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THE WEEK IN RELIGION

BY RELIGIOUS NEWS SERVICE

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RELIGIOUS GROUPS SCORE CAMBODIA FOR THREE-YEAR 'REIGN OF TERROR'

Senator George McGovern's suggestion for international military intervention in Cambodia was a jolting reminder of the widely-reported horrors in the Communist-ruled southeast Asian country.

Jolting, startling, because the South Dakota Democrat, who ran for President in 1972 on a platform of ending United States involvement in Indochina, was a leader of those Americans who vigorously opposed U.S. military action in Vietnam.

Mr. McGovern raised the issue of Cambodia at a Senate Foreign Relations Committee hearing (Aug. 21) by citing estimates that as many as 2.5 million of the country's 7.7 million people have died of starvation, disease, and execution since the Communist (Khmer Rouge) takeover in 1975.

Insisting that military intervention should be considered only in the most extreme of circumstances, Mr. McGovern said: "This is most extreme I've ever heard of. Based on the percentage of the population that appears to have died, this makes Hitler's operation look tame."

To him, what was reported to be happening in Cambodia was "a clear case of genocide."

A similar appraisal of the situation in what is now called "Democratic Kampuchea" by its rulers has been given by the American Jewish Committee.

In its annual meeting, last May, the Committee adopted a resolution which declared: "If published reports of mass killings in Cambodia by its Communist rulers are even only partially true, then the scale of murder in that small, tragic land, permitted in pursuit of a political end, approaches the enormity of the Nazi exterminations based on a myth of racial purity."

If the reports are true, the resolution added, "the Cambodian regime is guilty of the ultimate violation of human rights -- the mass murder of its own citizens."

Earlier this year, agencies representing Britain's Anglican, Roman Catholic, Orthodox, and major Protestant Churches issued a joint statement strongly condemning the atrocities and violations of human rights which, the statement said, have been occurring in Cambodia since 1975.

Since 1975, the statement said, "between one and two million people have been killed or have died as a result of their treatment... In order to build a new society, the human rights of Cambodians are being systematically violated on a massive scale."

Religious groups are not alone in condemning what former U.S. Secretary of State Henry A. Kissinger recently described as possibly "the most murderous government in the world."

Calling Cambodia the "worst violator" of human rights, President Carter has said that the U.S. "cannot avoid the responsibility" of speaking out against the Cambodian regime.

"It is an obligation of every member of the international community to protest the policies of this or any nation which cruelly and systematically violates the right of its people to enjoy life and basic human dignities," the President stressed.

Richard C. Holbrooke, Assistant Secretary of State for East Asian Affairs, testifying before a House International Organizations Subcommittee examining the status of human rights in Cambodia, declared: "Based on all the evidence available to us, we have concluded that Cambodian authorities have flagrantly and systematically violated the most basic human rights."

"They have ordered or permitted extensive killings; forcibly relocated the urban population; brutally treated supporters of the previous government; and suppressed personal and political freedoms."

"The new government," Mr. Holbrooke added, "seeks a radical restructuring of Cambodian personality and society. Coercion is their instrument to effect rapid change. Individual political liberties have been eradicated or subordinated to collective goals."

The State Department official also noted that "despite constitutional 'guarantees' of freedom of religion," in Democratic Kampuchea, "undefined 'reactionary' religions are proscribed." According to some reports, Christianity and Islam have been forbidden as "reactionary," and the practice of Buddhism, Cambodia's traditional religion, is punishable by death.

Democratic Kampuchea, Yugoslav reporters said in March after a two-week visit to the country, is governed by a shadowy group of leaders, most of whom are still unknown to the Cambodian people. Refugees from Cambodia refer to the ruling clique as Angka Loeu, the Organization on High.

The reporters were the first from Europe to be allowed a more-or-less first-hand look at how life in Democratic Kampuchea is being lived.

They described a primitive land where there is no postal system, no telegraph traffic with foreign countries, and where communications often consist of messages carried between villages.

A four-page newspaper, called Revolution, is published in Phnom Penh, the virtual ghost-town capital, only three times a month. The principal information medium is the government radio, which broadcasts news, commentaries, and revolutionary music.

Some elementary schools have been opened, but there are no high schools, vocational schools, or universities.

The Yugoslav journalists said the most intensive efforts of the Communist leadership seemed to be directed towards rebuilding the extensive network of dikes and irrigation canals.

Mobile work brigades of as many as 20,000 youths labor in what the journalists described as appalling conditions -- sleeping under open lean-tos -- building and rebuilding dams and dikes. They are called "voluntary" work brigades, but, said the Yugoslavs, it was clear that the brigades were "impressed labor."

A harrowing picture of Cambodia, since 1975, emerges from a scholarly study by a French Catholic priest, Father Francois Ponchaud, a member of the Paris Foreign Mission Society, who spent 10 years as a missionary in Cambodia.

His book, Cambodia: Year Zero, recently published in the United States by Holt Rinehart and Winston, has been praised as an exceptionally trustworthy documentary account of the rule of the Organization on High.

Father Ponchaud has no brief for the regime that preceded the current one in Cambodia. His 10 years in the country, he says, made him "painfully aware of (peasant) exploitation....under the corrupt Sihanouk regime." He says he welcomed the Khmer Rouge takeover of April 17, 1975, as "the only possible means of bringing Cambodia out of its misery."

Expelled with other foreigners a few weeks later, Father Ponchaud has since spent his time studying Cambodia by listening to the official radio, reading official documents, and interviewing hundreds of Cambodian refugees.

His initial hopeful assessment of the new Cambodian regime, he now admits, was woefully off base. And the picture he paints of Cambodia today is devastating.

While he doesn't use terms like "genocide" or "the Asian Auschwitz," they are nonetheless, as a book reviewer noted, his bottom line. Since the French edition of his book was published in 1977, he has done additional research and now estimates that as many as 300,000 political prisoners have been executed.

Of Cambodia's 7.7 million citizens, those who have died of malnutrition, disease, and forced labor may number two million, he thinks.

In Father Ponchaud's view, "the ~~Kuiper~~ revolution is irrefutably the bloodiest of our century."

It was reports like this that prompted Senator McGovern to ask at the Senate Foreign Relations Committee hearing: "Is any thought being given of sending in a force to knock this (Cambodian) government out of power?"

"I'm talking," he said, "about an international peace-keeping force, not the United States going in with the Marine Corps."

The State Department, in a reply to the Senator's suggestion, said the U.S. "does not intend to initiate an effort to resolve the terrible human rights situation (in Cambodia) by military force," and was not "aware of any international support" for such an effort.

The State Department did, however, note that the community of nations could bring their combined moral force rather than military power to bear on the government of Cambodia.

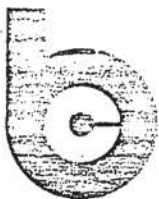
This is what religious leaders have been calling for. The British Churches' statement appealed for "the rallying of world opinion" on behalf of the victims in Cambodia and against "any further killings and repression."

The American Jewish Committee in its May resolution urged President Carter "to invite the leaders of the 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."

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September 5, 1978

Mr. Charles Sternberg
International Rescue Committee
386 Park Avenue South
New York, N.Y. 10016

Dear Carel:

Even before we attempt to organize the massive material we collected on our visit to most of the IRC installations around the world, Marge and I want to report to you a fact that deserves special treatment because it stood out so clearly.

Wherever we went in Thailand, whether we were interviewing American Embassy people, the UNHCR representative, a journalist like Henry Kamm, IRC workers or people in other organizations, there was absolute unanimity on the statement volunteered to us -- namely, that the attitude of the Thai government towards the refugees had grown more favorable in recent months, and the reason was directly attributable to the visit of the IRC Commission.

I have never known any action by private citizens, aimed at a political result, to have been so visibly and directly productive. Even though the the task remains unfinished, the members of the Commission should know that their efforts have already yielded a magnificent outcome.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Aaron', written in a cursive style.

Aaron Levenstein
Professor of Management



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of America

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NATIONAL REFUGEE POLICY NEEDED

Mr. KENNEDY. Mr. President, over the past several years—but especially this past year—the United States has faced growing problems in meeting the resettlement needs of refugees around the world. And it has now become clear to all involved with this problem that the time is long past due for the United States to finally establish a national refugee policy—a policy which will treat all refugees fairly and assist all refugees equally.

Over the years, I have repeatedly introduced legislation to reform the discriminatory and inadequate provisions of our immigration law as it relates to the admission and treatment of refugees. The provisions of the bill I introduced this year, S. 2751, go a long way, I believe, in helping to establish the basis for a national refugee policy.

Regrettably, the Senate Calendar will not likely permit action on this bill this year, nor on refugee reform legislation generally. However, it is my firm intention early in the next session of Congress to pursue this issue in an orderly and thoughtful way, to determine how our country can better respond to the growing resettlement needs among refugees throughout the world who look to the United States for help.

That our current law and practice in dealing with refugees is inadequate and discriminatory has recently been underscored in a thoughtful essay by Christopher T. Hanson in the current issue—Winter 1978—of New York University's Review of Law and Social Change, entitled "Behind the Paper Curtain: Asylum Policy versus Asylum Practice."

As we in Congress look toward next year, and the urgent need to finally act upon refugee reform legislation, I believe Mr. Hanson's essay will serve as an important reminder that we must end our piecemeal approach to refugee problems, and establish a clear-cut policy toward all refugees—both in their admission to the United States, as well as their resettlement in communities across our land.

Mr. President, I would like to share with my colleagues the excellent essay by Mr. Hanson, and ask that it be printed in the RECORD.

The essay follows:

[From New York University Review of Law and Social Change, Winter 1978]

BEHIND THE PAPER CURTAIN: ASYLUM POLICY
VERSUS ASYLUM PRACTICE

INTRODUCTION

President Nixon has reemphasized the U.S. commitment to the provision of asylum for refugees, and directed appropriate departments and agencies of the U.S. Government under the coordination of the Department of State, to take steps to bring to every echelon of the U.S. Government which could possibly be involved with persons seeking asylum a sense of the depth and urgency of our commitment.

On November 23, 1970, as the American Coast Guard cutter *Vigilant* moored alongside a Soviet fishing trawler in American waters off Massachusetts, Simas Kudirka, a Lithuanian seaman, leapt from the Russian vessel to the deck of the *Vigilant* and requested political asylum in the United States. Uncertain of proper procedure, the captain of the cutter telephoned Boston headquarters for instructions. Admiral William Ellis replied, "Return the defector," explaining that his decision was "in the interest of not fouling up any of our arrangements as far as the fishing situation is concerned." The Admiral's command was immediately carried out. Five Russians were allowed to board the American vessel, where they beat Kudirka into submission and then returned him to the Soviet trawler in the *Vigilant's* motor launch, piloted by an American officer.

Not surprisingly, the image of the United States as a haven for the oppressed—and particularly for those fleeing communism—was sullied by the Kudirka affair. The public was outraged, since the Russians were known to impose Draconian penalties against defectors. There was speculation that our callous treatment of Kudirka might be part of the price of détente and that our government was treating refugees as pawns in the game of international politics.

The Administration moved quickly to allay such suspicions, reassuring Congress and the American public that the Kudirka affair was an "aberration," an administrative "smafu" which would never happen again. Deputy Under Secretary of State for Administration William Macomber stressed that "the historic role America has played as a refuge for the oppressed, from the very beginning of our tradition, is still our role." Other Administration officials insisted that the United States did not have, nor had it ever had, a policy of returning refugees to countries where they would be persecuted and that the United States policy on political asylum was one of concern for all victims of political persecution, regardless of American relations with the regimes from which the refugees were fleeing. Human lives, insisted the administration, were not being sacrificed for détente or any other facet of our foreign policy. According to State Department officials, the criteria which successful applicants for asylum must meet are applied evenhandedly to those who seek asylum from any country on the globe: they must be fleeing from a repressive regime and demonstrate a "well-founded fear" that political, religious, or racial persecution would face them upon return.

The State Department's explanation of the Kudirka incident in particular and of American asylum policy in general apparently satisfied most critics, and the subject was soon forgotten. But although the official explanation was accurate enough in some respects, it was quite misleading in others. Spokesmen for the State Department presented a strong case that government policy on granting asylum is uniformly just and humane, but an examination of U.S. asylum practice in cases other than the Kudirka affair raises strong doubts.

The Kudirka incident was indeed an "aberration," not because the seaman was callously returned to a totalitarian regime, but because he was returned to a communist regime. In an interview, Louis Wiesner, director of the State Department's Office of Refugee and Migration Affairs (ORM), noted with acerbity: "Historically, we have granted asylum or have failed to return

S 15247

people to any communist regime except Yugoslavia." Humanitarian treatment of refugees from communist countries has continued to the present, and asylum requests are rarely denied. State Department spokesmen recently confirmed that the pattern of grants and denials has continued to be present.¹⁴ Refugees from Iran, Chile, Haiti, the Philippines, and other repressive non-communist governments are not welcomed with open arms in this country. Indeed, gaining asylum in the United States from dictatorships friendly to the United States is much more difficult than gaining asylum from communist countries. This pattern of discrimination demands close scrutiny of the "depth and urgency of our commitment" to humanitarian asylum practice. President Carter's avowed concern for human rights and his appointment of a more liberal Immigration Commissioner, Leonel Castillo, offer some hope for the development of a more evenhanded asylum program than is revealed by our treatment of refugees to date.

CHILEANS, IRANIANS, AND HAITIANS A. Chilean refugees

The response of the United States government to victims of the Chilean junta provides a striking example of the "depth and urgency of our commitment" to refugees from a noncommunist government in our own hemisphere. Compelling humanitarian arguments for granting asylum to a group of exiled Chileans and "detainees" still in Chile were answered by this country with indifference, timidity, and delay.

Although the Immigration and Nationality Act of 1952¹⁵ makes no specific provision for admitting refugees from the Western Hemisphere, the Act does empower the Attorney General to "parole" refugees into the United States for "emergent reasons" or if the admission is deemed in the interest of the United States.¹⁶ The parole provision has been employed to bring in refugees following various political upheavals over the past twenty years: Hungarians after the abortive revolt in 1956; Cubans after the Castro revolution; Czechoslovakians after the Soviet invasion of 1968; British Asians expelled from Uganda in 1972; 130,000 South Vietnamese in 1975. In each case, the United States made an immediate and vigorous response to the emergency through the parole authority.

In September, 1973, Chile suffered its own political upheaval, but in the case, the American response was neither immediate nor vigorous. Under the junta, which overthrew the government of Marxist President Salvador Allende Gossens in a bloody coup on September 11, thousands of Allende sympathizers were summarily imprisoned, and many were tortured or executed. When the junta took power, many of the 13,000 foreign nationals who had been enjoying the sanctuary of the Allende regime became political refugees overnight. These foreign nationals were joined over the next two years by 18,000 Chileans who streamed from Chile into Peru, Argentina, and other countries to escape the Chilean dictatorship.

It is now well documented that the United States government sought to "destabilize" the Allende Administration.¹⁷ If American efforts contributed to the ultimate success of the coup—and it is widely believed that they did¹⁸—it would seem that the United States government had a special responsibility to the Chilean refugees and the political prisoners of the junta. A vigorous effort by the American government to provide sanctuary for the victims of the new regime was in order. This effort never materialized. Charles Gordon, former general counsel to the Immigration and Naturalization Service (INS), characterized the gov-

ernment's behavior toward Chilean refugees as "a terrible thing,"¹⁹ and Deputy Secretary of State Robert Ingersoll admitted that as of April, 1976, "our performance has been poor."²⁰ By February, 1976, there had been only minor improvement.

During the coup and in the days that followed, Chile was shaken by mass arrest, street fighting, and executions. Many sought safety in the embassies of foreign nations, and hundreds were taken in at the Swedish, French, and other European and Latin American embassies. On January 3, 1974, a United Nations observation team reported that 1,800 non-Chileans and 500 Chileans still remained in refuge in embassies.²¹ According to one observer, very few of these desperate people looked to the American embassy for sanctuary since they did not expect to be taken in there. "It is not our custom to grant 'diplomatic asylum' [asylum in an embassy],"²² said Frank L. Kellogg, who at the time of the coup was Special Assistant for Refugee and Migration Affairs. Kellogg went on to explain that diplomatic asylum is of dubious status in international law and is generally practiced only by Latin American states.

But in Chile, sanctuary was also provided by European embassies. Furthermore, diplomatic asylum is not without precedent in American practice. The United States granted diplomatic asylum to Cardinal Mindszenty in Hungary²³ and was prepared to provide asylum in its Johannesburg consulate for attorney Joel Carlson, defender of black political prisoners.²⁴ State Department guidelines on asylum policy explicitly state that "[i]mmediate temporary refuge . . . may be granted in extreme or exceptional circumstances wherein the life or safety of a person is put in danger."²⁵ Circumstances in Chile at that time were clearly "extreme" and "exceptional," and the lives and safety of those who sought refuge in embassies were certainly "in danger." In the interest of humanitarianism, our embassy in Chile could have offered some people "temporary refuge" if the United States government had chosen to do so.²⁶

The Congress of the United States showed no more inclination to become involved in a rescue operation than had the embassy. Within days of the coup, as the dimensions of the Chilean refugee crisis were becoming apparent, Senator Edward Kennedy and Congressman Robert Drinan introduced measures designed to admit Chilean refugees into the United States, but both were unsuccessful.²⁷ Congress took no initiative to alleviate the refugee problem. There was no strong congressional constituency to work on behalf of refugees from noncommunist regimes, and these particular refugees were regarded with suspicion because many of them had been aligned with the Marxist Allende and some were politically to Allende's left.

As the distress of foreign nations in Chile and of Chilean exiles continued to mount in the months following the coup, the American government remained aloof. When the junta declared that all foreign nationals staying in Chile must be out of the country by February, the United Nations Office of the High Commissioner for Refugees (UNHCR) urgently appealed for help to members of the United Nations. A number of countries responded generously, but the United States was not one of them. While West Germany, France, and Sweden each took in between 800-1100 refugees, the United States accepted only 26 out of about 150 people who had applied for admission to the United States through UNHCR.²⁸ According to an ORM official, most of the 26 were "not political refugees, but merely people fleeing the general disorder." He explained that the "real" refugees did not even apply for asylum in the United States.²⁹ They knew it was against U.S. policy to admit anyone who could be legally barred as a communist or "subver-

sive."³⁰ Thus, ironically, those who were most liable to persecution had they remained in Chile, and who were therefore priority candidates for political asylum, could not even be considered under the U.S. asylum program. Of course, they could have been legally paroled into the country under the Act's parole provision³¹ which, according to Charles Gordon, is "designed for the admission of those who are otherwise excludable."³² But the Immigration and Naturalization Service had consulted with Congress on a proposal to admit foreign nationals from Chile and, on the basis of congressional response and its own predisposition, decided against admitting Marxists and communists.

A year after the coup, in August, 1974, the United Nations High Commissioner for Refugees, Prince Sadruddin Aga Khan, urgently appealed to the United States to grant asylum to a substantial number of the 4,000 Chilean exiles who had been temporarily accepted by Peru and now needed to be resettled.³³ Then, on September 11, 1974, General Augusto Pinochet Ugarte, the Chilean chief of state, announced that virtually all of the political prisoners who had been "detained" in Chile would be released and expelled if foreign governments would offer them asylum.³⁴ Stirred by Sadruddin's appeal and Pinochet's announcement, officials of the Office of Refugee and Migration Affairs dispatched two "action memos," on September 17 and November 7, urging the State Department to seek speedy admission of Chilean exiles in Peru and detainees still in Chile.³⁵ But it was not until April 23—over eight months after the U.N. High Commissioner's appeal and seven months after the Pinochet announcement—that the State Department formally proposed a group asylum program to the Attorney General, who had the legal authority to act.³⁶ Finally, on June 26, two months after the department's proposal was made, Attorney General Edward H. Levi replied with qualified approval of a much more modest program than that originally requested.

The State Department's formal proposal was delayed and modified for two reasons. First, the Immigration and Naturalization Service and General Leonard Chapman, the former Marine commandant who heads the INS, were unalterably opposed to the Department's original suggestion that the Chilean exiles be brought in as a group. In an interview, General Chapman confirmed that the State Department's group-parole proposal was whittled down to one of case-by-case admission. The proposal to admit the refugees as a group, before screening in their present location, said Chapman, would have meant that the United States could not have subsequently expelled an undesirable person without violating the United Nations Protocol Relating to the Status of Refugees.³⁷ In that case, he said, the only alternative would have been to restrict or jail a refugee who was found undesirable after admission on group parole. Citing instances of restriction in the Vietnam group, Chapman argued that no such problems would arise in case-by-case admission since screening would occur before the refugee arrived in the United States.³⁸

Second, the State Department had decided to engage in "preliminary consultation" with the House and Senate immigration subcommittees before sending a formal proposal to the INS. Beginning in November, 1974, these consultations dragged on for a period described by Dale de Haan of the Senate Subcommittee on Refugees and Escapees as "unprecedentedly long."³⁹ De Haan believes that the delay was a tactic designed to cloak a lack of resolve within the Administration. "There was no clear policy," said de Haan. "Some wanted to give them asylum and some did not. . . . Hence, no action was taken at State—except for consultation—until the end of April."⁴⁰

Although there is truth in de Haan's as-

Footnotes at end of article.

assertion, Congress must bear some responsibility for prolonging the consultations. One retired State Department official pointed out that, although Congress has no official veto power over refugee parole proposals, members of Congress "have ways of getting back at us if they don't like what we do, or think we are paying insufficient attention to their views."²⁷ And General Chapman confirmed that the INS has never, to his knowledge, exercised its authority to admit refugees if preliminary consultation showed congressional opposition. Furthermore, he doubted that the INS would ever do so.²⁸

In the Chilean case, a great deal of time was consumed in trying to overcome strong congressional resistance to the State Department proposal. Some subcommittee members took advantage of a congressional recess to forestall formal consideration of the matter for as long as possible. Several members of Congress expressed concern about endangering "national security" by admitting communists, Marxists, or Allende sympathizers.²⁹ Others argued that the American economy might be unduly burdened in view of the existing unemployment situation and the large number of aliens already in the country.³⁰

State Department representatives went to great lengths trying to overcome these objections. They assured the doubters that the immigration act would be complied with and that no communists or "subversives" would be admitted. There would be no "blanket admission" of Chileans. Finally, they argued that the number of admissions contemplated was only about 400 families—hardly enough to have a serious effect on the economy.³¹ In the end, though, congressional attitudes were still mixed:

Chairman Eastland in the Senate . . . and . . . Edward Hutchinson, the ranking Republican on the House Judiciary Committee, appear to be opposed to a parole program for those refugees in Chile and those in Peru. . . .

Chairman Kennedy of the Senate Subcommittee enthusiastically supports a program of parole for both groups. . . .

The House Subcommittee has indicated support for parole of refugees physically in Chile, but [has] declined to indicate support for those in Peru.³²

This lack of congressional consensus did not offer much guidance to the administration in formulating a policy for dealing with the refugees.

Despite the State Department's own delay, Deputy Secretary Ingersoll's letter of April 23, 1975, formally proposing to Attorney General Levi that he parole a limited number of "refugees/detainees" on a case-by-case basis, sounded a compelling note: "The conditions under which the refugees/detainees are living continues to deteriorate. . . . It is imperative that we act expeditiously to implement this program."³³ Nevertheless, it took the Attorney General two months to reply. The Justice Department undertook its own consultation with Congress and met the same reservations that had been encountered by the State Department. When asked about this duplication of effort, General Chapman replied that the INS, not the Department of State, had the ultimate legal and political responsibility for admitting aliens.³⁴ Chapman wanted to be doubly sure that Congress did not approve the program under consideration. Further delay was caused by the South Vietnamese refugee crisis in May which absorbed the time of everyone concerned for weeks. Frank Kellogg explained that the Vietnamese crisis was a clear emergency, while the Chilean case was less urgent.³⁵ Considering reports that detainees in unknown numbers were being quietly executed by the Pinochet regime, his reasoning was far from convincing.

In his June 26th reply to Ingersoll, the

Attorney General finally agreed to consider parole of up to 400 Chilean detainees and refugees.³⁶ Cases soon began arriving at the American consulates in Santiago and Lima, but it was the middle of August before three consular officers and one immigration official were assigned to work exclusively on the cases there. The screening process improved, but countless hours were spent flying up and down the long Chilean coast and into the mountains of Peru to interview applicants and check their backgrounds. Although Vietnamese refugees were generally cleared in two or three weeks, if often took six weeks for American officials in Santiago and Lima to complete security clearances and send their recommendations concerning Chilean refugees to the State Department.³⁷ Once the recommendations had been forwarded to Washington, securing INS approval and locating a sponsor for each refugee and his or her family took up to an additional two months. Even then, the Chilean government could delay granting an exit decree, making it impossible for the refugees to leave the country. On October 18, 1975, almost four months after the Attorney General had approved the program, the first Chilean refugee finally arrived in the United States. By mid-January, 1976, seven months after the program began, only twenty-five cases (78 people) had been approved and only ten families (27 people) had arrived in the United States.³⁸

The delays in initiating the parole program and in processing the applications prolonged the suffering of those requesting asylum; together with the narrow scope of the program, they also reduced the number of applicants. By the time the American program began, many of those who were eligible had gone to other countries. Because of their leftist political views, a number of the refugees preferred settling in other countries if they were able to do so. Looking upon the United States as a right-wing country which had played a large role in the downfall of the Allende government, few of these detainees were eager to seek belated American offers of asylum.³⁹ The number of applicants was further reduced by the United States' widely-known prohibition against admitting former communists. Moreover, the American parole program in Chile had been actually restricted to applicants who were actually in jail or under strict house arrest. Those who had been released from detention but were still under surveillance and living in fear of future persecution were not eligible.⁴⁰ The INS is currently considering relaxing the standards for the parole program; however, if such revisions are not forthcoming, one State Department official has expressed doubts whether the program will even reach the limited target of 400 families.⁴¹ As of January, 1976, only 389 cases had been submitted and there have been very few new applications since that time.⁴²

The most that can be said for American policy regarding the Chilean detainees is that a program was adopted, but that it was too little and too late.⁴³ The numerous delays while the State Department, the INS, and Congress tried to formulate and coordinate their policies caused many detainees to suffer in prison far longer than necessary. Those delays were inexcusable, particularly in contrast to the urgency with which Vietnamese refugees were handled and the swiftness with which the INS extended the visas of the 450 to 600 Chileans who sought asylum in the United States in the months following the election of Allende.⁴⁴ Certainly, the Chilean asylum program comes nowhere close to meeting the objectives urged by Deputy Secretary of State Ingersoll. The program neither improves the U.S. national image nor "demonstrate[s] that the United States concern for refugees extends to all persons in need, irrespective of the nature

of the government from which they are fleeing."⁴⁵

There have been few court cases involving Chilean asylum appeals, because most Chilean refugees have been in distress in Chile and their admission into the United States is not legally required under American or international law. Chileans who happened to be in America at the time of the coup have had difficulty gaining asylum. According to a State Department official, many had requested asylum from the Allende regime, which made it even more difficult to establish a well-founded claim of being persecuted by the junta.⁴⁶ *Cisternas-Estay v. Immigration and Naturalization Service*⁴⁷ illustrates this difficulty. A Chilean married couple, having initially sought asylum from the Allende government, continued to seek it after the coup. They called a press conference, denounced oppression under Pinochet, and then reiterated their asylum claim on grounds that they would be subject to loss of citizenship and other persecution in Chile. The junta had recently issued a proclamation "forbidding crimes against the 'essential interests' of Chile by nationals living abroad"⁴⁸ and the petitioners claimed that their press conference would be construed as such a crime and would be used against them. They also submitted documentary evidence of widespread oppression in Chile.

An Immigration District Director denied asylum, relying in part on a letter from the State Department which recommended denial of the *Cisternas-Estay* request and three others. The letter "noted that the Allende government in Chile had been removed from power" and concluded that "there was no basis for granting political asylum."⁴⁹ The Board of Immigration Appeals upheld the decision on the ground that the aliens had failed to carry their burden of proof that there was a "clear probability" of their being persecuted under the Pinochet regime.⁵⁰ The Court of Appeals for the Third Circuit sustained the decision because grants of asylum are discretionary and reversible only if the alien proves abuse of discretion, i.e., that the Board's decision was "arbitrary, capricious, or illegal."⁵¹ In order to establish such abuse, *Cisternas-Estay* would have had to prove the animosity of the junta to them.⁵² Since they failed to do so, they were ordered deported.

The appeals court added that "[t]here is nothing in the record to undermine the Board's position that the press conference was 'staged' to acquire 243(h) relief."⁵³ Thus, ascertaining sincerity of motive was judged to be within the discretion of the INS. Interestingly, Immigration and State Department officials often justify granting asylum to communist country refugees whose motives are economic on grounds that overstaying their visas would likely result in criminal prosecution and/or harassment if they were returned home.⁵⁴ The prospect of criminal prosecution was not taken seriously in *Cisternas-Estay* and did not lead to a similar result. In the eyes of the courts, discrepancies in outcome such as these do not amount to an arbitrary and capricious abuse of discretion.

B. Iranians

The plight of Iranian student dissidents already in the United States, although less extreme than that of the Chileans, raises disturbing questions about the sincerity of U.S. commitments to refugees from regimes with which our government wishes to maintain close ties. Most of the Iranians applying for political asylum are members of the militantly anti-Shah Iranian Student Association who have overstayed their allotted time and are subject to deportation. They appeal for asylum under § 243(h) of the Immigration and Nationality Act⁵⁵ on the grounds that they would be subject to persecution if they were sent back to Iran.

The Iranian government is well known for its repression of political opposition, as

Footnotes at end of article.

a good many official American sources will admit—off the record.⁶² Just as Russia has its KGB and South Africa its Special Branch, the Shah has SAVAK, considered to be "one of the most pervasive and feared secret police organizations in the world."⁶³ The SAVAK is reported to employ between 30,000 and 60,000 full-time agents and to have at least three million Iranian informers at its disposal.⁶⁴ Charges of brutal treatment of dissenters by the SAVAK have been documented,⁶⁵ and it is estimated that there are more than 20,000 political prisoners in Iranian jails.⁶⁶ According to reliable sources, many Iranian dissidents have disappeared and have never been heard from again.⁶⁷

Thus, most of the students applying for asylum have good reason to fear their deportation from the United States. Many of them have engaged in repeated protest activities against the Shah's regime. They know that their activities are carefully noted by the Iranian government and will be held against them. In 1971, for example, a group of protesting Iranian students ransacked their government's consulate in San Francisco.⁶⁸ They were arrested and fined by the American authorities, but soon afterward, the Iranian government published a list of known participants and declared that upon their return to Iran they would be subject to further punishment. According to Christian Pappas of the Office of Refugee and Migration Affairs, this would probably mean "a long, harsh term of solitary confinement."⁶⁹ An Iranian embassy official confirmed that his government has pressed the United States to return Iranians who have violated Iranian law and that such activities as protest marches and demonstrations in front of the Kennedy Center during a visit of the Shah—perfectly legal activities in the United States—constituted "insulting the Shah and the Iranian government"—a punishable violation in Iran. He expressed the opinion that the United States is being "unduly tolerant" toward the activities of those people who are here on student visas "for the purpose of study, not politics," and made it clear that those who had "insulted" their country while abroad would be punished upon return.⁷⁰ One American government source pointed out that political dissidents who have returned voluntarily have been arrested and harassed and many have disappeared permanently.⁷¹ There seems little doubt, on the basis of the evidence, that Iranian dissidents do qualify for asylum on the grounds (stipulated in the United Nations Protocol on the Status of Refugees,⁷² to which the United States is a signatory) that they have a "well-founded fear of being persecuted" in Iran.

