS IN REFUGEE POLICY, WHILE RECOGNIZING BROAD HUMANITARIAN OBLIGATIONS, DIFFER WITH THE VARIOUS PARTICULAR SITUATIONS WITH WHICH WE MUST DEAL. NEVERTHELESS, THERE ARE QUESTIONING VOICES NOW, FROM MANY QUARTERS, AS TO THE CONTINUING VALIDITY OF DIFFERING RESETTLEMENT PROGRAMS IN THE UNITED STATES FOR DIFFERING GROUPS OF REFUGEES. I BELIEVE WE MUST PUT OUR HEADS TOGETHER AND EITHER CONFIRM THAT WE ARE ON A PROPER COURSE OR WORK TOWARDS A CONSENSUS ON A NEW AND MORE GENERAL POLICY FOR REFUGEE RESETTLEMENT IN THE UNITED STATES.

IN THIS CONNECTION, I BELIEVE THE VOLUNTARY AGENCIES, WOULD BE WELL ADVISED TO REEXAMINE THEIR OWN RESETTLEMENT PRACTICES BOTH WITH A VIEW TO DEVELOPING BETTER AND STRONGER COORDINATING MECHANISMS AT THE GRASS ROOTS OF RESETTLEMENT WHICH CAN INVOLVE

ALL OF THE AVAILABLE VOLUNTARY RESOURCES OF THE COMMUNITY AND WITH A VIEW TO THE ADVISABILITY OF DEVELOPING A GREATER CONFORMITY AMONG THEMSELVES AS TO THE BENEFITS THE REFUGEES MIGHT EXPECT. (CLEARLY, THE VOLUNTARY AGENCIES ARE HIGHLY INDIVIDUALISTIC IN THEIR STRUCTURE AND PRACTICES, FOR REASONS DERIVING FROM THEIR VERY GENESIS. THIS IS A SOURCE OF THEIR VITALITY AND MUST BE ENCOURAGED RATHER THAN DISCOURAGED. NEVERTHELESS, DIFFERENCES IN THE MOST OBVIOUS BENEFITS, SUCH AS CASH AND OTHER IMMEDIATE BENEFITS PROVIDED THE REFUGEE, DO GIVE RISE TO INVIDIOUS COMPARISONS AND EVEN TO QUESTIONS OF EQUITY AMONG REFUGEES, SPONSORS AND SYMPATHETIC BUT UNINFORMED OBSERVERS. TO THE EXTENT THAT SUCH PRACTICES CAN BE HARMONIZED, IT WOULD BE USEFUL TO DO SO. WHERE THEY CANNOT, CARE SHOULD BE TAKEN TO PROVIDE AN EXPLANATION OF THE DIFFERENCES.

SUCH AN EFFORT TO IMPROVE AND BROADEN OUR CONSULTATIVE PROCESS AND TO HARMONIZE AND RATIONALIZE OUR REFUGEE AND RESETTLEMENT POLICIES IS NOT ONLY DESIRABLE BUT URGENTLY NEEDED IN LIGHT OF THE MAGNITUDE OF THE PROBLEMS FACING US. AS POLITICAL INSTABILITY RISES, SO TOO DOES THE FLOOD OF DISPOSSESSED WHO HAVE SUCH A DESPARATE NEED OF OUR OUTSTRETCHED

HAND. AS THE PROBLEMS MULTIPLY AND MAGNIFY, THEY ALSO TAKE ON QUALITATIVE CHANGES.

IN AFRICA, THE NUMBERS OF REFUGEES GROW EVER LARGER AND THE PROGNOSIS FOR THE FUTURE REMAINS CLOUDY AND GRIM. AS THE NUMBERS CLIMB WE SEE THE STRAIN PLACED ON THE FRAGILE INFRA-STRUCTURE OF THE DEVELOPING COUNTRIES WHICH HOST THE REFUGEES, AND WE MUST ASK OURSELVES WHETHER A HUMANITARIAN POLICY BASED ON BASIC CARE AND MAINTENANCE WILL CONTINUE TO SUFFICE OR WHETHER NEW AND MORE IMAGINATIVE POLICIES SHOULD NOT BE SOUGHT.

IN LATIN AMERICA, WE FIND OURSELVES ASSISTING A DIFFERENT TYPE OF REFUGEE, ONE WHO IS FLEEING AN AUTHORITARIAN RIGHTIST REGIME. WE ARE DEVELOPING HERE NEW CONCEPTS, BASED ON DEFINITIONS OF A REFUGEE WHICH ENCOMPASS A DETAINEE IN HIS OWN COUNTRY OF ORIGIN WHO IS SUBJECT TO POLITICAL PERSECUTION BUT WHO'S RELEASE AND EXIT FROM THE COUNTRY CAN BE NEGOTIATED.

ONE OF THE GREAT HUMAN TRAGEDIES OF OUR TIME IS PLAYING ITSELF OUT IN INDOCHINA. THE COUNTRIES OF CAMBODIA, LAOS AND VIETNAM ARE FOLLOWING THEIR VARIOUS ROADS TO THEIR MARXIST MODEL, AND THOSE THAT DO NOT

FIT ARE ELIMINATED IN ONE WAY OR ANOTHER.

IN URGING THE CASE FOR A SPECIAL PAROLE FOR CAMBODIAN REFUGEES, CONGRESSMAN SOLARZ HAS RECENTLY SPOKEN OF THE "AUTOGENOCIDE" IN CAMBODIA; AN APT THOUGH TERRIFYING TERM. THE KILLING CONTINUES; SENSELESS, OFTEN UNEXPLAINED EVEN TO THOSE KILLED -- AND UNEXPLAINABLE. THE SITUATION IS ACTUALLY SO HORRIFYINGLY BAD THAT FEW CAMBODIAN REFUGEES ARE ABLE TO MAKE THEIR WAY TO SAFETY IN THAILAND.

LAOS ALSO PRESENTS US WITH A GRIM PICTURE, THOUGH FAR MORE REFUGEES SUCCEED IN ESCAPING. THE HMONG HILL PEOPLE OF LAOS ARE UNDER ACTIVE MILITARY PRESSURE, AND, UNABLE TO CONTINUE THEIR RESISTANCE, MORE AND MORE FLEE TO THAILAND. THE LAO PEOPLE, FACED WITH EVER INCREASING AUTHORITARIANISM AND THE PERVASIVE PRESENCE AND INFLUENCE OF VIETNAMESE MILITARY FORCES AND OFFICIALS, ALSO CONTINUE TO LEAVE LAOS IN A STEADY FLOW.

FINALLY, THERE IS THE DRAMATIC OUTPOURING OF REFUGEES BY BOAT FROM VIETNAM; A SIGNAL EVENT IN THE HISTORY OF REFUGEE AFFAIRS. IT DEMANDS OUR ATTENTION. REACTING TO THE EVER INCREASING PRESSURES OF COMMUNIST AUTHORITARIANISM, THESE REFUGEES RISK THEIR LIVES AND

THOSE OF THEIR LOVED ONES TO ESCAPE. THEY LEAVE IN SMALL UNSEAWORTHY BOATS, OFTEN RIVER BOATS NOT MEANT FOR SUCH SEAS AND BADLY MAINTAINED. THEIR SUPPLIES ARE INADEQUATE. THEY FACE STORMS AT SEA, THE DEPREDATIONS OF PIRATES AND, AT BEST, A GRUDGING RECEPTION UPON THEIR ARRIVAL IN A COUNTRY OF ASYLUM.

I HAVE RECENTLY RETURNED FROM AN EXTENSIVE TOUR OF SOUTHEAST ASIA DURING WHICH I TALKED WITH MANY OF THESE REFUGEES. THERE IS NO QUESTION BUT THAT THEY FULLY UNDERSTOOD THE RISKS WHICH THEY WERE UNDERTAKING BEFORE THEY LEFT ON THEIR VOYAGES. YET THEY CONTINUE TO COME IN A STEADY FLOW WHICH THREATENS TO OVERWHELM THE HOSPITALITY OF THE COUNTRIES OF ASYLUM IN THE AREA. EVEN NOW THERE ARE OVER 15,000 BOAT REFUGEES IN THE CAMPS OF MALAYSIA ALONE. IT IS URGENT, THEREFORE, THAT OUR OWN RESPONSES KEEP PACE WITH THE NEED SO THAT COUNTRIES SUCH AS THAILAND AND MALAYSIA CAN FEEL AN ASSURANCE THAT THE STAY OF THESE BOAT REFUGEES IS ONLY A TEMPORARY ONE AND THAT EVENTUALLY THEY WILL BE RELIEVED OF THIS BURDEN.

IN ADDITION TO THESE NEW FLOWS OF REFUGEES FROM SOUTHEAST ASIA, THE MORE TRADITIONAL FLOW OF REFUGEES FROM THE SOVIET UNION AND EASTERN EUROPE HAS GROWN IN RECENT YEARS. IN APRIL, THE ADMINISTRATION INDICATED

AN INTEREST IN LEGISLATION REVISING THE REFUGEE PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT TO REPLACE THE SEVENTH PREFERENCE WITH PROVISIONS FOR A NORMAL FLOW OF REFUGEES OF UP TO 50,000 PER YEAR WHILE RETAINING THE ESSENTIAL PROVISIONS OF THE PAROLE POWER FOR AN EMERGENCY. RECENT EVENTS STRONGLY SUGGEST THAT SUCH A REFUGEE QUOTA WOULD BE FULLY SUBSCRIBED FOR SOME YEARS TO COME. IMPORTANT AS IT IS TO MEET THESE COMPELLING HUMANITARIAN REQUIREMENTS, THEY DO PLACE A HEAVY BURDEN ON THE RESETTLEMENT AGENCIES. THE AGENCIES RESPONSE, TO DATE, HAS BEEN MAGNIFICENT. THE PROSPECT THAT THESE DEMANDS WILL EXTEND WELL INTO THE FUTURE, HOWEVER, MAKES IT EVER MORE DESIRABLE TO ASSURE A BROADLY BASED CONSENSUS FOR OUR POLICIES AND PRACTICES AND A WELL COORDINATED FRAMEWORK FOR THE IMPLEMENTATION OF OUR RESETTLEMENT PROGRAMS.

WE WILL LOOK FORWARD TO WORKING CLOSELY WITH ALL OF YOU ON THIS IMPORTANT TASK.

INTERNATIONAL RESCUE COMMITTEE

x 3

386 PARK AVENUE SOUTH • NEW YORK, N. Y. 10016 • (212) 679-0010

To: Leo Cherne
Info: Carel, Al
From: R. P. DeVecchi

Date: Oct. 12, 1978
Subject: Malaysia Program Report

Attached is a report from Galen Beery in Malaysia. While some of it deals with program problems, there is a good description on the present overall situation. Also, the articles attached are of interest as well.

BBB New.



JOINT VOLUNTARY AGENCY REPRESENTATIVE

ACVAF:
OCT-5-1978

Office:
AIA Building, Rm. 804
Jalan Ampang,
Kuala Lumpur 01-02
Tel: 26321 Ext. 219, 119

INDOCHINESE RESETTLEMENT PROGRAM

Mailing Address:
c/o American Embassy
P. O. Box 35
Kuala Lumpur, Malaysia.

To: Mrs. Eva Kelley, ACVA, for all agencies.

Date: 14 September 1978

Fm: Galen Beery, JVAR, Malaysia

Re: Malaysian Refugee Program: August, 1978

Beginning on August 13, JVAR and Embassy officers were deployed along the east coast of Malaysia for a new 'sweep' through all refugee camps. Over 3,500 persons were accepted under the program criteria. Since all available personnel were either on the east coast or, later, in Sarawak or Sabah, Borneo, responses to questions in memos and telexes from ACVA and volags were a bit delayed. We have caught up since returning to Kuala Lumpur with files.

As it stands, movement requirements have been strict along program lines - move IPP-77 cases first, then IPP-78. As of today we have no official word on funding of the LRP program but expect it soon. In anticipation, hundreds of LRP-assured refugees have been moved to KL, and the transit centers have been expanded to cram in over 1,200 refugees awaiting movement to the U.S. and to Australia.

LRP movement will emphasize movement of CAT I cases first - followed by CAT II and III's if numbers are available. As soon as they are gone, CAT IV's can receive numbers. What this means that many of the CAT IV cases accepted this last month may not move for six months or more, since CAT I cases will continue to take precedence. From a volag viewpoint, movement of the CAT I cases will ease some of the strain from anxious relatives - but CAT IV cases, i.e. married siblings who have been rejected by other countries, can move only after CAT I, II, and III cases move....

The sweep from August 13 to September 12 showed changes at each camp to accommodate refugees. In Kota Bahru, numerous barracks have been built on the ground of an old folks' home, and refugees are now adequately housed. In Trengganu, to the south, July arrivals have been moved to a jungled island, Pulau Bidong, which is difficult to get to. The large camp at Pulau Besar is expected to decrease in size as departures continue, and finally close - but this should take some months. The island of Pulau Tengah, near Mersing, is gradually being encircled by huts built by refugees to supplement the limited shelter of the seven UNHCR-constructed longhouses. The camp at Kuching is now up to 500 refugees again, with the arrival of two boats: another large boat arrived at Kota Kinabalu, Sabah, and the island camp near Labuan is being reopened.

Several facts emerged from the sweep, although concentration was on processing the cases by INS. First, the number of boats has declined, but the number of ~~refugees in each boat increased. When boats of 25-50 arrived in 1977, we are~~ now receiving boats of 250 or more persons. Refugee reports indicate that Vietnamese government officials appear to be aiding (and profiting from) the mass exodus of urban Chinese merchants disposed by new edicts.

ACVA

14 September 1978

Page 2

Second, there seems to be a definite pattern of families departing en masse to follow those fortunates who are now in the U.S. or other countries. In numerous interviews, we were informed of family members who had left Viet-Nam and ended up, several weeks before, in other Malaysian camps or in Singapore - all following one relative now in the U.S. The program to locate scattered family members for final reunification elsewhere is becoming complex since we must tie together files made at different times and places.

Australian officials are taking a harder stand on new arrivals. Their transit facilities are still packed with earlier arrivals who have neither learned English nor secured a job and become self-supporting. So if a new refugee has a relative in Australia, acceptance is not automatic. The relatives - even parents or siblings - may simply be rejected, and somewhat stunned by this decision, most are then sworn in by INS under the American program. (One sometimes envies the Australian stance after seeing letters from U.S. relatives which describe in glowing terms the availability and permanence of U.S. welfare programs.)

The problem of unaccompanied children has been exacerbated by what seems to be a trend for otherwise unqualified families in Viet-Nam to pay three to ten taels of gold to send one or two disposable minors out as anchors. When a minor is accompanied by an older sibling, or a close relative such as an uncle, these cases have been accepted. Those with an uncle or aunt in the U.S. have also been accepted (in one case, a documentable second cousin). But genuine unaccompanied minors - such as a winsome 15-year-old Chinese girl, with parents and nine siblings in Cholon - are being deferred from consideration until the question of unaccompanied children can be better dealt with. IIRS' movement of such children to certain foster home facilities is to be commended.

The recent typhoons along the Vietnamese coast appear to have slowed departures. But lives are still being lost in tragedies. The overturned hull of a Vietnamese fishing boat, with no sign of life, was sighted far at sea by another group which did land. Early in September, a Liberian freighter picked up 54 refugees in the South China Sea (see attached story). One of the few English-speakers on board graphically described to the UNHCR representative and me the agony of spreading towels on the deck to soak up rainwater, of pushing corpses overboard (twenty-two died - 11 from one family), and of watching ships pass as they drifted across shipping lanes. Some said they had sighted fifty ships - others said that the number was more like 70. I do know that the bloated bellies and shrunken arms of the children reminded me of Biafra, or Buchenwald.