Yet, almost without exception, asylum requests have been denied to Iranians. According to Christian Pappas, about thirty Iranians requested asylum between 1971 and August, 1975, but few if any of the applications were granted.⁷³ The inevitable question becomes why the Iranians are denied asylum when, as one knowledgeable official has admitted, many applicants from Eastern Europe with far weaker cases are almost automatically granted that status.⁷⁴ In journalistic and State Department circles, it is often observed that the wishes of the Shah of Iran carry considerable weight with American policy-makers. Oil talks and America listens. Or as one observer put it, "whatever the Shah wants, the Shah gets."⁷⁵ One informed government source explains that granting asylum to dissident students would be official confirmation that the Iranian government persecutes its own people. "The government of Iran objects strenuously to our granting asylum to its citizens," he says. "They would consider it a slap in the face. Thus, our policy is to oppose grants of asylum to the Iran-

ian applicants for the sake of relations with Iran."⁷⁶

The case of the asylum applicants who vandalized the Iranian consulate in 1971 clearly illustrates the general attitude of the Shah's administration and the customary response of the United States. In its objection to any asylum grants, the Iranian government implied that it was its sovereign right to punish the students in Iran. American officials were faced with a dilemma. If they granted asylum to the student dissidents (who had already been punished under American law), they would risk damaging American relations with Iran; if they deported the dissidents to almost certain further prosecution in Iran, they would violate international agreements and contradict America's professed tradition of providing refuge for the oppressed.

What one State Department official termed a "cynical-realist" solution was found in 1971: the Iranians would not be granted asylum, but neither would they be returned to Iran; they would be allowed to stay in the United States under a "voluntary departure" status. Subsequent requests for asylum have generally been dealt with by granting this voluntary-departure status. At first glance, this course of action appears to be a humane compromise, but in actuality, those refugees who are on voluntary-departure status are living in a state of limbo. Unlike conditional-entry status, voluntary-departure status cannot be adjusted to permanent residence. According to David Carliner, an immigration attorney who has represented a number of Iranian asylum applicants, the government never allows Iranians to remain here indefinitely under voluntary-departure status.⁷⁷ Deploring the "aleazy" treatment of the Iranians, he argues that the government is actually undermining the law by denying a secure status to those seeking refuge. He maintains that there is little security under a status which "can be revoked at any time."⁷⁸ In addition to suffering from this lack of security, the alien in voluntary-departure status may soon find himself without economic security and with little opportunity to better his position. Proposed legislation⁷⁹ which would punish an employer for hiring illegal aliens is already having an impact on those in voluntary-departure status as well as those here illegally. Political refugees are viewed as unwelcome competitors for scarce jobs during a period of serious domestic unemployment.⁸⁰

A number of Iranians have appealed their asylum denials in the courts to force an examination of the issues surrounding their requests.⁸¹ The State Department has been very disturbed by these appeals, for, according to one of its Near East specialists, the Iranian government mistakenly believes that the Administration can control the courts.⁸² Any court decision which overturned official recommendations and granted asylum to some Iranians would be just as offensive to the Shah as an outright asylum grant by the Administration. As one official put it, "The Shah would become very, very angry. At the very least, he'd reprimand Ambassador Helms or President Ford. The atmosphere would be tense, and this might affect U.S. business prospects, the price or availability of oil, and so on. The Shah could be very, very nasty."⁸³ Unwilling to incur such royal wrath and its possible economic consequences, the State Department has used every possible subterfuge to prolong the cases and prevent a resolution. When the case of the Iranian students who had vandalized the Iranian consulate went to court, apprehension increased in the State Department. If the Iranian students presented a persuasive case and were granted asylum by the court, it was feared that the precedent would bring on a deluge of new appeals by other Iranians. As a consequence, American relations with the Shah were bound to suffer.

When, at length, the Iranian asylum cases did begin to reach the courts, the Administration fought against having its recommendations overturned. According to immigration attorney David Carliner, the government argued that unless the applicants had engaged in dissent in Iran, they were not bona fide refugees.⁸⁴ The courts have agreed. *Matter of Kojory*⁸⁵ is a case in point. The petitioner had never engaged in anti-government activity in Iran, but when he came to the United States he joined the Iranian Student Association and participated in public demonstrations against the Shah. Kojory argued in his asylum application that his political actions in the U.S. would cause him to be persecuted if returned home. He produced an expert witness to testify that members of the Iranian Student Association who had returned to Iran in the past were, in fact, imprisoned after being convicted on allegedly "trumped up" charges. The Board held, however, that Kojory had not carried his burden of proof: "[n]o . . . proof has been adduced of these claims other than the statements by respondent and his witness . . ."⁸⁶ The Board believed that the State Department was a more reliable informant. The State Department insisted in a letter that "opposition to the Shah's regime without more does not subject an individual to persecution . . ."⁸⁷ This led the Board to observe that "Respondent's application is weakened . . . by the fact that he participated in absolutely no political activity of any sort prior to coming to the United States."⁸⁸

The federal circuit courts have been less prone than the Board to accept the State Department's pronouncement that Iranians who denounce the Shah are safe to return home; judicial unwillingness to intervene in cases of administrative discretion, however, has inhibited the circuit courts from reversing Board decisions. In *Kasravi v. Immigration and Naturalization Service*,⁸⁹ the court observed that "[s]uch letters [concerning asylum cases] from the State Department do not carry the guarantees of reliability which the law demands of admissible evidence. A frank, but official, discussion or the political shortcomings of a friendly nation is not always compatible with the high duty to maintain advantageous diplomatic relations throughout the world. The traditional foundation required of expert testimony is lacking . . ."⁹⁰ Nevertheless, the *Kasravi* court refused to rule that the Board's use of State Department recommendations is a reversible abuse of discretion. In support of this conclusion, the panel quoted *Namkung v. Boyd*:⁹¹ "the withholding of deportation in cases where the alien fears persecution rests wholly in the administrative judgment and 'opinion' of the Attorney General or his delegate. The courts may not substitute their judgment for his."⁹²

David Carliner observed that, despite its spurious line of reasoning, the Administration had generally been successful in staying the Iranian students' court appeals. He added that the Board of Immigration Appeals tended to accept the State Department argument and even ordered a number of Iranians deported to their native land.⁹³ Although apparently no such deportation orders were actually carried out,⁹⁴ it is ironic that an administration which professed a humanitarian asylum policy went on record as favoring deportation of these people. The United States government used voluntary departure as a measure to avoid taking a stand on principle. Faced with the decision whether or not to acknowledge that some of the Iranian student dissidents in this country were likely to be persecuted if returned to Iran and to treat these students accordingly under the law, our government chose not to do so for the sake of relations with Iran. Foreign policy considerations were

Footnotes at end of article.

allowed to intrude unduly on the practice of granting asylum. Apparently, the power of the Shah was sufficient to subvert a long-standing American tradition of concern for human rights.

C. Haitian refugees

Like the Iranians and Chileans, the Haitian asylum applicants have found it exceedingly difficult to gain sanctuary in the United States. In recent years almost two thousand Haitians have escaped their homeland, striking out by boat for Miami.¹⁰¹ Many have drowned en route. Nearly all those who survived and requested asylum in Florida were given summary hearings and declared by the INS to be ineligible for asylum.¹⁰² Many were jailed to await expulsion and several years ago one of them, in despair over his plight, hanged himself in his cell.¹⁰³ The Haitians in Miami were joined in their asylum requests by a number of their countrymen in the United States who had overstayed their visas or had been discovered to be in illegal residence and were ordered deported by the U.S. government. Most of these Haitians appealed under the provision of the Immigration and Nationality Act which provides withholding of deportation to those who would be subject to persecution if returned to their native land.¹⁰⁴

The Immigration and Naturalization Service and the State Department, however, stated that, with very few exceptions, such claims were spurious, that the motivation of most Haitian applicants was economic, and that they were simply attempting to immigrate via a misuse of the asylum proceedings, thereby undermining the integrity of U.S. immigration laws.¹⁰⁵ This attitude is reflected in the asylum recommendations furnished by the State Department to the INS between January, 1974, and May, 1975: of the 578 Haitian asylum requests made during that period, denial was recommended for 559, and approval for only 19.¹⁰⁶

Haitians' claims of persecution were given more serious consideration in *Coriolan v. Immigration and Naturalization Service*.¹⁰⁷ Circuit Judge Tuttle concluded that the INS had failed to adequately evaluate the aliens' claims and remanded for further proceedings. In his opinion, he suggested that the applicants might be subject to prosecution—and hence persecution—for illegal departure—and that additional relevant evidence (provided by Amnesty International) should be considered in order to determine "whether Haitian political conditions are so specially oppressive that a wider range of claims of persecution must be given credence."¹⁰⁸

It is difficult to determine whether the Haitian applicants actually qualify for asylum as political refugees. The United Nations Protocol Relating to the Status of Refugees defines refugees as those who harbor a "well-founded fear of being persecuted" if returned to their native land for political or religious reasons or due to membership in a particular social, ethnic, or racial group.¹⁰⁹ The United States and other signatories of the Protocol have pledged never to return refugees to face such persecution.¹¹⁰ Yet, until recently, Haitian refugees who were intercepted at the border and determined by the INS to be "excludable" rather than "deportable"¹¹¹ have been denied a full and impartial hearing of their asylum claims.

There are significant differences between the Haitian cases and those of the Iranians and Chileans. American foreign policy does not appear to have had a major influence on the outcome of the Haitian cases. Moreover, unlike many of the Chileans, Haitian asylum applicants do not bear the stigma of being a "national security threat" because of their political ideology. Few of the Haitian applicants are political at all, and this, in fact, has been the crux of their problem in gaining

asylum. Since most of them were not politically active in Haiti, INS and State Department officials discount most of their claims of political persecution.¹¹²

Yet, almost without exception, the Haitian asylum applicants speak of arbitrary arrests, beatings, confiscations of property, and executions of relatives by the *ton ton macoutes*—agents of the Port-au-Prince regime.¹¹³ State Department and INS authorities consistently reject such asylum requests on the grounds that the applicants are equating private banditry with government persecution in an effort to twist the provisions of the asylum law to meet their immigration needs.¹¹⁴ Advocates of the Haitian asylum cause reply that the *macoutes* cannot be lightly dismissed as private bandits, since their actions contribute to the general repression on behalf of the government.¹¹⁵ Regardless of the exact relationship between the *macoutes* and the government, a great many Haitians apparently make no distinction between them. Thus, it can at least be argued that they harbor a legitimate fear of government persecution.

Because of the language barrier and the cursory nature of the initial INS interviews, Ira Gollobin and other immigration lawyers have long contended that these Haitians have not been given any real opportunity to present their legitimate claims for political asylum. Furthermore, they have maintained that State Department concurrence with INS denial rulings has been almost automatic because of a prevailing assumption that Haitian asylum claims are not valid. Under the terms of federal regulations,¹¹⁶ no appeal was allowed from the discretion of the District Director to approve or deny any application by these people.

Several recent events have relaxed the procedural difficulties facing the Haitians. After observing conditions in Haiti, Immigration Commissioner Leonel Castillo agreed that the Haitian cases should be given serious consideration and promised to allow them work permits. In February, 1977, in *Sannon v. United States*,¹¹⁷ Judge James Lawrence King ruled that, under the Protocol, "excludable" aliens have the same right as "deportable" aliens to have their claims considered by an immigration judge. Judge King's decision has at least opened the way for the Haitians to obtain a proper hearing; but it does not, of course, concern itself with the validity of their claims. Although the procedures for seeking asylum have undergone a decided amelioration, it remains to be seen whether many of the applicants will actually be granted asylum.

THE DOUBLE STANDARD

The ease with which Cubans have gained asylum in the United States¹¹⁸ stands in marked contrast to the difficulties which the Haitians and other noncommunist country refugees have encountered. In the 1973-74 fiscal year, 11,577 Cubans were paroled into the United States, raising the total number of Cubans in this country to roughly 600,000.¹¹⁹ Another 6,940 Cubans were paroled the following fiscal year.¹²⁰ The Cuban parole program still moves under the impetus of cold war foreign policy decisions made in the early sixties. The assumption continues that virtually everyone who leaves a communist country is a political refugee and that it is in the United States' interest to enhance its image as a haven from communism. So while Haitians and other applicants from rightist governments have had to prove that they are political refugees, this fact has simply been assumed when applicants are from communist countries.¹²¹

Whatever the eventual outcome of their cases may be, it is apparent that the Haitians have been the victims of a double standard in asylum practice. Discrimination is not

confined to Haitians, Chileans, and Iranians; their cases are part of an overall pattern that extends to citizens of all noncommunist countries. None of those persons who requested sanctuary from the Philippine or South Korean dictatorship between January, 1974, and May, 1978, were granted asylum in the United States, although five of the Filipinos were allowed voluntary-departure status.¹²² The State Department also recommended that asylum requests be denied to the sixteen Greeks who sought refuge before the fall of the junta on July 23, 1974, and to the eight South Vietnamese who asked asylum from the Thieu regime.¹²³ Yet, during this same period, scarcely any requests from Eastern European countries were denied. Cuban refugees continued to pour into the country; and after the fall of Thieu, 130,000 South Vietnamese were quickly admitted into Guam and the United States.¹²⁴

There is some evidence that aliens who are returned to Communist China and the more "liberal" East European countries are not persecuted, as they would be in the more repressive communist states such as Bulgaria and the Soviet Union.¹²⁵ Ironically, the uncertainty of the fate of those who are returned to Communist China, Poland, and Czechoslovakia is the ultimate State Department justification for not returning them. But the fate of Haitians, South Koreans, Filipinos, and citizens of other noncommunist nations who are returned is also uncertain; yet this has not prevented many of them from being returned. As recently as August, 1977, ninety-seven Haitians seeking asylum were flown back to Haiti from Guantanamo naval base in Cuba.¹²⁶ Another reason that has been given for the preferred admission of Cuban and Communist Chinese refugees is the authoritarian power of their governments.¹²⁷ This rationale would, however, deny the dictatorial nature of countries like Iran, the Philippines, and South Korea in asylum consideration.

The chief argument against admitting Haitians has been that they are economically, not politically, motivated.¹²⁸ American officials insisted that the arrival of some Haitians by way of the Bahamas proved their economic motivation in seeking asylum, since they were in no danger of persecution in the Bahamas.¹²⁹ Yet thousands of Cubans were admitted to the United States after residing in Spain, and the question of economic motivation was not considered there. No adequate justification has been advanced for treating such similar cases differently.

Frank Kellogg and some East European desk officers suggested "career limitations" in communist states, clearly an economic factor, as a basis for granting asylum.¹³⁰ This is particularly true with artists and skilled athletes. For example, the Czechoslovakian tennis star Martina Navratilova openly admitted in 1975 that, in choosing to seek political asylum, "Politics had nothing to do with my decision. It was strictly a tennis matter."¹³¹ She was admitted without question. According to one State Department official, in the case of thousands of East Europeans, political asylum

is used, essentially, for immigration purposes. East European countries are tight with migration, thus our immigration quotas usually can't be met. So we use the asylum mechanism for immigration purposes in an effort to equalize the situation. Most of these people are technically not eligible for asylum, but get it anyway.¹³²

Richard Jameson, of the State Department Office of Refugees and Migration Affairs, and other officials cite "standardized stories" as evidence that Haitians and Filipinos have been coached to say the correct things to qualify for asylum.¹³³ Yet "standardized stories" are so frequent among successful applicants from communist countries that one

Footnotes at end of article.

State Department Desk Officer suggested that those applicants may have been coached by experts in immigration law.¹²⁸

Raul Manglapus, former Foreign Secretary of the Republic of the Philippines, said that the State Department generally assumes that Filipinos who enter this country on a visa must be on good terms with their country and their claims for political asylum are therefore usually deemed fraudulent.¹²⁹ Such reasoning overlooks the fact that some may seek a visa to speak out against their government in other countries. Government officials admit that Poles and other visitors with visas from communist countries are often allowed to claim asylum, even when their motives are rather obviously economic.¹³⁰ In nearly every instance, Haitians, Filipinos, and South Koreans have had to prove the legitimacy of their requests beyond a shadow of a doubt, although escapees from Cuba and other communist countries have almost always been accepted on faith. The double standard plainly permeates asylum practice.¹³¹

THE LAW ON ASYLUM AND REFUGES

The Immigration and Nationality Act replaced the old system under which countries were assigned a quota on immigrants to the United States. The new method calls for allocation of immigrant visas in an order of preference. The seventh preference provides for the conditional entry into the United States of up to 17,400 persons annually who, because of persecution or fear of persecution, have fled communist or communist-dominated countries or the "general area of the Middle East."¹³² Included in this preference are also persons uprooted by what the President determines is a "catastrophic natural calamity."¹³³ The seventh preference discrimination in favor of refugees from communism is consistent with the immigration law's ban on admission of communists and advocates of communism.¹³⁴ On the issue of refugees who have fled because of persecution or fear of persecution in noncommunist states or states outside the "general area of the Middle East," however, the law is silent. It is almost as if noncommunist persecution was unknown to drafters of our immigration laws.

The parole provision of the Act is the only one which can be used to admit persons fleeing from other situations.¹³⁵ This provision allows the Attorney General to admit any refugee, including a communist, who is fleeing from any form of government in any hemisphere "for emergent reasons or for reasons deemed strictly in the public interest."¹³⁶ As Charles Gordon, former Chief Counsel for the Immigration and Naturalization Service explains, "The parole provision has no conditions. It is meant to admit those who are otherwise inadmissible."¹³⁷ In theory, the parolee is not admitted permanently but can stay only as long as the emergency exists.¹³⁸ Afterward, parolees are considered for immigrant status in the same manner as other applicants.¹³⁹ In practice, parolees have more security and, in the case of refugees from South Vietnam, may even have their eligibility for employment noted on their immigration papers. In theory, the parole provision provides the flexibility to reduce the discrimination which exists in favor of refugees from communism. In practice, however, parole has been used as one more means of admitting persons fleeing communism. Most of the people who have come into the United States via parole have come from communist countries, such as Hungary, Cuba, Czechoslovakia, and South Vietnam.¹⁴⁰

The fact that parole has not been broadly used to correct the discrimination against refugees from right-wing dictatorships indicates that this discrimination is based more in policy than in law. Officials with responsibility for administering the parole

authority generally consider that "providing sanctuary to those escaping communism is mandated in the law."¹⁴¹ The parole provision is legally available for humanitarian assistance assistance to any refugee, but standards for its application are not spelled out explicitly. By its very ambiguity, the provision lends itself to political interpretation. There is debate between Congress and the Administration as to whether groups can be paroled into the United States. Congress expects to be consulted before major parole programs are undertaken, and some members of Congress assert that consultation is a requirement. Administration spokesmen deny any legal requirement for consultation but maintain that there is, in essence, a political requirement to do so. "We do this because it is necessary to stay on good terms with the Hill and foster a spirit of cooperation," explained a foreign service officer.¹⁴² These consultations are conducted on an informal basis with ranking members of the House and Senate immigration subcommittees, but it is clear that the views of the members of Congress carry a great deal of weight. Through the consultation procedure, political influences often take precedence over humanitarian considerations. A State Department official, for example, acknowledged that congressional resistance to the parole of Chilean exiles in Peru was based largely on the belief that admitting them would add to the unemployment problem in the United States. "The House committee's position," added the official, "had a lot to do" with the ultimate decision to exclude the exiles.¹⁴³

Congress is not alone in resisting liberal use of the parole authority. The Immigration and Naturalization Service and the Attorney General, by many reports, are also hesitant to authorize large-scale parole programs.¹⁴⁴ One reason government officials have been reluctant to use their parole authority for the benefit of escapees from right-wing dictatorships is a provision in the Act which forbids the admission of any alien who advocates communism or the overthrow of the government, or who is a Communist Party member—unless the communist activity is deemed "involuntary."¹⁴⁵ This provision prohibits extending asylum to many people who seek refuge from such right-wing regimes as the Chilean junta, since the chief reason for their persecution is that they are Marxists or communists.¹⁴⁶ While the parole provision can be used to circumvent this prohibition, it is seldom applied because of political pressure from influential members of Congress, the Justice Department, and anticommunist lobbies.

In this connection, it is important to note an apparent conflict between American asylum law and the spirit, if not the letter, of the United Nations Protocol Relating to the Status of Refugees,¹⁴⁷ acceded to by the United States in 1968 with the disclaimer that U.S. domestic law would take precedence in cases of conflict. The Protocol defines "persecution" more broadly than does U.S. law. Signatories pledge not to return to their native countries those who would face persecution stemming from "race, religion, nationality, membership of a particular social group or political opinion. . . ." Thus, the Protocol extends its coverage for the victims of persecution on a worldwide basis, while the U.S. immigration law confines itself chiefly to communist country refugees.¹⁴⁸ More important, there is "tension," as one ORR official puts it,¹⁴⁹ between the Protocol and the section of the U.S. immigration act that bars communists and "subversives."¹⁵⁰ The Protocol, this official admits, prohibits discrimination against refugees on the basis of their political beliefs. It would appear that when the United States does not use the parole provision for the benefit of its

definitions of the U.S. law—even deporting some of them to face possible persecution—the United Nations Protocol may be violated.

Aliens already in the United States who wish to request asylum and are ineligible under the seventh preference generally seek withholding of deportation, which can be granted at the discretion of Justice/Immigration under section 243(h) of the Act.¹⁵¹ Most asylum court cases involve aliens' claims that, if deported home, they would be subject to "persecution on account of race, religion, or political opinion."¹⁵² Once asylum is denied by the District Director of Immigration, the applicant must appeal first to the Board of Immigration Appeals, and then has recourse to the federal circuit court of that region.¹⁵³ Thus, in section 243(h) litigation, the circuit courts have had an opportunity to influence political asylum law and policy.

Nevertheless, displaying traditional reluctance to interfere with the exercise of administrative discretion, federal judges have made little use of this opportunity. A congressional grant of discretion is intended to bestow wide leeway upon the bureaucracy. Out of respect for legislative intent and an unwillingness to become embroiled in policy decisions, judges have imposed severe restrictions on their intervention in asylum cases.¹⁵⁴ The courts have generally held in section 243(h) cases that INS asylum decisions can be reversed only if they were "arbitrary and capricious," or not "reached in accordance with the applicable rules of law" and hence violative of due process.¹⁵⁵

It is exceedingly difficult for an alien to establish that discretion has been abused under section 243(h). Proving a "clear probability of persecution" in the initial immigration proceeding is difficult enough;¹⁵⁶ it is harder still for the alien to prove in court that immigration officials have abused their discretion. In effect, petitioners must convince the court that the evidence of likely persecution presented to the INS was so persuasive that the failure to withhold deportation was a blatant misuse of authority.¹⁵⁷ To this end, aliens who have engaged in political activities in America directed against their home governments have claimed that: (1) such actions would likely subject them to persecution if deported home, and (2) the failure of immigration officials to acknowledge this danger constitutes an abuse of discretion. By and large, the courts have rejected such arguments.¹⁵⁸ In *Matter of Nghiem*,¹⁵⁹ the Board stated: "For the most part [we have] not considered that joining protest groups and making public statements after entering the United States supports a withholding of deportation under section 243(h). Many aliens have attempted to build up a 243(h) case by this sort of activity."¹⁶⁰ Exceptions to this line of Board decisions appear to have involved only communist country refugees.¹⁶¹

Some asylum applicants have also claimed that the INS abuses its discretion by relying on State Department recommendations to deny asylum, and particularly on State Department recommendations based upon secret information. The applicants' argument here is often that State Department recommendations are tainted with bias, for reasons of foreign policy, and that it is impossible to refute secret information. Judicial reaction to these arguments has been mixed but the courts have seldom reversed the Board of Immigration Appeals. Some courts have insisted that the Board must not rely on State Department asylum recommendations, while imposing the burden of proving reliance upon the alien.¹⁶² Other courts have upheld the right of Immigration officials, pursuant to federal regulations, to rely on information which is not disclosed to the alien.¹⁶³ In some cases, the circuit courts have stated explicitly that the initial asylum decision must not be interfered with

Footnotes at end of article.

for political reasons—e.g., "the . . . question . . . involves a decision as to foreign policy traditionally left to the executive branch of the government."¹⁷⁴

As a result of the courts' refusal to intervene significantly in the exercise of administrative discretion under section 243(h), gaining asylum under that provision has proven extremely difficult. In 1968, Professor Alona Evans reviewed 100 section 243(h) cases and concluded that "prospects for relief are very limited."¹⁷⁵ Review of subsequent cases suggests that this conclusion remains valid today.¹⁷⁶ It is relatively rare for communist country aliens to be placed in deportation proceedings at all, according to State Department and Immigration officials.¹⁷⁷ It is mainly those who are seeking refuge from noncommunist regimes who are placed in deportation proceedings and must carry the heavy burden of proof which the courts impose under section 243(h).

CONGRESSIONAL REFORM EFFORTS

Since 1966, a handful of legislators, led by Senator Edward M. Kennedy and Congressman Peter W. Rodino, Jr., have introduced measures during each Congress designed to remedy some of the more glaring defects in the 1965 immigration act.¹⁷⁸ Although there were differences between the Kennedy and Rodino bills, they shared three major goals: (1) to substitute the United Nations Protocol definition of refugee for the more restrictive statutory definition presently being used; (2) to make the adjustment of status to "permanent resident alien" with full work privileges easier for parolees and refugees now in voluntary-departure status who must exist in limbo, subject to deportation at a moment's notice; and (3) to extend the refugee "preference" category to the western hemisphere, providing a better mechanism for dealing with the worldwide refugee problem. The more liberal Kennedy bill has never come close to passing despite repeated efforts in successive Congresses since the enactment of the Immigration and Nationality Act of 1965. In the Ninetieth through the Ninety-Fourth Congresses, the Kennedy reform bill died in the immigration subcommittee of the Senate Judiciary Committee. On the House side, Rodino's H.R. 981 was better received. It passed in two successive Congresses, only to be shelved when it reached the Senate subcommittee. After hearings in the Ninety-Fourth Congress, H.R. 981 was stripped of all but its most uncontroversial reform proposal, the extension of the preference system to the western hemisphere. Reported out as a clean bill, H.R. 14535, this measure was enacted as the Immigration and Nationality Act Amendments of 1976.¹⁷⁹ The more extensive reforms contained in the Kennedy proposal, which were deleted from the Rodino bill, have little chance of success in the near future.

To understand why the more liberal bills are repeatedly rejected by the committee, one must consider the make-up of the immigration subcommittee and the attitudes of the public and the Congress toward immigration reform. First, the members of the Senate immigration subcommittee, on the whole, have been much more politically conservative than the Congress at large. "Senator James O. Eastland blocks this legislation," says one staff member, "in part for ideological reasons, but basically because he just doesn't care."¹⁷⁷ This staff member adds that Eastland's attitude has generally been shared by other members of the immigration subcommittee, such as John L. McClellan and Strom Thurmond, who regard the present law, with its parole provision, as adequate.¹⁷⁸ The subcommittee is not the sole cause of Congress' failure to reform the asylum law. Senate Democrats re-elect East-

land to the chairmanship of the Judiciary Committee each year, with full knowledge of the policies he will pursue. The Democrats take little interest in immigration reform or improvement of the political asylum and refugee admission systems; hence, they fail to encourage Senator Eastland and his subcommittee to pass the reform bills out of committee.

This congressional apathy is lamentable but wholly predictable, since there is no significant public constituency pressuring the Congress to reform the political asylum system. Those who would benefit most from broadening and liberalizing the asylum laws—the Chileans, Filipinos, Haitians, and other refugees from noncommunist countries—have little political influence in the United States. They are either in difficulty abroad or they are in the United States under precarious circumstances. They cannot vote, and they do not have an entrenched influential ethnic community to work on their behalf. In this respect, refugees from communist countries have a considerable advantage. Aided by the Displaced Persons Act of 1948,¹⁸⁰ a great many refugees were admitted into the United States, and most quickly achieved a secure immigration status. They established roots and prospered economically, and thus are now in a position to help their fellow countrymen who escape and seek sanctuary in the United States. The Czech-American, Polish-American, Hungarian-American, Russian-American, and other such communities have achieved considerable economic and political power. Familiar with immigration law, members of these communities can recommend attorneys and advise new arrivals on the best methods of acquiring refugee status. More important, through such organizations as the Tolstoy Foundation and the American Fund for Czechoslovak Refugees, they can serve as sponsors and guarantee that new arrivals will not become public charges. The sponsorship system serves to decrease resistance from those who favor the restriction of immigration.

The law on asylum and the entrenched infrastructure which has grown up around the law undoubtedly contribute to the ease with which communist country aliens gain sanctuary here. But these factors must be considered in conjunction with the cold war atmosphere in which they originated. After World War II, granting asylum to communist country refugees became a tool of American cold war foreign policy. John Haynes of the State Department's Bureau of Security and Consular Affairs said during a 1959 congressional hearing:

From a strictly economic point of view, I suppose it might be better if nobody came into this country; but there are other factors that cannot be overlooked and one . . . is the impact on our foreign policy, of the necessity of this country maintaining a role where we are the leader of the anti-Soviet, anti-Communist camp.

We have to make some gestures to these people who are symbols of those who have left communism. We cannot . . . at the same time claim leadership in this field and say when they come out, "This is entirely a leadership for the other countries of the free world because they have less population or they have less [sic] economic problems than we do."¹⁸⁰

In the cold war atmosphere, congressional restrictionists were unable to prevent the enactment of measures for the relief of communist country refugees, but they succeeded in keeping these programs on a temporary basis between 1949 and 1965 and in forestalling proposals to assist refugees from other than communist regimes. Proponents of asylum programs, however humanitarian some of their motives may have been, were forced by political circumstances to phrase

their arguments in terms of cold war foreign policy.

Another by-product of the cold war which has a continuing effect on American asylum practice is the policy of maintaining strong, bilateral relationships with anti-communist dictatorships. In cold war parlance, these countries were part of the "free world," and therefore persecution within their borders was officially ignored. Thus, considerations of foreign policy as well as powerful domestic interests have a substantial impact on asylum practice. These political influences are frequently exerted through Congress, which not only has the responsibility for passing asylum and refugee legislation but also the power to effect its implication.¹⁸¹ Influence is also exerted, however, through the various arms of the political asylum bureaucracy.

THE BUREAUCRATIC MAZE

Humanitarian goals are too frequently lost sight of in the bureaucratic maze which is entrusted with carrying out political asylum programs. Authority for administering the political asylum system has been divided among agencies which are likely to be diverted from impartial consideration of asylum requests and refugee programs by foreign and domestic political pressures.