Biodata on approximately 3,000 persons approved by INS this last sweep should be sent to ACVA in the next several weeks. We're presently checking to ensure that names of friends, relatives, potential sponsors and volags are complete.

would make it much more helpful. (1) Place the name of the original sponsoring volag next to the A-number, and (2) print it on a letterhead. (We often receive a dozen affidavits from a single office, under a cover letter, and must go thru marking down an indication on each affidavit so we know where it originated.)

Attachment: news articles.

[start]

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three months alone, close to 10. Vietnamese have landed at points along the Malaysian coastline — 3 in May, 2,600 in June and a staggering 4,100 in July.

Tran Dinh Tho, the 36-year skipper of a boatload of refugees picked up by a U.S. Navy frigate in the Gulf of Thailand two weeks ago, told ASIaweek's John McBeth in Bangkok. "In the last two months, Saigon was full of stories that the communists were encouraging many of the Chinese people to leave." Other informants who have talked with recent arrivals say there have been instances in which Vietnamese authorities, though plainly aware that boats were put out to sea, made no attempt to stop them.

Equally interesting is the evidence that many of the small craft are coming from Vung Tau and even Saigon (Chi Minh City), where a crackle on Chinese merchants has continued unabated since private businesses were axed by the authorities in March.

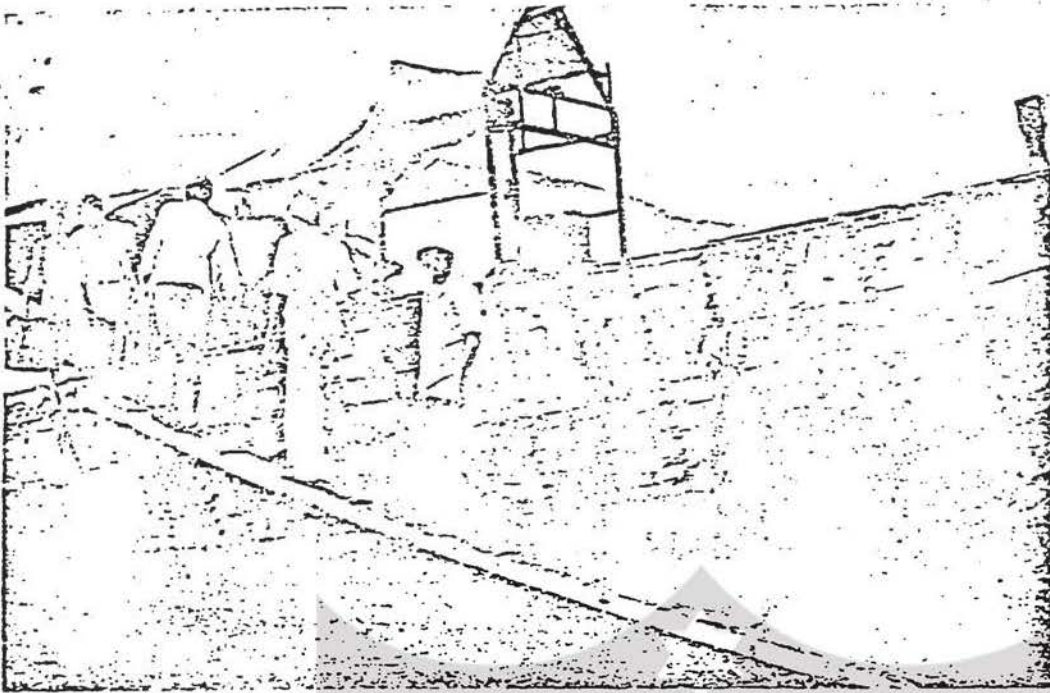
Says a Bangkok-based refugee relief official: "I find it very hard to believe that more than 4,000 people can leave from places like Vung Tau in a month without the authorities knowing about it. We'll never really know how many of these people die at sea, but we're probably talking about a lot more than 4,000."

While Tran Dinh Tho is typical of those who had to make elaborate escape plans, there are large numbers of refugees still who tell of bribing officials with hoarded gold. That's nothing new: it has been going on to some degree since war's end, and ethnic Chinese forced across the northern border into China have told how the loot, were relieved of valuables and cash.

But what disturbs onlookers are the signs that the Vietnamese authorities have no intention of ordering a halt to the bribery practices. They say it is impossible to believe that central and provincial officials in Vietnam are powerless to stop this form of "assisted passage" — particularly if it is being practised on the scale suggested by refugee accounts.

Contributing to the accelerated exodus is fear of the New Economic Zones in Vietnam. According to official Vietnamese figures, more than 21,000 people have been shunted out of Saigon since the beginning of this year. Most of them have been moved to Tay Ninh, Long An and Kien Giang provinces, which adjoin Cambodian territory; others have been sent to Minh Hai in the far southeast — a desolate expanse of mangrove swamp.

Reports reaching Bangkok tell of hundreds of lorries and buses mobilized to carry the unwilling settlers and their few personal possessions they are permitted to take with them. About 1 million people have left Saigon since it fell to communist forces in April.



Refugees Surging Tide

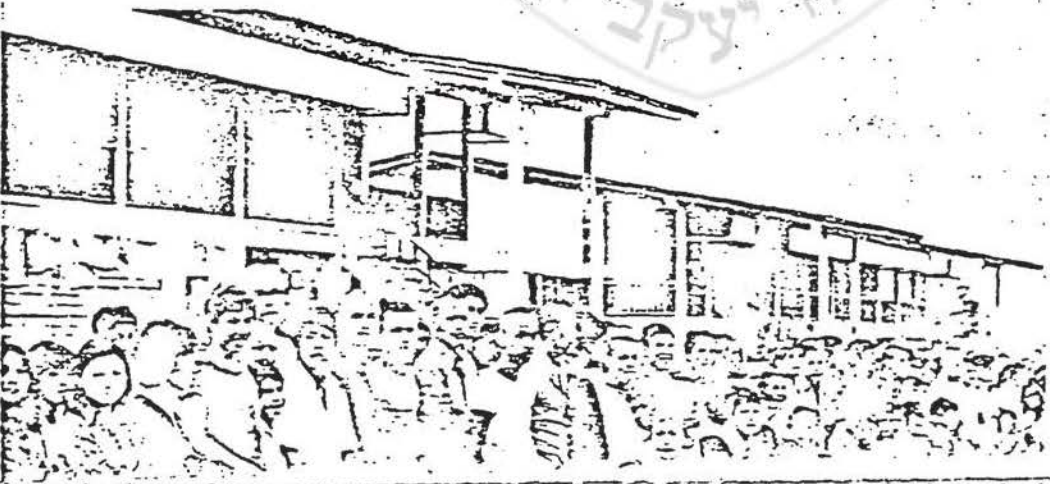
It is a question that Southeast Asian governments prefer not to ask — but can no longer avoid. Is the Vietnamese government turning a blind eye to sea escapes down south? Is it, in fact, even covertly helping boatborne runaways to leave their homeland? In light of recent developments, the consensus among officials of several countries is that that nagging fear may be rooted in grim fact.

One of the reasons for the new speculation regarding Hanoi's intentions: a sudden, record surge of refugees into Malaysia, which has now far outstripped Thailand as the main destination point. In the past

Vietnamese & their boat at Songkhla; refugees in Thai camps; Now, Malaysia is favoured



Kaspi - Asiaweek



END OF SEA

1975; 700,000 of those were moved out within a year of "Liberation." The target figure, say the Vietnamese, is 2.5 million men, women and children.

Another reason more and more refugees are trying to reach places such as Hongkong, Malaysia and Singapore is that the state has begun to confiscate private homes. As one arrival in Thailand explains it: "They take an inventory of what you've got. Then the cadres simply move in and live there with you. After that, it's only a matter of time before you're told that the buses are coming for you."

Among the 36 refugees that Tho brought with him was his 98-year-old grandmother, Phan Thi Ly, thought to be the oldest person to flee Indochina thus far. Dressed in a loose-fitting orange tee-shirt and white pyjamas, the toothless old woman told an ASIAPWEEK correspondent: "In Saigon there's not enough to eat. That's why I decided to leave. They even kicked me out of my house, and I didn't have anywhere to stay."

Tho, who is an ethnic Vietnamese rather than a so-called *Hoa*, claims he didn't fear being chosen for the New Economic Zones "because I never worked for the old government." But he adds: "The biggest problem was that they were tightening up on everything. We were being forced to go through a lot more political indoctrination."

Officials involved in refugee relief work say more and more Vietnamese are heading for Malaysia, rather than Thailand, because they know pirates lie in wait for them on the latter route. Escapees also say that Malaysian officialdom has a reputation, in Vietnam, for being reasonably sympathetic to their plight.

There are now 6,000 refugees living on Pulau Besar, a sandspit on the Kuala Trengganu coast. Despite the strenuous objections of American and United Nations officials, the security-conscious Malaysian government has now decided to move them to Pulau Redong, a waterless island about 18 mi. off the coast. It is already home for some 500 new arrivals.

Another 6,500 refugees are camped on Pulau Tinggi, a smaller island farther south off the coastal town of Mersing. Two thousand more are said to be living in emergency shelters just outside Kuching, the Sarawak capital.

Only 1,377 refugees landed on the Thai coast from May through July, and sources at the U.N. High Commission for Refugees (UNHCR) say there have been no boats since July 16. Malaysia has also reported a decrease in boat sightings during August, doubtless

because of the monsoon season in the South China Sea and the Gulf of Thailand. But nobody doubts that when weather conditions improve, the human tide will begin flowing again — under the impassive gaze of the Vietnamese government.

ORDEAL

Refugees tell of hunger, thirst and death during terrible voyage

STRAITS TIMES
6 SEP 78

FIFTY-FOUR exhausted Vietnamese suffering from dehydration came ashore at the Finger Pier yesterday after a month's ordeal at sea — and brought home immediately to all present the full tragedy of being a refugee in search of a country.

Those who could still move dragged their tortured bodies wearily as they came ashore from a tanker which picked them up in the South China Sea four days ago.

No fewer than 15 had to be carried off in stretchers for immediate transfer to Middleton Hospital.

Several among those still on their feet went silently. Most had that blank look which told of shock and unspeakable torment.

Determination

As they told it, all that kept them from succumbing to death's embrace, as did 20 of their compatriots in the same boat, was that fierce determination to set foot on land again, to breathe salt-free air and perhaps hear a bird or two sing.

They only just made it. According to Mr. Leslie Lawrence, captain of the tanker World Kingdom which rescued them, they would have died in a day or two had he and his crew not spotted them drifting in their fishing boat.

The tanker dropped anchor at the quarantine anchorage at 11 a.m. and was soon boarded by doctors, immigration officers and representatives of the United Nations High Commissioner for Refugees.

The refugees were im-

By LEE THIAN SOO

those who had thrown their loved dead overboard for a sea burial could know.

Those who could speak English told reporters of how their fishing boat was buffeted by typhoons on three separate days and how they suffered hunger, thirst, debilitating illnesses, the scorching sun and the biting cold.

Their ordeal could have been shortened if passing ships had stopped to help. But according to Mr. Bui Xuan

Diem, 47, the ships passed by. Only one, a Chinese vessel, stopped and gave them a little food, water and fuel.

Mr. Diem said he was a Lieutenant Colonel in the 30th Engineers Group of the former South Vietnamese army and decided to flee the country after he was released from a three-year prison term in April this year.

His hope now is to save up enough money to bring his wife and three children he left behind in Ho Chih Minh City out to join him one day.

Recounting the ordeal, he said his group had planned to sail to a refugee camp in Malaysia and then seek resettlement.

said Mr. Diem, who speaks English fluently.

They gathered at a lonely beach on Aug 4 at 5 a.m. as instructed by the owner of the fishing boat. Under cover of darkness, they converged on two small craft which took them to the vessel

the nightmare voyage

Discovered

The boat carried 10 days' fuel and five days' food.

But on boarding, they discovered that more than a third of the 10 litres of petrol they had collected secretly over several weeks had leaked. All agreed, however, to leave on schedule anyway.

The boat stayed near the coast for two days and, when one engine failed the next day, they decided that they should head for the shipping lanes in the South China Sea on the remaining engine and wait for rescue.

The number aboard increased by one on the seventh day when a woman gave birth to a girl, but the baby died several days later under the wretched conditions.

The next day, a woman died and this was followed by another death the next morning. "I lost count after that," said Mr. Diem.

He said each sea burial was performed in a simple ceremony as most of them are Catholics. The survivors first took from the bodies anything that could be of help to keep them alive, he added.

After they had run out of food, they depended on the sea for whatever fish they were able to catch with nets and spear.

Student

When it rained, they laid out their clothes on the deck to soak — and thus collected water.

Miss Nuyh Thi Tuyet, 25, a third-year law student before the communist takeover in 1975, said she lost a brother during the voyage.

With her here are two younger sisters and two younger brothers who she said, had all been put on the boat to escape the hardships under communist rule in their homeland.

They are looking forward to going to the United States as they have an uncle who is a businessman there.

They and the other refugees not hospitalised were taken to a camp in Hawkins Road, off Admiralty Road, 10 days ago.

ment.

The cost of their upkeep in the camp is to be borne by the UNHCR and the US Embassy.

Of their future, Mr. Diem had this to say: "We left everything behind us and had gone through hell. Now, what

through the American Embassy here, that if no country accepts them within 90 days, the United States will do so.

Sea burial

That brought some cheer—but not enough to dispel the grief that only

[end]

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THE CONSUL GENERAL
OF THE FEDERAL REPUBLIC OF GERMANY
Dr. Werner Ungerer

New York, September 29, 1978
460 Park Avenue

Mr. Leo Cherne
Research Institute of America
589 Fifth Avenue
New York, N.Y. 10036

Dear Leo :

As I have told you, I have taken up the matter of refugees from Cambodia with our Foreign Office as well as with Willy Brand and the Head of the Foreign Relations Group of the Social Democratic Party in our Parliament, Dr. Corterier.

Meanwhile, I have received information about the assistance of the Federal Republic of Germany for refugees from Indochina which I would like to transmit to you.

My government is concerned about the refugee problem in South East Asia and makes efforts through financial assistance to the Indochina Program of the United Nations High Commission For Refugees to assuage the suffering of refugees and to facilitate the burden of neighboring countries which grant asylum to these people.

The Federal Republic of Germany contributed to the U.N.H.C.-Program for Refugees from Indochina a total of 8 Mio DM. She has also paid additional 900.000 DM for transportation costs for those refugees to whom asylum in the Federal Republic had been granted. Another 500.000 DM has been contributed toward the cost of transportation of refugees to other countries. In addition to the 9.4 Mio DM of public funds, private organizations have made available assistance at the value of 15.2 Mio DM.

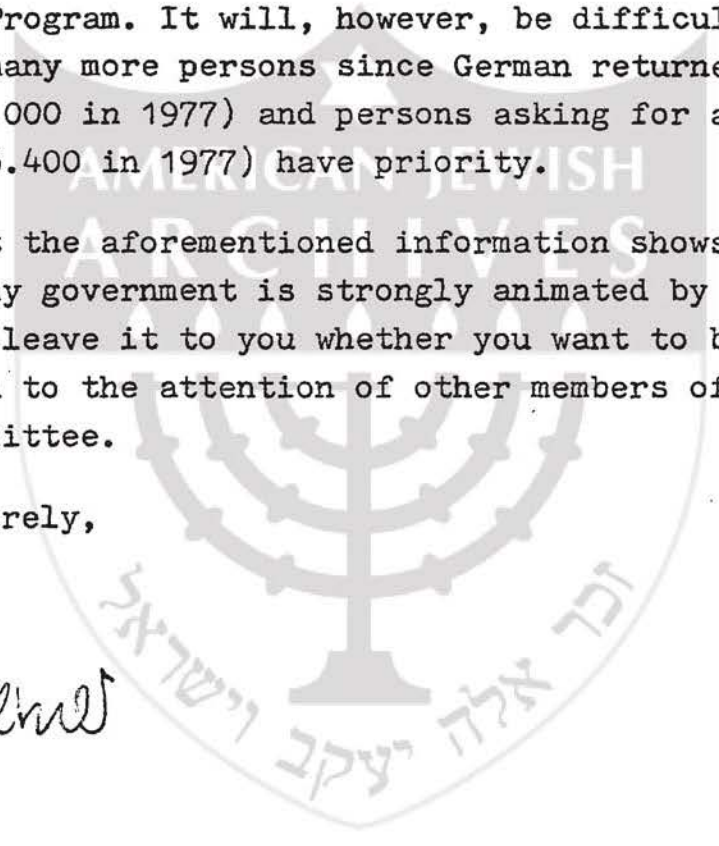
Regarding the granting of residence in the Federal Republic, 1.650 permits have been issued in the years 1975 to 78. In addition, it has been assured that those refugees who are picked up by German ships and are unable to obtain asylum in another country can come to the Federal Republic.

My government is conscious of the fact that countries granting asylum to refugees from Indochina face growing problems due to rising numbers of refugees. It will therefore continue in its efforts to reserve appropriate financial means for the U.N.H.C.R. Indochina Program. It will, however, be difficult to grant asylum to many more persons since German returnees from Eastern Europe (54.000 in 1977) and persons asking for asylum at our borders (16.400 in 1977) have priority.

I hope that the aforementioned information shows that the policy of my government is strongly animated by humanitarian reasons. I leave it to you whether you want to bring this information to the attention of other members of the International Rescue Committee.

Yours sincerely,

Werner



expressly foreseen in canon law and P.M.

All **COMMISSION**
Camps are bursting

member
Aug 23 1978

explained in a statement, did not mean some terday tha

Beato Sun

Indochina refugee flow out of hand

By MICHAEL PARKS
Sun Staff Correspondent

Bangkok, Thailand—Refugees are fleeing Indochina at a faster rate now than they can be absorbed even with the stepped-up efforts of the United States and other nations to resettle them.

Camps in Thailand, Malaysia and other Southeast Asian countries now hold nearly 150,000 refugees from Vietnam, Cambodia and Laos, and as many as 9,000 more arrive each month as conditions get tougher in the three Communist countries.

"For every refugee who is resettled, eight or nine more arrive," a senior official with the United Nations High Commission for Refugees said. "This breeds both hope and despair as people think that they too will go to America or France but then find there are even more refugees competing for the same slots."

The Carter administration is asking Congress to double the United States immigration quota for refugees from Indochina, raising it to 50,000 a year. France and Australia are being pressed to take more, and Thailand has been promised \$210 million in U.S. economic assistance to resettle 40,000 to 50,000 here over five years.

Yet, even these efforts, which might resettle more than 90,000 over the next 12 months, are viewed by refugee officials as seriously inadequate.

"The scope of the problem has grown far beyond what we anticipated even last spring," an American official said. "We assumed the flow of refugees would stabilize and then taper off. We are wrong."

"The conditions in each of the countries — Vietnam, Laos, Cambodia—have become so bad that more and more people rather risk their lives by fleeing in rickety fishing boats or slipping through the jungles than remain under Communist rule."

In Vietnam, the regime's takeover of most private businesses in the South has led to increased unemployment and food shortages there, according to the refugees. In addition, at least half of the 6,000 refugees arriving here or in Malaysia each month now are ethnic Chinese, many of whom complain of discrimination against them by the authorities.

In Laos, a determined government campaign to bring the Hmong tribesmen from the northern hills to live in collectivized settlements in the central lowlands has driven many into Thailand. Other Laotians, swimming or

sailing across the Mekong River, tell of severe food shortages and a pervasive Vietnamese control of the country. As many as 3,000 flee here a month.

In Cambodia, a new purge, the third in three years of Communist rule, threatens to wipe out anyone who served the former government of President Lon Nol, even as a conscripted Army private, or who has any formal education or training—along with their families.

Cambodian refugees say they are now convinced that the regime in Phnom Penh was serious when it warned that as many as three out of every four Cambodians might be eliminated in the building of a new society. Only 100 or so manage to escape each month, though that is twice the rate earlier this year.

While the numbers fluctuate considerably — 300 Cambodians escaped in a two-week period in June—the trend is decidedly upward, refugee officials say, and the total in the camps grows daily.

Thai officials said their 16 camps, largely operated under United Nations auspices and financed by the United States, housed 113,000 refugees at mid-August. Of these, about 92,000 were from Laos, 15,000 from Cambodia and the rest from Vietnam, "boat people" who landed in southern Thailand.

The flow of refugees to Malaysia, where most of the Vietnamese ships land, has been so great that the government has just opened a second offshore island as a base camp for them. Nearly 30,000 Vietnamese are now in the Malaysian camps, according to officials there, and the flow of nearly 5,000 a month is about 10 times the average early this year.

Other "boat people" continue to land in Singapore, the Philippines, Hong Kong and Japan—a scattering of 3,000 to 3,500 more refugees across East Asia.

"The numbers do not begin to tell of the human suffering that lies behind such an exodus," says a European relief worker at one of the camps near the Thai-Cambodian border. "Nor do the numbers give anything more than an indication of how many try to leave but die in the process."

As many as half of those who set out from Vietnam are lost at sea, according to most estimates, and Cambodian refugees say that only one in five or six makes his way across their heavily guarded border.

Even on arrival here, the refugees are not safe. The Thais earlier this year forced some to return to what was certain death; now they are

often robbed by policemen, fined as "illegal entrants" and jailed, often in open air cages, if they cannot pay the fines. Those refugees fleeing by boat are often robbed at sea of their remaining valuables and must then subsist on landing on the 25 cents a day each gets from the United Nations. Many of the women become prostitutes.

"The problem is urgent, very urgent," an International Red Cross official says, "but the numbers make it very hard to solve. . . . If 3,000 refugees a month are being resettled now—and that is a maximum figure—then we need programs that will deal with 12,000 or even 15,000 a month to catch up and keep pace."

The fear of the relief workers is that if more refugees are not resettled more quickly, then Thailand and Malaysia, both deeply worried that they may have to absorb the refugees permanently, may again begin to turn back those fleeing from Indochina.

"For Thailand and for Malaysia, too, the refugees pose an economic, political and social burden that is just too big," an American official commented. "The Thais feel with justification that their own stability could be jeopardized if this is forced on them by the rest of the world abdicating its responsibilities."

Thailand still has more than 40,000 Vietnamese who fled France's reoccupation of Indochina after World War II and only now has any prospect that they will be repatriated. Both Thailand and Malaysia have serious insurgencies and worry that large refugee communities could become a subversive fifth column.

The Vietnamese, largely middle class with some skills and many speaking English or French, are proving the easiest to resettle.

But the Cambodians and the Lao, mostly peasants or tribesmen, will prove difficult to place, according to refugee officials, and plans are now being made to resettle perhaps half of the Lao in Thailand because of their ethnic similarity. A special program may be set up for the Cambodians as the result of a Senate amendment increasing the U.S. immigration quota by 7,500 each year for the next two to bring them to America.

Vietnam, meanwhile, has a refugee problem of its own—the estimated 150,000 persons who have fled from Cambodia to Vietnam to escape the bloodletting under the Phnom Penh regime. And China, Cambodia's political patron, has 160,000 ethnic Chinese refugees from Vietnam with tens of thousands more wanting to join them.

STEPHEN J. SOLARZ
13TH DISTRICT, NEW YORK

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Congress of the United States
House of Representatives
Washington, D.C. 20515

August 22, 1978

Mr. Leo Cherne
Chairman
International Rescue Committee
386 Park Avenue South
New York, New York 10016

Dear Mr. Cherne:

I thought you might be interested in seeing a copy of the letter I have sent to the House Conferees on H.R. 12934 regarding the Dole Amendment.

The conferees have not yet been officially named, but since it is usually the Chairman of the Appropriations Committee and the members of the subcommittee, I decided to go ahead and sent out the letter, co-signed by Congressmen Wolff, Waxman, and Gilman. I understand that Senator Dole has also sent a letter to the Senate Conferees, Hollings, Magnuson, Eagleton, Inouye, Burdick, Leahy, DeConcini, Bumpers, Weicker, Brooke, Hatfield, Stevens and Young, who have already been named. I am also enclosing a copy of a letter I have sent to the President signed by 50 other Congressmen requesting a special Cambodian parole.

I deeply appreciate your strong commitment to alleviating the plight of the Cambodian refugees, a conviction you know I also share. Mr. Weisner, in your Washington office, has been most helpful to me and my staff on this issue. I am hopeful that if we can demonstrate widespread support on the need for a special parole for the Cambodians, that the Attorney General will grant one.

Sincerely,


STEPHEN J. SOLARZ
Member of Congress

SJS:dc/r

Congress of the United States

House of Representatives

Washington, D.C. 20515

August 16, 1978

Honorable Jimmy Carter, President
The White House
Washington, D.C.

Dear Mr. President:

We are writing to express our concern over the plight of 15,000 Cambodian exiles languishing in refugee camps in Thailand. Having escaped the terrors of the incredible turmoil and mass murders occurring within their country, they now find themselves stranded with no offers of resettlement, and faced with debilitating living conditions.

You have rightly branded the government of Democratic Kampuchea as the world's worst violator of human rights. Some estimates indicate that one million Cambodians have been ruthlessly murdered and another million have died due to the deliberate deprivation of essential food and medical care. The Cambodian people are now objects of a deliberate effort to destroy all remnants of their previous government and civilization -- they have become the victims of a new Holocaust.

In the Congress we have passed resolutions expressing our outrage at what has occurred in Cambodia and called upon the governments of the world to bring pressure on the leaders of Democratic Kampuchea to bring the continuing slaughter to an end. But we must go further. It is time to reach out to those victims of this Asian Holocaust who have escaped with their lives and offer them the hope of a new life in a new homeland. We must open our doors immediately, as we once failed to open them for the victims of another Holocaust forty years ago, or we will feel again that terrible burden of guilt and sorrow for failing to do what we could when faced with a moral atrocity.

Honorable Jimmy Carter
Page Two
August 16, 1978

We call upon you, Mr. President, to have the Attorney General authorize a special parole over the next two years for the 15,000 survivors of the Khmer Rouge, so that the world will know that the United States remains strongly committed to assisting the innocent victims of war and terrorism. As you know, few Cambodians are able to meet the main criteria established for previous paroles -- namely relatives in the United States or previous ties with our government.

Doug Bennet of the State Department, in response to a previous letter from Congressman Waxman and 23 other members on this subject, said that about 8% of the new total of 12,500 land refugees to be paroled would be Cambodians. But what will happen to the remaining 14,000?

While we recognize that the Cambodians are only a small percentage of the total number of Indochinese refugees, we believe they have a special claim on our emergency immigration provisions because of the unique circumstances under which they escaped. Without diminishing the agony of the other Indochinese refugees, whom we also believe should be assisted to find permanent homes, the Cambodian refugees are the survivors of an Asian Holocaust. The Cambodians have not only suffered the ravages of the Indochinese war, but have recently seen the destruction of their cities and towns, their homes and families, and indeed of their whole society as they knew it.

Let us not fail the Cambodian refugees, who escaped from the Khmer Rouge, as we once failed those who escaped annihilation by Hitler and the Third Reich. By offering a special parole to the Cambodian refugees the United States government will give these innocent victims of the worst human catastrophe since Nazi Germany, the opportunity to establish new lives in a free society -- a goal they have already risked their lives to achieve.

The Cambodians, like the other Indochinese we have admitted, have a great willingness to make whatever efforts and adjustments are necessary to succeed in the United States. From our contacts with voluntary organizations and constituents, we have been assured that sufficient group sponsors can be found over

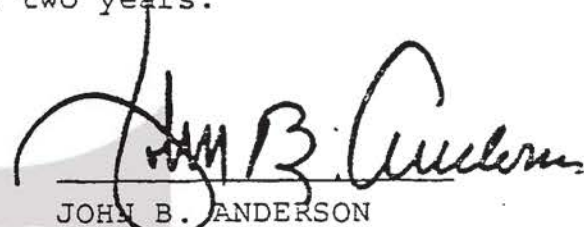
Honorable Jimmy Carter
Page Three
August 16, 1978

a 2 year period to assist the Cambodians in making the transition to American life and that widespread support already exists for this humanitarian effort.

Mr. President, we urge you to back up your condemnation of the Khmer Rouge regime in Cambodia by granting a special parole that would bring all of the 15,000 Cambodian refugees in Thailand to the United States within two years.