The Office of Refugee and Migration Affairs (ORM) within the State Department has been the most consistent advocate of a truly humanitarian asylum program. ORM tries to ensure that policy regarding asylum requests and programs is as political as possible. Unfortunately, however, ORM officials cannot operate in a political vacuum; they must cooperate with other branches of the State Department, which have distinctly different priorities. The State Department desk officer of an alien's native country must be consulted in each asylum case. The desk officer's primary mission is to maintain the best possible bilateral relationship with the country in question; therefore, he is often unwilling to admit that persecution occurs there. Louis Wiesner, Director of ORM, minimizes the significance of this "clientism,"¹⁸² but others in the Department state that it has a definite effect. One State Department officer says that clientism has been a clear factor in the denial of asylum to Iranians and that it has probably influenced the consistent denial of asylum to Taiwanese, Filipinos, South Koreans, and, before May, 1975, South Vietnamese.¹⁸³ In brief interviews, each of several State Department desk officers for countries governed by right-wing dictatorships de-emphasized the degree of political repression in "his" regime, questioned the motives of those seeking asylum, and stressed how few asylum cases actually came across his desk. For example, one desk officer for an Asian country, expressing relief that few citizens from "his" country request asylum, stated: "There is no question that when we grant asylum to a refugee from a government . . . with which we are friendly, that government feels that its reputation is slighted, its honor impugned. This can only lead to resentment against the United States and both governments lose out."¹⁸⁴ Another commented on the denial of asylum to an applicant who, in the desk officer's words, "may have had problems" if sent home: "We didn't grant him asylum because the United States government doesn't want to pass judgment on the internal conditions of allied countries. That would cause resentment on their part and hurt the bilateral relationship."¹⁸⁵ This officer also explained why the State Department had turned down South Vietnamese students requesting asylum from the Thieu regime before the fall of Saigon in May, 1975. "We were closely linked with Saigon and couldn't very well pass judgment on her internal political practices."¹⁸⁶ The greater the diplo-

Footnotes at end of article.

matic importance of any given country, the greater the likelihood the State Department will deny asylum in order to avoid antagonizing that country, even at the expense of humanitarian interests. Therefore, a change of policy regarding Haiti, whose foreign policy importance is minimal,¹²⁷ should be less controversial than one directed at Iran or South Korea.

ORM faces another obstacle from supervision by superiors who are often less concerned with the plight of refugees than with other issues, such as Iranian oil and American bases in the Philippines or Spain. One State Department source intimated that Secretary Kissinger, not unlike his predecessors, wanted "to avoid damaging our bilateral relationships through grants of asylum."¹²⁸ and hence presented a great obstacle to a more impartial consideration of asylum requests. In this connection, a congressional source suggested that the initial delay of one year in even considering a refugee program for Chilean refugees stemmed, at least in part, from a high-level State Department decision to make sure that the Pinochet Junta was "stable" and did not object.¹²⁹ Highly placed officials in the State Department who take a positive interest in refugee programs often do so with the intent to use these programs as a tool of foreign policy. Humanitarian purposes may be served in the process, but they are frequently secondary and sometimes they are totally ignored.

Although the recommendations of the State Department carry great weight in the political asylum system, it is the Justice Department—primarily the Immigration and Naturalization Service—which has the last word in most asylum requests and in all grants of asylum by parole. If foreign policy considerations exert an influence on the political asylum system through the State Department, domestic political pressures are channeled into the system through the Justice Department and the INS. "Quite frankly," said one State Department observer, "the people at Immigration do not think in humanitarian terms. Their concern is the difficulty in dealing with so many aliens in the United States."¹³⁰ The INS is charged with enforcing the immigration statutes which, since the 1920s, have been intended to restrict the flow of immigrants into the United States. Immigration officials must also cope with the illegal entry of hundreds of thousands of aliens into the United States and with the possible abuse of the political asylum process by many aliens whose basic motivation may be economic, social, or professional. Moreover, according to one State Department official, the INS is highly responsive to domestic economic pressures. He maintains that, in light of the current high level of American unemployment, the INS is intent on "keeping the number of aliens coming in, both legal and illegal, both refugees and immigrants, to the absolute minimum."¹³¹ President Carter's appointment of Leonel Castillo as the new Commissioner of Immigration suggests an effort to liberalize the INS. In addition to improving the procedures for Haitian asylum applicants, Castillo has advocated amnesty for illegal aliens now in the United States. But restricted immigration is still the law of the land and institutional habits change slowly. The INS remains, therefore, a bastion of restrictionism.

The INS "hard line" on refugee admission is entirely consistent with what appears to be the opinion of a majority of Americans. The growing intensity of public pressure to keep the lid on immigration is indicated in recent opinion polls. In April, 1976, a poll conducted in metropolitan Washington, D.C., showed that 58 percent of the sampling favored a reduction in immigration in contrast to only 44 percent in 1973.¹³² The public, however, appears unable to distinguish be-

tween immigrants and political refugees. A national Gallup poll of April, 1975, revealed that, primarily for economic reasons, 53 percent of the American public opposed granting sanctuary to South Vietnamese refugees, even though the collapse of Saigon to communist forces appeared imminent.¹³³ Consequently, the Administration may find it difficult to liberalize its Haitian policy to any great extent without arousing public ire. It seems unlikely that restrictionist forces would accept large numbers of additional permanent resident aliens without a fight.¹³⁴

According to one government source, INS officials initially "raised hell" over the Administration's plan to grant sanctuary to some 130,000 Vietnamese.¹³⁵ In a June, 1976, interview, Deputy Commissioner of the INS Edward O'Connor was convinced that the intent of the immigration statutes was being undermined by paroling in so many South Vietnamese refugees.¹³⁶ But highly placed State Department officials were firmly committed to a far-reaching refugee program in this instance, and they prevailed over any dissent from the INS. As a rule, however, the restrictionist point of view within the INS has carried considerable weight. Several State Department sources maintain that the closed-door policy of the INS continually blocks a liberal use of the parole authority to aid refugees.¹³⁷ One of these sources added that unless the State Department can present a compelling foreign policy reason over and above any humanitarian obligations to admit a group of refugees, the INS is likely to veto or at least water down the proposal.¹³⁸ According to some officials, it was resistance within the INS as much as any other factor which delayed first the proposal and then the implementation of a Chilean refugee program. This resistance also played an important part in the decision to restrict admission of the Chilean exiles in Peru.¹³⁹

Deputy Commissioner O'Connor revealed serious reservations about the admission of Chilean refugees. He denied that what the Chairman of the House Subcommittee on Immigration and the Attorney General had agreed to could really even be called a "program," and he expressed particular opposition to taking in any of the exiles in Peru. O'Connor explained that "once they cross the border into Peru, they're no longer subject to persecution and their problem becomes economic."¹⁴⁰ This extraordinary statement is in direct contradiction to both international and American law on asylum. Technically, one becomes a refugee after he has left his native country, and he continues to be a refugee until permanently resettled. O'Connor's statement exemplifies the tendency of immigration officials to define "refugees" as narrowly as possible, thus allowing the exclusion of greater numbers of aliens from the United States.

The response of the INS to the Chilean parole proposal also demonstrates an extreme concern with "internal security" in considering the admission of prospective asylum applicants. Expressing a representative view, O'Connor stated, "We can't let America become the dumping ground for communists or agitators."¹⁴¹ Thus, although the Attorney General has the authority to parole in any alien he sees fit to admit,¹⁴² the INS, the Attorney General himself, and (to a lesser degree) the State Department, with congressional support, have consistently resisted the use of parole for leftists, as in the case of the Chileans.

Humanitarian aims in the asylum system are often frustrated not only by the political character of the agencies which administer the program but also by the division of authority among the agencies. When there is no focal point of authority, only a tentative consensus such as occurred in Hungary, Czechoslovakia, or Vietnam can elicit a coordinated

response from the government. Without such an impetus, the wheels turn slowly, it is difficult to pin down responsibility, and the possibilities for "buck-passing" are unlimited. One State Department official admits that, although in many instances the Department is the determining agency in an asylum case, it has the "built-in, bureaucratic cop-out of saying, 'INS is legally responsible.'"¹⁴³ The INS, on the other hand, can always say that it depends on the State Department for information on these cases. Both the State Department and the INS often shift the responsibility to Congress which, they maintain, makes the laws, exerts pressure, and delays making decisions. As the Kennedy refugee subcommittee pointed out in its report in 1969: "[L]egitimate human concerns . . . have been placed in uneasy subordination to common political interests. The situation has fostered neglect and indecision where action was needed."¹⁴⁴ The subcommittee's statement is as true today as it was in 1969.

TOWARD A MORE HUMANITARIAN ASYLUM SYSTEM

The government of the United States has an explicit humanitarian ideal concerning asylum and has made international commitments to grant asylum with impartiality.¹⁴⁵ But in the face of pragmatic political considerations, our government is not adhering fully to its obligations or to its ideals. Congress contributes to this problem by not specifically mandating a permanent asylum program on a worldwide basis. The bureaucratic mechanism for administering the asylum program, divided between the State Department and the Justice Department, is often diverted by foreign and domestic political pressures from an impartial consideration of asylum requests and refugee programs.

For those seeking sanctuary from other than communist regimes, the impact of these policies can be extremely harsh. Political refugees, after all, are not just statistics in reports; they are men and women who may be subject to torture and long prison terms. Asylum decisions are more than a tug of war between government agencies—they are sometimes a matter of life and death. They may be, said Edward Brants of the American Civil Liberties Union, "the most important decision[s] in respect of an alien that can be made in his or her lifetime, and indeed, approval of such an application may involve all that makes life worth living for the applicant."¹⁴⁶

A. Reforming the law

The present law relating to refugees is complex, ambiguous, and exceedingly difficult to administer. One frustrated official said, "The Immigration and Nationality Act is one of the worst laws ever written. It's outdated and has been amended to death until it contradicts itself."¹⁴⁷ Certain reforms could contribute to the establishment of a rational and impartial legal framework for political asylum.

Congress should acknowledge legislatively that the suffering of political refugees is a worldwide phenomenon and that political persecution can occur under any dictatorial form of government, communist or noncommunist. The definition of refugees must be expanded to include all those throughout the world who have a reasonable fear of persecution because of "race, religion, nationality, membership of a particular social group or political opinion" as expressed in the United Nations Protocol.¹⁴⁸ The parole authority can be retained to provide flexibility to the system; but the authority to parole should be clearly stated, and the role of Congress—whether it be simply to advise or to have the right of veto—should be spelled out.

Finally, the exclusion of refugees on the basis of their political beliefs must end. Aliens who have employed terrorism or genocide to further an ideology should probably

Footnotes at end of article.

be excluded outright. Others who have actively participated in the suppression of human rights and democratic processes should be ineligible unless they can show that they have voluntarily renounced the use of force for political ends. But a belief alone should not be grounds for denying asylum; the current "ideological test" should be eliminated. All but the last of these proposals have been included in either the Kennedy or Rodino bills,³⁰ presented repeatedly in recent years, only to be killed in the Eastland committee. They have the support of many people in the bureaucracy who find the present law endlessly frustrating. But in view of the present power structure in Congress, the prospects for enacting any of these reforms remain extremely slim without strong and enthusiastic administrative support.

Admitting refugees without regard to their political beliefs has not been proposed in any reform introduced in Congress. Contrary to the fears of many American officials, representatives of the French, West German, and Swedish governments, which admitted sizeable numbers of Marxist refugees following the Chilean coup, report that the refugees posed no national security problems.³¹ Frank Kellogg, Special Assistant to the Secretary of State for Refugee and Migration Affairs, and others in the United States government seem to fear that Chilean Marxists and similar refugees (even if screened to keep out terrorists), might use first amendment liberties to undermine American democracy.³² This implies a lack of faith in the civil liberties upon which our nation is founded.

Immigration attorney Charles Gordon agrees that the anticommunist exclusionary provisions of the Immigration Act should be eliminated. "They're antiquated," he said. "they must go. We should only exclude those who directly threaten United States security—you know, the bomb throwers."³³ The proposal to end exclusion of refugees on ideological grounds is not likely to meet with congressional approval in the near future, but its enactment would bring our asylum law much closer to the spirit of our humanitarian ideals.

Legal reforms could clarify the intent of the asylum program, but in any law there will be room for administrative maneuvering and for political interest to have its influence. It is probably impossible to prevent political influences from having some impact on the asylum program, yet many government officials agree that such influences detract from humanitarian goals.³⁴

B. A new bureau of refugee assistance

As long as authority remains divided between the Department of State and the Department of Justice, it is almost inevitable that perceived imperatives of foreign policy and restricted immigration will take precedence over humanitarian considerations. There are several ways in which this authority could be consolidated. One independent agency could be established to administer the asylum and refugee program. This agency could also be given primary responsibility for aiding refugees abroad. Since the State Department and the INS have legitimate concerns about political asylum and refugee admission, both could serve the new agency in an advisory capacity. But the independent bureau would have the administration of a humanitarian asylum program as its chief goal and would be less subject to unwarranted interference. If the head of a Bureau of Refugee Assistance could be made a post of stature, to be filled by presidential appointment and congressional confirmation, and if the parole authority could be transferred to the holder of this post, then the new bureau might have enough power to counter the political forces which now detract from a humanitarian asylum practice.

An alternative for improving the asylum and refugee administration is to transfer

all authority for the program from the Immigration and Naturalization Service to the State Department Office of Refugee and Migration Affairs. This transfer would avoid the disadvantage of creating still another bureaucracy. There are numerous people in ORM and elsewhere in the State Department who want the asylum program to be non-political;³⁵ this reorganization might accomplish this goal. The success of any new program also depends on the recognition and support it receives. The apathy of the public and the Congress toward political asylum can only be overcome by forceful leadership. The press should take a greater responsibility for making people aware of the problems of refugees.

The criticism of American asylum practice expressed in this Note is not intended to single out any individual or any group in the government for blame. Nor is it intended as an indictment of the entire refugee program. Over the years, the United States government has been of great assistance to many people in dire need of help; and within the government service there are many people who are dedicated to carrying out the program in a humanitarian spirit. Nor do these reform proposals call for the United States to take in all the suffering people in the world. That is clearly impossible. Each asylum applicant, however, should be able to have his or her case considered with compassion on its own merits and each refugee group produced by political crises abroad should receive humanitarian consideration, regardless of the regime from which it is fleeing. Our government should live up to its obligations and its ideals; it should apply its program of political asylum impartially to all bona fide refugees on the basis of their needs rather than for the sake of some political advantage.

State Department clientelists state that they "cannot pass judgment on the internal affairs of friendly governments by granting asylum to their refugees."³⁶ Perhaps it would be beneficial, not only for the refugees but also for the country, if the United States did go on record as making precisely such a judgment. Our government would not be telling those nations how to conduct their own affairs but would simply be reasserting a long-standing commitment to the support of human rights and democratic forms of government. That commitment has been weakened by looking the other way too long in our relations with right-wing dictatorships.

FOOTNOTES

¹ 37 Fed. Reg. 3447 (1972).
² *Attempted Defection by Lithuanian Seaman, Simas Kudirka: Hearings Before the Subcomm. on State Dept Organization and Foreign Operations of the House Comm. on Foreign Affairs, 91st Cong., 2d Sess. 218 (1970)* [hereinafter cited as *Kudirka Hearings*].
³ N.Y. Times, Dec. 2, 1970, at 10, col. 1; see *Kudirka Hearings*, supra note 2, at 1, 27.
⁴ N.Y. Times, Dec. 2, 1970, at 10, col. 1.
⁵ *Kudirka Hearings*, supra note 2, at 17.
⁶ See id. at 126, 127, 142.
⁷ Interview with Christian Pappas, State Dept's Asylum Officer, in Washington, D.C. (Nov. 5, 1974).
⁸ There is a happy postscript to the *Kudirka* affair. On July 18, 1974, the State Department ruled *Kudirka* an American citizen on the grounds that his mother had been born in the United States. The Soviets released *Kudirka* shortly thereafter, and he came to the United States in November, 1974.
⁹ Interview with Louis Wiesner, Director of the State Dept's Office of Refugee and Migration Affairs, in Washington, D.C. (Nov. 29, 1974).
¹⁰ Letter from Shepard C. Loman, Director of Programs and Asylum Division, Office of the Department of State, to the author (post-

marked March 15, 1977). Immigration lawyers who specialize in asylum have stated that, to their knowledge, there has been no change in the pattern of asylum grants and denials. Telephone interviews with attorneys David Carlner and Ira Collobin (Dec. 15, 1977).

¹¹ 8 U.S.C. §§ 1101-1362 (1970).
¹² 8 U.S.C. § 1182(d) (5) (1970).
¹³ Petras & La Porte, Jr., *Can We Do Business With Radical Nationalists? Chile: No. 7 FOREIGN POL'Y* 132 (1972).
¹⁴ N.Y. Times, Sept. 8, 1974, § 1, at 1, col. 6; *Newsweek*, Oct. 10, 1977, at 31-32.
¹⁵ Interview with Charles Gordon, former General Counsel to the Immigration and Naturalization Service, in Washington, D.C. (June 25, 1975).
¹⁶ Recently declassified letter from Deputy Secretary of State Robert Ingersoll to Attorney General Edward H. Levi (April 23, 1975).
¹⁷ N.Y. Times, Jan. 12, 1974, at 6, col. 1.
¹⁸ Interview with Frank Kellogg, Special Assistant to the Secretary of State for Refugee and Migration Affairs, in Washington, D.C. (June 24, 1975).
¹⁹ 35 U.S. Dep't of State Bull. 800 (1956).
²⁰ Interview with Donald P. McHenry, former Foreign Service Officer in South Africa and Special Assistant to Secretary of State William Rogers, in Washington, D.C. (Nov. 15, 1974).
²¹ *General Policy for Dealing With Requests for Asylum by Foreign Nationals: Hearings Before the Subcomm. on Immigration, Citizenship, and International Law of the House Comm. on the Judiciary, 93d Cong., 1st Sess. 295 (1973)*.
²² The New York Times reported the refusal of the U.S. embassy in the Philippines to grant asylum to former Philippine President Diosdado Macapagal on the grounds that he was not in actual danger of arrest. N.Y. Times, Apr. 2, 1976, at 1, col. 2.
²³ On September 25, 1973, Drinan proposed H.R. 10525, a bill to authorize issue of 50,000 special immigrant visas, but only to Chilean citizens. H.R. 10525, 93d Cong., 1st Cong. Rec. 31407 (1973). Drinan urged on the House floor "that the United States give the same treatment to those suffering persecution in Chile as we have given to the Hungarian freedom fighters and the refugees from Fidel Castro's Cuba." 119 Cong. Rec. E8013 (appendix, Sept. 25, 1973). The bill died in the House Judiciary Committee. Kennedy's measure, S. 2643, suffered a similar fate in the Senate Judiciary Committee. S. 2643, 93d Cong. Rec. 35734 (1973).
²⁴ *Refugee and Humanitarian Problems in Chile, Part III: Hearing Before the Subcomm. to Investigate Problems Connected with Refugees and Escapes of the Senate Comm. on the Judiciary, 94th Cong., 1st Sess. 32-33 (1975)*.
²⁵ Interview with Christian Pappas, supra note 7.
²⁶ Id. The legal barrier against admission of communists is contained in Immigration and Nationality Act, 8 U.S.C. § 1182(a) (28) (1970).
²⁷ 8 U.S.C. § 1182(d) (5) (1970).
²⁸ Interview with Charles Gordon, supra note 15.
²⁹ State Dept Fact Sheet on Parole of Chilean Refugees in Peru, n.d.
³⁰ State Dept Fact Sheet on Parole of Chilean Detainees/Refugees, n.d.
³¹ The State Department has refused to make either memorandum available on the grounds of "national security."
³² Washington Post, June 8, 1975, at A4, col. 1. Interview with Leonard Chapman, Commissioner of INS, in Washington, D.C. (Oct. 18, 1975). See Protocol Relating to the Status of Refugees, done Jan. 31, 1967, 19 U.S.T. 6223, T.I.A.S. No. 6577, 806 U.N.T.S. 268 (in force Oct. 10, 1967).
³³ Interview with Leonard Chapman, supra note 32.

- ¹² *Id.*
- ¹³ Interview with Dale de Haan, Counsel to the Senate Subcommittee on Refugees and Escapees, in Washington, D.C. (Dec. 2, 1974).
- ¹⁴ *Id.*
- ¹⁵ Interview with Christian Pappas, *supra* note 7.
- ¹⁶ Interview with Leonard Chapman, *supra* note 32.
- ¹⁷ Interview with Christian Pappas, *supra* note 7.
- ¹⁸ *Id.*
- ¹⁹ *Id.*
- ²⁰ Letter from Deputy Secretary of State Robert Ingersoll to Attorney General Edward H. Levi (Apr. 23, 1975).
- ²¹ *Id.*
- ²² Interview with Leonard Chapman, *supra* note 32.
- ²³ Interview with Frank Kellogg, *supra* note 18.
- ²⁴ Interview with Leonard Chapman, *supra* note 32.
- ²⁵ *Id.* By January, 1976, 94 cases involving 248 people had been forwarded to Washington, and 27 of these carried a recommendation for denial (15 by the INS representative, 1 by the State Department representatives, and 11 by both agencies). In 6 additional cases, field representatives were asked to reconsider recommendations that were, presumably, positive. *Id.*
- ²⁶ *Id.*
- ²⁷ Interview with State Dep't Desk Officer (name withheld by request), in Washington, D.C. (Jan. 20, 1975). See also Washington Post, June 8, 1975, at A4, col. 1.
- ²⁸ Interview with Leonard Chapman, *supra* note 32.
- ²⁹ Interview with State Dep't Desk Officer, *supra* note 49.
- ³⁰ *Id.*
- ³¹ On March 27, 1978, four and one-half years after the coup in Chile, the Carter Administration announced that up to 500 refugees from Chile and Argentina would be paroled into the United States. The announcement raised hopes that a more liberal and even handed refugee policy was forthcoming. N.Y. Times, Mar. 31, 1978, at 1, col. 6.
- ³² Interview with Christian Pappas, *supra* note 7.
- ³³ Letter from Deputy Secretary of State Robert Ingersoll to Attorney General Edward H. Levi (Apr. 23, 1975).
- ³⁴ Interview with State Dep't Desk Officer, *supra* note 49.
- ³⁵ 531 F. 2d 155 (3d Cir.). cert. denied, 429 U.S. 853 (1976).
- ³⁶ *Id.* at 158.
- ³⁷ *Id.* at 157.
- ³⁸ *Id.* at 159.
- ³⁹ *Id.*
- ⁴⁰ *Id.*
- ⁴¹ *Id.*
- ⁴² Interview with Richard Jameson, State Dep't Office of Refugee & Migration Affairs, in Washington, D.C. (Nov. 29, 1974).
- ⁴³ 8 U.S.C. § 1253(h) (1970).
- ⁴⁴ Interview with State Dep't Near East specialist (name withheld by request); in Washington, D.C. (June 11, 1975).
- ⁴⁵ NEWSWEEK, Oct. 14, 1974, at 56-61. SAVAK is the Persian acronym for "National Intelligence and Security Organization."
- ⁴⁶ *Id.* at 61.
- ⁴⁷ AMNESTY INTERNATIONAL, ANN. REP. 297-98 (1977).
- ⁴⁸ NEWSWEEK, Oct. 14, 1974, at 61.
- ⁴⁹ Interview with State Dep't Near East specialist, *supra* note 66.
- ⁵⁰ N.Y. Times, Oct. 16, 1971, at 4, col. 4.
- ⁵¹ Interview with Christian Pappas, State Dep't Asylum Officer, in Washington, D.C. (Aug. 4, 1975).
- ⁵² Interview with Iranian Embassy Official (name withheld by request), in Washington, D.C. (Aug. 12, 1975).
- ⁵³ Interview with State Dep't Near East specialist, *supra* note 66.
- ⁵⁴ Protocol Relating to the Status of Refugees, Jan. 31, 1967, 19 U.S.T. 6223, T.I.A.S. No. 6577, 606 U.N.T.S. 268 (in force Oct. 10, 1967).
- ⁵⁵ Convention Relating to the Status of Refugees, opened for signature July 28, 1951, 19 U.S.T. 6261, T.I.A.S. No. 6577, 189 U.N.T.S. 152.
- ⁵⁶ Interview with Christian Pappas, *supra* note 73.
- ⁵⁷ Interview with State Dept. East European Desk Officer (name withheld by request), in Washington, D.C. (June 11, 1975).
- ⁵⁸ Conversation with Thomas Hughes, former head of State Dep't Intelligence and Research, now Director, Carnegie Endowment for International Peace, in Washington, D.C. (June 5, 1975).
- ⁵⁹ Interview with State Dep't Near East specialist, *supra* note 66.
- ⁶⁰ *Id.*
- ⁶¹ Interview with David Carlner, Iranian asylum specialist, in Washington, D.C. (June 25, 1975).
- ⁶² *Id.*
- ⁶³ H.R. 1663, 96th Cong., 1st Sess., 123 CONG. REC. 325 (1977); H.R. 4646, 95th Cong., 1st Sess., 123 CONG. REC. 1874 (1977); H.R. 6560, 95th Cong., 1st Sess., 123 CONG. REC. 3473 (1977).
- ⁶⁴ N.Y. Times, Feb. 17, 1977, at 14, col. 1.
- ⁶⁵ See, e.g., Kasravi v. INS, 400 F. 2d 675 (9th Cir. 1968).
- ⁶⁶ Interview with State Dep't Near East specialist, *supra* note 66.
- ⁶⁷ *Id.*
- ⁶⁸ Interview with David Carlner, *supra* note 83.
- ⁶⁹ 12 I. & N. Dec. 215 (BIA 1967).
- ⁷⁰ *Id.* at 218.
- ⁷¹ *Id.*
- ⁷² *Id.* at 219.
- ⁷³ 400 F.2d 675 (9th Cir. 1968).
- ⁷⁴ *Id.* at 677 n. 1.
- ⁷⁵ 226 F.2d 385 (9th Cir. 1955).
- ⁷⁶ *Id.* at 388 (quoting Dolenz v. Shaughnessy, 206 F.2d 392, 394 (2d Cir. 1953)), quoted in 400 F.2d at 677. See also Housseinmardi v. INS, 405 F.2d 25 (9th Cir. 1968); Asghari v. INS, 396 F.2d 391 (9th Cir. 1968); Ishak v. INS, 432 F. Supp. 624 (N.D. Ill. 1977).
- ⁷⁷ Interview with David Carlner, *supra* note 83.
- ⁷⁸ *Id.*
- ⁷⁹ N.Y. Times, Feb. 17, 1977, at 19, col. 1.
- ⁸⁰ *Id.* In Sannon v. United States, 427 F. Supp. 1270 (S.D. Fla. 1977), the summary deportations ordered by the INS were declared invalid. See text accompanying note 117 *infra*.
- ⁸¹ Christian Century, Feb. 12, 1974, at 219; Miami Herald, Aug. 30, 1976, at 8, col. 1. See Human Rights in Haiti: Hearings Before the Subcomm. on International Organizations of the House Comm. on International Relations, 94th Cong., 1st Sess. 18 (1975) [hereinafter cited as Human Rights in Haiti].
- ⁸² 8 U.S.C. § 1253(h) (1970).
- ⁸³ See N.Y. Times, Oct. 17, 1976, at 56, col. 3.
- ⁸⁴ Data provided by the State Dep't under the Freedom of Information Act.
- ⁸⁵ 559 F.2d 893 (5th Cir. 1977).
- ⁸⁶ *Id.* at 1003.
- ⁸⁷ Done Jan. 31, 1967, 19 U.S.T. 6223, T.I.A.S. No. 6577, 606 U.N.T.S. 268 (in force Oct. 10, 1967). The Protocol incorporates by reference the language of the Convention Relating to the Status of Refugees, opened for signature July 28, 1951, 19 U.S.T. 6261, T.I.A.S. No. 6577, 189 U.N.T.S. 152.
- ⁸⁸ Although the Protocol speaks in terms of the subjective fears of the alien seeking asylum, at least one court has held that such fear must be grounded in the fact that the alien "actually has been a victim of persecution, or that his fear is more than a matter of his own conjecture." Kashani v. INS, 547 F.2d 376, 379 (7th Cir. 1977).
- ⁸⁹ 8 U.S.C. §§ 1253, 1253(b) (1970). Persons apprehended by authorities at entrance of those paroled under § 1182(d) (5) or allowed entrance under § 1153(a) (7) have been considered to be subject to exclusion proceedings rather than deportation.
- ⁹⁰ See *In re Pierre*, Int. Dec. No. 2433 (BIA, Sept. 16, 1975). See also Paul v. INS, 531 F.2d 194 (5th Cir. 1975); Gena v. INS, 424 F.2d 227 (5th Cir. 1970); Hyppolite v. INS, 382 F.2d 98 (7th Cir. 1967).
- ⁹¹ Human Rights in Haiti, *supra* note 103, at 39.
- ⁹² Interview with Richard Jameson, *supra* note 64.
- ⁹³ Interview with Ira Gollobin, immigration attorney specializing in Haitian asylum, in New York City (Oct. 30, 1974). Gollobin produced a number of affidavits wherein his clients described persecution suffered in Haiti at the hands of the *ton ton macoutes*.
- ⁹⁴ 8 C.F.R. § 108 (1977).
- ⁹⁵ 427 F.Supp. 1270 (S.D. Fla. 1977).
- ⁹⁶ Cubans are authorized entry into the U.S. under the Act of Nov. 2, 1966, Pub. L. No. 89-732, 80 Stat. 1161.
- ⁹⁷ INS ANN. REP. 4 (1974).
- ⁹⁸ INS ANN. REP. 7 (1975).
- ⁹⁹ Interview with James Greene, Deputy Commissioner of the INS, in Washington, D.C. (July 18, 1975). Commissioner Greene was asked if he had reason to believe that Cubans returned to Havana would actually be persecuted. Greene replied, "It's just agreed upon that if they have fled from a communist government they are refugees." *Id.*
- ¹⁰⁰ Figures provided by the State Department following a Freedom of Information Act request.
- ¹⁰¹ *Id.*
- ¹⁰² Interview with State Dep't East European Desk Officer (name withheld by request), in Washington, D.C. (June 11, 1975). Interview with Frank Kellogg, *supra* note 18.
- ¹⁰³ Interviews with government officials (names withheld by request), in Washington, D.C. (June 10, 11, 1975).
- ¹⁰⁴ N.Y. Times, Sept. 7, 1977, § A, at 6, col. 3.
- ¹⁰⁵ Interview with Frank Kellogg, *supra* note 18.
- ¹⁰⁶ See text accompanying notes 105-06 *supra*.
- ¹⁰⁷ Human Rights in Haiti, *supra* note 103, at 17.
- ¹⁰⁸ Interview with Frank Kellogg, *supra* note 18; interview with East European Desk Officer, *supra* note 124.
- ¹⁰⁹ Boston Globe, Sept. 8, 1975, at 2, col. 2.
- ¹¹⁰ Interview with State Dep't Desk Officer (name withheld by request), in Washington, D.C. (June 11, 1975).
- ¹¹¹ Interview with Richard Jameson, *supra* note 64.
- ¹¹² *Id.*
- ¹¹³ Interview with Raul Manglapus, in New York City (Oct. 30, 1974).
- ¹¹⁴ Interview with State Dep't Desk Officer (name withheld by request), in Washington, D.C. (June 11, 1975).
- ¹¹⁵ *Id.* We put the question bluntly to a State Department Desk Officer: "Why is it that communist country applicants have a much easier time gaining asylum or refugee status here, while those from right-wing dictatorships have a much tougher time?" "Pal," he answered, "that's a question with a hell of a lot of implications. I mean, it gets you into political, economic, and bureaucratic issues that I'm not prepared to talk about." *Id.* The official State Department explanation that applicants from right-wing countries simply have far weaker cases than those from communist countries is unpersuasive.
- ¹¹⁶ 8 U.S.C. § 1153(a) (8) (A) (1) (1970). The Carter Administration is currently advocating increasing the refugee quota to 40,000 to avoid a constant recourse to parole. N.Y. Times, Mar. 31, 1978, at 1, col. 6.