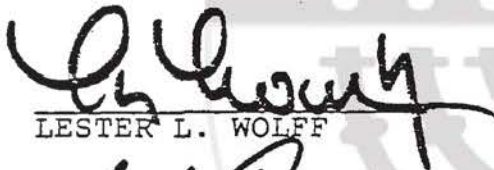
Sincerely,

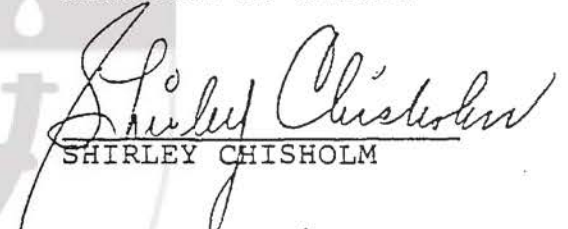

STEPHEN J. SOLARZ

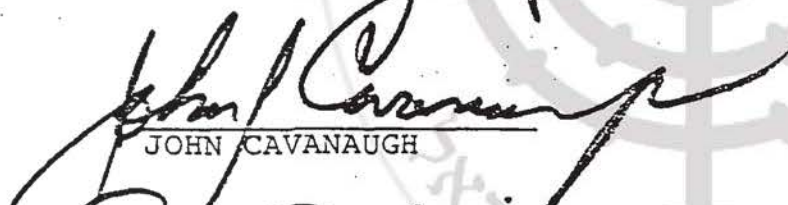

JOHN B. ANDERSON


HENRY A. WAXMAN


BENJAMIN A. GILMAN


LESTER L. WOLFF


SHIRLEY CHISHOLM


JOHN CAVANAUGH


G. WILLIAM WHITEHURST

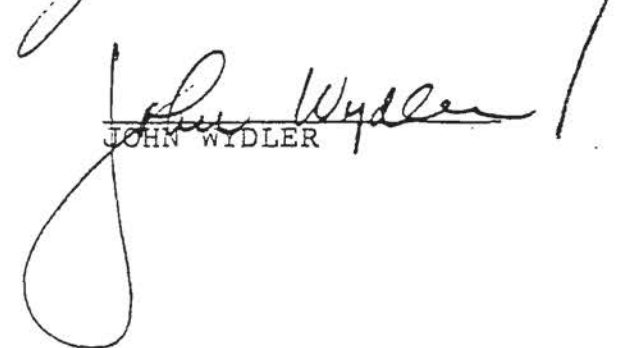

ROBERT DRINAN


ROBERT LAGOMARSINO


MILLICENT FENWICK


JOHN F. SEIBERLING


FREDERICK RICHMOND


JOHN WIDLER

Don Edwards
DONALD EDWARDS

Pat Schroeder
PATRICIA SCHROEDER

Jack Kemp
JACK KEMP

James D. Blanchard
JAMES BLANCHARD

Norman Dicks
NORMAN DICKS

Dan Glickman
DAN GLICKMAN

Henry Hyde
HENRY HYDE

Paul Simon
PAUL SIMON

Michael Harrington
MICHAEL HARRINGTON

Anthony Toby Moffett
ANTHONY TOBY MOFFETT

Stewart McKinney
STEWART MCKINNEY

Matthew McHugh
MATTHEW MCHUGH

Robert K. Dornan
ROBERT DORNAN

Jonathan B. Bingham
JONATHAN BINGHAM

Berkley Bedell
BERKLEY BEDELL

Newton Steers
NEWTON STEERS

Ted Weiss
TED WEISS

Tom Harkin
TOM HARKIN

Helen Meyner
HELEN MEYNER

Richard Ottinger
RICHARD OTTINGER

Robert Nix
ROBERT NIX

Gerry Studds
GERRY STUDDS

Thomas J. Downey
THOMAS DOWNEY

Christopher J. Dodd
CHRISTOPHER DODD

James Cleveland
JAMES CLEVELAND

Larry McDonald
LARRY McDONALD

Paul Findley
PAUL FINDLEY

Peter H. Kostmayer
PETER KOSTMAYER

Silvio Conte
SILVIO CONTE

Albert H. Quie
ALBERT QUIE

Ronald V. Dellums
RONALD DELLUMS

S. William Green
S. WILLIAM GREEN

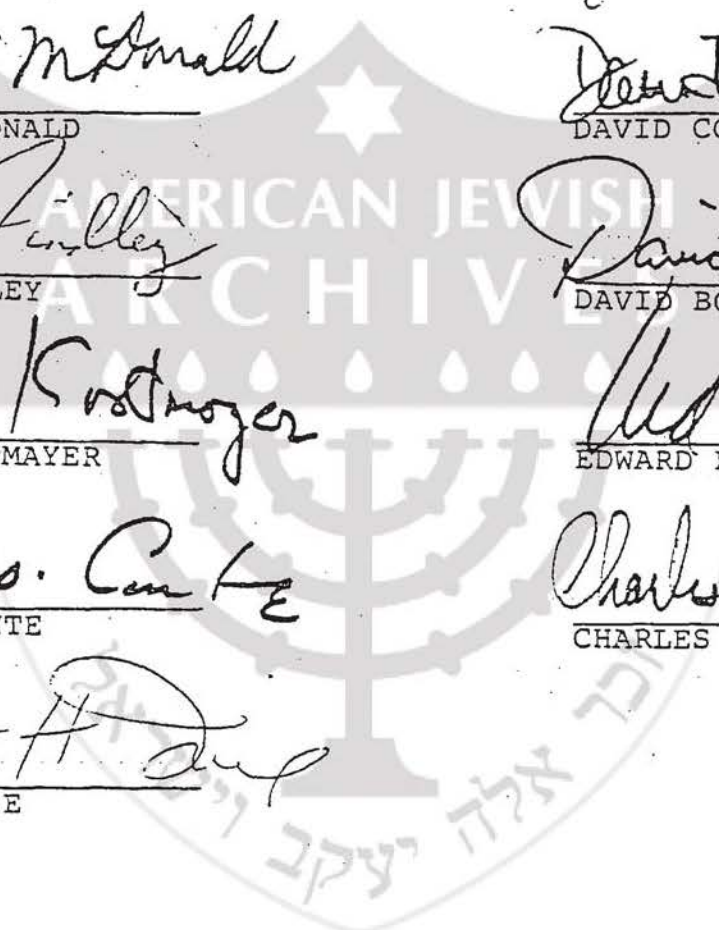
Joseph Moakley
JOSEPH MOAKLEY

David W. Cornwell
DAVID CORNWELL

David Bonior
DAVID BONIOR

Edward Pattison
EDWARD PATTISON

Charles W. Whalen, Jr.
CHARLES WHALEN



STEPHEN J. SOLARZ
13TH DISTRICT, NEW YORK

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- letter sent to all the House Conferees

Congress of the United States
House of Representatives
Washington, D.C. 20515

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August 15, 1978

Honorable John M. Slack
1536 LHOB
Washington, D.C.

Dear Mr. Slack:

We are writing to you in your capacity as a member of the conference committee on H.R. 12934, the State, Justice, Commerce, and Judiciary appropriations, to ask you to give special consideration to the Dole amendment to Section 605 of this bill, which was adopted by voice vote in the Senate, and which calls upon the Attorney General to grant a special parole over the next two years for 15,000 Cambodian exiles languishing in refugee camps in Thailand.

This special waiver of immigration law is necessary because less than 10% of the Cambodians are able to qualify under the previously announced paroles for Indochinese refugees. Top priority for admission is given to those refugees who have relatives in the United States, were former employees of the United States or had close ties with the United States. Yet very few of the Cambodian refugees, who have escaped from the worst imaginable hell in Indochina, fit into one of these categories.

Informed and reliable sources have reported that one million Cambodians have been ruthlessly murdered and another million have died due to deliberate deprivation of food and medical care. The Khmer Rouge, upon seizing control of the country in 1975, sought to kill all those associated with the previous government, to wipe out all vestiges of Cambodian culture, to destroy the cities, towns and villages and to force the survivors into labor camps. Of the seven million Cambodians alive when these horrors began in 1975, only 15,000 were able to escape to Thailand. The majority of these people arrived

August 15, 1978

Page Two

three years ago, and have waited since in Thai refugee camps without any offers of permanent resettlement. Many now fear that as Thailand establishes diplomatic relations with Cambodia that the Thais will be pressured to return these survivors to their certain death.

The President has rightly branded the government of Democratic Kampuchea as the worst violator of human rights in the world. We in the Congress have passed resolutions condemning the actions of the Khmer Rouge and calling on the governments of the world to bring pressure on the leaders of Democratic Kampuchea to stop the ruthless murders and atrocities against the people of Cambodia. But it is now time to back up our condemnation of the worst catastrophe in modern history since Nazi Germany by opening our doors to this small band of survivors who live under constant fear of Communist raids across the Thai border into their refugee camps.

While Cambodians are only about 10% of the total Indochinese refugee population, the unique sufferings they have endured give them, we believe, a special claim on our emergency immigration provisions. This parole power is clearly within the powers of the Attorney General under Section 212(d)(5) of the Immigration and Nationality Act. But, unfortunately, he has been reluctant to act on this. There is strong reason to believe that if both Houses of Congress were to recommend a parole, such action could serve as the necessary impetus to convince the Attorney General to utilize his powers to parole these Cambodian refugees into the United States.

A parliamentary problem does exist since the Dole amendment is in the form of legislation in an appropriation bill. Under our rules, if the House conferees were to accept the amendment, it would subject the entire conference report to a point of order on the grounds that legislative language was included. According to the Parliamentarian, the only way to permit the House to vote on this humanitarian amendment would be to report it back as a matter in which we are in technical disagreement, thereby enabling the House to have a separate vote. Assuming the House voted in favor, the Dole amendment could then become part of the conference report.

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We hope that you will support such a move in the conference committee and use your influence to persuade the other conferees to agree to such action. The extraordinary circumstances surrounding the plight of the Cambodian refugees call for immediate action by the Congress to urge the Attorney General to parole these innocent victims of war and terrorism.

Sincerely,

STEPHEN J. SOLARZ
Member of Congress

LESTER L. WOLFF
Member of Congress

HENRY A. WAXMAN
Member of Congress

BENJAMIN A. GILMAN
Member of Congress



H. CON. RES. 702

IN THE HOUSE OF REPRESENTATIVES

AUGUST 17, 1978

Mr. SOLARZ (for himself, Mr. WAXMAN, Mr. ANDERSON of Illinois, Mr. CAVANAUGH, Mr. WHITEHURST, Mr. DRINAN, Mr. LAGOMARSINO, Mrs. FENWICK, Mr. SEIBERLING, Mr. RICHMOND, Mr. WYDLER, Mr. EDWARDS of California, Mrs. SCHROEDER, Mr. KEMP, Mr. BLANCHARD, Mr. DICKS, Mr. GLICKMAN, Mr. HYDE, Mr. SIMON, Mr. HARRINGTON, Mr. MOFFETT, Mr. MCKINNEY, Mr. McHUGH, Mr. DORNAN, and Mr. BINGHAM) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

CONCURRENT RESOLUTION

Whereas the United States Government is committed to the maintenance of internationally recognized human rights;

Whereas the President of the United States has called Cambodia the worst violator of human rights in the world and has pledged assistance from the United States to Cambodian refugees in Thailand;

Whereas the House of Representatives has requested that the President cooperate with other nations in an effort to end the flagrant violations of internationally recognized human rights in Cambodia;

Whereas the fifteen thousand Cambodian refugees in Thailand are subject to debilitating living conditions and constant fear of border raids, and have not received offers of resettlement for other nations;

Whereas the Indochinese parole program recently announced by the Attorney General will not apply to most of the Cambodian refugees in Thailand;

Whereas Indochinese refugees already admitted into the United States have become meaningful contributors to United States society, without depriving United States citizens of employment opportunities; and

Whereas it is the policy of the United States to encourage the nations of the world to accept Indochinese refugees for resettlement: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That it is the sense of Congress that—

3 (1) the Government of the United States should
4 give special consideration to the plight of refugees from
5 Democratic Kampuchea (Cambodia) in view of the
6 magnitude and severity of the violations of human rights
7 committed by the Government of Democratic Kam-
8 puchea (Cambodia); and

9 (2) the Attorney General should exercise his au-
10 thority under section 212 (d) (5) of the Immigration and
11 Nationality Act to parole into the United States—

12 (A) for the fiscal year 1979, seven thousand
13 five hundred aliens who are nationals or citizens
14 of Democratic Kampuchea (Cambodia) and who
15 are applying for admission to the United States; and

16 (B) for the fiscal year 1980, seven thousand
17 five hundred such aliens.

August 24, 1978

**Mr. Albert Shanker, President
United Federation of Teachers
260 Park Avenue South
New York, New York 10010**

Dear Al:

My colleagues in Washington sent me their extensive notes of your testimony before the Wolff Committee. You were simply first rate.

I am more thrilled than ever that you were able to go to Thailand and keep hoping against the probabilities that you will be able to join our group when we go to Hong Kong, Thailand and Malaysia in December.

It's a joy to know and work with you.

Cordially,

LC:ls

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"Notes on Hearing of Asian and Pacific Affairs Subcommittee on the House International Relations Committee"
August 15, 1978

Because the full Committee was marking up a bill Congressman Wolff^v was the only member of the Subcommittee present. Furthermore, there were two recesses to allow him to go on the floor and vote on the ERA Extension. Congressman Solarz sat in as a guest and Wolff^v permitted him to question the witnesses. Jim Cline arrived about mid-way in the hearing and was also invited to sit with Wolff^v and ask questions.

The first witness was Al Shanker; I do not have a copy of his statement since he didn't have one prepared, however, he did distribute the attached press release.

Solarz spoke on behalf of the Cambodians and emphasized that because our action helped create the situation, we have a moral responsibility to help the Cambodian refugees.

He commended Senator Dole on his amendment and explained that the conference report on the State, Justice and Commerce bill, which contains the sense of the Senate Amendment, is now before the Conferees. However, because the House cannot legally approve the Senate's Amendment even though it approves of the contents of the amendment, the bill will be reported out in "technical disagreement." Then the full House will vote on the amendment and add on their approval, making it a "sense" of both the Senate and the House. Solarz said that in his discussions with the Administration he has been assured that the Administration will exercise Parole when the bill passes the House.

this press release

Al Shanker was very impressive and his testimony is attached. He emphasized that it is not right to ask the Volags or the States to shoulder the major financial responsibility because this is a major emergency which requires more funding and more long-range planning. He expressed his gratitude for the Dole Amendment and strongly urged the House to take similar action. Wolff^v asked him for his opinion on the activities of UNHCR. Shanker said he wasn't an expert on the subject and couldn't

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discuss it however, he thought perhaps they weren't doing as much as they could. It was obvious from Wolff's comments at this point and repeatedly throughout the hearing that he did not approve of how the UNCHR is handling the refugees situation in the Southeast Asia. Solarz asked him if the attitudes of the labor leaders had changed since their February meeting. Shanker said that while they had had some flack it was not enough to cause anyone to modify his stand. Shanker also pointed out that this is because of the horror of the situation faced by the refugees and our moral responsibility and the fact that the price is so small compared to the costs we regularly pay for other legal and illegal immigrants from other areas. We should continue to do everything we can for the Indochinese Refugees. He appealed for a International Conference and Wolff commented that the need for a International Conference points out the inadequacy of UNHCR.

When Shanker finished his testimony and was leaving the room Oakley of the State Dept., who was the next witness commented on how much he appreciated the cooperation between the private agencies and the State Dept. in helping solve the ^{Refugee} ~~State~~ problems. He said that such cooperation is rare. He defended UNHCR by saying that their money was low and that they therefore could not do all they would like to do.

He said that boat cases now arriving are of a different caliber than those arriving previously and that this is the direct result of the abolishment of private businesses in Vietnam. Wolff asked him if the State Dept. had discussed with the PRC the refugee situation there, particularly with regard to reunification of refugee families. He admitted that State Dept. has not talked to PRC but probably should. He felt that the probable reason that they haven't discussed it is because of the political situation with China, Cambodia, and Vietnam. Wolff stated that when he was in Peking this summer he tried to discuss it but the Chinese wouldn't talk. ^{Oakley} ~~Oakley~~ said that they had discussed the situation with Taiwan but the discussion had not been productive.

However, they were at least able to have discussions.

Shepard Lowman said the new UN High Commissioner is very vigorous in seeking help and there has been a marked increase in fund-raising. The High Commissioner is going to Thailand and Malaysia in September for talks with those nations. Wolf asked had there been a replacement of Lowenstein in the UN in New York. Oakley said no that all refugee matters are being handled in Geneva.

Phil Holman, whose testimony is also attached stated that HEW will now make a major effort to upgrade the employment situation of the refugees who have been here for some time. He said the most frequently asked questions on the hotline concerns family reunification. Ed Palmer asked for details on the Vocational Training program and how successful were they and what kind of statistics did he have on employment through the programs. Phil said the programs cost approximately \$790 per job secured. He said this was a low cost figure and that he felt the programs were successful. Palmer asked to see all the statistics on the programs.

Wolf asked Shep why they didn't interview refugees regarding MIAs. Shep felt the refugees might lie, thinking it would help them get accepted for resettlement. He added they were now interviewing refugees who had been accepted and are awaiting transportation. Wolf asked him why he hadn't done it long ago. Wolf mentioned that Sweden had a great humanitarian concern in opposition to the war. Has their humanitarian concern been reflected in their accepting sizeable numbers of Indochinese Refugees? Oakley stated that to his knowledge they have accepted none so far. Wolf asked Oakley about an International Conference. Oakley said the State Dept. has been discussing with ASEAN and Australia regarding specifics. They want to be sure that the conference, when held will be substantive & not end up with nothing but a little publicity. Wolf asked if he had been having any talks with Laos about reunification of families. Oakley said they have been having general conversations about human rights but not about immigration.

Solarz asked him the number of refugees in S.E. Asia at the moment. He replied that there were approximately 115,000 in land camps and 23,000 boat cases scattered in various countries. Solarz asked why hasn't the Administration authorized parole of the Cambodians and Oakley sidestepped the answer. Solarz then stated that when the President announced the new parole he announced it as a continuing program.

However, when the Attorney General announced the program it was only for a one year period. Oakley also side-stepped that. Solarz asked in view of the large number of refugees and the limited numbers that the U.S. could take, will the criteria now in effect be exercised for the refugees who will be admitted under the proposed new legislation. Oakley said that it would have to be quite similar to the criteria now in use. Solarz pointed out that if that were so, the Cambodians would have no more chance of getting here under permanent legislation than they do now and had the State Dept. thought of relaxing the criteria for Cambodians. Shep said that they had been giving it some thought.

Jim Cline thanked Wolfi for permitting him and Skip Enders to join Wolfi's Committee on the S.E. Asian trip. He said it contributed greatly to his Committee's knowledge of what the situation really is. He added the bill that was now before his Committee will have to be ^{re-}written so that it will better reflect the situation & help to correct it.

He praised the cooperation by the two committees and the Voluntary Agencies and hoped that there will be more cooperation with State and HEW in the future in planning ahead. Solarz asked Shepard if supplement appropriation would be needed if the Administration paroled in the Cambodians. Shepard said he had been giving it some thought and that by changing priorities they could work along for a while without a supplemental appropriation but in the end one would be necessary. Solarz asked what the estimated cost per refugees is and what the amounts would be paid for. Oakley explained there are three separate types of costs: (1) the costs in the camps, (2) transportation (3) reception and placement grants to the VOLAGS, for a total of approximately one thousand dollars. Shepard said he personally felt that a International Conference wouldn't lead to anything constructive.



NewsRelease

AMERICAN
FEDERATION OF
TEACHERS, AFL-CIO

11 DUPONT CIRCLE, N.W. / WASHINGTON, D.C. 20036 / PHONE: 202-797-4458

IMMEDIATE RELEASE
August 15, 1978

CONTACT:
Peter Laarman
(202) 797-4458

WASHINGTON, D.C.--Albert Shanker, president of the American Federation of Teachers, today urged the House to approve a sense-of-the-Congress resolution asking President Carter and Attorney General Griffin Bell to use the parole authority to admit 15,000 Cambodian refugees to the United States.

Noting that the Dole Amendment urging this had passed the Senate unanimously, Mr. Shanker called for similar action in the House and said there were "strong indications" the Carter Administration would "act favorably on such a request if it is made."

The teacher union leader, a vice president of the AFL-CIO, testified before the Subcommittee on Asian and Pacific Affairs of the House International Relations Committee at the request of its chairman, Rep. Lester Wolff (D-N.Y.).

Just back from a tour of camps in Thailand housing Vietnamese, Cambodian and Laotian refugees, Mr. Shanker said the camps were "bursting at the seams" and that there was "a likelihood that unless other countries help relieve the situation, Thailand, Malaysia and other sanctuaries will close their doors."

Mr. Shanker said that despite predictions that the influx of "boat people" and others would taper off with the onset of the monsoon season, "this has not happened."

More than 3,000 refugees reached Malaysia in two weeks, he said, and there are 130,000 refugees in the Thai camps alone. Accompanied by his wife, Edith, and daughter, Jennie, 15, Mr. Shanker visited the Laemsing camp on the Sea of Siam, which receives Vietnamese boat people; the Aranyoprathet camp two miles from the Cambodian border, which has recently had an increase in refugees as Cambodian troops turned their attention to the war on the Vietnam border, enabling several hundred to

escape; and the Nong Khai camp in the north, facing Vientiane, accommodating 24,000 Hmongs and Laotians.

Mr. Shanker, who made his trip on behalf of the International Rescue Committee's Citizens Commission on Indochinese Refugees, of which he is a member, told the House subcommittee:

"There are some in this House who oppose a parole for all 15,000 Cambodians on the grounds that our country 'just hasn't got the money.'

"When will we learn that from time to time there are cataclysmic events to which we as a nation must respond?

"In June 1939 there were 400 Jews aboard the SS St. Louis, traveling from Hamburg to Havana. Turned away in Cuba, they managed reach the Florida coast, where they were informed by the Coast Guard, on orders from our President, that they would be unable to land at any American port.

"With no alternative, they sailed back to Europe. War had broken out. More than half perished in Nazi concentration camps," Mr. Shanker recalled, adding:

"The President has called Cambodia the worst violator of human rights in the world today. Do we who claim to speak in the name of human rights now dare to reject a handful of refugees--that one in five who has survived the attempt to escape--with the lame, inaccurate and unbelievable excuse that this great nation 'just hasn't got the money'?"

Mr. Shanker also urged the House "not to continue to starve the agencies whose work is necessary to the resettlement of the Indochina refugees." He listed the U.N. High Commission for Refugees, the Office of Refugees and Migration in the State Department and various voluntary agencies as needing "a total of perhaps \$20 million to do a proper job" and added: "Let's put our votes and our appropriations where our words are on a question so basic to our concepts of freedom and decency."

Committee on International Relations

WOLFF SUBCOMMITTEE TO QUERY REFUGEE POLICY

The House Subcommittee on Asian and Pacific Affairs will meet Tuesday, August 15, to continue its investigation of United States foreign policy with regard to Indochinese refugees, Congressman Lester L. Wolff (D-NY) said today. The hearing will be held in Room 2200 Rayburn Building, at 10:30 a.m.

Witnesses, drawn from both the administration and the private sector, include:

- Mr. Albert Shanker, President of the American Federation of Teachers and member of the Citizens Commission on Indochinese Refugees
- Mr. Robert Oakley, Deputy Assistant Secretary of State for East Asian and Pacific Affairs
- Mr. Shepard Lowman, Director, Office of Refugee and Migration Affairs, Department of State
- Mr. Philip Holman, Director, Office of Special Programs of Social Security Administration, Department of Health, Education and Welfare.

In announcing the third in a series of hearings, Chairman Wolff expressed concern that while the numbers of refugees in camps in Thailand and Malaysia continue to grow, the resettlement of refugees into countries of permanent asylum was much slower. "There is no end in sight to the problem," Mr. Wolff said, "and we face an explosive situation with huge numbers of Indochinese in countries where they are not entirely welcome, waiting for resettlement into other countries where they are only somewhat more welcome."

"We have looked at this problem twice before. Our first hearing, in May, elicited background from the State Department as to why the refugees are leaving the Indochinese states, and nothing has changed to our knowledge since then. At our second hearing, in June, the International Rescue Committee gave us additional information on Cambodia, and the special problems of Cambodian refugees under our parole policy. Since then staff from the International Relations Committee have visited refugee sites in Thailand and Hong Kong, and have provided the Subcommittee with additional insights into the problem.

Mr. Wolff said that the increase of refugees in camps in Southeast Asia was not only a hardship for the refugees themselves but also a political problem for the host countries. "And, while they are in the camps, they are being

supported by the United Nations High Commission for Refugees, most of whose funds come from the United States".

"All this," the Congressman said, "requires us to have a thorough understanding of our policy toward the refugee problem, and not just toward the refugees themselves." "Ever since Vice President Walter Mcndale visited Thailand and discussed the refugee problem with the Thai leaders," Mr. Wolff continued, "our refugee policy has not been very clear."

"While parole authority for twenty-five thousand Indochinese refugees was finally granted for the next twelve months," Chairman Wolff said, "the problem meanwhile has grown beyond the dimensions reported in June, when we had our last hearing on this subject.."

"We hoped to gain an understanding of the administration's policy goals, taking into account the dimensions of the refugee problem, the response of the other governments, especially Asian, to the problem, and the domestic policy of the United States." Thereby the Subcommittee hopes to be able to discern our appropriate foreign policy goals.

Chairman Wolff stressed the timeliness of the Subcommittee's concern. "When some three thousand a month stream into Thailand and Malaysia, to swell the numbers already there, while some two hundred a month leave for permanent resettlement elsewhere, the simple arithmetic indicates that somewhere along the line someone is going to be faced with a very large group of refugees looking for a place to settle. We need to face that prospect sooner, not later."

OPENING STATEMENT OF
HONORABLE LESTER L. WOLFF, CHAIRMAN
SUBCOMMITTEE ON ASIAN & PACIFIC AFFAIRS
Committee on International Relations

TUESDAY AUGUST 15, 1978

THE SUBCOMMITTEE IS MEETING TODAY TO CONTINUE ITS OVERSIGHT OF UNITED STATES FOREIGN POLICY WITH REGARD TO INDO-CHINESE REFUGEES. TWICE EARLIER THIS YEAR; ON MAY 17 AND JUNE 8, 1978, WE MET TO HEAR TESTIMONY FROM THE DEPARTMENT OF STATE AND THE INTERNATIONAL RESCUE COMMITTEE ON THIS SUBJECT. IN THOSE HEARINGS WITNESSES DESCRIBED A SITUATION WHICH WAS HARD TO BELIEVE WITHOUT THE AID OF STAGGERING STATISTICS AND STORIES OF ECONOMIC AND POLITICAL HARDSHIP TO EXPLAIN IT.

WE HEARD OF HUNDREDS OF THOUSANDS OF REFUGEES FLEEING AT RISK OF THEIR LIVES TO ESCAPE REGIMES WHOSE POLICIES RANGED FROM THE INEPT TO THE ATROCIOUS. THE DEPARTMENT OF STATE PROVIDED, IN ADDITION TO NUMBERS, ANALYSES OF THE INDOCHINESE REGIMES WHICH EXPLAINED WHY OVER A HUNDRED THOUSAND VIETNAMESE, LAOS, CAMBODIANS, AND HMONGS WERE IN REFUGEE CAMPS IN THAILAND AND MALAYSIA ALONE. WITNESSES FROM THE I.R.C. ADDED TO THAT EXPLANATION AND DETAILED SOME OF THE PROBLEMS WITH CLASSIFICATION OF REFUGEES WHICH MADE IT DIFFICULT FOR CAMBODIANS TO BE PAROLED INTO THE UNITED STATES.

GRIM THOUGH THE CIRCUMSTANCES WERE TWO MONTHS AGO, THEY HAVE NOT APPRECIABLY IMPROVED. RATHER, THEY HAVE STEADILY WORSENERED. WHILE SOME TWO HUNDRED REFUGEES LEAVE COUNTRIES OF FIRST ASYLUM EACH MONTH, AND ARE PERMANENTLY RESETTLED ELSEWHERE, AN ADDITIONAL THREE THOUSAND APPEAR TO SEEK SHELTER. THERE ARE APPROXIMATELY 14,000 VIETNAMESE WHO HAVE ARRIVED BY BOAT IN

MALAYSIA, AND A TOTAL OF AT LEAST 110,000 REFUGEES IN UNITED NATIONS-SUPPORTED CAMPS IN THAILAND.

WE HEARD CAREFUL DESCRIPTIONS DURING THE EARLIER HEARINGS OF THE CIRCUMSTANCES WHICH ARE PRODUCING REFUGEES; WE NEED NOT DEVOTE MUCH TIME TO THIS SUBJECT TODAY. WE ALREADY KNOW THAT EXTENSIVE AND DRACONIAN SOCIAL ENGINEERING, POLITICAL VENGEANCE, AND ETHNIC VIOLENCE CONTINUE TO DRIVE LITERALLY COUNTLESS THOUSANDS TO SEEK SAFETY IN OTHER COUNTRIES. WE CONTINUE TO BE APPALLED AT THE REPORTS WHICH REACH US FROM INDOCHINA OF CONTINUED SAVAGERY. WE WILL CONTINUE TO EXPRESS OUR HORROR AND CONCERN, AND TO DO WHATEVER WE MAY BE ABLE TO AMELIORATE THOSE CIRCUMSTANCES. FOR THE TIME BEING, AT LEAST, UNTIL SUCH TIME AS A SUITABLE ARRANGEMENT CAN BE WORKED OUT FOR NORMALIZING RELATIONS WITH THE SOCIALIST REPUBLIC OF VIETNAM, OUR INFLUENCE IS LIMITED. AND THERE WILL REMAIN THE CRUEL ENIGMA OF CAMBODIA, WITH WHOSE PRESENT RULERS THERE IS LITTLE HOPE FOR ANY DIALOGUE.

OUR PURPOSE HERE, TODAY, WILL BE TO EXPLORE THE EXTENT OF THE REFUGEE PROBLEM, TO LEARN OF THE LATEST RESPONSES OF OTHER GOVERNMENTS TO THAT PROBLEM, AND THE EXTENT OF OUR OWN RESPONSES. THEREBY WE HOPE TO ANSWER SOME QUESTIONS. CAN WE FIND AN APPROACH WHICH AVOIDS EXCESSIVE OPTIMISM OR INORDINATE PESSIMISM, AND IDENTIFY REASONABLE GOALS FOR OUR FOREIGN POLICY? WHAT MUST BE THE UNITED STATES' LOAD? WHAT CAN WE EXPECT OF OTHERS? IS THERE ANY CONSENSUS AS TO THE PART OTHER NATIONS OF SOUTHEAST OR EAST ASIA WILL PLAY?

IN SHORT, WHAT ARE AND WHAT SHOULD BE OUR FOREIGN POLICY OBJECTIVES WITH REGARD TO THE INDOCHINESE REFUGEES? I RAISE THESE QUESTIONS BECAUSE IT IS NECESSARY, AS WE LOOK FORWARD TO THE NEXT SEVERAL MONTHS, TO KNOW WHAT NEEDS TO BE DONE, AND TO HELP PLAN WHAT CAN BE DONE. THERE ARE NO LONGER LIMITLESS AMERICAN RESOURCES, IF THERE EVER WERE, IN TERMS OF ECONOMIC SPACE AND FINANCIAL OPPORTUNITY. WE HAVE A RESPONSIBILITY, AS A NATION WHICH BELIEVES IN HUMANITARIAN RESPONSE TO THE TRAGEDIES OF ALL PEOPLES, TO AID THE REFUGEES FROM INDOCHINA. BUT WE SHARE THAT RESPONSIBILITY, TOGETHER WITH OTHER NATIONS. WE APPLAUD THE GOVERNMENTS OF AUSTRALIA AND FRANCE FOR THEIR POSITIVE AND GENEROUS RESPONSE IN THIS SITUATION. WE URGE OTHERS TO JOIN THE UNITED STATES, AUSTRALIA AND FRANCE IN ADOPTING A POSITIVE AND CONSTRUCTIVE POLICY TOWARD THE INDOCHINA REFUGEES.

WE ARE GLAD TO WELCOME TODAY OUR WITNESSES, MR. ROBERT OAKLEY, DEPUTY ASSISTANT SECRETARY OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS; MR. SHEPARD LOWMAN, DIRECTOR OF THE OFFICE OF REFUGEE AND MIGRATION AFFAIRS OF THE DEPARTMENT OF STATE; MR. PHILIP HOLMAN, DIRECTOR OF THE OFFICE OF SPECIAL PROGRAMS OF THE SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH EDUCATION AND WELFARE; AND MR. ALBERT SHANKER, PRESIDENT OF THE AMERICAN FEDERATION OF TEACHERS AND A MEMBER OF THE CITIZENS COMMISSION ON INDOCHINESE REFUGEES. BECAUSE OF THE PRESSURES OF HIS SCHEDULE, WE WELCOME MR. ALBERT SHANKER TO PROCEED FIRST.

Leo Cherne



Executive Director
The Research Institute of America
589 Fifth Avenue, New York, N. Y. 10017

August 24, 1978

Mr. Ogden Williams
4621 Q Street, N.W.
Washington, D.C. 20007

Dear Mr. Williams:

I must apologize for not having been able to read your article until a trip to Madison, Wisconsin, earlier this week where I addressed the five branches of the Lutheran Church on the subject of the Indochinese refugees and the urgent actions which must be taken to assist them in the months ahead.