¹⁰⁹ Interview with Christian Pappas, State Dept. Asylum Officer, in Washington, D.C. (Oct. 19, 1974).

¹¹⁰ 8 U.S.C. § 1182(a)(28)(C) (1970).

¹¹¹ *Id.*, § 1182(d)(5).

¹¹² *Id.*

¹¹³ Interview with Charles Gordon, *supra* note 15.

¹¹⁴ See *INS v. Stanisic*, 395 U.S. 62, 71 (1969) (citing *Leng May Ma v. Barber*, 357 U.S. 185 (1958)).

¹¹⁵ Interview with Dale de Haan, *supra* note 35. He observed that, "The first time the parole was used for a significant number of refugees from noncommunist areas was for the Ugandan Asians." *Id.* Although the Carter Administration appears to be somewhat more liberal than its predecessors in granting parole to escapees from rightist regimes, the vast majority of Carter Administration parolees have been fleeing communism. By one estimate, the Carter Administration will parole in approximately 25,000 Indochinese refugees between April, 1976, and April, 1979, *N.Y. Times*, Mar. 31, 1978, at 1, col. 6.

¹¹⁶ Interview with State Dept. Desk Officer (name withheld by request), in Washington, D.C. (June 11, 1975).

¹¹⁷ Interview with Christian Pappas, *supra* note 139; interview with Louise Welsner, *supra* note 9; interview with Richard Jameson, *supra* note 64.

¹¹⁸ Interview with Christian Pappas, State Dept. Asylum Officer, in Washington, D.C. (June 11, 19, 1975).

¹¹⁹ *Id.*

¹²⁰ *Id.*; interview with Dale de Haan, *supra* note 35.

¹²¹ 8 U.S.C. § 1182(a)(28) (1970). See *Berdo v. INS*, 432 F.2d 824 (6th Cir. 1970). In *Berdo*, a Hungarian sought political sanctuary but was denied refugee status or parole by the INS on the grounds that he had been a Communist Party member and was therefore inadmissible under 8 U.S.C. § 1182(a)(29)(C) (iv) (1970). *Berdo* argued that he had been forced to join the Party to avoid economic deprivation, and, unbeknown to the Party, had participated in the 1956 anti-Soviet revolt. The court sided with *Berdo* and held that unwilling Party membership (membership "devoid of [all] political implications" and "meaningful association"), combined with anti-government activity such that he would be subject to severe penalties if he returned, excepted him from exclusion. This is an important judicial gloss on the Act, but it appears never to have been extended to Communist Party members from noncommunist countries.

¹²² Interview with Edward O'Connor, Deputy Commissioner of the INS, in Washington, D.C. (June 26, 1975).

¹²³ *Done* Jan. 31, 1967, 19 U.S.T. 6223, T.I.A.S. No. 6577, 606 U.N.T.S. 268.

¹²⁴ Convention Relating to the Status of Refugees, opened for signature July 28, 1951, 19 U.S.T. 6261, T.I.A.S. No. 6877, 189 U.N.T.S. 152.

¹²⁵ Seventh preference was confined exclusively to the eastern hemisphere until Oct. 20, 1976, when Congress passed an immigration amendment which applied seventh preference to the Middle East. Immigration and Nationality Act Amendments of 1976, Pub. L. No. 94-571, § 3(3), 90 Stat. 2703 (codified at 8 U.S.C.A. § 1152(e) (Supp. 1977)).

¹²⁶ Interview with State Dept. official (name withheld by request), in Washington, D.C. (Sept. 25, 1974).

¹²⁷ 8 U.S.C. § 1182(a)(28) (1970).

¹²⁸ *Id.*, § 1253(h). Legal requirements for acquiring refugee status under seventh preference, *id.*, § 1153(a)(7), are much less stringent than under § 1253(h). See *In re Adamaska*, 12 I. & N. Dec. 201 (Reg. Comm'r, 1967).

¹²⁹ Interview with Ira Gollubin, *supra* note

115.

¹³⁰ 8 U.S.C. § 1253(h) (1970).

¹³¹ See *Sunjka v. Esperdy*, 182 F. Supp. 599, 601 (S.D.N.Y.), cert. denied sub nom. Roncevic v. Esperdy, 364 U.S. 815 (1960), for an explicit disavowal of interference with foreign policy decision-making.

¹³² *Paul v. INS*, 521 F.2d 194, 197 (5th Cir. 1975) (quoting *Jarecha v. INS*, 417 F.2d 229, 234 (5th Cir. 1969) (quoting *Kam Ng v. Philoid*, 279 F.2d 207, 210 (7th Cir. 1960), cert. denied, 365 U.S. 860 (1961))).

¹³³ *Lena v. INS*, 379 F.2d 536, 538 (7th Cir. 1967).

¹³⁴ *United States ex rel. Kordic v. Esperdy*, 276 F. Supp. 1, 3 (S.D.N.Y.), aff'd 386 F.2d 233 (2d Cir. 1967).

¹³⁵ *Hosseinmardi v. INS*, 391 F.2d 914 (8th Cir. 1968); *Zamora v. INS*, 534 F.2d 1055 (2d Cir. 1976). For Board decisions on the issue of political activity in the U.S., see *In re Kojocry*, 12 I. & N. Dec. 215 (BIA, 1967).

¹³⁶ 11 I. & N. Dec. 541 (BIA, 1966).

¹³⁷ *Id.* at 544.

¹³⁸ *In re Janus and Janek*, 13 I. & N. Dec. 866 (BIA, 1968). See also *Berdo v. INS*, 432 F.2d 824 (6th Cir. 1970), in which a federal circuit court actually reversed a discretionary decision by the INS.

¹³⁹ *Paul v. INS*, 521 F.2d 194 (5th Cir. 1975). In *Zamora v. INS*, 534 F.2d 1005 (2d Cir. 1976), Judge Friendly allowed the Board to rely on State Department information but not on its direct recommendation to grant or deny asylum.

¹⁴⁰ 8 C.F.R. § 242.17(c) (1977). See *Namkung v. Boyd*, 236 F.2d 385 (9th Cir. 1955). Accord, *Hosseinmardi v. INS*, 405 F.2d 20 (9th Cir. 1968); *Asghardi v. INS*, 396 F.2d 391 (9th Cir. 1968); *Kasravi v. INS*, 400 F.2d 675 (9th Cir. 1968).

¹⁴¹ *Sunjka v. Esperdy*, 182 F. Supp. 599, 601 (S.D.N.Y.), cert. denied sub nom. Roncevic v. Esperdy, 364 U.S. 815 (1960).

¹⁴² Evans, *The Political Refugee in United States Immigration Law and Practice*, 3 *Int'l Law*, 204, 253 (1969).

¹⁴³ See *Gena v. INS*, 424 F.2d 227 (5th Cir. 1970); *Paul v. INS*, 521 F.2d 194 (5th Cir. 1975); *Cisternas-Estay v. INS*, 531 F.2d 155 (3d Cir. 1976); *Zamora v. INS*, 534 F.2d 1055 (2d Cir. 1976); *In re Pierre*, Int. Dec. No. 2433 (BIA, Sept. 16, 1975).

¹⁴⁴ Interview with Christian Pappas, *supra* note 139; interview with Louise Welsner, *supra* note 9; interview with Edward O'Connor, *supra* note 152; interview with James Greene, *supra* note 121.

¹⁴⁵ S. 2643, 93d Cong., 1st Sess., 119 Cong. Rec. 35734 (1973); S. 3827, 93d Cong., 2d Sess., 120 Cong. Rec. 25404 (1974); S. 2405, 94th Cong., 1st Sess., 121 Cong. Rec. 29947 (1975); H.R. 981, 93d Cong., 1st Sess., 119 Cong. Rec. 61 (1973).

¹⁴⁶ Immigration and Nationality Act Amendments of 1976, Pub. L. No. 94-571, 90 Stat. 2703 (codified at 8 U.S.C.A. § 1101 (Supp. 1977)). See U.S. State Dept. Bull. 839 (Nov. 22, 1976) for President Ford's statement upon signing the bill.

¹⁴⁷ Interview with congressional staff member (name withheld by request) (Dec. 2, 1974).

¹⁴⁸ *Id.*

¹⁴⁹ Pub. L. No. 80-774, 62 Stat. 1009 (1948).

¹⁵⁰ *Admission of Refugees on Parole: Hearings Before Subcomm. No. 1 of the House Comm. on the Judiciary*, 86th Cong., 2d Sess. 17 (1969-1960) (emphasis added).

¹⁵¹ This power is not spelled out in legislation. According to Christian Pappas of O&M, former Immigration Commissioner Leonard Chapman, and Dale de Haan of the Senate Refugee Subcommittee, Congress insists on being consulted on major asylum policy decisions, and the Administration does consult with members of Congress and take their views into account. Interview with Christian Pappas, *supra* note 139; interview with Leon-

ard Chapman, *supra* note 32; interview with Dale de Haan, *supra* note 35.

¹⁵² Interview with Louise Welsner, *supra* note 9.

¹⁵³ Interview with State Dept. official (name withheld by request), in Washington, D.C. (June 11, 1975).

¹⁵⁴ Interview with State Dept. Desk Officer (name withheld by request), in Washington, D.C. (June 9, 1975).

¹⁵⁵ Interview with State Dept. Desk Officer (name withheld by request), in Washington, D.C. (June 17, 1975).

¹⁵⁶ *Id.*

¹⁵⁷ Interview with State Dept. Asylum Officer (name withheld by request), in Washington, D.C. (Oct. 14, 1974).

¹⁵⁸ Interview with State Dept. Near East expert (name withheld by request), in Washington, D.C. (June 11, 1975).

¹⁵⁹ Interview with congressional staff member (name withheld by request), in Washington, D.C. (June 13, 1975).

¹⁶⁰ Interview with Christian Pappas, *supra* note 139.

¹⁶¹ *Id.*

¹⁶² *Washington Post*, Aug. 4, 1975 at AC, col. 1.

¹⁶³ *Id.*

¹⁶⁴ In *Coriolan v. INS*, 559 F.2d 993 (5th Cir. 1977), Judge Coleman vehemently dissented from the majority's decision to invalidate a deportation order and remand the case to allow consideration of evidence of political persecution in Haiti. He stated that petitioners "had the burden of demonstrating a 'clear probability' of being persecuted" and observed that the majority opinion did nothing to stem the tide of illegal immigration which was overwhelming the country. *Id.* at 1005.

¹⁶⁵ Interview with Christian Pappas, *supra* note 139.

¹⁶⁶ Interview with Edward O'Connor, *supra* note 152.

¹⁶⁷ Interview with Christian Pappas, *supra* note 139; interview with State Dept.'s Near East expert (name withheld by request), in Washington, D.C. (June 11, 1975).

¹⁶⁸ Interview with Christian Pappas, *supra* note 139.

¹⁶⁹ *Id.* The debate within the government over the scope of the parole authority continued in 1978 as increasing numbers of Indochinese "boat people" sought refuge in America. Secretary of State Vance, and State Department Asylum Division, backed by lobby groups such as the International Rescue Committee, insisted that the parole authority can be used to admit groups of refugees. They cited past cases of group parole for Hungarians, Cubans, and Indochinese as precedents which support continuation of the practice. On the other hand, Attorney General Bell, INS officials, and House and Senate Immigration Committee Chairman Ellberg and Eastland maintain that group parole is not mandated in the law. Justice Department officials argue that, because the Constitution gives Congress jurisdiction over immigration, and because Congress has not clearly delegated group parole authority to the Administration, group parole is unconstitutional. See *N.Y. Times*, Mar. 31, 1978, at 1, col. 6.

¹⁷⁰ Interview with Edward O'Connor, *supra* note 152.

¹⁷¹ *Id.*

¹⁷² 8 U.S.C. § 1182(d)(5) (1970).

¹⁷³ Interview with Christian Pappas, *supra* note 139.

¹⁷⁴ *U.S. Assistance to Refugees Throughout the World: Findings and Recommendations of the Subcomm. to Investigate Problems Concerned with Refugees and Escapees of the Senate Comm. on the Judiciary*, 91st Cong., 1st Sess. 57 (1969).

¹⁷⁵ See Protocol Relating to the Status of Refugees, Jan. 31, 1967, 19 U.S.T. 6223, T.I.A.S. No. 6877, 606 U.N.T.S. 268 (in force Oct. 10, 1967).

S 15258

²⁰⁰ Letter from Edward Ennis, attorney, American Civil Liberties Union, to the author (Oct. 18, 1974).

²⁰⁷ Interview with Richard Jameson, State Dep't Office of Refugee & Migration Affairs, in Washington, D.C. (Sept. 26, 1974).

²⁰⁸ Convention Relating to the Status of Refugees, opened for signature July 28, 1951, 19 U.S.T. 6261, T.I.A.S. No. 6577, 189 U.N.T.S. 152.

²⁰⁹ See S. 2405, 94th Cong., 1st Sess., 121 Cong. Rec. 29947 (1975); H.R. 981, 93d Cong., 1st Sess., 119 Cong. Rec. 61 (1973).

²¹⁰ Interviews with government representatives from France (June 3, 1975); from West Germany (July 2, 1975); from Sweden (June 19, 1975), in Washington, D.C. (names of diplomats withheld by request).

²¹¹ Interview with Frank Kellogg, *supra* note 18.

²¹² Interview with Charles Gordon, *supra* note 15.

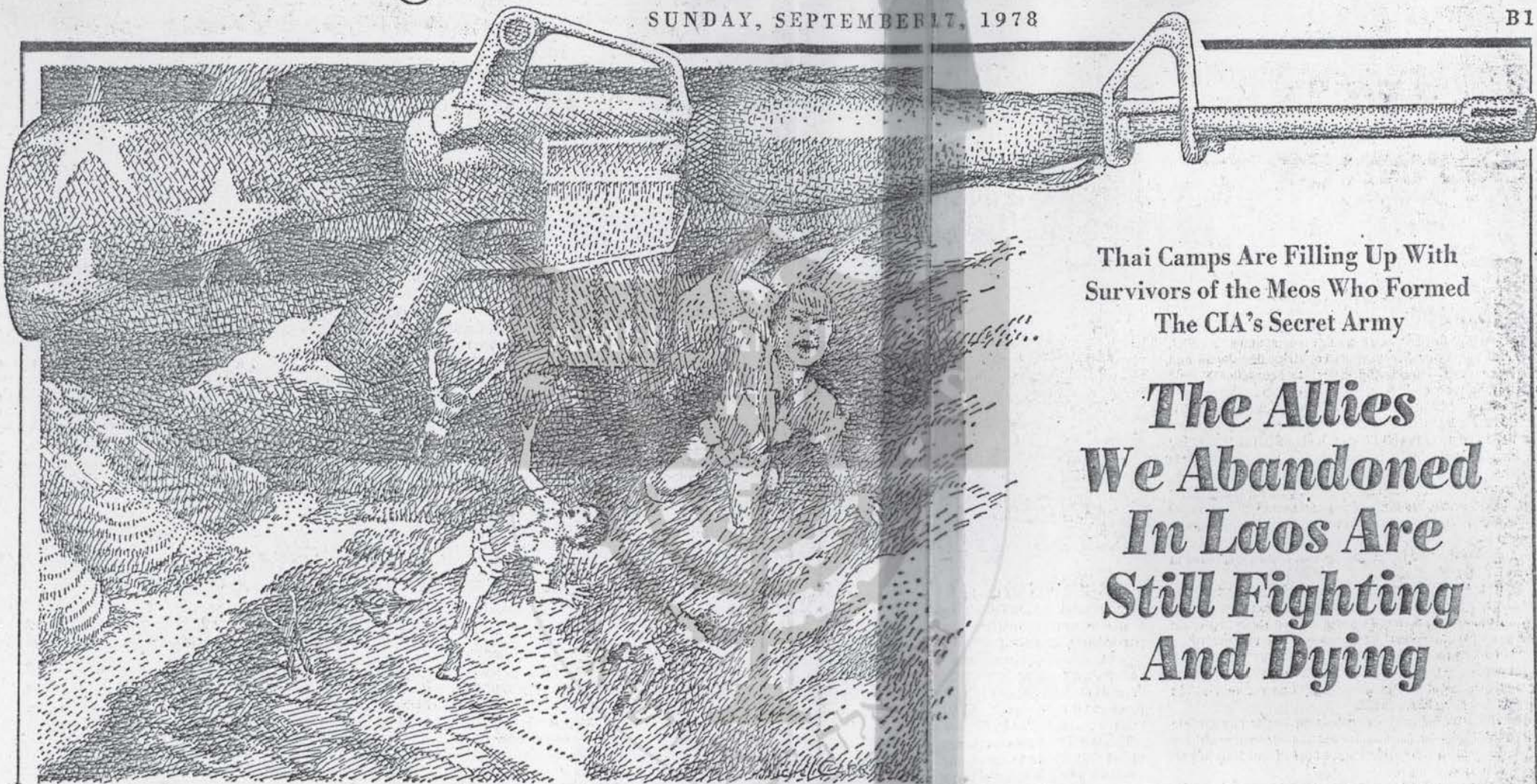
²¹³ *Id.*; interview with Dale de Haan, *supra* note 35; interview with State Dep't Desk Officer (name withheld by request), in Washington, D.C. (June 9, 1975).

²¹⁴ Interview with State Dep't Desk Officer (name withheld by request), in Washington, D.C. (June 9, 1975); interview with State Dep't Near East expert (name withheld by request), in Washington, D.C. (June 11, 1975).

²¹⁵ Interviews with State Dep't Desk Officers (names withheld by request), in Washington, D.C. (June 9, 17, 1975).

SUNDAY, SEPTEMBER 17, 1978

B1



By Michel Carr for The Washington Post

By Ogden Williams

NONG KHAI, Thailand — Nhia Kao Yang, 32, slipped quietly into the muddy waters of the Mekong River, the border between Laos and Thailand. It was March 11, the night was dark at 3 a.m., and Yang could wait no longer. His family had not eaten for 10 days and would soon be too weak to move. Hearing no patrols, Yang signaled his wife to slide forward two crude bamboo floats. He put their four children on the floats, tied the family together since none could swim, and pushed off into the deep water toward Thailand and safety. Forty-five minutes later they staggered up on the Thai shore.

For Nhia Kao Yang, former paid soldier

for the United States government, the Indochina war was finally over. He still carried his American rifle. Now he would surrender it for the first and only time and join the ranks of the Meo refugees in Thailand.

Yang is one of the more than 4,000 Meos who have fled from Laos into Thailand since March, joining some 40,000 earlier Meo refugees. They are fleeing what appears to them

and to many observers to be a campaign of extermination being waged against them mainly by units of the Vietnamese army which occupies and controls much of Laos.

The current offensive against the Meos began on Feb. 10 in the region of Phu Bia, Laos' highest mountain, which rises 9,246 feet above the southern edge of the Plain of Jars, about 80 miles northeast of Vientiane.

Williams, a former New York lawyer and a CIA officer in 1951-61, resigned to join the Agency for International Development in 1962, and served as deputy director of the U.S. aid mission in Tunisia in 1965-66 and as associate director of the U.S. aid mission in Vietnam in 1966-69, in charge of U.S. assistance to the Viet Cong amnesty program. He retired from AID in 1974 and is now a free-lance writer.

Thai Camps Are Filling Up With Survivors of the Meos Who Formed The CIA's Secret Army

The Allies We Abandoned In Laos Are Still Fighting And Dying

The Vietnamese first bulldozed roads to bring Soviet PT76 tanks into action. Overhead, Vietnamese Mig 21s and Laotian T28s hit the Meo villages with bombs and napalm while artillery, both captured U.S. 105s and Soviet 130s, pounded the Meo positions, manned by about 3,000 lightly armed tribesmen who were trying to protect 55,000 unarmed villagers.

At the outset, observers in Thailand were unsure whether this attack was just a standard dry-season punitive operation against the Meos, or whether it truly represented a Vietnamese "final solution" for the unconquered tribesmen, as the refugees themselves seem to believe. But the campaign has continued

without letup into the rainy season. And new measures such as the poisoning of waterholes, the systematic burning of villages, foodstocks and growing crops, and the dropping of a poison gas which most observers assume must be tear gas but which appears to have caused some deaths among refugees reaching Thai hospitals all lend some credence to the refugees' view.

Survivors of the fighting say that the Meos had suffered more than 5,000 casualties in the Phu Bia fighting up to the end of May, and that 3,000 more had tried to flee to Thailand.

See MEOS, Page B5

Our Abandoned Allies



Refugee children use a wheelbarrow for a bathtub.

MEOS, From Page B1

Some 2,200 checked into Thai refugee camps between March 1 and May 1, and Thai police officials think that about 1,000 more died during the long trek from Phu Bia to the Mekong. Since May 1, the refugee flow has continued at a rate of more than 500 each month. Thousands more who have been unable to escape and have retreated further into the mountains are facing starvation.

A Dangerous Crossing

NHIA KAO YANG fought for five days — until Feb. 15 — before deciding that the battle was hopeless. Then he and his family joined a group of 46 in a break for the Mekong, where they arrived after 11 days of forced marches. For 15 more days the party waited for a chance to cross, evading the three companies of Laotian government 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 Meos who surrender, and kill any who resist or enter the water.

About a week after Yang crossed the Mekong, Laotian patrols did catch several hundred Meos. They were first taken to nearby Paksane and then to the capital, Vientiane, where on April 6 they were seen passing through town in four large trucks, on their way to "seminar" — as the Laotians call their "reeducation" camps — and to the labor bat-

For 13 years the Meo people had borne 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 strategic area. Vang Pao, now an exile in the United States, 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 Meo villages where all the males from 10 to 55 were either away in the army or already dead. He saw children standing guard, carrying rifles taller than themselves.

On several occasions, particularly in 1971 and again in 1972, the Meos 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.

The formal end of the war in 1975 did not halt the decimation of the Meo people. Without counting the current offensive, communist mopping-up operations are estimated by Vang Pao to have cost his people an additional 14,000 casualties from among the 90,000 Meos who still resist subjugation.

Turning Back Refugees

THE QUESTION is often asked why the Meos do not simply surrender, given the hopelessness of their situation. Meo refugees in Thailand consistently reply that surrender is not a real option for those who were associated



Photos by Ogden Williams

Nhia Kao Yang and his family in their barracks at a Thai refugee camp.

10,000 in other countries; 71,000 of the incoming total had come from Laos alone.

On Nov. 15, Thailand announced a new policy 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 shoot the escapees in the water.

By February, more than 300 crossers had been delivered back to the Laotians. According to reports, the most notorious case occurred 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. U.N. and U.S. officials protested to the Thai authorities, and it appears that the Thais were as shocked as anyone else. (Recently, in May, Laotian troops shot a woman whose body floated up on a sandbank in the Mekong in full view of campers at a waterfront restaurant. Outraged Thai citizens went out in boats to conduct a formal cremation.)

The exclusionary policy has accordingly been modified. New arrivals are 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 U.N.-supported Nong Khai camp or are bona fide political refugees, they are permitted to join the earlier arrivals in the camp.

these proud and independent people are condemned to live in a state of suspended animation. They cannot return to the mountains of Laos. The Thai government will not let them settle in Thailand, and other 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.

In Building 19 sits Dua Xiong, 34. He has lived there for 2½ years. In 1961 he was chosen by a CIA adviser he called "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 siege 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 Xiong 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 16 people were shot or grenaded, often while going out to tend the livestock or while sleeping at night. In fact, the last

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Our Abandoned Allies



Refugee children use a wheelbarrow for a bathtub.

MEOS, From Page B1

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The formal end of the war in 1975 did not halt the decimation of the Meo people. Without counting the current offensive, communist mopping-up operations are estimated by Vang Pao to have cost his people an additional 14,000 casualties from among the 90,000 Meos who still resist subjugation.

Turning Back Refugees

THE QUESTION is often asked why the Meos do not simply surrender, given the hopelessness of their situation. Meo refugees in Thailand consistently reply that surrender is not a real option for those who were associated

0,000 in other countries; 71,000 of the incoming total had come from Laos alone.

On Nov. 15, Thailand announced a new policy 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 shoot the escapees in the water.

By February, more than 300 crossers had been delivered back to the Laotians. According to reports, the most notorious case occurred 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. U.N. and U.S. officials protested to the Thai authorities, and it appears that the Thais were as shocked as anyone else. (Recently, in May, Laotian troops shot a woman whose body floated up on a sandbank in the Mekong in full view of liners at a waterfront restaurant. Outraged Thai citizens went out in boats to conduct a formal cremation.)

The exclusionary policy has accordingly been modified. New arrivals are 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 U.N.-supported Nong Khai camp or are bona fide political refugees, they are permitted to join the earlier arrivals in the camp.



Nhia Kao Yang and his family in their barracks at a Thai refugee camp.

Photos by Ogden Williams

these proud and independent people are condemned to live in a state of suspended animation. They cannot return to the mountains of Laos. The Thai government will not let them settle in Thailand, and other 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.

In Building 19 sits Dua Xiong, 34. He has lived there for 2½ years. In 1961 he was chosen by a CIA adviser he called "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 siege 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 Xiong 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 16 people were shot or grenaded, often while going out to tend the livestock or while sleeping at night. In the last

talions. Yang's group had had one brief clash with a patrol during which two women and three children were killed, as well as three Laotian government 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 26 Meo bodies floating past their post on March 26 alone. On May 3 a refugee attempted to cross with 13 members of his family. Only four made it. Again, reports show nine Meos out of 11 lost in one group, six out of 20 in another. Drowning is at least as great a danger as gunfire for the exhausted and starving escapees, since few Meos know how to swim. Those who do reach sanctuary in Thailand have been described as "walking cadavers."

Yang was only 16 in 1962 when he first started fighting in the U.S.-sponsored Meo army of Maj. Gen. Vang Pao. For 13 years he and his fellow tribesmen denied much of northern Laos to the North Vietnamese army, tying down at least two North Vietnamese 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 Vientiane. And it was categorical orders from Vientiane, not their enemy, which finally forced the undefeated Meos to stand aside. Through no failing of theirs, the communist victory in Laos was complete, and the Lao Peoples Democratic Republic came into being.

A Tradition of Independence

ORIGINALLY from central China, the Meos — who call themselves the Hmong, or the "free people" — migrated southward into Yunnan and Tonkin and finally reached northern Laos in the 19th 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.

About the time of World War II a tribal dispute split the Hmong into two antagonistic factions. The larger, numbering perhaps 350,000, was led by Touby Lyfoung and allied itself with the French. The smaller group of less than 100,000 under Faydang Lor sided with the Japanese and later with Ho Chi Minh's Viet Minh. When the Americans came on the scene in the late 1950s and early '60s, it was from Lyfoung's willing recruits — by now fiercely opposed to the communist Vietnamese — 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 guerrillas and about 30,000 village defense militia — all supported and paid by the U.S. government through the CIA.

The Meos 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 Meos were quite simply delighted to receive help from a powerful friend in their struggle against the traditional Vietnamese enemy.

Still less were the Meos concerned as to which particular agency of the U.S. 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 Meos have never considered themselves the tools of anyone. They regarded the Americans as trusted allies, not masters. But the Meos' CIA connection has given the new rulers of Laos the perfect propaganda pretext for the policy of near-genocide which they have waged against the unconquered Meos since the war officially ended in 1975.

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 Meos who are not shot: They are taken away to "seminar" and then sent to labor battalions from which, since 1975, only a few escapees have ever returned. In this situation the Meo 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, which creates a difficult refugee problem for the Thais.

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 last May, more than 100,000 refugees from all three countries in the 15 official Thai camps supported by the United Nations High Commission for Refugees, even after some 59,000 had already departed to other countries for resettlement.

The attitude of the Thai government to this unsolicited influx has gone through three distinct phases. At first, in 1975, the Thais offered uprestricted 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 1977 despite the resettlement of more than

Life in the Camps

ALMOST ALL the recent escapees end up here at Nong Khai. As of May 30, the camp had a population of 17,078 Laotians and 7,378 Meos. About 80 percent of the Meos are families in which at least one member fought in Vang Pao's 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 Meos live in long wooden barracks in which a raised sleeping platform runs 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 5 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 United Nations, using funds contributed by 18 noncommunist countries. The U.S. donation averages about 65 percent 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 15 U.N. camps in Thailand. Australia, Norway, Denmark and Britain have been other major contributors.

The food ration, calculated at 50 cents a person a 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 Philippines.

Nevertheless, a visit to Nong Khai is a sobering and troubling experience. It is not the overcrowding, the stifling heat and the minimal living conditions. It is rather because

months before he had been in Laos, after he was shot out by 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 United States and will depart as soon as a sponsor can be found. He wants to join his parents and his brother in Providence.

The Human Arithmetic

THE UNITED STATES is the country to which most Meo refugees now in Thai camps want to go. Many already have relatives there. Secondly, they knew Americans during the war and still retain a trust and liking for us. They still mention the CIA advisers who were known to them under such names as Mr. Tony, Digger, Kayak, Bamboo and Black Lion. Third, the Meos 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 Meos, however, America does not yet have an immigration policy which will allow most of them to see our shores — even many of those who fought for us at our urging and on our payroll.

Here is the arithmetic of this problem:

America has taken about 7,000 Meos from the original Vang Pao contingent which escaped in 1975, but there are about 40,000 Meos still in Thailand. Of this number, about 18,000 consist of families in which the breadwinner fought or worked for the U.S. government. These people are given preference, but no one, however qualified, can come to the United States unless immigration spaces are available.

Last year the attorney general authorized 8,000 spaces for inland refugees from the Thai camps, and 4,877 of these spaces were reserved for our former Meo allies. Then, in May, 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 Meos are expected to receive about 5,500 of these spaces. Thus even when all Meos eligible under all current U.S. programs have departed for the United States, there will still be some 7,500 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.

The Meos who have already come to the United States are generally considered by the voluntary agencies who work with refugees as having shown remarkable ability to adapt to life there. They have good mechanical aptitudes and are industrious students, quick to learn new skills. They have modest initial expectations and work hard to improve themselves.

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 owe them something better than hopeless stagnation in a Thai refugee camp.

One logical, practical and honorable solution would be for the Congress simply to decide that any Meo refugee who worked for the United States or fought for its programs on our payroll will be entitled to entry to the United States, unless 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 could do justice to a brave and resilient people to whom we owe a special debt.



United Press International

THE AMERICAN JEWISH COMMITTEE

1502 Fox Building • 1612 Market Street
Philadelphia, Pa. 19103 • LO 4-2460

9/29/78

TO: RABBI MARC TANENBAUM ✓

As you can see, Eilberg's position remains unchanged, despite calls from us and the local Jewish Labor Committee.



A handwritten signature in cursive script, appearing to read "Roger", is positioned above the typed name.

Roger Meltzer

Assistant Director

relieve the horrible suffering of millions of Cambodians who have been unable to escape from that country.

Secondly, the amendment will be detrimental to the efforts of our government to establish a reasonable, humanitarian and long-range refugee policy. Its effect would be to perpetuate the past policy of responding to refugee problems in an "ad hoc", piecemeal fashion. In fact, this amendment comes at a time when most interested parties from the Legislative and Executive Branches and from the private voluntary agency sector are agreed that we must have a carefully-developed, comprehensive, national refugee policy.

Thirdly, the amendment could clearly impede our efforts to "internationalize" the Indochina refugee situation—a development we believe is vital to any satisfactory resolution of this most serious problem.

Based upon a close scrutiny of this problem over the past three years by our Subcommittee and recent discussions that we have had with the Foreign Ministers of Thailand and Malaysia, we continue to believe that an International Conference on Indochina refugees among interested countries must be convened. It is imperative that we focus the attention—and the conscience—of the world community on this difficult problem in an effort to foster greater international cooperation and to increase resettlement opportunities for all Indochina refugees.

Finally, this amendment severely undermines the policies and procedures which have been established for the admission of Indochina refugees. These policies (including the selection criteria) have been developed by the Executive Branch following close consultation with Members of the House Judiciary Committee and the Subcommittee on Immigration, Citizenship, and International Law.

As a result, the current eligibility criteria gives priority to those who have had some past association with the U.S. or who are related to persons residing in this country. Special priority is also given to those refugees who find themselves in a particularly precarious position, such as Vietnamese "boat case" refugees who continue to be pushed "back to sea" by many countries in Southeast Asia.

It should be pointed out that the plight of the 15,000 Cambodian refugees in Thailand (notwithstanding the severe hardship which they have endured and escaped from) is indistinguishable from that of the over 100,000 Laotian refugees there, in terms of their humanitarian needs and their desire for permanent resettlement opportunities.

Rather than adopt an inflexible and absolute program to admit all Cambodian refugees, the preferable approach would be to recommend review and revision of the current eligibility criteria applied under the present U.S. program in order to give special consideration to the unique situation presented by the Cambodian refugees in Thailand.

In order to carry out the views expressed in this letter, it is our intention to offer the following substitute amendment:

Sec. 605. It is the sense of the Congress that—

(1) the Attorney General, in consultation with the Congress, should develop special eligibility criteria under the current U.S. parole program for Indochina Refugees which would enable a larger number of refugees from Cambodia to qualify for admission to the United States;

(2) the Secretary of State should undertake immediately steps leading to the convening of an International Conference on Indochina Refugees; and

(3) the Attorney General and the Secretaries of State and Health, Education and Welfare should submit to the Congress, at the earliest possible time, a unified position

on legislation which would establish for the United States a comprehensive and long-range policy for admitting and resettling refugees.

This substitute amendment can only be considered if the motion offered by Congressman Slack (to agree to the amendment suggested by the conferees) is defeated. We, therefore, urge your support for defeating that motion and for approving our substitute amendment.

Sincerely,

JOSHUA EILBERG,

Chairman, Subcommittee on Immigration, Citizenship, and International Law.

HAMILTON FISH, JR.,

Ranking Minority Member, Subcommittee on Immigration, Citizenship, and International Law.

REPORT OF THE SPECIAL COMMITTEE ON SOUTHEAST ASIA

(Mr. MONTGOMERY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MONTGOMERY. Mr. Speaker, under leave to extend my remarks in the Record, I include the following:

REPORT OF THE SPECIAL COMMITTEE ON SOUTHEAST ASIA, SEPTEMBER 7, 1978

HOUSE OF REPRESENTATIVES,

Washington, D.C., September 7, 1978.

HON. THOMAS O'NEILL,

The Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: On behalf of the members of the Special Committee on Southeast Asia appointed by you on August 16, we are transmitting to the House of Representatives a copy of the Committee's final report. The statements and recommendations included in this report are the result of our study of Southeast Asian matters, our own observations, as well as in-depth talks and discussions with high-ranking officials in the countries of Vietnam and Laos.

We believe that the trip was beneficial and necessary and feel that the information we brought back will be most helpful to our Government.

We appreciate your assistance as well as that of the other individuals directly involved in our efforts.

Sincerely,

G. V. MONTGOMERY,
Chairman.

JAMES T. BROYHILL,
Ranking Minority Member.

INTRODUCTION

In response to the invitation of the Vietnamese Vice Minister of Foreign Affairs, Phan Hien, a congressional delegation travelled to Vietnam and Laos during the period of August 18 to 28. Appointed by the Speaker of the House of Representatives, the delegation consisted of eight members: G. V. Montgomery (D-Miss.), George Danielson (D-Calif.), Antonio Won Pat (D-Guam), John Murtha (D-Pa.), Sam Hall (D-Tex.), Ike Skelton (D-Mo.), James Broyhill (R-N.C.), and Henson Moore (R-La.).

The group prepared in advance to seek additional information about servicemen listed as missing in action and to receive views from Southeast Asian officials pertaining to matters of our mutual interest. The committee was, of course, not authorized to negotiate on behalf of the United States Government.

Prior to its departure on August 18, the group met with representatives of the Department of State, the Central Intelligence Agency, and individuals who had recently visited in these countries. From these meetings, the members received background ma-

terial on the MIA issue, as well as available information on existing conditions and relations with Vietnam and Laos.

The group visited the Joint Casualty Resolution Center in Honolulu and was briefed on the ongoing work identifying remains. Admiral Maurice Welsner, Commander-in-Chief, Pacific, arranged for a briefing on Southeast Asian matters which was presented by CINCPAC officials, also in Honolulu.

During the stopover in Manila, Philippines, Ambassador Richard W. Murphy briefed the delegation on United States relations with the Philippine Government including the future of U.S. military bases in that country.

During the course of its stay in Vietnam, the delegation met with Prime Minister Pham Van Dong, Vice Minister Phan Hien on two occasions, Mr. Vu Hoang, Director of Consular Affairs and their specialist in MIA matters, and Mr. Xuan Thuy, Vice Chairman of the National Assembly.

Other officials who participated in the meetings with Vice Minister Phan Hien were: Mr. Ngo Dien, Assistant to the Minister of Foreign Affairs for Press Relations; Mr. Tran Quang Co., Director of the North American Department, Ministry of Foreign Affairs; and Mr. Vu Song, Senior Official, Ministry of Foreign Affairs.

To provide additional background information on conditions in Vietnam, individual members of the group toured a hospital, a factory, a refugee center, and an orphanage, after our arrival in that country.

While in Laos, meetings with Mr. Khamphay Boupha, the Acting Minister of Foreign Affairs, H. E. Phoumi Vongvichit, Deputy Prime Minister and Minister of Education, and Mr. Sombat Chou Niamany, Director, Department No. 2, Ministry of Foreign Affairs, were held.

A number of American officials, as well as officials of other countries, with whom the delegation had contact expressed the feeling that the far eastern part of the Pacific was becoming a "forgotten area." They indicated that the United States seems to be overconcentrating its interests and efforts in other areas of the world, particularly in Europe and the Mideast.

The results of the mission and the delegation's findings are presented in this report and it is hoped that they will be useful to the Government and the people of the United States and will provide a basis for understanding our relations with the Southeast Asian nations.

The delegation wishes to express its thanks and appreciation for the full cooperation and assistance given by the Department of State and Department of Defense without which the mission could not have been accomplished.

Some members of the committee will issue statements including additional views.

MISSING IN ACTION IN VIETNAM

A large amount of the time of the committee was spent working on the MIA issue with Vice Minister Phan Hien and Mr. Vu Hoang, Chairman of the Missing Persons Search Committee in Vietnam. Mr. Phan Hien announced at our first meeting in Hanoi that the Vietnamese search group had recovered 11 more American remains. He was emphatic in stating that all American POWs were turned over to the United States at the end of the war and that none were now being held. Prime Minister Pham Van Dong also denied that American POWs were being held in Vietnam. Our discussions with United Nations representatives, church groups, and the International Red Cross officials in Southeast Asia revealed it was their feeling that no Americans are being held captive in Vietnam or Laos.

The technical help and information gathered by the Vietnamese search personnel at the Identification Laboratory in Honolulu was instrumental in recovery of the 11 re-

planned meeting this month in Washington. He wants all regions active on the problem.

But, the regional structural weaknesses of EPA were clear when he commented, "We at EPA headquarters don't know how many hazardous waste sites there are out there." He said it was up to the states and the regional offices to know, but most of them don't know either.

In an admission that cuts to the heart of the entire problem, Dietrich said, "We don't know very much about where people are tossing hazardous wastes."

NEED FOR COMPREHENSIVE, RATIONAL U.S. REFUGEE POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. EILBERG) is recognized for 5 minutes.

Mr. EILBERG. Mr. Speaker, the House of Representatives will soon consider an amendment on Cambodian refugees brought back in technical disagreement by the conferees on H.R. 12934, a bill making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and related agencies for fiscal year 1979.

As chairman of the Subcommittee on Immigration, Citizenship, and International Law, which has been grappling with this difficult issue since the Communist takeover in Indochina 3 years ago, I intend to oppose adoption of this amendment for many reasons. Further, I intend to propose alternative language which would establish a more reasonable and more effective approach to the serious refugee problem in Indochina.

Mr. Speaker, my subcommittee has been diligently working to have the administration develop for this country a long-range, coherent, and humanitarian refugee policy. I have communicated this need to the President in a letter to him earlier this year, which will be inserted following my remarks. As a result of these efforts, we have noticed some encouraging signs which indicate that the administration has finally recognized this need and is working toward the development of such a policy.

This amendment, Mr. Speaker, would, if adopted, frustrate much of these efforts by perpetuating the current administration policy of approaching refugees issue in an "ad hoc," piecemeal fashion.

Mr. Speaker, I urge my colleagues to read the material which is inserted following these remarks and to give careful consideration to the deleterious effect adoption of this amendment will have on our efforts to establish a comprehensive and consistent refugee policy.

On the other hand, the language which I intend to propose if the Senate language is defeated, will enhance the past efforts of our subcommittee, and at the same time give special consideration to Cambodian refugees by recommending a review and revision of current refugee eligibility criteria.

I, therefore, urge defeat of the motion which will be offered by Congressman SLACK on behalf of the House conferees

on H.R. 12934 and I request your support for the adoption of my substitute language.

COMMITTEE ON THE JUDICIARY,
Washington, D.C., August 7, 1978.

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

DEAR MR. PRESIDENT: I remain deeply disturbed by the "ad hoc" response of the United States Government to refugee problems in general and to the Indochina refugee problem in particular.

I communicated this concern to you in a July 12, 1977 letter in which I stated that "it is imperative to end the haphazard, piecemeal approach which the U.S. has taken toward [Indochina] refugees." That same letter requested you to "take the lead in convening the nations of the world for an International Conference on Indochinese Refugees."

Based upon statements made last week by the Secretary of State during a meeting with the ASEAN ministers and my own discussions with the Foreign Ministers of Thailand and Malaysia, I continue to believe that such a Conference is essential in resolving this truly international problem. I therefore renew my request that the U.S. undertake immediate steps leading toward the convocation of a worldwide conference on this most serious problem.

I would also request that the Administration consider the urgent need for closer cooperation between the various Executive Departments involved in formulating and implementing administrative aspects of our refugee policies. Unfortunately, there appears to be little coordination between the Departments of State, Justice, and HEW in reaching decisions on: the number and categories of refugees to be admitted; the amount and method of funding their care and maintenance in asylum countries or their processing and movement to the U.S.; or the amount and type of assistance to be provided to voluntary agencies, to the States or to the refugees themselves to facilitate their resettlement in the United States.

For example, the Administration is now asking the Congress to once again extend the "Indochina Migration and Refugee Assistance Program" in a limited, "stopgap" manner. In my judgment it is unreasonable and inefficient to propose such an extension and at the same time support a continuing admissions program of 25,000 Indochina refugees per year. Certainly, the issues of refugee admissions and resettlement funding cannot and should not be separated—even though we have done so in the past. In order to promote a comprehensive, coordinated and unified approach to the Indochina refugee problem these matters must be submitted to, and considered by, the Congress simultaneously. It makes little sense for the Judiciary Committee to concur in the use of parole for certain Indochina refugees, when no monies exist to process, transport and resettle that group of refugees.

My concerns on this subject are shared by the ranking minority members of the full Judiciary Committee and the Subcommittee on Immigration, Citizenship and International Law, which I chair. In fact, our views were expressed in a June 1, 1978 co-signed letter to the Attorney General regarding the use of parole for 25,000 Indochina refugees. In that letter we stated:

"We are also troubled by the lack of coordination in the Executive Branch in the development of policies and procedures for admitting and resettling Indochinese refugees. Apparently, decisions on the admission of refugees are finalized without adequate planning on the resettlement of such refugees. In our judgment, the presentation of detailed cost data and the submission to Congress of a definitive legislative proposal on financial reimbursement to State Governments would have greatly assisted us in our consideration

of this parole request. Decisions to admit refugees must not be made in a vacuum. They must be accompanied by carefully-developed plans designed to facilitate their resettlement in this country."

This view is apparently shared by the House Committee on Appropriations, particularly its Subcommittee on Foreign Operations, chaired by the Honorable Clarence Long. In that Committee's report on H.R. 12931, the Foreign Assistance and Related Programs Appropriation Bill, 1979, it was stated:

"With the fiscal year 1980 justifications, the Administration must submit to this Committee a five year financial projection of the Indochinese program. This must include, at least, the numbers of refugees involved, those costs to be borne by this account and the Department of Health, Education, and Welfare. Further the Administration must submit evidence to this Committee that officials of the Department of HEW are participating at these preliminary stages, are cognizant of the ultimate costs and support this further admission of these refugees. Finally, the Administration must provide detailed documentation or testimony proving that they are working to achieve broader world support for these refugees."

I would therefore urge you to personally insure that these issues are better coordinated in the future and—if necessary—to establish a formalized mechanism in the White House to accomplish this objective. I strongly believe that these congressional concerns can only be alleviated if we receive the full support and cooperation of high-level officials from your Administration.

I am hopeful that such support could also extend to the enactment of comprehensive legislation on this subject, as well as to the convening of the International Conference on Indochina Refugees, mentioned earlier in this letter.

I can assure you, Mr. President, that I am committed to the establishment of a coherent, long-range and coordinated refugee policy for this country. I know that you share this view and I am most anxious to work with you and your Administration in accomplishing this humanitarian goal.

Sincerely,

JOSHUA EILBERG,
Chairman.

COMMITTEE ON THE JUDICIARY,
Washington, D.C.

Re: Cambodian Refugee Amendment in Conference Report on H.R. 12934

DEAR COLLEAGUES: Very shortly, the House of Representatives will be considering an amendment on Cambodian refugees brought back in technical disagreement by the conferees on H.R. 12934, the bill making appropriations for Departments of State, Justice, Commerce, the Judiciary and related agencies for fiscal year 1979.

The amendment recommended by the conferees is the result, and tracks the language, of a nongermane Senate amendment to H.R. 12934. Specifically, it expresses the sense of the Congress that the Attorney General exercise his parole authority under the Immigration and Nationality Act to admit, over a two year period, 15,000 Cambodian refugees presently in camps in Thailand. This amendment arises out of a deep concern, which I am sure all of us share, over the ruthless and brutal treatment of Cambodian citizens at the hands of Communist leaders in that country.

However, as Chairman and ranking minority Member of the Subcommittee on Immigration, Citizenship, and International Law, we are constrained to oppose this amendment. In our judgment, there are several reasons why this amendment must be defeated.

First of all, the amendment, while well-intentioned, will do absolutely nothing to

relieve the horrible suffering of millions of Cambodians who have been unable to escape from that country.

Secondly, the amendment will be detrimental to the efforts of our government to establish a reasonable, humanitarian and long-range refugee policy. Its effect would be to perpetuate the past policy of responding to refugee problems in an "ad hoc", piecemeal fashion. In fact, this amendment comes at a time when most interested parties from the Legislative and Executive Branches and from the private voluntary agency sector are agreed that we must have a carefully-developed, comprehensive, national refugee policy.

Thirdly, the amendment could clearly impede our efforts to "internationalize" the Indochina refugee situation—a development we believe is vital to any satisfactory resolution of this most serious problem.

Based upon a close scrutiny of this problem over the past three years by our Subcommittee and recent discussions that we have had with the Foreign Ministers of Thailand and Malaysia, we continue to believe that an International Conference on Indochina refugees among interested countries must be convened. It is imperative that we focus the attention—and the conscience—of the world community on this difficult problem in an effort to foster greater international cooperation and to increase resettlement opportunities for all Indochina refugees.

Finally, this amendment severely undermines the policies and procedures which have been established for the admission of Indochina refugees. These policies (including the selection criteria) have been developed by the Executive Branch following close consultation with Members of the House Judiciary Committee and the Subcommittee on Immigration, Citizenship, and International Law.

As a result, the current eligibility criteria gives priority to those who have had some past association with the U.S. or who are related to persons residing in this country. Special priority is also given to those refugees who find themselves in a particularly precarious position, such as Vietnamese "boat case" refugees who continue to be pushed "back to sea" by many countries in Southeast Asia.

It should be pointed out that the plight of the 15,000 Cambodian refugees in Thailand (notwithstanding the severe hardship which they have endured and escaped from) is indistinguishable from that of the over 100,000 Laotian refugees there, in terms of their humanitarian needs and their desire for permanent resettlement opportunities.

Rather than adopt an inflexible and absolute program to admit all Cambodian refugees, the preferable approach would be to recommend review and revision of the current eligibility criteria applied under the present U.S. program in order to give special consideration to the unique situation presented by the Cambodian refugees in Thailand.

In order to carry out the views expressed in this letter, it is our intention to offer the following substitute amendment:

Sec. 605. It is the sense of the Congress that—

(1) the Attorney General, in consultation with the Congress, should develop special eligibility criteria under the current U.S. parole program for Indochina Refugees which would enable a larger number of refugees from Cambodia to qualify for admission to the United States;

(2) the Secretary of State should undertake immediately steps leading to the convening of an International Conference on Indochina Refugees; and

(3) the Attorney General and the Secretaries of State and Health, Education and Welfare should submit to the Congress, at the earliest possible time, a unified position

on legislation which would establish for the United States a comprehensive and long-range policy for admitting and resettling refugees.

This substitute amendment can only be considered if the motion offered by Congressman Slack (to agree to the amendment suggested by the conferees) is defeated. We, therefore, urge your support for defeating that motion and for approving our substitute amendment.

Sincerely,

JOSHUA EILBERG,

Chairman, Subcommittee on Immigration, Citizenship, and International Law.

HAMILTON FISH, JR.,

Ranking Minority Member, Subcommittee on Immigration, Citizenship, and International Law.

REPORT OF THE SPECIAL COMMITTEE ON SOUTHEAST ASIA

(Mr. MONTGOMERY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MONTGOMERY. Mr. Speaker, under leave to extend my remarks in the Record, I include the following:

REPORT OF THE SPECIAL COMMITTEE ON SOUTHEAST ASIA, SEPTEMBER 7, 1978

HOUSE OF REPRESENTATIVES,

Washington, D.C., September 7, 1978.

HON. THOMAS O'NEILL,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: On behalf of the members of the Special Committee on Southeast Asia appointed by you on August 16, we are transmitting to the House of Representatives a copy of the Committee's final report. The statements and recommendations included in this report are the result of our study of Southeast Asian matters, our own observations, as well as in-depth talks and discussions with high-ranking officials in the countries of Vietnam and Laos.

We believe that the trip was beneficial and necessary and feel that the information we brought back will be most helpful to our Government.

We appreciate your assistance as well as that of the other individuals directly involved in our efforts.

Sincerely,

G. V. MONTGOMERY,
Chairman.

JAMES T. BROYHILL,
Ranking Minority Member.

INTRODUCTION

In response to the invitation of the Vietnamese Vice Minister of Foreign Affairs, Phan Hien, a congressional delegation travelled to Vietnam and Laos during the period of August 18 to 28. Appointed by the Speaker of the House of Representatives, the delegation consisted of eight members: G. V. Montgomery (D-Miss.), George Danielson (D-Calif.), Antonio Won Pat (D-Guam), John Murtha (D-Pa.), Sam Hall (D-Tex.), Ike Skelton (D-Mo.), James Broyhill (R-N.C.), and Henson Moore (R-La.).

The group prepared in advance to seek additional information about servicemen listed as missing in action and to receive views from Southeast Asian officials pertaining to matters of our mutual interest. The committee was, of course, not authorized to negotiate on behalf of the United States Government.

Prior to its departure on August 18, the group met with representatives of the Department of State, the Central Intelligence Agency, and individuals who had recently visited in these countries. From these meetings, the members received background ma-

terial on the MIA issue, as well as available information on existing conditions and relations with Vietnam and Laos.

The group visited the Joint Casualty Resolution Center in Honolulu and was briefed on the ongoing work identifying remains. Admiral Maurice Weisner, Commander-in-Chief, Pacific, arranged for a briefing on Southeast Asian matters which was presented by CINCPAC officials, also in Honolulu.

During the stopover in Manila, Philippines, Ambassador Richard W. Murphy briefed the delegation on United States relations with the Philippine Government, including the future of U.S. military bases in that country.

During the course of its stay in Vietnam, the delegation met with Prime Minister Phan Van Dong, Vice Minister Phan Hien on two occasions, Mr. Vu Hoang, Director of Consular Affairs and their specialist in MIA matters, and Mr. Xuan Thuy, Vice Chairman of the National Assembly.

Other officials who participated in the meetings with Vice Minister Phan Hien were: Mr. Ngo Dien, Assistant to the Minister of Foreign Affairs for Press Relations; Mr. Tran Quang Co., Director of the North American Department, Ministry of Foreign Affairs; and Mr. Vu Song, Senior Official, Ministry of Foreign Affairs.

To provide additional background information on conditions in Vietnam, individual members of the group toured a hospital, a factory, a refugee center, and an orphanage, after our arrival in that country.

While in Laos, meetings with Mr. Khamphay Boupha, the Acting Minister of Foreign Affairs, H. E. Phoumi Vongvichit, Deputy Prime Minister and Minister of Education, and Mr. Sombat Chou Niamany, Director, Department No. 2, Ministry of Foreign Affairs, were held.

A number of American officials, as well as officials of other countries, with whom the delegation had contact expressed the feeling that the far eastern part of the Pacific was becoming a "forgotten area." They indicated that the United States seems to be overconcentrating its interests and efforts in other areas of the world, particularly in Europe and the Mideast.

The results of the mission and the delegation's findings are presented in this report and it is hoped that they will be useful to the Government and the people of the United States and will provide a basis for understanding our relations with the Southeast Asian nations.

The delegation wishes to express its thanks and appreciation for the full cooperation and assistance given by the Department of State and Department of Defense without which the mission could not have been accomplished.

Some members of the committee will issue statements including additional views.

MISSING IN ACTION IN VIETNAM

A large amount of the time of the committee was spent working on the MIA issue with Vice Minister Phan Hien and Mr. Vu Hoang, Chairman of the Missing Persons Search Committee in Vietnam. Mr. Phan Hien announced at our first meeting in Hanoi that the Vietnamese search group had recovered 11 more American remains. He was emphatic in stating that all American POW's were turned over to the United States at the end of the war and that none were now being held. Prime Minister Phan Van Dong also denied that American POW's were being held in Vietnam. Our discussions with United Nations representatives, church groups, and the International Red Cross officials in Southeast Asia revealed it was their feeling that no Americans are being held captive in Vietnam or Laos.

The technical help and information gathered by the Vietnamese search personnel at the Identification Laboratory in Honolulu was instrumental in recovery of the 11 re-

[end]

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BRITISH REPORT ON CAMBODIA CITES
MANY EXECUTIONS, WIDESPREAD SUPPRESSION

By Religious News Service (9-21-78)

LONDON (RNS) -- A new British government report indicates that since the Communist takeover of Cambodia in 1975 there has been a continuing upheaval resulting in suppression of religion, widespread executions, and forcible evacuation of cities.

Thousands of refugees have fled Cambodia since 1975 and hundreds of thousands may have died directly or indirectly as a result of the drastic policies of the new regime, according to the report released by the British Foreign office. More than 2 million may have died, according to some estimates.

Father Francois Ponchaud, a French authority on Cambodia, said in the report that he believed estimated figures of 100,000 Cambodians executed must be taken as the absolute minimum.

He said it is possible two or three times as many people have been executed. The number who died because of lack of food and medical and sanitary facilities may have been more than 2 million, according to Father Ponchaud. He said he had reports of villages in which one-third, half or 90 per cent of the population had died.

Father Ponchaud's report was largely based on the testimonies of 40 Cambodian refugees from eight provinces, all of whom left their country in 1977.

The British Foreign office said Father Ponchaud's findings gave evidence that widespread executions continued on a considerable scale in 1977. The report said its data was based on "reputable observers."

Since 1975, there was widespread executions of military officers of the former government. "It is clear from many accounts from different sources that the execution of officers of the former Khmer Republic's Army was... a calculated act of policy," the British report said, noting that most senior officers who "disappeared" in 1975 have not been seen again.

No refugee and no official Cambodian statement has ever mentioned a trial, according to the report. There were no courts, no defense, and no appeals. Refugees frequently reported that laziness or the mere expression of a complaint about the conditions of life was sufficient grounds for execution.

The report said at least 85 per cent of the Cambodian population used to practice Buddhism, the state religion. In the last three years, the Buddhism has been "completely suppressed."

(more)

PAGE -21-

Much of the traditional way of life has been destroyed, the report said. "Families have been divided and it has been general policy to separate men from women."

Since 1975, there have been reports about widespread executions and the mass forcible evacuation of Cambodians from the cities into the countryside.

The Cambodian government, in a report to the United Nations last April, held it has taken action only against a "handful of traitors." It criticized Britain for demanding action on alleged human rights violations.

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CATHOLIC BISHOP URGES BRITAIN TO ACCEPT PLAN FOR ULSTER

By Religious News Service (9-21-78)

ARUNDEL, Eng. (RNS) -- The withdrawal of British troops from strife-torn Northern Ireland and the making of the Province into an independent territory or a federation with the Irish Republic were suggested by Bishop Murphy-O'Connor of Arundel and Brighton in a sermon here.

The bishop preached in Arundel Cathedral at a Solemn Mass marking the conclusion of 30 days of prayer in the diocese for peace and reconciliation in Northern Ireland. He did not spell out in any detail a solution for Ulster's problems and he emphasized that there were no easy answers.

But, he said, "Many people in this country are hoping that in the short term our government will begin to encourage and urge leaders in Northern Ireland to come themselves to some accommodation and arrangement with the Republic of Ireland -- either federation or independence -- while continuing economic and other links with Great Britain and the rest of Ireland.

"This would give an opportunity for the British government to give a date for the withdrawal of its troops, something I believe is desired by the vast majority of people in this country."

Bishop Murphy-O'Connor said that successive administrations had sought to grapple with the situation without success. But he believes that an attempt at agreement along the lines he had suggested would be welcomed by many leaders and others in Northern Ireland.

He urged the British government to concentrate more thought on a subject which was "a living reproach to our country and of deep concern and distress to Christians everywhere."

The 30 days of prayer program was part of a "chain of prayer" for peace in Ulster, during which each of the 20 Roman Catholic dioceses of England and Wales will pray, in turn, for a month.

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PAGE -22-

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CITIZENS COMMISSION ON INDOCHINESE REFUGEES

CARE OF INTERNATIONAL RESCUE COMMITTEE, INC.

386 PARK AVENUE SOUTH • NEW YORK, NEW YORK 10016

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

September 21, 1978

Jere Broh-Kahn, Esquire
HA/ORM, Room 7802 New State
Department of State
Washington, D.C. 20520

Dear Jere:

The Citizens Commission will wish to discuss the following questions with the State/NSC participants in the September 26 meeting:

1. What is the current reading in the State Department and NSC concerning conditions in the three Indochinese states, and can one assume that they point toward an increase in the flow of refugees. What is the status of the Sino/Vietnamese conflict regarding Vietnamese of Chinese ethnic origin?
2. What is the probable magnitude of the refugee flow from Indochina, by sea and by land, over the coming months? Does it not make obsolete the limited parole program presently in effect?
3. Can one forecast the movements of refugees by nationality - Vietnamese, Laotian, Hmong, Cambodian - assuming that present conditions will not radically change?
4. What are the prospects for broadening the number of countries receiving Indochinese refugees for permanent resettlement? In Europe? In Latin America? In Africa? Has thought been given to possible World Bank or other development financing of rural resettlement of such refugees?
5. What is your thinking concerning an International Conference on Indochinese Refugees? Is this matter being discussed with other governments?
6. What are the prospects of durable resettlement of some of the refugees - Lao, Hmong, Cambodian - in Thailand? Is any progress being made as a result of Vice President Mondale's offer?
7. Is it likely that a refugee bill - the Kennedy bill, the Eilberg bill, an Administration bill, or a combination of these - will be passed before the present parole program for Indochinese and Russians comes to an end? If not what will the Administration do?

Page 2

Jere Broh-Kahn, Esquire

September 21, 1978

8. Will the Administration accede to the Sense of the Congress Resolution and parole 15,000 Cambodians?

9. The buildup of Indochinese refugees in Southeast Asian countries, especially Thailand and Malaysia, is such that the countries of first landing may refuse to accept more refugees. Can the U.S. help alleviate this situation, perhaps by more rapid processing of refugees, or acceleration of movement to the U.S.?

10. Are we moving toward establishing diplomatic relations with Vietnam, and would the resumption of relations facilitate family reunion?

11. Has thought been given to the possibility, through diplomatic contacts, of having Vietnamese refugees now in China join their relatives in the United States or elsewhere?

12. Are U.S. flag and U.S. owned vessels complying with the directives regarding the rescue of refugee boats in distress?

13. What are the major problems we are facing in terms of resettling refugees in the United States, and how do you propose to cope with the inadequacy of the resettlement grants to the voluntary agencies?

Members of the Commission may raise other questions during the course of the discussion.

We are pleased that Deputy Secretary Christopher and other officials of the State Department, NSC and HEW will be meeting with us. We look forward to a fruitful consultation.

With best regards,

Sincerely,

Louis

Louis A. Wiesner

United States Senate

WASHINGTON, D.C. 20510

September 22, 1978

Ms. Jeanne MacDaniels
International Rescue Committee
1028 Connecticut Avenue, NW
Washington, D. C. 20036

Dear Ms. MacDaniels:

Knowing of your concern and interest regarding the fate of the 15,000 Cambodian refugees who still languish in camps in Thailand, I thought you might be interested in the current status of legislation I introduced to provide special immigration authority for these refugees.