Reading "The Dark Night of the Hmong" could not have been a more appropriate prelude as I flew out. It is simply a first-rate piece on every level. The depth of your intimate knowledge emerges so clearly and yet effortlessly. The magnitude of the tragedy becomes so irresistible that it is inconceivable to me that on the sheer level of interest, there is not an important publication which would find room for your piece.

The Reader's Digest would, of course, have been ideal and I am not quite clear (whatever else they have contracted for) why this piece is not so different that they would not be eager to carry it. Unfortunately, we now have so few publications which give room to a piece which requires space to breathe in, as yours does, and I am not aware of national publications which offer such an opportunity and provide more than a page or two as, for example, most of the weekly Sunday supplements, like Parade Magazine.

The American Legion magazine has a very large circulation and pays well. Their audience, however, is not exactly the audience I would most wish read your piece simply because you will not be reaching those who must be sensitized to that which you have written. Yet, you may decide to move in that direction.

I'm going to send a copy of your article to two magazines which tend to publish on a much more abstract and political level and yet they are most influential and might be moved to find room for your (and for them) very different kind of piece. One will be Commentary magazine and the other will be the quarterly publication of the Center for Strategic and International Studies, The Washington Review. There is so much information in your piece of importance to members of the Citizens Commission on Indochinese Refugees that I will also arrange for copies to go to them.

In closing, I do want to say how grateful I am to you for what you're doing, what you've written, and how much you care.

With deepest regards,

Sincerely,

A handwritten signature in cursive script, appearing to be 'L. Cohen', written over the 'Sincerely,' text.

LC:is



[start]

Original documents
faded and/or illegible



July 28, 1978

- Dear Mr. Cherne,

Thank you very much for your letter of July 26. I was indeed embarrassed to receive your personal response to such a minor contribution. You can be sure that I will, for my part, be a certain and more generous supporter of IRC in the future.

I enclose a copy of my article on the Khmer refugees. Obviously it was written in a Readers Digest - type format. Unfortunately for me, the Digest has already contracted for an article on the Vietnamese refugees, and does not want to run two. If you think that the article has merit and have any ideas about publications that might be interested in it, your advice would be most valuable. Basically I believe that story is one that needs to be told, which is why I went to Thailand to write it. I had served many years in Asia with AID, and after leaving that Agency in 1974, went back to Vietnam as a private citizen in April 1975 to express solidarity with the Vietnamese with whom I had worked and whom I felt were being sold down the river by Congress. In the end all I could do was bring out some people through the refugee system. In any case I have Asia in my blood and am appalled both by what has happened in Cambodia, Laos and Vietnam and also by the enormous indifference displayed by the free world, to which IRC is a most honorable exception.

I should also like to mention the splendid cooperation I received in Thailand from the IRC staff. Under Ron Drago, such IRC

personnel as John Crowley, Patty Culpepper, Charlene Day, Dr. Levi Roque and others were most helpful and impressive. I was also fortunate to have person/friends such as Charlie Whitehouse and the German ambassador, Edgar von Schmidt-Pauli, in Bangkok, and John Finney in Udorn to call upon for background, files and logistical assistance.

I am enormously interested in Asia. It occurs to me merely to mention that if someone with my background could be useful to IRC, it would be a privilege to discuss it with you and your staff at any time.

Very sincerely,

Ogden Williams
Ogden Williams

4621 Q St. NW
Washington DC
20007

THE DARK NIGHT OF THE H'MONG

Nghia Kao Yang, age 32, slipped quietly into the muddy waters of the Mekong River. It was March 11, 1978, the night was dark at 3:00 a.m. and Yang could wait no longer. His family had not eaten for ten days and would soon be too weak to move. He listened for the sound of patrols but heard nothing. At a sign his young wife slid forward two crude floats made of bamboo saplings. No one in the family could swim, so Yang tied them all together. Then he put his four children on the floats and pushed off into the deep water toward Thailand and safety. Some forty-five minutes later they staggered up on the Thai shore. For Nghia Kao Yang, former paid soldier for the United States Government, the Indochina war was finally over. He still carried his American M-16 rifle. Now he would surrender it for the first and only time and join the ranks of the Meo refugees in Thailand.

Yang was only sixteen in 1962 when he first started fighting in the U.S.-sponsored Meo army of Major-General Vang Pao. For thirteen years he and his fellow tribesmen denied much of northern Laos to the North Vietnamese army, tying down in the process at least two NVA divisions which could otherwise have been thrown against the Americans in South Vietnam. At the war's ostensible end in April 1975, Yang, now a captain and deputy company commander, was with a thousand-man Meo contingent at the key road junction of Sala Phou Khoun, still blocking the North Vietnamese thrust toward the Laotian capital, Vientiane. And it was categorical orders from Vientiane, not the enemy, which finally forced the undefeated Meos to stand aside. Due to no fault of theirs, the communist victory in

Laos was complete, and the "Lao Peoples Democratic Republic" came into being.

The mountain tribesmen of Laos, who were known to the outside world as the Meo, call themselves the Hmong--the "free people." Originally from central China, they had migrated southward into Yunnan and Tonkin, finally reaching northern Laos in the last century. A sturdy, handsome race, the women striking in richly embroidered black dresses and silver ornaments, they lived in cool wooden houses as mountain farmers. They raised cattle, pigs and horses, grew corn and upland rice for food--and opium for cash. They became prosperous, proud and independent. By the time of World War II a tribal dispute had split the Hmong into two antagonistic factions. The larger, numbering perhaps 350,000, was led by Touby Lyfong and allied itself with the French. The smaller group of less than 100,000 under Faydang sided with the Japanese and later the Viet Minh. When the Americans came on the scene in the late 1950's and early 1960's, it was from Lyfong's willing recruits--by now fiercely anti-Vietnamese and anti-communist--that the so-called "CIA secret army" was eventually formed. At its zenith that force numbered about 40,000, made up of 10,000 elite Special Guerilla Units (SGUs) and about 30,000 village defense militia--all supported and paid by the U.S. Government through the CIA.

The Hmong were probably not aware, at the outset, that they were to be trapped between two contending political forces--North Vietnamese expansionism backed by China and the Soviet Union, on the one hand, and an American policy of containment, on the other. The Hmong were quite simply delighted to receive help from a powerful friend in their struggle

against the traditional Vietnamese enemy.

Still less were the Hmong concerned as to which particular agency of the United States Government gave them the guns with which to fight. In 1962 they could not foresee that the United States would one day reconsider its policy, nor that they would find themselves branded by the victorious communist forces as "tools of the CIA." The Hmong have never considered themselves to be the tools of anyone. They regarded the Americans as trusted allies, not masters. But the Hmong's CIA connection has given the new rulers of the Laos the perfect propaganda pretext for the policy of near-genocide which they have waged against the Hmong since the war officially ended in 1975.

For thirteen long years the Hmong people bore the main burden of the war in northern Laos, paying a terrible price for our decision--and theirs--to block Hanoi's push into that key strategic area. Vang Pao estimates that his people suffered 30,000 casualties from a population base of 350,000, the equivalent of 20 million in U.S. terms. Thomas J. Barnes, who today heads the Refugee Section of the American Embassy in Bangkok, remembers visiting Hmong villages where all the males from ten to fifty-five were either away in the army or already dead. He saw children standing guard, carrying rifles taller than themselves. The Hmong were brave and resilient fighters. On several occasions, particularly in 1971 and again in 1972, they staged epic defenses of their never-conquered stronghold at Bouam Long, north of the Plain of Jars, throwing back one, and later two, divisions of North Vietnamese regulars--but always at a fearful cost.

Tragically, the formal end of the war in 1975 did not halt the continuing decimation of the Hmong people. Communist mopping up operations, which are still going on, are estimated by Vang Pao to have cost his people an additional 14,000 casualties from among the 90,000 Hmong who still resist subjugation. The question is often asked why the Hmong do not simply surrender, given the hopelessness of their situation. Hmong refugees now in Thailand consistently reply that surrender is not a real option for those Hmong who were associated with the Vang Pao forces and with the Americans. They insist that such people, branded as "tools of the CIA" or "lackeys of American imperialism," are often shot out of hand, women and children included. In any case, confirmed information is available as to what happens to those surrendering Hmong who are not shot: they are taken away to "seminar"--the curious term used in Laos to describe the "re-education" process--and then are sent to labor battalions from which, since 1975, only a few escapees have ever returned. In this situation the Hmong resisters feel that surrender amounts to a death sentence one way or the other, so only two real choices remain--to go on fighting with an ever dwindling supply of arms and ammunition, or escape to Thailand.

The most recent communist push--the one that made a new refugee out of Nghia Kao Yang, began on February 10, 1978 in the region of Phu Bia, Laos' highest mountain which rises 9246 feet above the western edge of the Plain of Jars, about one hundred miles north of Vientiane. This time the Vietnamese army, which has remained in the Lao Peoples Democratic Republic despite the officially independent status of that country, bulldozed roads to bring in Soviet PT-76 tanks into action. Overhead, Vietnamese MIG-21s and Laotian T-28s hit the Hmong villages with bombs, napalm

and tear gas while artillery, both U.S. 105s and Soviet 130s, pounded Hmong positions manned by about 3000 lightly armed tribesmen who were trying to protect 55,000 unarmed villagers. Authorities in Thailand are unsure whether this attack--which in June was still going on--was just a standard dry-season punitive operation against the Hmong, or whether it truly represents a Vietnamese "final solution" for the unconquered tribesmen, as the refugees themselves seem to believe. New measures such as the poisoning of waterholes, systematic burning of villages, foodstocks and crops, and the dropping of a poison gas which most observers assume must be tear gas but which does appear to have caused some deaths among refugees reaching Thai hospitals, all lend some credence to the latter view. Survivors of the fighting say that the Hmong suffered more than 5000 casualties in the Phu Bia fighting up to the end of May, and that 3000 more have tried to flee to Thailand. Some 2200 checked into Thai refugee camps between March 1 and May 1, and Thai police officials think that about 1000 more have died during the long trek from Phu Bia to the Mekong River. Additional thousands who have retreated further into the mountains around Phu Bia face starvation.

Nghia Kao Yang fought for five days--until February 15--before deciding that the battle was hopeless. Then he and his family joined a group of forty-six in a break for the Mekong, where they arrived after eleven days of forced marches. For fifteen more days the party waited for a chance to cross, evading the three companies of LPDR troops which patrol a 20-mile stretch of the Mekong opposite Thailand's Phon Phisai District. Their orders, according to defectors now in Thailand, are to capture any escaping Hmong who surrender, and kill any who resist or enter the water. (In this

connection, it is known that during the period of March 20-22 LPDR patrols did catch several hundred Hmong. They were first taken to nearby Paksane and thence to Vientiane where, on April 6, they were seen passing through town in four large trucks, on their way to "seminar" and to the labor battalions. They told onlookers they were from Vang Pao's army and they looked "thin and sad.") Yang's group itself had one brief clash with a patrol during which two women and three children were killed, as well as three LPDR troopers.

The actual crossing of the Mekong is the most dangerous time of all for people escaping from Laos, as official Thai records show. Thai police of Bung Kan District counted twenty-six Hmong bodies floating past their post on March 26 alone. On May 3 a refugee attempted to cross with thirteen members of his family. Only four made it. Again, reports show nine Hmong out of eleven lost in one group, six out of twenty in another. Drowning is at least as great a danger as gunfire for the exhausted and starving escapees, since few Hmong know how to swim. Those who do reach sanctuary in Thailand have been described as "walking cadavers."

Many people in Southeast Asia--Vietnamese, Laotians and Cambodians-- have obviously been voting with their feet by the tens of thousands ever since the communist takeovers of their homelands in 1975, and Thailand happens to be the only place most of them can go. As a result there were, by May 1978, more than 100,000 refugees in the fifteen official Thai camps supported by the United Nations High Commission for Refugees, even after some 59,000 others had already departed to third countries for resettlement. The attitude of the Royal Thai Government to this unsolicited visitation has

gone through three distinct phases. At first, in 1975, the Thais offered unrestricted entry, assuming that the refugees would be promptly absorbed by other countries and that the flow of new arrivals would diminish. To their alarm, however, both assumptions proved to be wrong. Thus the January 1976 camp population of 60,000 climbed to 89,000 by August of 1977 despite the resettlement of more than 20,000 in third countries, and 71,000 of the incoming total had come from Laos alone. Thailand accordingly announced a new exclusionary policy on November 15, 1977 under which refugees would be turned back. The results were often horrendous. Thai police, seeing refugees attempting to cross the Mekong, would fire rifles in the air to alert the Laotian patrols, who would then proceed to shoot the escapees in the water. By February 1978 more than 300 crossers had been delivered back to the Laotians, the most notorious case occurring in that month at Tha Uthen District when a mother and her two daughters, sent back to Laos in broad daylight, were promptly shot down on the bank by Laotian guards in full view of everyone. United Nations and U.S. officials protested to the Thai authorities, and it appears that the Thais themselves were as shocked as anyone else. (Recently, in May, LPDR troops shot a woman whose body floated up on a sandbank in the Mekong in full view of the diners at Nong Khai waterfront restaurant. Outraged Thai citizens went out in boats to conduct a formal cremation.) The exclusionary policy has accordingly been modified. New arrivals are now confined in district and province detention centers under harsh but not abusive conditions for one to three months, after which, if it is determined that they have relatives in the UNHCR-supported Nong Khai camp or are bona fide political refugees, they are permitted to join the earlier arrivals in the camp.

Americans should know what life is like for their former allies in these camps. Nong Khai is the largest and most active, and it is here that almost all of the recent escapees end up. As of May 30, 1978 it had a population of 17,078 Lao, 618 Tai Dam and 7378 Hmong. About 80% of the latter consist of families in which at least one member fought in Vang Pao's U.S.-sponsored army. There is a guard at the gate, and the whole area is enclosed by a low wire fence, but this is not a prison. Refugees can often get permission to go downtown, some children attend Thai schools, and there is a steady stream of visitors. Most of the Hmong live in long wooden barracks in which a raised sleeping platform runs continuously from one end to the other. There are usually no partitions dividing the "rooms," although blankets are sometimes hung to provide a little privacy and to separate one family's space from another's. Between the barracks there is typically a narrow alley about five feet wide where meals are cooked over little charcoal fires, clothes mended and babies nursed. Food, mosquito nets and other necessities are provided by the UNHCR, using funds contributed by eighteen countries of the free world. The U.S. donation averages about 65% of the total. In 1977, for example, the U.S. share was \$9.9 million out of a total of \$16.4 million covering all fifteen UNHCR camps in Thailand. Australia, Norway, Denmark and the United Kingdom have been other major contributors. Interestingly, Sweden gives nothing.

The food ration calculated at fifty cents per person per day is apparently enough to maintain basic health, and there is a small hospital run by International Rescue Committee doctors Domenica Garcia and Levi Roque, both from the Phillipines. They are assisted by two Laotian refugee doctors who are recent arrivals. One of them is Dr. Soudaly Chomchanh who

used to work for the U.S. Agency for International Development in Vientiane. After the communist takeover he was sent to "seminar" and then ended up as a manual laborer at the Nam Ngum dam project until his escape in February, 1978. Malaria and intestinal disorders are the usual health problems at the hospital, but Dr. Roque also reports some deaths from convulsions that he feels are consistent with a diagnosis of poison gas as claimed by the refugees.

The Thai officials who control Nong Khai and the other refugee centers take a generally benign approach and leave most of the internal management to the refugees themselves. There have been isolated cases of abuse of refugees, and reports of kickbacks in awarding of food and construction contracts, but most Thai officials have a sympathetic attitude toward the people in their charge. Many voluntary agencies also try to help the refugees, including IRC, Catholic Relief Service, Christian and Missionary Alliance, Norwegian Refugee Council, Finnish Free Foreign Mission and others. Nevertheless, a visit to the Hmong camp at Nong Khai is a sobering and troubling experience. It is not that the refugees are mistreated, nor is it even the overcrowding, the stifling heat and the minimal living conditions. It is rather because these proud and independent people are condemned to live in a state of suspended animation. It is because of the waste of life and talent. They cannot return to the mountains of Laos. The Thai Government will not let them settle in Thailand--of which more later--and third countries such as the United States accept only a few of them after long delays, and most of them not at all. So everywhere one sees bright, hopeful young families of farmers who are not allowed to farm, fighters who have no means to fight, workers with no chance to work. Active men and women, including

many wounded in battles fought at U.S. instance and for U.S. causes, are being left to stew in enforced idleness. This is what accounts for the sadness, frustration and even desperation that one senses beneath the calm and stoic surface at Nong Khai.

In Building 19 sits Dua Xiong, age 34. He has lived there for two and one-half years already. Back in 1961 he was chosen by "Mr. Tony" for training as a radio operator at the Hua Hin base in Thailand, then flown back to Laos and enrolled in a Special Guerrilla Unit paid and advised by Americans. He fought the North Vietnamese in many battles, including the seige at Bouam Long where an incoming mortar round slashed open his back and killed the two men next to him. By the end of the war he was a major and company commander in Vang Pao's army. He returned to his village near Long Tieng, hoping to live in peace. Unfortunately, he says, his people were regarded by the North Vietnamese and Pathet Lao as "lackeys of the U.S. imperialists," subject to being shot at random. Xiong recalls that in his village sixteen people were shot or grenaded, often while going out to tend the livestock or while sleeping at night, in just the last month before he left there in December 1975. He successfully brought out his parents, wife, brother and four children, but his uncle and four others were shot while trying to cross the Mekong. Now Xiong thinks his long wait is almost over. He says he has been accepted for immigration to the U.S. and will depart as soon as a sponsor can be found. He wants to join his parents and his brother in Providence, Rhode Island.

A four-hour drive to the west of Nong Khai is a much more liveable camp, Ban Vinai near Loei. This was built to handle the first wave of 1975

refugees from Laos, and its population today is about 12,000, almost all Hmong. Whereas Nong Khai is flat and low lying, the Loei camp looks more like a large Hmong village, being situated in wooded hill country not unlike their homeland. Deputy District Officer Weechien is in charge and is one of the most highly regarded Thai camp commanders. He runs Ban Vinai in a relaxed and friendly way and allows Hmong to take jobs outside the camp to a distance of three kilometers. He thinks the UNHCR should allow a more generous food ration, but Hmong leader ex-Lt. Col. Vang Yee does not complain on this score. There are papayas and tall corn growing in the vegetable gardens, and children swim in the small lake within the camp. Despite these amenities, however, the underlying problem remains: these refugees have been waiting three long years for something to happen which would permit them to get on with their lives. And still they wait, and wait.

* * *

There are a number of potential options for the future of these former allies of the United States. One, purely theoretical at this time, would be to return to Laos. Indeed, the first question many new arrivals ask is whether some free world country will not help them with arms and equipment so that they can go home and continue the fight. They do not readily accept the answer they get--namely that no free world country has the slightest intention of lifting a finger for them in this regard.

The second theoretical option for the Hmong is to settle in Thailand. The Thais have said that they will some day give permanent status ^{to} ~~of~~ a number of refugees from Laos and Cambodia, but only when other countries have first done their share, and only after the flow of new arrivals has largely dried

up. The Thais foresee difficulties such as a general shortage of arable land and resentment of local Thai citizens if preferential treatment is given to foreigners. Again, the Thai Government already has a problem with dissident hill tribes who resent the discrimination and exploitation traditionally practiced against them by the lowland Thais, and fears that the refugees might eventually join these dissidents. On the other hand, some Thai officials take a very different view, seeing in the fiercely anti-communist Hmong a partial solution for the insecurity that now prevails in many parts of Thailand. Bangkok newspapers report daily on ambushes and assassinations conducted by communist ~~territories~~^{terrorists} in rural areas. One obvious antidote would be to move a few thousand armed Hmong into some of the worst zones, with permission to settle there in return for elimination of the terrorists. The Hmong are among the best guerrilla fighters in the world, and the terrorists would probably not long remain active. In 1977 Governor Chamnan Potchana of Nong Khai Province submitted a specific proposal to Bangkok to set aside a 2300-acre tract on which he would settle 6000 Hmong and 800 Lao refugees. Bangkok has dragged its feet in replying. Essentially the Thai Government is afraid to take any action which might relieve the pressure on third countries, or encourage them to walk away and leave the whole refugee burden in Thailand's unwilling lap. This explains why the Thais did not respond warmly when Vice-President Mondale, on May 3, and the UNHCR more recently, offered financial help to Thailand looking toward resettlement of refugees. What the Thais want is firm commitments from third countries to take specific numbers of refugees, and only then will they move ahead on any resettlement plans of their own.

The Hmong, for their part, are divided on the issue of settling in Thailand. Perhaps fifty percent would favor that solution, partly because they would then be close to their homeland and in a position to go back if conditions changed. An increasing number, however, are nervous about staying in Thailand. They note the increasing tempo of communist terrorist attacks, the number of Thai village headsmen who have resigned their posts because Bangkok cannot protect them, and other indications that Thailand may someday go the way of Laos. Vang Yee says his people definitely do not want to settle in any country that could remotely go communist. Indeed, some Hmong actually turned down a chance to go to France because of predictions, before the last French elections, that the socialist-communist coalition might win and take over power. Once a refugee is enough, they say.

The third and most hopeful option at this time is resettlement in third countries, particularly the United States, France, Australia and Canada.

France has admitted more than 37,000 Indochina refugees since 1975, including 3000 Hmong, and will continue to take about 150 Hmong per month for as long as rural resettlement opportunities in France can be identified. Many experts view the French program as the most effective, least cumbersome and most flexible of any. To give only one example, polygamy is by no means unknown among the Hmong, and some have had to turn down emigration to the United States because it would have meant abandoning all but one wife. Hmong sometimes don't understand why having several wives should be a bar to living in the United States, when it obviously was not a bar to fighting for the United States. In any case, the French solve the problem by listing only one official wife, and showing the others simply as mothers

of their respective children, who all happen to have the same father. Honor is satisfied in this way. France has sponsored one particularly imaginative experiment in which 500 Hmong have been resettled along a jungle river in French Guiana. More will follow if the scheme proves successful.

Bolivia is considering a similar idea. At the original initiative of a California-based voluntary agency, Food for the Hungry, an initial 100 Hmong families may be resettled during 1978 in an area 200 kilometers north of La Paz. Each family would get immediate title to more than 100 acres of land, and Bolivian citizenship after one year. A possible weakness in this proposal is that it has yet to be examined on the ground by UNHCR or U.S. officials, despite the probability that they may be called on to assume future costs.

Despite these efforts of other nations, the United States is still the country to which most Hmong want to go. The reasons are, first, that many of them already have relatives here. Secondly, the Hmong had experience of Americans during the war and still retain a trust and liking for us. They still mention Mr. Tony, Digger, Kayak, Bamboo, Black Lion and the rest. Third, the Hmong are hardworking and want to get ahead, and they have heard from their relatives that America is the place to do it. Finally, they do not see us as ever going communist! Unfortunately for the Hmong, however, America does not yet have an immigration policy which will allow most of them ever to see our shores--even including many of those who fought for us at our urging and on our payroll.

Here is the simple arithmetic of this human problem: America has taken about 7000 Hmong from the original Vang Pao contingent which escaped

in 1975, but there remain about 40,000 Hmong still in Thailand. Of this number, about 18,000 consist of families in which the breadwinner fought for or worked for the U.S. Government. These people are obviously given preference, but no one, however qualified, can come to the United States unless immigration spaces are available. In 1977 the Attorney General authorized 8000 spaces for inland refugees from the Thai camps, and 4877 of this number were accorded specifically to our former Hmong allies. Then, in May 1978, Vice President Mondale announced a new program for 25,000 spaces, of which half will go for the Vietnamese "boat people" and the rest for inland refugees. The Hmong are expected to receive about 5500 spaces from this number. Thus even when all Hmong eligible under all current U.S. programs have departed for the United States--and this will in itself take about nine months under existing processing procedures--there will still be some 7500 of our former allies and their families left behind without any assurance of ever being allowed to come here. And this does not take into account those still fighting for their lives in Laos who may be able to escape in the months to come.

No one has yet told Vang Gao, who entered Thailand on March 27, 1978, that he has no present hope of ever going to America. He was an SGU captain, saw action in four major battles and was wounded twice. He worked very closely with Americans. Sia Pao Yang was employed by the Public Health Division of the U.S. Agency for International Development from 1963 to 1975. His job was to visit remote villages as a medical technician prescribing treatment or administering medicine as needed. He is not going to America either, even though he has a sister in Wisconsin.

The Hmong who have already come to the United States are generally considered by the voluntary agencies who work with refugees as having at

least as good a resettlement record as any other group from Indochina. They have modest initial expectations and work hard to improve themselves. They have established a reputation for honesty, dependability and self-reliance, and Americans who now work with refugee programs in Thailand hold them in special esteem. In any case, we armed and encouraged these people to fight a war in which they suffered enormous losses, and then we reconsidered our position and abandoned the policy for which we had urged them to fight, leaving most of them behind to suffer the consequences. We clearly owe them something better than hopeless stagnation in a Thai refugee camp. One logical, practical and honorable solution would be for the U.S. Congress simply to enact that any Hmong refugee who worked for the United States or fought under its programs on our payroll will be entitled to entry to the United States, if not accepted first by another country or otherwise excludable under U.S. immigration law. Such legislation, obviously, would not address itself to the entire Indochina refugee question. It would not take into account the plight of Cambodians who, although they did not work for us or with us, would nonetheless deserve our attention on humanitarian grounds alone. Nor would it deal with other Laotian refugees, but it would be one specific and feasible measure by which we would do justice to a brave and resilient people to whom we owe a special debt.

One of the many U.S. immigration questionnaires requires the applicant to list all his stocks, bonds, jewelry, gold and currency. Needless to say, it does not take long for the Hmong to fill this out. And the last question calls for a statement of total net worth. The Hmong usually answer, "none."

If we Americans forget these courageous former allies of ours who today are trapped in the sweltering camps of Thailand, then a legitimate question might be raised concerning our "net worth."

Ogden Williams
Nong Khai, Thailand
May-June 1978



[end]

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THE WHITE HOUSE

WASHINGTON

August 29, 1978

Dear Leo:

Thank you for your letter of August 18, describing the second fact-finding mission of the Citizens Commission on Indochinese Refugees. The positive role played by the Commission in helping to shape U.S. assistance to Indochinese refugees is well known, and I wish you every success in your forthcoming mission.

As you well know, my schedule is subject to unforeseen, last-minute changes; however, I would be pleased to meet with members of the Commission on September 26 in much the same manner as we did in March, unless I have to be in Boston that day. Also, I will ensure appropriate NSC representation during your activities that day.

Sincerely,



Zbigniew Brzezinski

Mr. Leo Cherne
Chairman, Citizens Commission on
Indochinese Refugees
386 Park Avenue South
New York, New York 10016

"Cambodia: Year Zero"

by Francois Ponchaud

translated from the French by Nancy Amphoux

Holt, Rinehart, Winston -- \$8.95

Review by Leo Cherne

Executive Director, The Research Institute of America, Inc.

Chairman, International Rescue Committee

This review of Francois Ponchaud's "Cambodia: Year Zero" would do this work an injustice if it were not immediately said that there cannot have been ten books published within the last decade of comparable importance.

To weigh a book on what may appear to be so exaggerated a scale runs the risk of discouraging its readership. Works of that significance, if they are not fiction, are almost by definition abstract, ponderous -- all of the forbidding qualities which are often unavoidably associated with an indispensable non-fiction work.

The extraordinary character and texture of "Cambodia: Year Zero" is that it is exactly the opposite. It breathes the very life of the Cambodian people, and especially the Cambodian peasant. It bleeds the unbelievable outrages which have occurred in what is now Democratic Kampuchea and which began on April 15, 1975.

Perhaps the greatest achievement of all, however, is the ease and skill with which Ponchaud reconstructs the social and political structure of the new leadership structure especially down to the smallest communities. We learn the means by which work and discipline, down to the most mundane detail, are coerced. The Angkar Leu, the "authority on high" accomplishes this most ambitious undertaking in social engineering without an elaborate infrastructure. All is simple, all is total, all is primitive but complete.

Those who work, live. Those who don't, or who can't, or question or complain, die.

Even the elaborate vocabulary which for centuries has expressed the Cambodian customs, relationships, courtesies and sense of place and purpose have been changed. And all this by a handful of men, served by a simple, illiterate unheirarchical military force, the army of the Khmer Rouge.

The unbelievable human price which has been exacted exudes with terrifying clarity. Indeed the enormity of the change which has been accomplished in so short a period emerges from the remarkable way in which Ponchaud has reconstructed the entire tapestry of life, of organization, even of the new geography which is the result of the massive movement of most of the population of Cambodia commanded by Pol Pot, Ieng Sary and less than ten other identifiable colleagues.

This tapestry is woven by the succession of chapters which detail the separate aspects of present-day Kampuchea -- life, doctrine, and organization -- without once losing the sense of the plain of the people involved in each of these separate aspects Ponchaud reconstructs. Indeed what emerges is a palimpsest of pain which we see with undeniable clarity despite the fact that the 39-year-old Priest, only 26 when he first set foot on Cambodian soil, never uses the language of passion and outrage. Ponchaud proceeds through the quiet gathering of the actual occurrences, the simplest daily happenings. And through the simple but overwhelming accumulation of detail, a piece of remarkable art and indisputable fact emerges.

"Cambodia: Year Zero" is on one level a prejudiced book. But therein lies its curious strength and, in fact, its ultimate historic importance. Father Ponchaud is remorselessly honest, not only about the events he describes, the life he lived in Cambodia

for years before he was expelled, but equally so about the political and social preferences of prejudices which moved him and which in this book animate his pen. Ponchaud leaves no question about his profound distaste for sophisticated societies, even some distrust of the educated classes. He's unequivocal about his opposition to the American role in Cambodia during the years which preceded the Khmer Rouge victory. He is equally frank about his sympathy for a Cambodian revolution and his strong attraction to the Khmer Rouge, which he saw as the only force offering any hope to the simple Cambodian people against their own governments, whether led by Sihanouk or, more corruptly, by Lon Nol and those around him.

"Murder of a Gentle Land" by Barron and Paul was the first effort, and a major one, to reconstruct the events of what has come to be known as the Cambodian holocaust. Yet it was suspect in important circles from the very day of publication for exactly the reasons which make Ponchaud's work so difficult to reject. First of all, that book was published by the Reader's Digest, and that automatically made the book dismissable by the highly influential and intellectual segments of the reading public and the critics.