This amendment, to the State-Justice-Commerce Appropriations bill, H.R. 12934, urges the Attorney General to exercise his parole authority to allow the immigration of 15,000 Cambodians to the United States during the next two years. This amendment was approved without dissent in the Senate. In the Joint Senate-House Conference Committee, the amendment was approved, and expanded from a "sense of the Senate" amendment, to a "sense of the Congress" amendment. The Conference Committee report for this bill now awaits final approval in the House and the Senate.

However, it has come to my attention that there will be attempts on the part of certain members of the Judiciary Committees in both Houses of Congress to eliminate or significantly alter this amendment. Some argue that it is inappropriate to single out the Cambodians for special consideration among Indochinese ethnic groups. But one of the original reasons behind this amendment was the fact that the Cambodians do not at the present time meet the restrictive criteria applied to the Indochinese for immigration to the United States. Because of this, very few of them now have a chance to escape their hopeless situation in these refugee camps.

This amendment has elicited the favorable response of many people, groups, and officials. It has been approved by a Joint Committee of both Houses. I believe it would be unfortunate if the amendment were defeated at this point.

September 22, 1978
Page Two

I appreciate your supportive efforts in the past. You can be sure I will do my best to defend this measure against challenges on the Senate floor. Do stay in touch, and keep me advised of your own views on refugee issues.

Sincerely yours,



BOB DOLE
United States Senate

BD:jsk
Enclosure





INTERNATIONAL RESCUE COMMITTEE, INC.

1028 CONNECTICUT AVE., N.W. • WASHINGTON, D.C. 20036 • (202) 659-9447

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Vice President

JEANNE MacDANIELS
Washington Regional Director

September 25, 1978

To: Members of the Citizens Commission

From: Louis A. Wiesner *Post.*

Subject: Materials for
September 26 meetings.

Enclosed are some statistics on refugee flows from Indochina to East Asian countries, advance questions to the Justice and State Departments, and a letter from Senator Dole on his amendment regarding Cambodian refugees.

Please understand that the questions, which were submitted in order to help the two Departments prepare for our meetings, are in no sense intended to restrict Commission members from asking other questions or expressing their views.

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OVERSEAS OFFICES

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Contributions to the International Rescue Committee are tax deductible.

Rabbi Marc

Thailand

UNHCR CY-78 Estimated Expenditures

| | | |
|--|---|-----------------|
| I. Salaries | | |
| | Food, shelter, clothing, water, household equipment 1) | \$ 7,700,000 |
| II. Self-reliance and education | | 2,350,000 |
| III. Transportation to countries of resettlement (primarily France) | | 5,500,000 |
| | | <hr/> |
| | Total | 2) \$15,550,000 |
| | U.S. Contributions for CY 78 to date | \$ 8,500,000 |



1) Based on ration of 500 gm rice/day for adults, 250 gm rice/day for children under 12 yrs, and 750 gm meat/fish per week per capita. Approximate cost is \$3-5/refugee/day. CY-78 actual expenditures are estimated to reach \$10,050,000.

2) An additional \$379,000 is budgeted for Program Support and Administration under UNHCR/Geneva control.

3) Includes an initial contribution of 3,500,000 made on December 30, 1978.

ICEM - US Refugee Programme

I. Salaries

Local employees (14) \$ 97,616
ICEM Official * 25,186
Unforseen expenditures 4,000

Total 126,802

II. Office Expenses

Total 66,000

III. Staff Travel and Subsistence

Travel 28,800
Subsistence 33,286

Total 62,086

IV. Refugee Transport to hospitals and airport

Total 28,080

V. Medical examinations and urine tests

Total 105,870

VI. Photos

Total 10,250

VII. Control and auditing (travel and subsistence)

Total 6,600

VIII. Air-fares for 19,000 refugees

Total 8,170,000

IX. Service Fee (\$30 per capita)

Total 570,000

Total Remibursable Expenses \$ 9,145,688.00

* Salary for Mr. Albert Corcos listed separately.

U.S. Refugee Section Funding**

October 1, 1977 - September 30, 1978

I. Salaries

| | | |
|--------------------------------------|-------------|------------------------|
| PIT locals, salary | \$ 7,991.64 | |
| PIT locals, overtime, benefits, etc. | 680.17 | |
| *PIT Americans, salary & benefits | 22,100.00 | |
| | | Sub-Total \$ 30,771.81 |

II. Overhead

| | | |
|-------------------------------------|-------------|------------------------|
| *Chauffeurs per diem and OT | \$ 3,896.00 | |
| *Expendable Supplies | \$ 9,574.00 | |
| *Maintenance of Vehicles & gasoline | 9,727.00 | |
| Telephone tolls | 7,850.00 | |
| Telephone equipment | 2,175.11 | |
| Reference Materials | 329.87 | |
| Miscellaneous supplies | 1,719.31 | |
| Other Services | 805.00 | |
| Other government property & freight | 827.00 | |
| | | Sub-Total \$ 36,903.29 |

III. Travel

Sub-Total \$ 6,907.96

Total \$ 74,583.06

* Paid by Bangkok S & E Allotment

** Does not include salaries of 6 State Dept. officers

Joint Voluntary Agency

U.S. Refugee Program*

September 1, 1977 - August 31, 1978

| | | | <u>Per Month</u> |
|------|----------------------------|--------------|------------------|
| I. | Salaries | \$110,380.38 | \$ 9,198.37 |
| II. | Overhead | \$125,738.77 | \$ 10,478.23 |
| | Refugee Assistance | \$ 12,658.44 | |
| | Hotels/Rents | \$ 81,565.65 | |
| | Post/Tele | \$ 8,546.17 | |
| | Equipment | \$ 742.28 | |
| | Office Supplies | \$ 10,869.51 | |
| | Representation | \$ 816.85 | |
| | Miscellaneous | \$ 5,612.82 | |
| | Per Diem | \$ 4,927.05 | |
| III. | Travel | \$ 50,020.49 | \$ 4,168.37 |
| | Transportation | \$ 35,420.88 | |
| | Meals | \$ 14,599.61 | |
| IV. | ACVA Refugee Clothing Fund | \$ 42,431.76 | \$ 3,535.98 |
| | | ----- | ----- |
| | TOTAL | \$328,571.41 | \$ 27,380.95 |

* All figures above represent total expenditures by JVA in Thailand. A breakdown of expenditures chargeable to State Department is available from International Rescue Committee, New York. \$US figures above are converted from Baht at the rate 20.15.

Lao onslaught brings new flood of refugees

NONG KHAI — Provincial authorities were forced to turn the meeting hall of Bung Kan District here into a temporary shelter for Meo refugees after a new flood of the hill-tribesmen surged across the Mekong River following new attacks by Laotian forces.

The hall was packed to near overflowing as 603 of the refugees crammed into the available space after their exodus from their mountain homes.

A number of wounded fugitives were sent to the district hospital for treatment.

Faced with the impossible task of feeding the hundreds of hungry mouths, Bung Kan authorities sought co-operation from businessmen and other members of the public and food was rushed to the Meo refugees, many of whom were in conditions of near-starvation.

A leader of the Meos, Capt Kang Ming Wang told newsmen that Laotian forces had launched air and ground attacks against about 1,500 Meo insurgents still holding

out in their stronghold at Phu Ma Thao about 200 kilometres from the border in a determined effort to flush out Meo troopers.

He said that he and his men had to flee into Thailand because "we were short of ammunition".

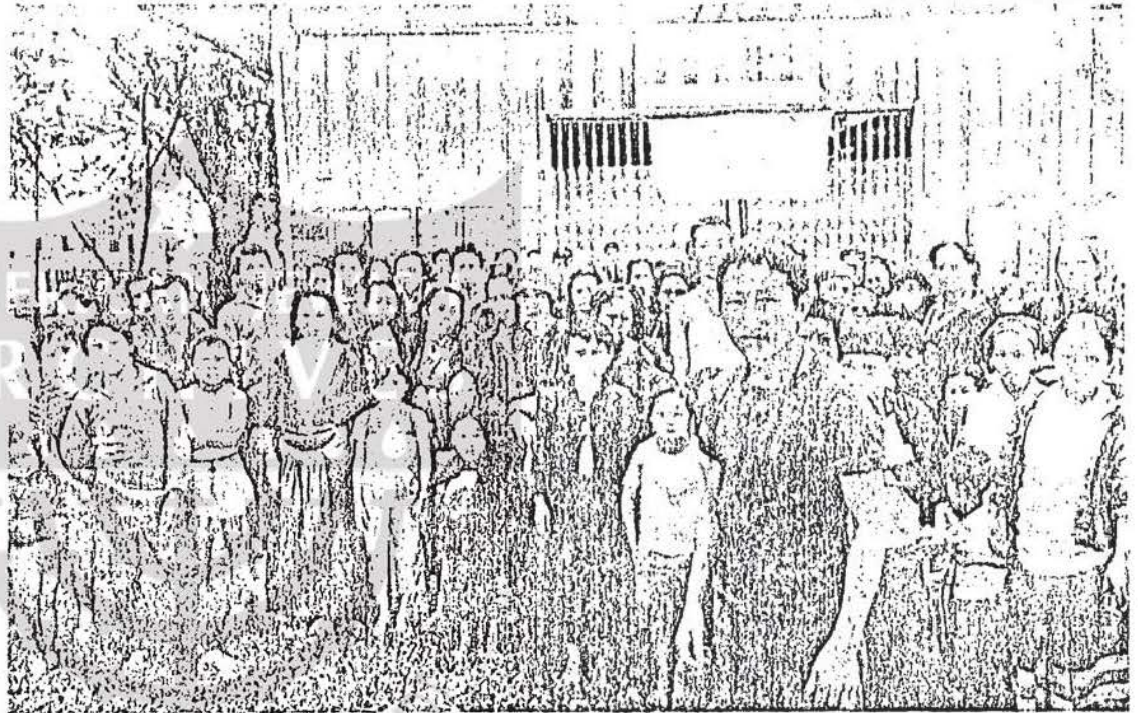
He revealed that the combined Vietnamese and Laotian government forces had stormed their stronghold at Phu Ma Thao, killing a large number of Meos.

He claimed that about 100 women and children were killed by communist troops who gave chase to the fleeing tribesmen.

Wang said the fleeing Meos trekked at night for four days before they reached the Mekong River.

"We used bamboo stems to keep us afloat in crossing the river", he said.

"We want to take refuge in Thailand as there is no way we could go back", he added.



Captain Kanong Wong, one of the Meo leaders, stands with some of his followers in front of their new, temporary home.

Refugees find rest

JAKARTA (UPI) — INDONESIA will grant transit status to the more than 1,200 Vietnamese boat people who endured 11 days at sea while nations in the area argued over their fate.

A Foreign Ministry official said yesterday the refugees would be given shelter in the Jakarta Rambutan refugee camp or in the Tanjungpinang camp in the Malacca Straits.

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Chairman

WILLIAM J. CASEY
Co-Chairman

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CITIZENS COMMISSION ON INDOCHINESE REFUGEES

CARE OF INTERNATIONAL RESCUE COMMITTEE, INC.

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October 6, 1978

To: Members of the Citizens Commission

From: Leo Cherne

I have good news to report to you.

On September 29, the House of Representatives passed the Dole-Solarz bill by a vote of 250 to 109. This bill expresses the sense of the Congress that the Attorney General exercise his parole authority to permit 15,000 Cambodian refugees to come to the United States over the next two years. The next day, the bill passed the Senate by voice vote.

The administration now has a clear-cut mandate from Congress to act on behalf of Cambodian refugees. We will know their response in the days ahead, and are hopeful it will be positive and forthcoming.

I will keep you advised of developments. In the meantime, I wanted you to know about this significant event, the impetus for which came from one of the Citizens Commission recommendations.

MT

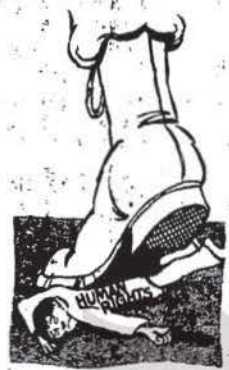
10/8/78 Globe
St Louis

Mailbag

Mass genocide in Cambodia

I was very pleased to see your paper run the two-part feature on Cambodia. I have been aware of the atrocities that are taking place in Cambodia because of my work with refugees.

At first it was thought that refugee accounts were exaggerated,



but the consistency of their stories over the past three years confirms the mass genocide that the Khmer Rouge has undertaken.

It is appalling to me that the rest of the world has waited so long to speak out. It may be true that a massive outcry may do little to change the situation, but we must speak out or our human rights policy is hypocrisy.

There is another tragedy that the articles did not cover — the plight of the more than 20,000 Cambodian refugees currently in Thailand. The Thai government is not eager to accept them for political reasons, and does so only under the assumption that they will be resettled elsewhere.

Although the United States continues to accept Indo-Chinese refugees, very few Cambodians are able to qualify. Congress recently approved the admission of 15,000 Cambodian refugees and the matter now waits action by the attorney general.

Although we may be helpless in stopping the brutality in Cambodia we can do something by accepting its victims. We can write to Attorney General Griffin B. Bell and express our support for the admission of Cambodian refugees. More importantly we can step forward and be sponsors for them when they are admitted.

During the holocaust in Nazi Germany the U.S. turned its back on the Jewish refugees on the St. Louis. Will we again turn our backs to the victims of this "holocaust"?

N. J. SCHNEGELBERGER
Lutheran Family
And Children's Services



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 95th CONGRESS, SECOND SESSION

Vol. 124

WASHINGTON, MONDAY, OCTOBER 9, 1978

No. 163

S 17881

FLOODS RAVAGE SOUTHEAST ASIA

• Mr. KENNEDY. Mr. President, over the past few days confirmed reports have come from Southeast Asia telling of massive flooding caused by typhoons and heavy rain, endangering the lives of millions of people throughout the region. Officials in Thailand have launched an emergency flood relief program, and both Laos and Vietnam have appealed for international disaster assistance.

According to reports from the field, confirmed by our Government and United Nations agencies, heavy rains and typhoon Lola have combined to produce the worst flooding in 35 years in part of Thailand, in vast areas of Vietnam, and in the lowland areas of Laos. The American Embassy in Bangkok has cabled that serious crop damage has been reported in Thailand, and other reports describe some 2½ million acres of cropland are under water in Vietnam, with a loss of perhaps 2.8 million tons of rice.

Mr. President, this natural calamity comes to an area of the world devastated by years of war, and still suffering from its dislocations and the movement of refugees. Food shortages were already critical in both Laos and Vietnam before this latest tragedy struck. And Thailand has been faced with the serious humanitarian burden of Indochinese refugees, only now to confront relief needs among its own people.

Although Thailand has not yet requested international assistance, both the governments of Vietnam and Laos have appealed to United States agencies for assistance.

Mr. President, I would hope that the administration would study their request, and respond expeditiously and generously to any United Nations appeal—especially an appeal from the United Nations Office for Disaster Relief (UNDRO)—for emergency assistance to Vietnam, Laos, or Thailand. The need is obviously there, and once reports are confirmed as to specific relief needs, I hope our response will be forthcoming.

Clearly, the law provides for such assistance to meet natural disasters wherever they occur, "notwithstanding any other provision of law." Once the international disaster assistance account of the Foreign Assistance Act is funded when the appropriations bill is signed by the President, hopefully in the next few days, no legal obstacle should remain in our ability to respond to an international appeal for disaster assistance in Vietnam or Laos.

Mr. President, I ask that the text of two press reports from the field, be printed in the RECORD.

The report follows:

[From the Washington Post, Oct. 5, 1978]
FLOODS RAVAGE SOUTHEAST ASIA; VIETNAM AND
LAOS APPEAL FOR AID

BANGKOK.—Heavy floods have ravaged wide areas of Thailand, Laos, Cambodia and Vietnam, submerging millions of acres of rice paddy and driving millions of families from their homes, according to reports here yesterday.

Officials in Vietnam and Laos have appealed for help from abroad to meet needs for rice and other food grains as well as canned goods, fish, clothing and medicine.

"Heavy losses will affect both production and the (Vietnamese) people's life for a long time," said a Vietnamese Foreign Ministry spokesman at a news conference Tuesday broadcast by the official Vietnam News Agency.

Unseasonably heavy rains generated by Typhoon Lola produced the worst flooding in 35 years in Vietnam, the spokesman reported, adding that 2.3 million acres of crops were submerged in North and South with a loss of 2.8 million tons of rice.

The flood waters affected 4.5 million Vietnamese and about 3 million require emergency relief in the form of makeshift housing and food handouts, he said.

In Thailand, Prime Minister Kriangsak Chamanan allocated \$2.5 million for immediate flood relief and set aside more money to assist in recovery once the swollen rivers subside.

More than 200,000 villagers have abandoned their homes to escape flooding in Thailand's northern, northeastern and central provinces and the official death count stands at 34, officials in Bangkok said. More than 300,000 acres of farmland were under water and some low-lying areas around Bangkok also were flooded.

The government flew vaccine and other medicine to flood-stricken areas in the northeastern province of Udorn after reports that cholera had broken out. Two deaths were attributed to cholera and nine other cases were confirmed, public health officials reported.

In addition to the flooding, the Vietnamese Foreign Ministry official said, nearly 900,000 acres of ricefields were destroyed by insects. An international official in Bangkok said the insects constituted a long-term problem in Vietnam because of a scarcity of pesticides and working spray equipment.

Flooding was particularly devastating in the Mekong Delta, Vietnam's main food-growing region. More heavy rains in Thailand, Laos and Cambodia have raised the threat of still higher waters in the Mekong River, the ministry spokesman said.

The New China News Agency, meanwhile, reported that eastern China's major provinces, hundreds of miles northeast of the flood area, are fighting the longest drought in more than 120 years.

[From the Wall Street Journal, Oct. 4, 1978]
VIETNAM ASKS FOR FOREIGN AID AFTER LOSS OF
ONE-FIFTH OF RICE CROP TO HEAVY RAINS

(By Barry Kramer)

HONG KONG.—Vietnam appealed for emergency international aid, following six weeks

of torrential rains that it says wiped out about 2.9 million tons of rice, or more than one-fifth of the Communist nation's estimated 1978 output.

The disastrous crop failure, the worst of three due to natural calamities in as many years, could curtail severely Vietnam's plans for economic recovery and may force its 50 million people, already on food rationing, to tighten their belts another notch.

The latest economic setback comes when hundreds of thousands of soldiers have been removed from agricultural and civil reconstruction projects to fight a border war with Vietnam's western neighbor, Cambodia, and to face an increasingly hostile northern neighbor, China. The crop shortage could force Vietnam into further reliance on the Soviet Union. Hanoi's main source of previous emergency food aid. The relationship with the U.S.S.R. already is the root cause of Vietnam's falling out with its Communist neighbors.

Diplomatic observers in Asia have been predicting that Vietnam would launch a military offensive in a few months against the anti-Vietnamese regime in Cambodia and attempt to replace it with one more friendly to Hanoi. It isn't clear if or how Vietnam's food crisis might affect that expected confrontation.

FERTILIZER SHORTAGE

Vietnam's grain shortage can't be blamed entirely on the weather. The country still suffers from a chronic shortage of fertilizer and insecticides, spare parts for water pumps and fuel to run them. Furthermore, refugees fleeing Vietnam report that the elimination of the free market for rice last March in what was South Vietnam has reduced the incentive to grow rice for sale. Collectivization of southern farms, which is proceeding gradually, could further slow production, some observers predict.

Some riceland along the Cambodian border is lying fallow because of the fighting, while most military units that had been farming or improving farmlands have been called away from border duties. Instead of producing food, they must be fed. Fuel, which could have been used for water pumps and tractors, has been diverted for military use.

Vietnam announced its dire situation Monday when it took diplomats and representatives of international organizations on a tour of some flooded areas. Foreign Ministry officials then told foreign newsmen in Hanoi that the floods, plus insect infestation, had destroyed about 2.9 million tons of rice since Aug. 20, when the first of several typhoons and tropical storms hit the North and the South.

TARGET OUTPUT

The Vietnamese previously targeted output for the year at about 14.9 million tons. But before the floods, Western experts had estimated the crop at about 12.9 million tons. If the estimated loss is correct, then actual production could be only 10 million metric tons—22-percent below the earlier Western estimate and several million tons less than is needed to feed Vietnam's population.

Number of Refugees Fleeing Vietnam Continues to Rise

By BARRY KRAMER

HONG KONG—What's going on in Vietnam? Despite a series of typhoons and tropical storms that roared across the South China Sea in September to ravage Vietnam, more Vietnamese than ever before fled across those storm-tossed waters to other lands.

Despite the fact that many of the boats sink (thousands of the escapees have drowned), and despite the fact that they face an uncertain, if not unfriendly reception elsewhere, some 7,300 "boat people" reached haven in some Southeast Asian country during September—more than had managed to escape Vietnam by boat in any previous month.

According to figures from the United Nations High Commission for refugees, the number of boat people reaching other countries has risen steadily since January. From 1,900 persons in January, it reached 2,146 in March, climbed to 5,600 in May, hit 6,000 in July and set a new record of 7,300 in September—a grand total of almost 40,000 during the first nine months of this year. How many others set out, often in flimsy, leaking boats, but didn't make it, only the sharks know for sure.

In several countries in Asia, especially Thailand, Malaysia and Hong Kong, refugee camps are bursting at the seams. U.N. officials say that although the number of persons fleeing Vietnam, Laos and Cambodia—in boats as well as overland—now averages more than 9,000 a month, only about one-third that number are being resettled each month in the United States, Australia, France, Canada and other countries that are willing to accept them.

The number of boat people has increased slowly each year, until the significant spurt this year.

One major reason for the increase, officials speculate, is the growing tension between Vietnam and China. China contends that Vietnam is mistreating ethnic Chinese residents in Vietnam, while Vietnam counters that China is playing on the ethnic Chinese issue to suppress Vietnam's independence. Behind the debate and hostility lies China's fear of Soviet influence in Vietnam.

Indeed, an increasing percentage of the boat people are ethnic Chinese. A predominantly entrepreneurial group, many Chinese in Vietnam can afford to buy the boats in which they escape, at a price of about \$12,000 in gold for even the smallest craft. (One refugee official estimates that Vietnam has lost more than 1,300 boats in this manner, reducing the nation's fishing fleet at a time when more fish are needed to help meet Vietnam's protein shortage.)

But that isn't the only reason. A surprising number of the boat people—as many as half by one estimate—are simple folks, fishermen and the like, who are leaving Vietnam because they feel conditions there are too tough. "It's a fear of the future, that socially, militarily and economically, things are going to get worse," says a Westerner in constant touch with the refugees in one Southeast Asian country.

Things may already have gotten worse. The recent storms have been the most damaging in 75 years, according to Vietnamese officials, and have destroyed more than 20% of the country's estimated rice yield this year. Thousands of farm-draft animals have drowned; more than half a million homes were damaged or swept away, with more than four million Vietnamese affected. 2.7 million so badly they'll have to rely on domestic or foreign charity to survive until the next harvest seven months from now. Vietnamese who escaped the storms' fury have been ordered to "donate" part of their rice ration for the flood victims.

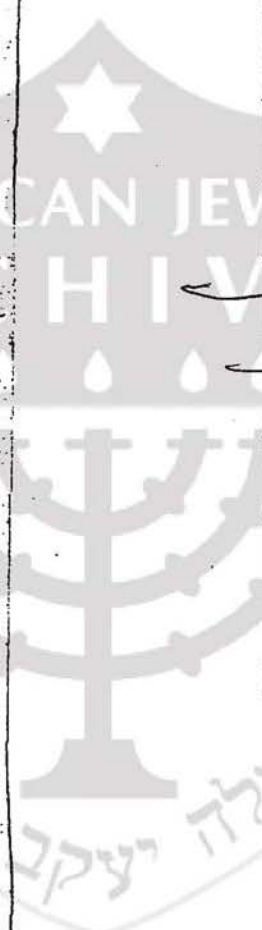
Vietnam is also fighting a costly border war with Cambodia. Cambodian Communist officials say Vietnam is preparing a dry season offensive to install a more cooperative government in Phnom Penh. Many foreign diplomats agree, saying that pro-Hanoi Cambodians, armed and trained and supported by Hanoi, could launch major attacks when the rains end in November or early December.

How seriously Vietnam's current food problems could retard that dry-season military push remains to be seen. But the fact is that Vietnam's troubles with Cambodia and China won't allow it the economic recovery or growth necessary to meet more of the needs of its 50 million people. And the number of people disgruntled enough to attempt to leave could grow even larger.

"From accounts of the people who are arriving now," an Asian diplomat says, "there are many more people who are preparing to leave Vietnam."

Regardless of their reasons, at least 500,000 Vietnamese have fled their country since April 1975. The fact that the exodus continues to grow three and a half years after the Communist victory in Vietnam must be troubling the leaders in Hanoi (despite their "good-riddance" attitude). It certainly is worrisome to Vietnam's neighbors, and to the Western countries which have accepted many of the refugees and will have to accept many more.

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October 20, 1978

TO: Members of the Citizens' Commission

FROM: Bob DeVecchi

Attached is a copy of a letter to the Attorney General signed by Senators Dole and Kennedy, and Representative Solarz.

This letter is of particular importance regarding the prospects for a special Cambodian parole program, and therefore I know it will be of interest to the Commission.

BB DeV.

RPDeV:bg
Enclosure

EDWARD M. KENNEDY
MASSACHUSETTS

United States Senate

WASHINGTON, D.C. 20510

October 9, 1978

The Honorable
Griffin B. Bell
The Attorney General
Department of Justice
Washington, D. C. 20530

Dear Mr. Attorney General:

This is just a short letter to draw your attention to the recent vote of the House of Representatives supporting, 231 to 105, the Senate adopted Sense of the Congress Resolution that "the Government of the United States should give special consideration to the plight of refugees from Democratic Kampuchea" and that, at a minimum, 15,000 additional parole numbers should be made available for refugee resettlement.

We hope that you and the President will take this vote, and the action of both Houses of Congress, as a strong endorsement for the continued use of the parole authority in the Immigration and Nationality Act, to respond to the continuing resettlement needs among refugees in Southeast Asia -- especially Cambodian refugees in both Thailand and Vietnam. Further, we hope you will consider this action by both Houses of Congress as constituting the formal consultation that is required with Congress on the exercise of the parole authority. We believe the current parole program in behalf of Indochinese refugees must be extended, especially to meet the needs of those refugees of special concern to the United States, but who are not covered by existing parole criteria.

We fully support the view that longer term refugee reform legislation must be adopted to handle in an orderly and expeditious fashion the admission of refugees into the United States. But, pending the enactment of this necessary reform legislation -- hopefully, early in the next Congress -- we strongly believe that the existing parole authority should be

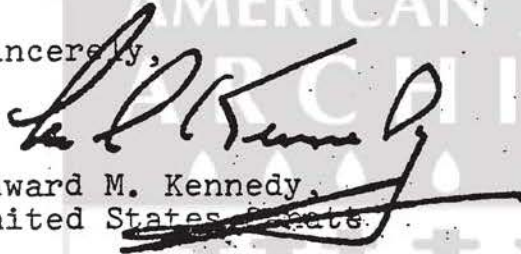
The Honorable
Griffin B. Bell

October 9, 1978

used, as it has been for more than twenty years,
to meet the emergent resettlement needs of refugees
who have a claim upon the concern and attention of
the American people. Today, that surely includes
the refugees from Cambodia, the "boat refugees" in
Southeast Asia, and others.

Many thanks for your consideration, and best
wishes.

Sincerely,



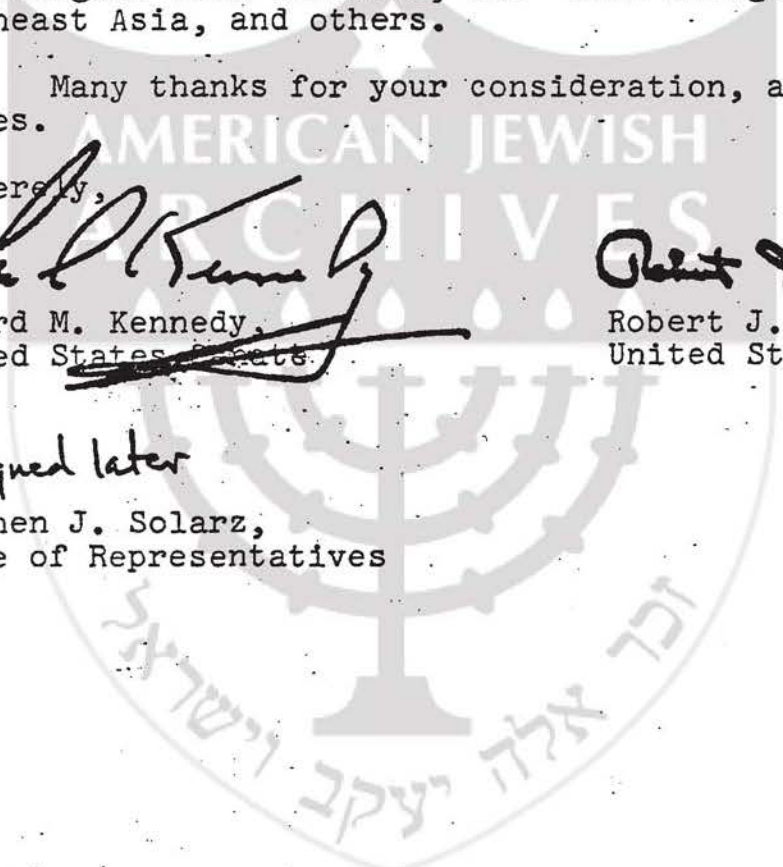
Edward M. Kennedy,
United States Senate



Robert J. Dole,
United States Senate

Signed later

Stephen J. Solarz,
House of Representatives



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JEANNE MacDANIELS
Washington Regional Director

To: Leo, Carel, Al, and Bob
From: Louis A. Wiesner *LSW*

Date: October 25, 1978
Subject: Arrivals of Indochinese
Refugees in East Asian
Countries

The following refugee arrival statistics, disseminated by ORM, contain the UNHCR's revisions of overland refugee data for the Thailand land camps. The State Department has accepted these revisions, while recognizing that there is much room for error.

| | TOTAL | Boat people | Land refugees |
|--------------|--------|-------------|---------------|
| January 1978 | 6,655 | 1,741 | 4,914 |
| February | 2,029 | 1,405 | 624 |
| March | 3,331 | 2,047 | 1,284 |
| April | 7,086 | 4,920 | 2,166 |
| May | 10,183 | 5,856 | 4,327 |
| June | 7,519 | 4,995 | 2,524* |
| July | 9,580 | 6,137 | 3,443 |
| August | 7,388 | 4,344 | 3,044 |
| September | 10,443 | 7,432 | 3,011 |

I expect to forward shortly updated statistics on overland refugee populations in each camp.

*In addition, 9,000 previously uncounted persons living outside the UNHCR supported camps, were incorporated into the camps during June.