Just the colophon of the Reader's Digest, in the shorthand with which even scholars reach decisions, put a label on the book: "unimportant." To the activist intellectuals and the very considerable number of that group who opposed the United States role in Indochina during the long years of our involvement, the Reader's Digest imprint not only made it unnecessary to read the Barron and Paul book, but added the conviction that the contents simply reflected U. S. policy-serving propaganda. In short, that book did not for the longest time receive the serious attention it deserved because of the certainty that the horrors it detailed were highly selective and greatly exaggerated, if not by the authors then at least by the refugees from Cambodia from whose recollections Barron and Paul mined their material.

That book does have an additional weakness which curiously enough flows from the fact that they attempted to go a long step beyond Ponchaud's less ambitious purpose. The weakening element in "Murder of a Gentle Land" is the not altogether persuasive effort these two journalists make, one American and one Australian, to interpret the motivation of the handful of leaders of the Ankar Leu, the secret government, responsible for all that has occurred in Cambodia during the last three years. This interpretive effort to fathom the sexual problems of Ieng Sary, to psychoanalyze the personality of Pol Pot, is sufficiently speculative to throw the one shadow of doubt over the coldly journalistic, non-interpretive exposition which forms the bulk of that Reader's Digest book. To posit the thirst for violence, the hunger for the nearly indiscriminate shedding of blood to the sexual impotence of a main protagonist or the misshapen psychology of another is simply to run the risk that every one of the passes at psycho-history in recent years has suffered.

But poetic justice has finally been paid Barron and Paul, the pioneering students of the events in Cambodia by several of the most distinguished analysts who were at first inclined to reject their lurid tales. Despite their active hostility to U.S. intervention, which the Reader's Digest authors do not share, Edward Shawcross of The London Times and Francois Ponchaud have in recent months acknowledged that the sum total of their studies now lead them to conclude that however presumptuous the Barron and Paul interpretation of what motivated the leaders, their reporting of what happened to the victims, the millions of them in Cambodia, is wholly accurate.

This recounting of the attitudes toward the Reader's Digest book is essential to an understanding of Father Ponchaud's book, if only because of the extraordinary and virtually worldwide disbelief and disinvolvement during two-and-a-half of the three years in which the Cambodian tragedy was being

enacted.

Francois Ponchaud's background could not be more different than that of the two Western journalists and yet the details of the tragedy which emerge are nearly identical. Father Ponchaud reflects a deep personal suspicion and distaste for the educated classes of Cambodia, the city bred, the French-speaking. His heart lies with the simple and often illiterate people of Cambodia among whom he chose to live -- and of course Barron and Paul are products of urban Western civilization. The high probability that the Ponchaud book will be the classic work detailing the horrors of the Kampuchean revolution is intimately related to his ability to identify with those who continue to suffer inside that Auschwitz of Asia. They draw the focus of his attention and empathy, and the simple peasants are for the most part the living who are the continuing victims of this tragedy. The various elites have by now for the most part been killed.

It is not that Father Ponchaud is indifferent or neglects to catalog the extraordinary succession of measures which were taken by a gang of eight people intent on destroying every last vestige of contemporary Cambodian culture in the service of a vision: the building of the purest Communist state anywhere in the world. Ponchaud amply details the process, the episodes which have led to the elimination of all the professional classes of Cambodia, the extinction of the Buddhist religion, the physical destruction of many of the temples and the conversion of others to use as warehouses. From his pages there emerges what can only be described as a war against literacy. The ability to read and write is being expunged beyond the most primary levels of learning sufficient solely for the indoctrination of the youth and the creation of the new man worthy of living in this visionary state.

Father Ponchaud's humanity is too large to be indifferent to the destruction of virtually all of modern medicine, the doctors, the secondary schools, the books and newspapers, the civil servants. Even the courtiers in the military who served first Sihanouk and then Lon Nol are not outside Ponchaud's range of vision. Yet among the ninety odd Cambodian refugees he interviewed personally in depth and the many more through correspondence or questionnaire, of these Ponchaud says quite frankly that he has arbitrarily chosen to dismiss the details which were or might have been provided to him by any Cambodian able to speak French or English:

"In weighing the value of each refugee's testimony, his personality has been taken into account; I was instinctively suspicious of people who had 'revelations' to make and came bearing sensational tidings. I also mistrusted those who spoke French and those who came from the wealthier classes, who had lost too much under the new regime. I was mainly interested in ordinary people, army privates, peasants, and laborers, who could neither read nor write nor analyze what they had seen but whose illiterate memories could supply exact details."

His argument is rational and indeed the effect of this arbitrary choice is to vastly strengthen the undeniable truth which emerges from the simple but rich details he has extracted from the Khmer-speaking and often wholly illiterate peasants, the comparative handful who have been able to flee western Cambodia and reach the safety of Thailand.

But this reviewer doubts, though Ponchaud's purpose was well served by the rigid restraints he imposed, that absolute believability was his sole motivation. It is impossible to read the book without the most vivid awareness that Ponchaud is one of those "peoples' priests" whose heart is wholly engaged only with the simplest of people. And it is the unique tragedy of Cambodia that, though these simpler people have to a greater extent survived the executions, their very survival is, on any level which can measure pain, the more poignant tragedy. One need only read his book to feel to the very

core that is the one country on earth where the living must envy the dead.

Father Ponchaud's style is of a piece with the particular nature of his passion and his total identification with the simple people of Cambodia. His writing is effortless. It flows with the invisibility of breathing and is just as difficult to stop. Yet there is an aspect beyond this which comes through almost from the first introductory lines. Ponchaud is not a simple man. Though simply stated, time and again there emerges an understanding of very complex ideas and wisdom. His very telling of the way he came to start his laborious search for the truth reflects that quality:

"In July 1975, three months after the change of regime, a Cambodian friend in Paris handed me a long letter he had just received from a friend who had recently crossed the Cambodian frontier into Thailand. His description of his homeland was grim indeed. I couldn't believe my eyes: with such sincerity and restrained grief that no deception could be possible, he wrote of dreadful things, of deportations, massacres and forced labor...After that, I wanted to find out, I tried to understand. There were two pitfalls to avoid: excessive mistrust and systematic criticism of the new regime, and blind infatuation with a revolution which many, like myself, had longed to see. I pored over the official documents issued by the government in Phnom Penh, trying to grasp the sense of this revolution and its objectives. The Kampuchean diplomatic mission in Paris possessed very little material, so I began listening to the daily broadcasts of the official voice of Kampuchea, Radio Phnom Penh."

His own candid description of his political attitudes underlines that quality further as he candidly explains his motivation:

"In the beginning, I was not opposed to the Khmer revolution: having lived with the Cambodian peasants from 1965 to 1970, I was painfully aware of their exploitation at the hands of the administration under the corrupt Sihanouk regime. From 1970 to 1975 I shared the lives of the poor in the suburbs of Phnom Penh under the Lon Nol regime. From the tens of thousands of refugees who fled the 'liberated' zones in 1973, I learned of a harshness of the revolutionary regime, but I regarded it as a transitory necessity imposed by the war. So I welcomed the revolutionaries' victory as the only possible means of bringing Cambodia out of its misery. But after making a careful and full study of the broadcasts of Radio Phnom Penh and the refugees' testimony relating to 1975 and 1976, I was compelled to conclude, against my will, that the Khmer revolution is irrefutably the bloodiest of our century. A year after the publication of my book I can unfortunately find no reason to alter my judgment."

Perhaps this special quality, temperance, wisdom or perhaps some unique ability to stand aside in the very midst of bestiality emerges when he comments

on the extent to which guilt ought to attach to the American bombing of Cambodia. Pulitzer Prize winning New York Times journalist Sydney Schanberg first described in such masterful fashion the evacuation of the cities which was ordered on April 17, 1975 and began this self-genocide. While Schanberg in no way softened his coverage of that period, he nevertheless places large responsibility on us, the Americans, for what has happened since. It is Schanberg's view that the massive nature of the destruction caused by the American march into Cambodia as well as the savage attack from the air converted a small fanatic Khmer Rouge force into one many times their previous size and appeal.

Ponchaud, despite his period of admitted sympathy for the Khmer Rouge, approaches the question of "responsibility" quite differently.

"Beyond all doubt, we, the French and the Americans, bear part of the responsibility for the Cambodian drama. The total annihilation of the country's economic infrastructure by five years of war accounts for another share of the tragedy. But accusing foreigners cannot acquit the present leaders of Kampuchea: their inflexible ideology has led them to invent a radically new kind of man in a radically new society. A fascinating revolution for all who aspire to a new social order. A terrifying one for all who have any respect for human beings."

If Francois Ponchaud can dismiss the notion that we have a particular or primary responsibility, this reviewer cannot.

Do not misunderstand me. We are not the cause of the Cambodian holocaust, any more than our prewar isolationism during the 1930's made us even remotely the keeper of the ovens. But our silence and tenacious inaction carries its own responsibility and guilt if only as hallmarks of our indifference and deficient humanity.

But certain segments of American business carry a burden which is quite a bit larger.

The best-selling book of the late 1930's, "You Can Do Business With Hitler" was a reflection of the ease with which many American businessmen actively supported and often financed the America First movement while

aggressively seeking the business opportunities in Germany which accompanied the rising prosperity under the Nazis and the mushrooming rearmament with the opportunities that presented and the widening market opportunities which accompanied the Third Reich's expansion into the Saar, Austria and Czechoslovakia. "Peace in our time" was a self-serving vision Detroit shared with Neville Chamberlain. And it must not be forgotten that one of America's most influential businessmen, Gen. Robert Wood of Sears Roebuck was the head of organized isolationism in the U.S.

The present parallels for the value-free eagerness to penetrate the markets of the totalitarian states are, regrettably, nearly legion. When a prestigious business delegation visited Cuba, the photo of one of the U.S. executives' wives eagerly embracing Fidel Castro not only blanketed the American press but appeared in leading newspapers throughout the world.

Many American businessmen are bewildered, often bitter at the widely advanced notion that business is bloodless, amoral, without a guiding ethic which transcends profit. For most businessmen this image is in fact essentially false. How many symphony orchestras would be so large a part of the American scene without the contributions and often the leadership drawn from the business community? Businesses have done more to finance and encourage the arts than any other private segment of American life. There are few hospital boards which would function in the absence of the businessmen among them. The foundations which are so giant a part of private charitable, scientific and educational energy owe their existence solely to the gift of business wealth.

Our conscience is clear! But it shouldn't be. In one all-important aspect of our national expression -- our posture toward the world -- too much of U.S. business and its organized groups, trade associations, Chambers of Commerce, NAM, the Conference Board and others, we are largely silent.

In one aspect of interest in international affairs, that is not true.

Efforts to advance U.S. national security have long attracted the passionate involvement/businessmen. The American Security Council, the Enterprise Institute, the National Strategy Information Center are but three important expressions of this interest.

Yet this is why the book by Francois Ponchaud is of particular urgency to business executives. There is a human dimension to the repetitive tragedies which have seen the death of millions of people at the hands of the totalitarians, right and left. There are literally millions of others who have left all behind and risked their lives to flee. There are voluntary agencies which can at least reach, help resettle some of those who have cherished freedom with such courage and desperation. But, quite candidly, a curtain comes down in the business community when these, the most ardent exponents of what we so urgently and profitably enjoy, should be in the center of our concerned vision.

When it seemed that the U.S. had exhausted its hospitality toward the refugees from the three Indochinese countries early in 1978, an effort by private citizens forming themselves into the IRC Citizens Commission on Indochinese Refugees was made in order to go to the countries of first refuge in Asia. The ghastly cost which was being paid by those who fled Vietnam by shallow boats across a thousand miles of hostile sea brought at first a thousand to a distant shore last

January. Then the monthly number rose to 1,500 of those who reached Malaysia, Thailand, the Phillippines, Hong Kong, even Australia. By July the number had risen to six thousand a month.

There are, in addition, the more than 110,000 who have fled Laos into Thailand. And there are the nearly 16,000 who at greatest risk made their way to Cambodia. That Commission brought back its first-hand observations and an urgent recommendation that the U.S. adopt a continuous parole program to make possible the resettlement of at least 25,000 of these people annually in the U. S.

Within days of the return of the Commission and the widespread if not copious coverage of its findings in the U.S. press, ardent expressions of full support began to pour in on the White House, the State Department and to the International Rescue Committee which had facilitated and financed the work of the independent Commission.

The AFL-CIO Executive Council happened to be meeting at just that time. With George Meany's personal strong endorsement, the Council voted unanimously to press for a generous policy of U.S. refuge. At a time of heavy unemployment and the always asserted argument that these desperate people will threaten to undercut U.S. wage scales, the opposite attitude might have been expected. Eighty-nine of the most well-known of the black leaders of this country ardently identified themselves with that cause and stated their unequivocal support in a full page New York Times ad -- at a time when black unemployment was especially severe. Hardly a national church group remained silent. The same for lay groups like the National Council of Jewish Women. Scores of other organized groups joined this human appeal to the President, among them Social Democrats, U.S.A.

Many individual businessmen wrote to convey their warm identification and several volunteered substantial contributions toward this effort. The

Commission itself was led by two people who shared a life-long association with business: William J. Casey and I were co-chairmen of this effort which included James Michener, former Assistant Secretary of State, John Richardson, civil rights leader Bayard Rustin, Rabbi Marc Tanenbaum, Father John Ahern, among other distinguished men and women from various walks of life.

But was there a single resolution, message of support, offer of help from even one business association? Ponder that puzzle -- business support for a strong defense of freedom and an inability to identify with freedom's front-line victims.

As many as 30,000 of these Indochinese refugees will have to be resettled in the United States within the next year. Senator Robert Dole has, in addition, introduced an amendment to the State and Justice Department's appropriation bill to require that we resettle the 15,000 Cambodian refugees who have been rotting in refugee camps in Thailand, already vastly overburdened by other Indochinese refugees. The Senate passed that amendment unanimously. Congressman Stephen Solarz has introduced a bill in the House for the identical purpose. If these efforts become law, we will be seeking to resettle nearly 50,000 of these people -- Father Ponchaud's Cambodians and their Lao and Vietnamese counterparts.

Eight voluntary organizations will carry the responsibility for that effort. Churches, individuals, communities across America will be needed to sponsor and initially assist these families. Organizations like the International Rescue Committee because it is non-sectarian has no constituency to look to and therefore has itself sponsored 15% of all the Indochinese who have come here since April 1975. And their next year's effort alone will require a million and a half dollars from private American sources.

A movement is underway in organized labor circles to urge that as many well-known locals as can do so sponsor an Indochinese family if only by providing to the voluntary agencies which carries the responsibility for resettling these refugees the roughly thousand dollars that a group of three people represent as resettlement cost to that agency. The reason the sum is that modest is because transportation from Vietnam to the United States and costs incidental to transfer to this country are borne by the United States Government and an inter-governmental body, the ICEM. In addition, the U.S. Government provides a resettlement grant to the voluntary agency of \$350 per person. The International Rescue Committee, as the leading non-sectarian agency in the field, does not have a church constituency of families which it can look to to provide housing and assume the initial steps in the resettlement process and therefore an average additional \$300 is the IRC's cost for providing resettlement services which include essential pocket money, living care, temporary housing, and any necessary medical help, and all the steps toward the earliest possible employment. One of the happy circumstances involving this particular group of refugees is a work ethic so tenacious that of the 130,000 Indochinese who first came here in 1975 and 1976, 94.5% of the employables are presently employed, more than a percent higher than the average for native Americans. Imagine the impact if each of America's top thousand corporations was to sponsor an Indochinese family or if each local Chamber of Commerce similarly demonstrated its identification and concern.

No one who reads "Cambodia: Year Zero" will fail to feel this urgency. No businessman who feels this urgency will fail to make a significant dent in the unhappy stereotypes which bedevil us -- but not altogether without reason.