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Contributions to the International Rescue Committee are tax deductible.

exiled Bishop Donal R. Lamont of Umtali, it is a subterfuge, "little more than a carefully contrived arrangement to give a semblance of African control in the new state, but with little essential difference from the white racist regime the nationalist movement has taken up arms to destroy." There is no guarantee that the changes the Smith regime professes to have achieved may not be reversed. For the white minority is still capable, in law, of preventing the substantial changes that determine the living conditions and relationships of the races in Rhodesia. The new Constitution means in practice, to cite but one example, that the basic need of the African majority—the redistribution of land—cannot be met.

So, while the President and Secretary of State Cyrus R. Vance may well have liked to welcome Mr. Smith and give him their support, the Rhodesian Prime Minister got the cold shoulder. He got the cold shoulder because to have treated him otherwise would most certainly have driven the black "outsiders," the nationalist leaders Joshua Nkomo and Robert Mugabe, into the arms of Moscow and its Cuban surrogates. What Washington does not want is a race war in southern Africa, with East pitted against West. That is reason enough to give Mr. Smith the back of one's hand.

Cambodian Refugees

Of all the bitter legacies of the Indochinese war, the endless auto-genocide that continues to ravage

Democratic Kampuchea (Cambodia) stands out as the grimmest reminder of that bloody conflict. Tales of ruthless human slaughter and utterly wretched living conditions are regularly recounted by the thousands who each month risk their lives and escape. Unfortunately, the lot of most of these Cambodian refugees is barely distinguishable from that of their fellow countrymen who remained behind. Some 15,000 Cambodians, for example, have lived in squalor in refugee camps and detention centers in Thailand for over three years. And over 120,000 have fled to Vietnam and a chilly reception.

Although the Carter Administration agreed last spring to admit an additional 25,000 Indochinese refugees through May of 1979, that policy decision has had a negligible impact on the plight of Cambodian refugees. Priority is given to those who have relatives in the United States and those who have worked for the U. S. Government, categories which effectively exclude Cambodians. The need for a special program to aid Cambodians has been forcefully articulated by the Citizens Commission on Indochinese Refugees. Members of that commission, under the auspices of the International Rescue Committee, have visited the refugee camps and presented their findings to American officials and others concerned about this tragic situation.

Congress has responded by passing a sense of the Congress resolution, sponsored by Senator Robert Dole (R., Kan.) and Representative Stephen J. Solarz (D., N. Y.), that would authorize Attorney General Griffin Bell to issue paroles for 7,500 Cambodian refugees in each of the next two years. The Attorney General should act immediately to implement this resolution. And other nations should be encouraged to take part in this rescue operation and to contribute financial support to the hard-pressed coffers of the U. N. High Commissioner for Refugees.

Rumanian Catholics

In 17 parishes in some dozen industrial cities of mid-America, the election of an Eastern European cardinal as Pope awakened emotions of special intensity. These parishes serve the approximately 5,000 Rumanian-rite Catholics in the United States who have been observing a tragic anniversary this year. In the autumn of 1948, the Rumanian Communist Government brutally suppressed the churches, schools and hospitals maintained by the two million Rumanian Catholics of the Byzantine rite. The six Rumanian Catholic bishops, along with about 600 priests, were placed under arrest. For a while, the apostolic administrator, Bishop Ioan Suciu, remained at liberty. Thirty years ago this month, he wrote in his last pastoral letter: "If they take our churches, for a time we shall make, every one of us, a church in our own house and wait with confident hope for the delivery, which will come." Not long after, Bishop Suciu was himself sent to prison, where he died from torture.

Those who watched the third episode of "The Long Search," the television series on world religions that is currently being shown by the Public Broadcasting Service, learned that Orthodox Christianity has survived in Rumania because it is the faith of 80 percent of the country's 21 million people. But the Communist leadership had no need to treat the Catholic minority with caution and no wish to be tolerant. Nevertheless, as Ion Ratiu, a former Rumanian diplomat now living in England, pointed out in the September 2 issue of The Tablet of London, some 700 Byzantine-rite Catholic priests are still quietly working in Rumania even though their churches have been confiscated.

In the United States, the Rumanian Catholic laity and their 13 priests support the Association of Rumanian Catholics in America, which, from its center in East Chicago, Ind., publishes a monthly, Unirea (The Union). In July, these Rumanian Catholics marked the mournful 30th anniversary of the church's martyrdom in their homeland. This month, however, their spirit has been unexpectedly quickened, for in the election of Pope John Paul II it is possible to discover some sign of the deliverance that Bishop Suciu expected.

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A major migration

Indochinese refugees pour out by thousands

By MICHAEL PARKS
Sun Staff Correspondent

Bangkok, Thailand—Refugees continue to stream out of Indochina by the thousands in one of the greatest human migrations of this century.

More than 12,000 persons fled Vietnam, Cambodia and Laos last month, and the total will be even higher this month.

Since the end of the Indochina war in 1975, more than 400,000 persons have fled Communist rule, and nearly 500,000 others have sought refuge in Vietnam from Cambodia or in China from Vietnam.

Far from abating, the exodus is increasing as the Communist regimes tighten their controls and step up their efforts to establish socialist political and economic systems.

"For me, there no longer was any future in Vietnam," said Ly Thang Binh, a 48-year-old accountant from the Mekong Delta city of Can Tho. "This I could accept perhaps, but my children also had no future now because their parents were judged class enemies. For us, it was better to risk death in trying to escape than become one of the living dead."

For Son Chang, a 31-year-old Cambodian farmer, the choice was even simpler: "I knew that the Khmer Rouge [Communist] soldiers would execute me in the morning, so I pulled and pulled on my ropes until they broke and then I fled into the jungle. It took me 16 days to get to the border, but when I did I felt as if I had been given a new life."

And for Ban Long, the 54-year-old pa-

triarch of a mountain tribal clan of 15 sons and 43 grandsons, escape from Laos—a four-month effort to cross the Mekong River in groups of 6 and 7—was the only way he saw to insure survival of not just his family but the Hmong people. "They want to kill us, those Communists in Vientiane," he said in a refugee camp here. "They want to kill all of us, not just me or this one or that one, but every one of us. We had to run to live."

Each of the 160,000 refugees currently in the 35 camps across Southeast Asia has a similar story to tell—"I don't care what happens to me as long as I don't have to live in Cambodia," a former Cambodian postal clerk said—and they accept the poverty and degradation of refugee camp lives out of hope for the future.

But this better future for which they risked their lives and fled their homelands is increasingly uncertain as the number of refugees is growing much faster than they can be resettled.

More than 30,000 Vietnamese "boat people" have come to Malaysia so far this year, but only 8,000 have been resettled in the United States, France, Australia, Canada and other countries. Refugees from Cambodia and Laos are now fleeing to Thailand at a rate of nearly 4,000 a month, but fewer than 2,000 are being resettled.

Overall, Western governments have committed themselves to take about 65,000 refugees a year, but they are now

See REFUGEES, A2, Col. 3

Refugees stream out of Indochina by the thousands

REFUGEES, from A1

fleeing at an annual rate of more than 150,000.

"Despite a vast expansion of resettlement programs, the number of refugees in camps is growing very quickly because they are coming out at two and three times the rate of earlier this year," a United Nations official here said. "And some of the refugees tell us that, given a chance, more than a million more would come from Vietnam alone. How do you cope with that?"

The United Nations High Commission for Refugees is now trying to organize a conference on the problem of the Indochinese refugees in hopes of working out a broader approach.

The danger posed by the swollen tide of refugees is that Thailand, Malaysia and other Southeast Asian nations that give them temporary asylum may begin turning them away again—a frequent policy until a year ago—if resettlement efforts are not sped up.

"We do not have the capacity to bear this continuing burden," Gen. Kriangsak Chamanand, Thailand's prime minister, warned recently. "I am not satisfied with the rate of refugees going to third countries for resettlement."

Singapore has put a limit of 1,000 on the number of refugees it will shelter at any time, and marine police there have quietly begun turning boats of refugees north toward Malaysia, according to sources in Singapore. Indonesia would let 1,200 refugees land only on an uninhabited island recently until it received guarantees they would be resettled.

"The flow of refugees has greatly outstripped the willingness of countries to give them new homes," an American refugee worker said. "This has made countries of the region fearful again that they will be stuck with tens of thousands of refugees. Unless resettlement efforts are ex-

panded quickly, then we are going to have thousands of people dying at sea again."

The Carter administration has proposed increasing the number the United States admits from 25,000 to 50,000 a year, plus a special program to resettle 15,000 Cambodian refugees over two years, but new legislation is unlikely before next spring.

United Nations and International Red Cross officials are now trying to persuade West European countries to take considerably more refugees; only France now accepts a large number steadily, taking more than 1,000 a month, a figure that includes several hundred direct from Vietnam by air.

"Many countries are finding perfectly good reasons why they can take no more refugees," one official here said. "Britain has its Asians, the Dutch their Moluccans, West Germany has displaced Pakistanis and Japan is too homogenous. . . . A few thousand refugees could be coped with, we are told, but hundreds of thousands, increasing each month, is too much."

But the flow is certain to continue and probably increase, as the refugees themselves make clear.

"Before I thought that when the Communists came to Saigon that things would be all right," one Vietnamese said, recounting the country's mounting economic problems and the tough measures Hanoi has introduced to push socialism in the south. "Everything is getting worse. If the rocks could swim, they would come too."

A former South Vietnamese Army offi-

cer, who spent 2½ years in a Communist "re-education camp," said, "No amount of brainwashing is going to persuade me that slavery is freedom. . . . The Communists are right when they say there is no future in Vietnam for people like me. I would rather take the chance of dying at sea—and we almost did when our boat began to sink—than to stay in Saigon."

The increase in the number of "boat people" fleeing Vietnam in small fishing vessel, some only 25 or 30 feet long, has been aided by efforts to rebuild Vietnam's fishing industry through construction of new ships—and the apparent willingness of Vietnamese authorities to let most of those go who want to risk the stormy seas.

"The Communists' policy seems to be one of 'good riddance' to those who want to escape," a former Saigon University teacher said. "They have retained just enough controls to prevent everyone from trying to leave, and the sea itself is a deterrent."

Perhaps as many ships sink as make it to safety or are rescued by passing freighters, according to diplomats here

and in other regional capitals, and the casualties are equally high in the land escapes from Cambodia and Laos into Thailand.

"We were 76 when we started out, but only 19 of us made it," one Cambodian refugee, a village leader, said of his escape this month. "All the women and children died—it took us nearly three weeks to reach the border, and we had little food—and many of the men were shot and killed by the border guards. But staying in Cambodia was just prolonging death for most of us—if the Khmer Rouge did not murder us, we would die of starvation or disease."

This theme of desperation has struck many veteran refugee workers as comparable to that in Europe after World War II. "Refugees are always desperate—they have to be to leave their homes and risk their lives as they do," a European aid official said. "But very often they can see alternatives, a chance of going back. Not these people. Whether they are Lao, Cambodians or Vietnamese, they feel the choice is simply between death where they are or fleeing whatever the risks."

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October 31, 1978

To: Commission Members

From: Al Kastner

Enclosed are the following items regarding the Indochina situation:

- 1) The November issue of the Conference Board magazine with an article based on Father François Ponchaud's book "Cambodia: Year Zero" and Leo Cherne's article "After Year Zero - The Refugees."
- 2) An editorial on Cambodian refugees from the October 28 issue of the Jesuit magazine America.
- 3) An article from the Wall Street Journal (October 11) on the boat-people problem.
- 4) A memorandum by Lou Wiesner with statistics on Indochinese refugees. The figures on October escapees will probably be about 11,000, making the total from April-through-October about 63,000.

We would appreciate hearing from Commission members who have not yet responded to the invitation to attend the November 16 dinner at the Lotos Club for Ambassador Klos Vissessurakarn. Leo mentions that his name is pronounced: Glöt Wīse-sūr'agan. The special briefing by a State Department official will start at 5:00 p.m., prior to the reception and dinner.

LEO CHERNE!

The inhumanity which continues to exist in Cambodia is beyond rational description. . . . No circumstances since the death camps of Germany more nearly describe the circumstances which presently exist in Cambodia." These were the words of Leo Cherne of the International Rescue Committee when he described what has been going on in Cambodia for the past three years.

Sadistic Madmen

Most of what we know about present conditions in Cambodia has come from interviews with refugees who have escaped to Thailand or North Vietnam. These refugees all tell pretty much the same stories. And the stories they tell are nothing less than sickening. As one reporter, Jack Anderson, puts it, "A half dozen sadistic madmen . . . have brought on their country the worst suffering, the worst conditions brought on any country in this blood century."

In the words of one refugee who escaped just a few months after the Communists took over Cambodia in the spring of 1975, "It appears that the Khmer Rouge, as the Cambodian Communists call themselves, may be guilty of genocide against their own people." And an Australian journalist uses the phrase "autogenocide" to describe the same conditions.

No one knows exactly how many people have died at the hands of the Khmer Rouge. One U.S. State Department official, Richard Holbrooke, has estimated the number of deaths at 1.2 million. This is also the figure given by John Barron and Anthony Paul in their authoritative account of the Cambodian holocaust, *Murder of a Gentle Land*. But even this figure is dated. *Newsweek* has estimated two million people have died; Chang Song, a former government official, puts the figure even higher: "For three long years men, women, and children have been taken away and are unheard from. Out of 7 million people in my country, as many as 2.5 million have been systematically slaughtered. . . . The regime of Pol Pot [leader of the

Khmer Rouge] is killing its own citizens."

No matter at what precise figure the grisly total is placed, the human suffering that it represents is staggering. It is as if approximately 57 million Americans had been systematically executed, starved, and beaten to death by their own government.

When the Khmer Rouge took over they marked for execution anyone who had ever had anything to do with the previous government, who had ever held a professional job, who had a seventh grade education or more. Most of these executions have already been carried out. According to refugee accounts, such wholesale slaughter began immediately after the takeover. Moreover, in a literally obscene manner, the bloodguiltiness of the Khmer Rouge regime is glorified in Cambodia's new national anthem. The anthem's words are full of an almost satanic obsession with bloodletting:

"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."

The Bloodbath

Upon taking power, the Khmer Rouge immediately began the premeditated extermination of anyone who had been or might become a potential opponent. They began with firing squads, but soon decided that bullets were "too precious" to waste on victims, and resorted to other, more hideous methods of execution.

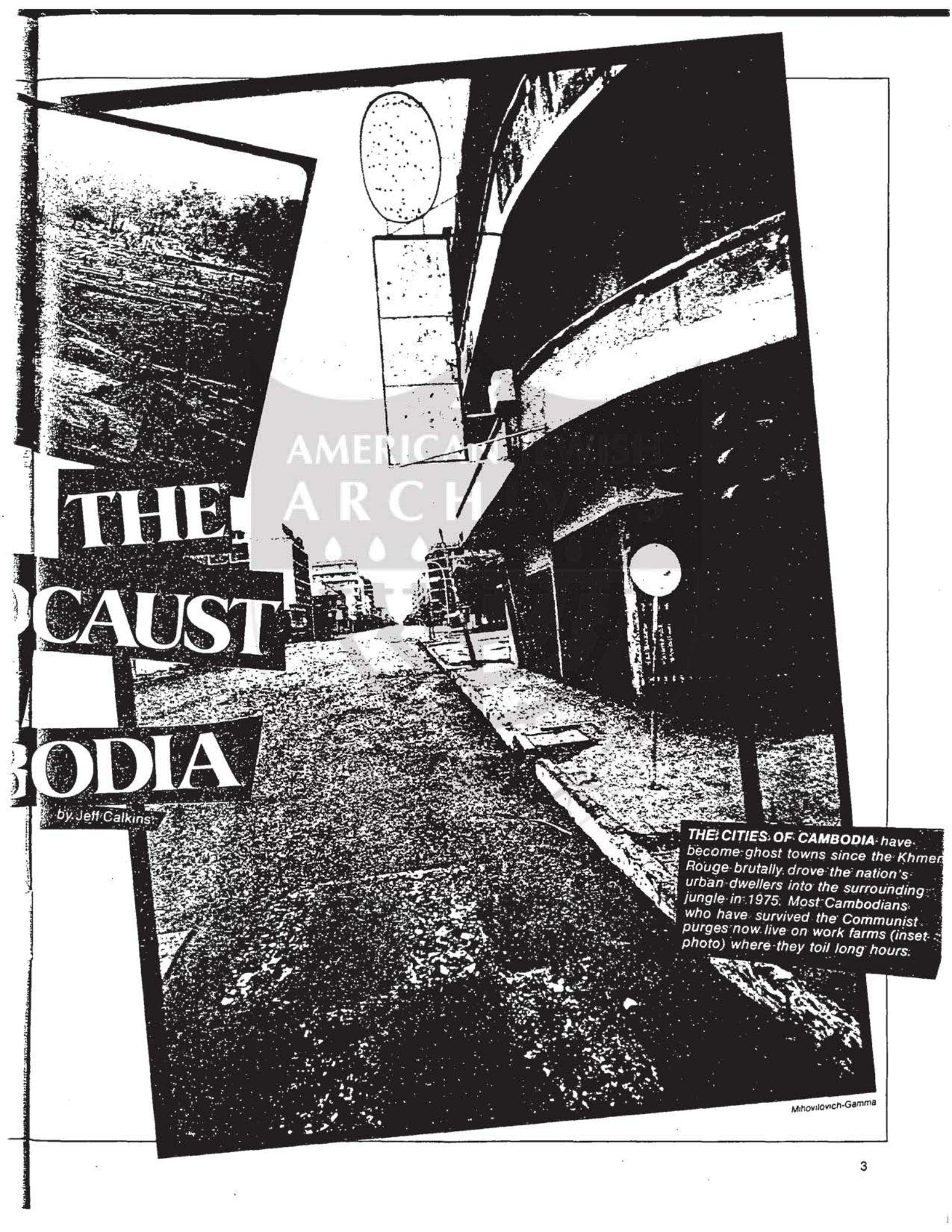
For example, there were the men in General En Sam's unit who had surrendered to the Khmer Rouge at the end of the war. Intelligence reports described the scene: "Each man was blindfolded, led to the edge of a ditch and beaten to death



Mihovilovich-Gamma

HOLOCAUST IN CAMBODIA

The recent television drama "Holocaust" shown in the United States detailed the barbarous persecution of the Jews by the Nazis. Many viewers wondered if such cruelties could ever occur again. The tragedy is that they have—in Cambodia. The following is a heartrending story, but it is also graphic testimony why the government of God desperately needs to be restored to the earth.



THE
CAUST
BODIA

by Jeff Calkins

THE CITIES OF CAMBODIA have become ghost towns since the Khmer Rouge brutally drove the nation's urban dwellers into the surrounding jungle in 1975. Most Cambodians who have survived the Communist purges now live on work farms (inset photo) where they toil long hours.

Mihovilovich-Gamma

The Holocaust: An Eyewitness Account

Editor's note: The following is a firsthand account of a former U.S. State Department official who witnessed the results of the terrible cruelties of the Khmer Rouge while he was working in the refugee camps just before the Communist takeover in April 1975.

He's dead now. Not surprising when you consider he wasn't much alive when I saw him a short while ago. Most of them will die; even the few that had been kept alive at the child nutrition center on the outskirts of Phnom Penh where the weekly death toll averaged from twenty to thirty-six percent of admissions.

These children were starving slowly. Debilitated and weakened, they contracted a host of other diseases and perished before anyone realized they were alive at all.

Returning from Cambodia after having seen these happy, resilient people besieged by war is an agonizing and indelible nightmare. As a frequent traveler, I feel the character of the Cambodians, of all the peoples I've encountered, is one of the most appealing. They are gentle, kind, quiet and trusting. I never had an unpleasant moment caused by a Cambodian, for every smile is returned and every laugh soulful and sincere. They attempted to hide nothing and seemed incapable of deceit. It is this that accentuates the horror of seeing their little children lifeless or limbless, or with gaping abdominal wounds purposely inflicted by a vengeful foe, whom, until recently, were simply referred to by the Cambodians as "the other side."

It was with shock and disbelief that I saw photographs presented me by a Cambodian officer. They were taken at the February 2, 1975, massacre at Kompong Speu. The Khmer Rouge penetrated feeble village defenses, burning an entire



AUTHOR WITH CHILDREN in refugee camp before Communist takeover.

Catholic Relief Services refugee village to the ground. There was no accident in the pictures of mutilated corpses: women with babies in their arms, knifed and slashed open; children charred into unrecognizable monsters, burned alive in their straw huts. I saw the smoldering ashes, the leveled village, the clay cooking pots still containing the simple fare the refugee women were preparing. Their possessions were scorched and stark... bicycles, water jars, cooking pots; an ugly, sad aftermath of rage and hate. Ten children had been kidnapped, later found along the roadside with their throats cut.

In the midst of the ashes, the little ones that had not been killed or kidnapped by the Khmer Rouge came out to see us, fire-ash dirty. Those beautiful little children with their sweet, innocent smiles. A few of the adults left alive just sifted through the rubble, mechanically, vacantly carrying water to their little gardens spared by the fire.

Cambodia is not just another nameless, faceless place that news-

papers have made legend with their exorbitant tales of suffering and bloodshed. It is a land of love in God's own sense of the word. It is a rich, beautiful land where a seed strewn out takes root and will grow. A land whose gentle, soft-spoken people and sweet children will melt your heart. Such an unlikely place for tragedy; such an unlikely place for war, yet five years of it brought these people to the verge of disaster.

To see little children dying, their tiny bodies swollen or shriveled by disease, is a disgrace to humanity. To see them carried by weakened mothers, hardly able to walk into refugee camps, is heartrending. These camps, for the most part, were operated by Catholic Relief Services and other U.S. voluntary agencies. A British doctor treating people from the camps who met us after a morning of visiting clinics was completely overwrought and visibly disturbed, recounting: "I've had a perfectly dreadful morning. Children are dying all over the place." It was all said in an outwardly stiff manner, yet so thinly veiled, a profound grief.

The handful of American and expatriate "do-gooders," as Washington-based people are fond of calling them, have sacrificed and labored so hard, and... it isn't easy to take. Picture seeing a young boy in a simple green fatigue uniform, his teenage face staring vacantly at the remnants of his legs.

Perhaps this story should not be written. Perhaps it is only a self-evident epilogue. Still somehow it must be told in the hopes and prayers that someone, somewhere, somehow can resolve the terrible suffering of the children. What manner of mankind is it that is capable of looking into the face of an innocent, sweet child and... slashing his throat?

—John Christopher Fine

with a hoe. The executions took most of the day to complete. Although the first few groups of officers were not aware that they were going to die, the latter groups struggled strenuously to escape since the air was permeated with the stench of blood."

Another instance of Khmer Rouge cruelty bears a poignant resemblance to the execution scene in the TV series *Holocaust* in which a number of helpless Jewish men were stripped of their clothing and machine-gunned down. As one refugee tells the story, on April 21, 1975, Khmer Rouge troops took prisoner a number of government troops (about 200) at a school. After taking their weapons, the Communists told their prisoners that they would be taken to the capital to hail Prince Sihanouk, a former (and non-Communist) leader of Cambodia. The prisoners were herded into several trucks, which were driven about eight kilometers south. Then, suddenly, the trucks halted and the prisoners were ordered into a field beside the road. Suddenly explosions erupted in their midst. The Khmer Rouge had led their captives into a mine field which they detonated as soon as the prisoners had reached the center. After the dust cleared, the Communists threw hand grenades into the group of screaming wounded. But some were still alive, crying out in pain. A squad armed with pistols moved through the corpse-strewn field to finish them off.

Villagers Slaughtered

At the village of Kauk Ton, all 360 inhabitants—every last man, woman, and child—were machine-gunned because some of the men were suspected of being spies.

At the village Khal Kaber, the Khmer Rouge buried approximately forty wives and daughters of former government officials up to their necks, then stabbed them in the throat one by one.

At Mongkol Borei, ten families, about sixty people, were rounded up, their hands were tied behind their backs, and they were taken to a clearing. According to one refugee

account reprinted in *Commentary* ("After the Dominoes Fell," by Carl Gershman, May 1978), what followed was a sickening, barbarous atrocity: "Weeping, sobbing, begging for their lives, the prisoners were pushed into a clearing among the banana trees, then formed into a ragged line, the terrified mothers and children clustering around each head of family. With military orderliness, the Communists thrust each official forward one at a time and forced him to kneel between two soldiers armed with bayonet-tipped AK-47 rifles. The soldiers then stabbed the victim simultaneously, one through the chest and the other through the back. Family by family, the Communists pressed the slaughter, moving methodically down the line. As each man

While the Cambodian holocaust is not the Great Tribulation of Bible prophecy, it is a ghastly forerunner of such demoniacal inhumanity.

lay dying, his anguished, horror-struck wife and children were dragged up to the body. The women, forced to kneel, also received simultaneous bayonet thrusts. The children and the babies, last to die, were stabbed where they stood."

The Cruel Exodus Out of Phnom Penh

On the 17th of April, 1975, the Communists seized the Cambodian capital of Phnom Penh. Within two days they forced everyone who had been living in the city to leave their homes and march into the jungle. The marchers were deprived of food, water, shelter at night, and medicine. Soon the old people and children began to die. Anyone who fell behind was given one or two curt warnings and then shot. The

dead were left unburied: The smell of rotting flesh was said to be unbearable.

This was a march of an incredible three million people. Women and children, the sick and the elderly, were all forced to keep pace or be shot. Pregnant women had to give birth along the roadside. Few of the children survived.

As it turned out, not only had the people of Phnom Penh been forcibly evacuated, but people in every major city and town in Cambodia had been forced to leave their homes and march into the jungle.

As a sign of special cruelty, the Communists concentrated on emptying the hospitals first. When Communist troops stormed the Preah Ket Melea Hospital in Phnom Penh, they shouted to everyone who was there, "Out! Everybody get out! Get out!" Operations in progress were interrupted, with both patients and doctors forced to leave. As Barron and Paul describe it in *Murder of a Gentle Land*: "Hundreds of men, women and children in pajamas limped, hobbled, struggled out into the streets, where the midday sun had raised the temperature to more than 100 degrees. . . . One man carried his son, whose legs had just been amputated. The bandages on both stumps were red with blood, and the son . . . was screaming, 'You can't take me like this! Please kill me!'"

Lost children, thirsty and hungry, helpless, were among the most pitiable sights of the evacuation. Parents clung desperately to their small children lest they be crushed by the enormous crowd.

But worse was even yet to come as the refugees were herded into labor camps and forced to live on starvation rations. Pin Yathay, a refugee who later escaped to Thailand, recently told a Washington, D. C., news conference: "I will now tell you a story that I lived myself. [Because the Khmer Rouge purposely forced people to work long hours on starvation rations] a teacher ate the flesh of her own sister. She was later caught; she was beaten from morning to night until she died, in the rain, in front of the whole village as

(Continued on page 7)

HOLOCAUST

(Continued from page 5)

an example, and her child was crying beside her."

Starvation and Slavery

In the labor camps each family had to build its own hut without materials or tools. Thereafter everyone was forced to work from six in the morning to five at night—and sometimes until 11 if there was a full moon—seven days a week. Except for the midday break, Khmer Rouge guards allowed neither rest nor conversation.

Murder of a Gentle Land relates this nightmarish incident about what life is like in these camps: "About mid-June, while working in the field, Ngy stepped on a sharp piece of bamboo which penetrated almost all the way through his foot. His whole leg swelled, he developed a high fever and pains shot up to his waist. . . . That night . . . [Communist] village committee members took turns berating him: 'You must learn to live with pain. You must not be soft. You must not be lazy, trying to get out of work.' There followed a litany: Ngy was free. Ngy was equal. Ngy was happy."

There are no holidays from the relentless work. There are no days off. A meal is a cup of rice gruel. The only relief from the grinding regimen is political meetings held every two weeks. The meetings are held in the communal dining halls and are led by Khmer Rouge administrators. The theme is always the same: Work, work, work harder.

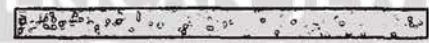
Life in the Slave State

For those Cambodians who have survived the forced labor, the starvation diet, the forced marches, the executions, life remains a nightmarish, egalitarian hell. In the words of one writer who is apologetic for the Khmer Rouge, "Complete equality prevails: Every member of the cooperative receives one black linen suit of clothes from the state every year. . . . the . . . noteworthy characteristic of this society is the principle of egalitarianism,

really 'collective socialism'. . . . There is highly centralized state control which obligates the state to distribute everything from rice to the annual suit of clothes for each citizen" ("Kampuchea, Three Years Old," *Seven Days* magazine, May 19, 1978).

Even in Communist China, the communes pay each person according to his work. In Cambodia all positive incentives have been eliminated. There is only the ever-present threat that if one falls behind in his work he will be scolded and later shot.

In the labor camps it is against the rules to engage in any kind of philosophical or political conversation. It is against the rules to read books, or sing traditional folk songs.



In their zeal to build a utopia no matter what the human suffering, the Communists have demonstrated the crying need for God's government to bring a real utopia.



or even to dance. And anyone who breaks the rules in the labor camps is subject to immediate execution—usually being clubbed to death with a pick handle.

The Khmer Rouge has deliberately separated families, sending children away to work in other provinces. There is no recreation, no gaiety or amusement, no leisure time. There are no books. When the Khmer Rouge took over, they ransacked libraries, offices, and archives in order to find any written material to destroy. Hundreds of thousands of books have been burned. The book burnings have been part of a deliberate campaign on the part of the Khmer Rouge to root out every last vestige of the past in Cambodian culture.

There is no private property. Everything belongs to "the people," who are, of course, "represented" by the Khmer Rouge. The only personal possessions a person is allowed are his one suit of clothes and a sleeping mat.

Tyrants and Sadists

Who are the sadists who, as leaders of the Khmer Rouge, have committed these ghastly crimes? According to John Barron, they are a remarkably homogeneous lot. He told an interviewer for *Human Events* magazine: "They all came from middle-class families, all were educated in the 1950s in France: they all became ardent Communists at a time when the French Communist party was very much under the Stalinist wing of the Soviet party. . . . They were all, or most of them, wedded to theory. They were all, with one exception, very puritanical. . . . All of them had spent most of their adult life outside of Cambodia, or in the jungles detached from the mainstream of their country's life. None of them has ever worked with his or her hands, yet they extol physical labor above all else" ("Cambodia: The Face of Evil," *Human Events*, May 21, 1977).

One refugee suggested that the leaders of the Khmer Rouge think of themselves as the supreme Communists, who look down on other Communists who haven't had the "vision" or "courage" to do what they have done. Clearly they are men obsessed with utopian visions. They believe that every individual in Cambodia should be happy to spend his life toiling in the fields to serve the will of the Khmer Rouge.

Their beliefs, in the words of one intelligence report, are "a grotesque caricature of Marxism mixed with radical French leftist intellectualism and stirred up in the crucible of the jungle."

The Deafening Silence

Before the fall of Cambodia, a number of prominent Western politicians and commentators urged that America drop all aid to the anti-Communist government then in power. Senator George McGovern

Why the United Nations Won't Act

In the face of the terrible suffering which has taken place in Cambodia for the last three and a half years, one would think that a body called the United Nations Commission on Human Rights would at least have issued, in the name of simple humanity, a condemnation of Khmer Rouge brutality.

But the Human Rights Commission's response has been feeble indeed. The body, which regularly issues condemnations of the world's "approved whipping boys"—Israel, South Africa and Chile—recently reluctantly managed to send the record of "allegations" of human rights violations to the government of what is now called "Democratic Kampuchea," inviting it to respond.

This action was the product of a British-sponsored initiative originally calling in strong terms for a "complete investigation" into the atrocities committed by the Khmer Rouge. Before the resolution could be passed, however, it had to be considerably watered down to satisfy the Third World block on the Human Rights Commission.

For their own part, the Western delegates involved stress that getting the Human Rights Commission to take even the most emasculated action against any country other than Israel, South Africa or Chile is a tremendous step forward. They point out that countries like the Soviet Union and Uganda have seats on the Human Rights Commission, which makes it difficult to get anything done.

In the Cambodian case, the Khmer Rouge surprised everyone by even deigning to respond to the grave allegations of genocide. But the nature of their response was no surprise. Ignoring the charges, they instead accused the British of the very crimes they have committed themselves. The Kampuchean Foreign Ministry said: "The English imperialists, therefore, have no right

to speak of the rights of man. More than that, they are the ones who are accused. The world knows well their barbarous and abject nature. The world knows that in Britain the English imperialist monopoly capitalists are living in opulence on top of piles of corpses, belonging to those whom they have pillaged, exploited and oppressed across the centuries."

Why are the Third World countries so loathe to condemn the worst horrors since World War II? A member of a Western delegation told *The Plain Truth* that the main reason is that if the horrors in one Third World country, Cambodia, are exposed today, the horrors in other Third World countries will reach the light of day tomorrow. The Third World delegates feel that if a strong anti-Khmer Rouge resolution came out of the Human Rights Commission, it would be "their turn next."

Beyond this, Third World countries are very jealous about their sovereign pride. They consider human rights violations to be internal matters, the exposure of which might breach and infringe upon their sovereignty. And, as one delegate told us, Third World countries are loathe to take any criticism of any kind from their "former colonial masters," the Western powers. Of course, it is only the Western powers who are likely to bring up the matter of human rights violations in Communist or socialist countries.

For their own part, there is even a reluctance among some Western delegations, including that of the United States, to really get vociferous about the horrors in socialist or Communist countries such as Cambodia. Part of the reason for this is Guilt (with a capital "G") over participation by the United States and some of its allies in the Indochina war. Another major factor is cultural relativism. This is the

idea that human rights (that is, civil and political rights) are not really universal, but only a concern of "Western culture," and therefore not really applicable to the Third World. Certain nations are more or less "expected" to deal harshly with their populations.

Along this same line, it is stressed that the economic and social distribution of goods in Third World countries must take precedence over such "luxuries" as human freedom from governmental abridgement of life, liberty or property. The problem with this thinking is that the most gross dictator can justify the torture or slavery of his suffering countrymen on the grounds that it is necessary to ensure that "the people"—meaning those left after the bloody purging—get their economic right to a "fair" distribution of wealth.

The Human Rights Commission's limp response to the atrocities in Cambodia also graphically reveals the inability of the United Nations and its related agencies to deal with such issues. When, as one Western official told us, it becomes "bad manners" to criticize too strongly the horrors committed by a Third World regime, it is clear that the U.N. itself has lost all sense of proportion. This ugly reality is further amplified by a recent and very vivid example: In the face of the continued valiant efforts on the part of the British delegates to bring human rights violations in Communist countries to the U.N.'s attention, Third World delegates huffily voted to deny Britain its seat on the Human Rights Commission!

A former American representative to the Human Rights Commission, William Buckley, summed up the U.N.'s moral debility very well when he said: "In the United Nations, one is not permitted to tell the truth, because protocol is higher than truth."

(D-South Dakota) said that the Cambodians would be "better off" if the U.S. let them work things out "in their own way." Rep. Bella Abzug of New York said that 100,000 lives would be saved by refusing to aid the anti-Communist government. *New York Times* columnist Anthony Lewis said that "more American military aid—if it has any effect—can only prolong the agony of Cambodia."

Where are the people who were oh-so-concerned about human suffering when the anti-Communists were in power? Where are they now? The world has heard American ambassadors carry on about "human rights" and not once mention the atrocities in Cambodia. And while President Carter belatedly described the Cambodian Communist regime as "the worst violator of human rights in the world today," his public pronouncements on human rights have tended in the main to ignore the Cambodian issue.

And where is the U.N. with all its pompous rhetoric about human rights? The few protests against the Khmer Rouge's terrible cruelties have met with deafening silence and inaction. (See box on page 41.)

The fact is that in world reaction to the atrocities in Cambodia there is a morbid parallel to the international blindness that first met the news of the death camps in Nazi Germany. Even today one detects a distinct reluctance on the part of the liberal media—the major American television networks, and several big-city daily newspapers—to expose the full horrors of the Pol Pot Khmer Rouge regime.

The Great Tribulation

One cannot, or should not, read about the cruelties of the Cambodian Communists without thinking of the Bible's prophecy of the Great Tribulation: "For then shall be great tribulation, such as was not since the beginning of the world to this time, no, nor ever shall be" (Matt. 24:21).

Quite literally, it is difficult to imagine any worse tribulation than has already occurred in Cambodia,

except possibly if it were to take place on a wider scale. At any rate, the atrocities of the Khmer Rouge are sobering reminders of this Bible prophecy.

In the same context, the words of Pin Yathay are equally haunting. Most of his family met horrible deaths at the hands of the Khmer Rouge: Some had been starved, others died from disease or had been clubbed. That left only his child, his wife and himself, sick and swollen, forced to do hard manual labor. He spoke for many helpless Cambodian peasants when he said, "You understand at this point that death seemed normal. It would have been a deliverance."

Deliverance indeed! Pin Yathay's words evoke the prophecy of Reve-



Contrast the suffering this article has only touched on to the prophecy: "They shall not hurt nor destroy in all my holy mountain."



lation: "And in those days shall men seek death, and shall not find it; and shall desire to die, and death shall flee from them" (Rev. 9:6).

And yet, despite the human suffering—the little children left homeless, the families ripped apart, the innocent, simple villagers hacked to death because they violated some arbitrary rule imposed on them by their overlords—the Khmer Rouge press on in building their utopian hell. They have turned their country into a death camp, and the scripture which Alexander Solzhenitsyn has used to vividly describe the Siberian labor camps of the Soviet Union even more aptly portrays the Khmer Rouge: "Neither repented they of their murders" (Rev. 9:21).

In the prophetic sense it is significant that one writer has used the

word "energumen" to describe Cambodia's official ruler, Pol Pot. In political parlance, an energumen is a tireless, crazed fanatic who would kill his own family to further his cause. But perhaps there is something here which is even more than mere human fanaticism. One cannot read the accounts of the atrocities, the horrors, and the butcheries which Pol Pot and his coterie of fanatics have committed without thinking of the literal meaning of energumen: "demon-possessed."

The Cambodian holocaust is not the Great Tribulation of Bible prophecy, but it is a ghastly forerunner of such demoniacal inhumanity, a sobering reminder that we are living in a world which is held in the grip of mankind's great archenemy, Satan the devil (Rev. 12:9), who is wrathful because he knows that his time of rule is soon to draw to a close (verse 12).

The Hope of a Better World

The holocaust in Cambodia is, politically, the result of utopian fanaticism. It is grisly testimony to what happens when man tries to create the Kingdom of God on earth *by himself*.

Indeed, as the eminent philosopher Eric Voeglin has warned, every time man attempts to create a millennium on earth through his own efforts, he ends up instead creating a hell.

That is the irony: In their zeal to build a utopia, no matter what the human cost, the Khmer Rouge has demonstrated the crying need for not more of man's government, but God's government to bring about a real millennium of peace and prosperity.

Contrast the suffering and pain which this article has only briefly touched on to the vision of the prophet Isaiah: "They shall not hurt nor destroy in all my holy mountain: for the earth shall be full of the knowledge of the Lord, as the waters cover the sea" (Isa. 11:9).

There was a reason that Christ told His followers to pray for His Kingdom to come. The blood of millions of dead Cambodians cries out for that Kingdom. □

The Preservation of Freedom

By LEO CHERNE

On May 20, 1978, Leo Cherne, Chairman of the International Rescue Committee was awarded the John Dewey Award of the United Federation of Teachers. His acceptance address on this occasion deserves the widest possible audience.

In accepting the John Dewey Award, it is not modesty which leads me to emphasize that this award expresses our common debt for the work of the International Rescue Committee. To say, as I must, that there have been and are others who have carried this work forward during these 44 years is not to deny myself the pride I take in being part of that effort.

There is a special reason why I value and humbly accept this distinction. It involves a fact few of you know. John Dewey, Reinhold Niebuhr and a small handful of other educators founded the International Rescue Committee within the dark days which immediately followed Hitler's rise to power in Nazi Germany. They knew that a contagion of terror and flight would soon compel their colleagues in academic life to flee the efforts which would be made to destroy them and all the other dangerous carriers of the idea of Freedom—the writers, artists, labor leaders, the Social Democrats, those religious leaders who would stand firm in their belief in the worth of individual man.

What John Dewey and his colleagues did not then see was the dreadful future in which millions of men, women and children would in turn be fed to those flames. But they knew they must help those who would flee Nazi Germany until all the teachers, intellectuals, labor leaders and political dissidents succeeded in finding sanctuary.

It is a ghastly irony that had the Nazis spared even the scientists in their midst, their ultimate goal of triumph might conceivably have been achieved. Instead, their remorseless hatred gave to the free world Einstein and Szilard, Fermi and von Neumann, Teller and Nils Bohr and with them the transfer to the United States of the ultimate weapon these scientists made possible.

We think of educators as reflective people, normally concerned with, but not involved in, the life of action. Let me then recall one episode of this

effort begun by John Dewey. As the outrages of Nazism grew, as their appetites for conquest became more explicit, others among us who feared for the fate of freedom and culture joined the struggle to assist Hitler's victims.

Before France fell to the Nazis, thousands of the political opponents, of all the occupied countries of Europe, and the writers, intellectuals, artists, joined the hundreds of their kind already in that country. Then France fell and as the Wehrmacht moved south, these giants of the world of the mind fled before the Nazi occupiers until, in Marseilles, no further flight was possible. The trap had sprung.

A team of the most courageous in NRC's ranks, under Varian Fry, set up an underground railway in Marseilles which nightly, in twos and threes, shepherded these trapped talents across the Pyrenees, turned them over to colleagues in Spain who in turn brought them to the safety of Portugal, or North Africa and thence to the United States. Before the S.S. finally discovered the source of this human hemorrhage, two thousand of the most gifted men and women in Europe were brought to safety.

There would be no gigantic monument depicting chaos and order on the Columbia University campus today but for the escape of the sculptor

Jacques Lipchitz, who was among those helped to freedom. There would have been no Jerusalem windows or the murals in our Metropolitan Opera House had not Marc Chagall been carried across the Pyrenees. We would not have had among us Hannah Arendt or Heinrich Mann, or Franz Werfel, or Landowska and hundreds like them.

To understand the impulse which moved all this, one must go back to the quiet words of John Dewey as he defined the function of education in the preservation and enlargement of freedom.

These few quotes from his writings are as vital today as when he wrote them. They speak for the dissidents in Soviet Europe, for the teachers assassinated in Uganda and Cambodia. Dictatorships must destroy all who carry the seeds of the deadly knowledge which one day might undo them.

"The authority of the government stems from the consent of the governed. And since government is based upon the consent of the people, the people have the right to impose restrictions upon, or to replace, the government. This idea is the keystone of democratic political philosophy."

"Political democracy stipulates that the law protect individual rights from infringement by other people, but it also sets up safeguards against infringement of these rights by the government itself."

"Political rights are the most basic of all rights; they constitute the guarantee of enjoyment of other rights."

"It is only when we have these other rights that we can hope for the opportunity for full and free development of the right to think, to believe, to express opinions, to explore, and to publish."

"Without exception, dictatorial governments deny to their citizens freedom of thought and expression, because they rightly fear the consequences of such freedom."

These perceptions moved John Dewey to see quickly in 1933 the magnitude of the human rights urgency launched by Hitler's access to power. That need regrettably continues. The IRC is at this moment assisting Czechs who flee to Austria, Soviet Jews in urgent need in Europe, Chinese who are trying to reach the safety of Hong Kong, Ugandans who seek protection in Kenya, Angolans on the edge of starvation in Zaire, the Vietnamese



Leo Cherne



WIDE WORLD PHOTOS

Andrei Sakharov, right, is shown being barred by a Soviet policeman as he tries to enter Moscow courthouse to attend the trial of Yuri Orlov.

"boat people," fortunate only in that some of them have been permitted to land in Thailand, Malaysia and the Philippines. There are Laotians and Cambodians who are huddled in wretched camps across their former borders, Kurds who have fled betrayal by Iran, Chileans who have reached doubtful freedom in Argentina. There is an unending number of the wretched who vote with their feet in this continuous and tragic plebiscite. Our help is limited only by the resources provided by private and public support of our work. We make no distinction between terror on the left or right, between nationalities, races, religions or private beliefs. We seek especially to help those who not only seek freedom but wish freedom for others as well.

We gather here as teachers, but will we pass a resolution of compatriot solidarity with the most desperate teacher anywhere of whom we know anything—Huber Matos? Colleague of Fidel Castro in the overthrow of Batista, his one offense was his concern that the Cuban revolution which promised to bring freedom to the Cuban people not be betrayed by the Communists. For this, after a public treason trial at which he was compelled to be silent while Castro harangued the audience for seven vindictive hours, Matos was sentenced to

20 years imprisonment. He is in solitary confinement in a windowless cell. He is on the nineteenth year of his sentence—permitted no visits from

family, reportedly toothless and nearly blind as he sits in the underclothes which are his only garments. He was a teacher, who fought for freedom, whose voice has been silenced.

Few men were more sympathetic to the Castro revolution than Herbert Matthews. Here's an observation by Matthews: "It must be said of the revolutionary regime . . . that the practice of holding political offenders in prison and rehabilitation labor camps goes on, year after year. Even Franco in Spain and—when he was in power—Papadopoulos in Greece . . . gave amnesties to political prisoners. Fidel Castro has not given one in sixteen years."

But the very mention of the phrase political prisoner obligates us at this moment to look back with horror at a tragic travesty which took place in a small sealed courthouse in the Soviet Union. After keeping Yuri Orlov incommunicado since his arrest last February, the judge not only refused Orlov defense counsel of his choice and the right to call any witnesses on his own behalf, but more importantly denied him his right to question his accusers. His wife, who was present, was prevented from taking notes and even paper was taken from her. To humble her further, she was stripped down to her bra, as she was searched

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in the presence of three men. An American diplomat, twenty Western reporters, fifty of Orlov's friends and supporters, including Nobel Peace Prize winner Andrei D. Sakharov, were barred from the courtroom.

Orlov was charged with forming a group to monitor Soviet compliance with the Helsinki Agreement. Two associates, Aleksandr Ginzburg and Anatoly Shcharansky, were arrested at the same time and their trials will be next. It took only four days to end this drumhead procedure and sentence Orlov to seven years in a hard labor prison followed by five years of exile deep in the Soviet Union.

To drown out the cries, Yura, Yura, Yura, from the crowd outside the court as he emerged after the sentence, all the police vehicles turned their sirens on maximum.

Sakharov tried to enter the court earlier shouting: "Let me in. Under Soviet law all citizens are allowed in when the sentence is read." There was a scuffle and in moments this intellectual and moral giant and his wife were forcibly hauled off in a police van and held for five hours.

I needn't tell you, you're teachers, your only weapon, your only strength, your entire "you" is your voice. Silence your words—how much is left?

I urge your applause for the vote by the House of Representatives yesterday in support of Orlov and those like him. That vote was 399 to 0. And I applaud especially the State Department's statement issued to voice the Administration's outrage: "The United States strongly deplores the conviction and sentencing by a Soviet court of Dr. Yuri Orlov. To punish as subversive activities aimed at increasing free expression of opinion and at promoting governmental observance of formal obligations solemnly undertaken is a gross distortion of internationally accepted standards of human rights set forth in such documents as the Universal Declaration of Human Rights, the United National Covenant of Civil and Political Rights, and the Final Act of the Conference on Security and Cooperation in Europe."

It is not just Orlov who is on trial, nor Ginzburg, Shcharansky, or others still to come. It is in truth the document which is known as the "Final Act" of the Conference on Security and Cooperation in Europe, universally referred to as the Helsinki Agreement. We entered into that agreement in good faith. Indeed, the President of the United States was present personally at the signing, as were all the heads or representatives of 35 European states except Albania.

For twenty years prior to that agree-

ment, the Soviet Union urgently sought Western recognition of their hegemony over the Soviet-dominated states from the Baltic to the border of Yugoslavia. There are those who will say not without accuracy that the failure of the revolts in East Berlin, in Poland, in Hungary, and finally in Czechoslovakia, made that an accomplished fact anyway.

Nevertheless, Soviet insecurity about its control of the Central European states made them intent on achieving the provisions in that Helsinki agreement which in effect make the Western powers accept that control.

But there was a price for this, and the price is Basket Three which assured a wider recognition of human rights among all the states, "increased human contacts between East and West, the right of travel, improved working conditions for journalists, freer movements and contacts, individually and collectively, whether privately or officially, among persons, institutions and organizations of the participating States, and to contribute to the solution of the humanitarian problems that arise in that connection."

We now have the spectacle of what happens to those in the Soviet Union who organize simply to determine whether the obligations under that agreement are being observed.

If the Soviet Union takes its obligations under that agreement so cynically that detente, which is referred to

Meany Marks Czech Anniversary

Today, August 21, 1978, marks the Tenth Anniversary of the occupation of Czechoslovakia by the Soviet-led Warsaw Pact armies.

On behalf of the workers of the United States, I want the people of Czechoslovakia to know that we shall never forget their heroic resistance to the overwhelming force of Soviet imperialism.

The resistance, though crushed by brutal force, has forever exploded the false and hypocritical claims of the Kremlin's rulers that the people of Eastern Europe consent to the chains of Soviet imperialism.

Those chains will someday be broken, because the spirit of freedom will not die. It is nourished by the memory of the bravery of the people of Czechoslovakia.

frequently in that agreement, in no way inhibits the Soviet Union and its clients as they operate in Angola, Ethiopia, South Yemen, Eritrea, Afghanistan, Mozambique and several other staging areas, then the United States must warn the Soviet Union that an agreement entered into in 1975 can be abrogated in 1978 unless there is evidence that there is an intention to begin complying with the human rights provisions. If we are to enter into a new SALT agreement with the Soviet Union, one which serves the interests each of us has in reducing the nuclear threat, we must have confidence that agreements signed by the Soviet Union are complied with by the Soviet Union.

We are in a time of great emphasis on human rights, and it is impossible to examine the state of human rights throughout the world today without acknowledging the singular role which President Jimmy Carter has played in propagating that cause. Whatever the successes or failures, the ebbs and flows of that policy as it has been carried out by the Administration, Jimmy Carter has taken those two words—human rights—and given them unprecedented velocity throughout the world. His emphasis is deeply rooted in the American past, in the civil liberties of the Constitution and the rights of man in the Declaration of Independence.

Having already paid tribute to the Carter emphasis on human rights, while emphasizing the deep American roots from which it grew and of which it is a part, I must express specific dissatisfactions with certain aspects of the implementation. In fact, if we are to learn something of the efforts which must still be made, we must accurately, if sympathetically, examine the errors, the inconsistencies, and the failures which have already occurred.

Government by definition carries the responsibility for safety, for survival, for the avoidance or postponement of war, for the alliances which serve our security, few of which are all bright, many of which are grey and some of which are dark. These may or may not always advance the cause of human rights.

This is why the individual citizen and our voluntary organizations must in a free society provide the clear, uninhibited and consistent voice which speaks for our human fellows everywhere.

The single most serious criticism I would make of the Administration's human rights record thus far is that it has been infinitely more harsh in its application against our allies than our adversaries. Allies rarely threaten us



Indochinese refugee children at Aranyaprathet refugee camp in Thailand.

with the possibility of war or aggression and rarely seek to impose their philosophic models upon us. We risk little retaliation in being outraged by their human rights failures. Our adversaries, especially the Soviet Union and Cuba, however, are precisely those nations which threaten peace. Hand in glove for them go the purpose of total control and wherever possible, expanding the control among weaker nations whether they are close or distant. Protecting personal power is the central purpose of the authoritarian leader. Ideology, hegemony and expansion are the dynamics of the totalitarian state. "Where the state is all things, man is nothing," said playwright Henry Denker, who is with us today.

The requirements of our foreign policy, even of our own survival, suggest the necessary of accommodation, detente, agreement, arms limitations, civility. And these sit uneasily on the heads of free men intent on enlarging human rights abroad.

The clarity of our concern for human rights was poorly served when President Carter, in greeting Ruma-

nia's President Ceausescu said: "We share common beliefs," and then went out of his way to pay tribute to Mr. Ceausescu's record in human rights, asserting that we, in common with them, believe in enhancing human rights. It is essential for us to know that a Ceausescu is as ruthless in his treatment of dissidents as is the Soviet Union.

It is not an accident that several months ago *The New York Times* Magazine section devoted a major part to *Times* correspondent in Eastern Europe, Malcolm Browne. The piece was entitled "Silent Fall" and concludes that, "Throughout Eastern Europe, the year that opened with a cry for more freedom is ending with the crushing of the dissidents' hopes." He continues, "The telephones that once gave voice to anger and hope are disconnected now, behind what may still be justly called the Iron Curtain, or do not answer when you call. The thousands of people in Eastern Europe and the Soviet Union who, only a few months ago, were eager to speak and write in the open have withdrawn into silence. Doors remain

closed when you ring, except for the tiny spy holes in which eyes flicker like the eyes of animals gone to ground."

When Mr. Kardelj, who is a member of Yugoslavia's collective presidency and Tito's expected successor, said of his visit with President Carter and Vice President Mondale, "Our relations are better than ever before, in part because of a shift in American attitudes. . . . the acceptance, by the United States, of the world as it is and not as it might want the world to be."

We must especially take into account that in this year of human rights the celebrated Helsinki Review Conference at Belgrade ended without one single reference to human rights.

United Nations Human Rights Day is celebrated throughout the world on December 10. To celebrate Human Rights Day last December, the Soviet Union "placed more than 20 dissidents under house arrest, cutting off some of their telephones and officially threatened to have 'drunken hooligans' break up a silent demonstration in Pushkin Square."

In February a number of workers had gathered to create a "Free Trade Union of the Soviet Union." Since that announcement, the group's leader, Vladimir Klebanov, has been arrested and two others were committed to psychiatric hospitals. At this moment, even the whereabouts of Klebanov are unknown.

The divisive argument throughout the world today on human rights is that we in the rich capitalist West luxuriate in our emphasis on political and civil rights while only in the socialist republics are the economic rights of the citizen assured, including employment, health care, housing. Employment in the Soviet Union and its associated states is as durable as the docile political behavior of the worker—no more, no less. And the abysmal inadequacy of housing, one of the assured rights, is exceeded only by the chronic failures of the Soviet Union to adequately feed its own population.

The Senior Editor of *The New York Times*, John Oakes, two weeks ago did two columns on how the economic rights are protected in the Soviet world. He quotes a Czech intellectual. Those words are especially significant in this room of dedicated teachers:

"If you're a writer and known dissident, you are forbidden to publish; if a professor, you're forbidden to teach; if an artist, you are forbidden to perform."

Then how do you live, he was

asked. "Well, in a socialist society, you have to have a job. If you don't, you're a parasite and parasites are sentenced to jail, often for many months. So scholars become stokers, writers turn into window washers, professors are janitors. Czechoslovakia," he added with a half smile, "is in fact the only country I know of that's so rich in talent it can afford to let surgeons work as porters—if they have the wrong political philosophy."

John Dewey, whom I earlier quoted on the primacy of political rights as the only guarantor of all the other rights, would have been bewildered as I was to read an address by Ambassador Young at the Riverside Church here in New York on Human Rights Sunday last December. I quote him without eliminating a word:

"So when we look at our brothers and sisters in the Soviet Union, we must recognize that they are growing up in circumstances different from ours. They have, therefore, developed a completely different concept of human rights. For them, human rights are essentially not civil and political, but economic. Their revolution started, in a sense, out of a struggle for bread. They see the first responsibility of the state to be the provision of economic rights and privileges, the feeding of their hungry. In the cold climate of the Soviet Union, one's struggle for survival is against the kind of everyday weather that we have had this morning. One lives in a land where, in much of that land, the sun sets as early as three o'clock in the afternoon, and where the planting season is minimal. Under those circumstances, the struggle for human rights inevitably becomes far more economic in its expression than it would be in a country such as ours, where we almost take it for granted that anything can grow almost anywhere year 'round. Ever since the Pilgrims got through the first winter, we have hardly known famine in this country as a national crisis. In this nation of ours somewhere, somehow, we have been able to grow not only enough to feed ourselves but enough to feed much of the world as well."

I must candidly say as an economist with more than a passing knowledge of geography that I am not only bewildered by that statement, I am appalled.

If the economic and agricultural difficulties which the Soviet Union has encountered explain both their economic plight and their subordination of political and civil liberties, by what process does Finland, which is not only further north, but entirely so, manage all these years to provide

economic sufficiency and political freedom? What of democratic Sweden and Norway? What of Canada and Alaska? None of these are exactly tropical countries.

Indeed, if cold explains the Soviet failure to meet the agricultural needs of its people, tropical Cuba must be paradise. Yet we face the cold fact that after 17 years of revolutionary effort, including compulsory work in the fields for all students during the sugar harvesting season and "volunteered" extra days in the fields by thousands of workers, Cuba, in its best sugar crop since the revolution, according to Soviet data just published, produced one million fewer tons of sugar than were harvested in the last three years of the Batista government. Exactly 20 per cent less.

Last spring, Angola's President Neto said quite flatly: "We aren't a bourgeois democracy. From now on, the dictatorship will be a little more strong." Several months later, Mozambique's President Michele was more frank: "The experiences of the Chinese people are regarded by us as sources of knowledge on how to liquidate abrasive forces in the service of imperialism."

But for Andy Young, who with tenacity and courage has devoted his entire life to the service of human and civil rights, the nearly total myopia to

the sheer non-existence of those rights to millions of blacks who live in black countries leaves me bewildered, even more bewildered than I was when he assured us that Cuban troops in Angola were making a contribution to the stability of that country. The million blacks who have fled Angola are, I am afraid, not the beneficiaries of that stability.

The Cuban newspaper, *Granma*, on March 14 gave a very detailed account of the participation of Cuban pilots, tank crews, artillery men, and armored infantry battalions in Ethiopia to show that "physical space is no longer anything for our revolution. For the revolutionaries of the world, distance in effect no longer exists."

Yet, I repeat, the U.S. Ambassador to the United Nations counseled us: "Americans should not make snap judgments about the presence of Cuban advisors in Ethiopia. We ought not just be afraid of Cubans," Mr. Young said, "Cubans are people. They might do good things. They might do bad things. Let's wait and see before we jump to conclusions."

There appears to be a difference of opinion between Ambassador Young and President Carter, or at least President Carter has concluded that we have waited long enough to jump to some conclusions. I fervently applaud

(Continued on page 15)



Yuri Orlov in a 1976 photo.

Wide World Photos

"We Have a Long Way to Go"

By LANE KIRKLAND
AFL-CIO Secretary-Treasurer

Mr. Kirkland addressed the NAACP Affirmative Action Meeting in Detroit, Michigan.

In calling this conference the NAACP has performed an important service to all of the organizations that care about affirmative action and its future.

The Supreme Court's decision in the Bakke case has obviously caused a certain amount of confusion. There has been jubilation among the enemies of equal opportunity and affirmative action and some hand-wringing among their supporters. I think both of those reactions are misplaced.

A careful reading of the Bakke decision—and we in labor have read it very carefully indeed—reveals nothing that can be rationally construed to erode the principle of affirmative action.

So I am grateful to the NAACP for sponsoring this conference so that all of the organizations concerned with affirmative action can explore the situation together, reassess their goals, measure their progress and establish common ground for action in the future.

I congratulate all of the organizations represented here today on the sensible approach you are taking in focusing on the opportunities that emerge from the Court's endorsement of the principle of affirmative action and in examining the tremendous range of possibilities and approaches that are available.

We have a long way to go, a tremendous amount of work to do and changes to make in order to build America into the integrated society of self-reliant, self-supporting, productive, creative citizens it was meant to be.

The first great piece of affirmative action on a national scale came in 1941 with labor's support of A. Philip Randolph's Historic "March on Washington" movement.

We in the labor movement have never doubted that the main arena in this enterprise is the workplace, and I would like to talk with you briefly about what has been accomplished, where we stand and what remains to be done.

Back in 1890, a couple of decades before the NAACP was launched, Samuel Gompers said this:

"The American Federation of Labor has upon all occasions declared that trade unions should open their portals to all wage workers, irrespective of creed, color, nationality, sex or politics."

And he warned that unless our unions welcomed and organized black workers, "there can be no question but that they will not only be forced down in the economic scale and be used against any effort made by us for our economic and social advancement,

It seems to us in the AFL-CIO that the vital issue, the chief among equals, is jobs.

but race prejudice will be made more bitter, to the injury of all."

Well, that was affirmation. Action came more slowly. The race and sex barriers didn't disappear in Gompers' lifetime. Some of them came down, of course. One by one, over the years, our unions changed their attitudes and their constitutions and came around to the common sense view that a worker is a worker, period.

But the turning point, the first great piece of affirmative action on a national scale, came in 1941 with labor's support of A. Philip Randolph's historic "March on Washington" movement. That action led President Roosevelt to ban racial discrimination in companies doing business with the government. It led to the creation of the Leadership Conference on Civil Rights, of which the labor movement was and is an energetic part. It sounded the opening gun in the 23-year battle for a national fair-employment-practices law that culminated in the enactment of the Civil Rights Act of 1964. From that day to this, the labor movement has been involved to the hilt in every battle involving equal opportunity.

Nobody pretends that this change was universal throughout the labor movement, or that our 64,000 local unions and 14 million members think as one on any subject under the sun. Nobody pretends that we don't still have pockets of prejudice and discrimination within our ranks that need to be rooted out. In 1955 we created the AFL-CIO Department of Civil Rights to do just that, and we went much farther:

In testifying on behalf of the Civil Rights Act of 1964, President Meany told the Congress that we had found that good will and good intentions and idealistic policy statements were not enough.

"We need the force of law to carry out our own principles," he said.

Labor was not the only organization lobbying for civil rights legislation. But I know of no other that has ever lobbied for a law to punish shortcomings within its own ranks.

Without Title VII, the equal employment opportunity provision, George Meany told the Congress, the Civil Rights Act would be meaningless. He said:

"Equal education has meaning only for those Negro children whose parents can afford to keep them in school.

"Equal access to housing has meaning only for those who can afford to buy.

"Equality in places of accommodation is relevant only for those with money to spend.

"So it seems to us in the AFL-CIO that the vital issue, the chief among equals, is jobs."

And that is how America came to have a law guaranteeing equal rights in the job market, in the workplace and in the union hall. The labor movement itself demanded that the federal government enforce labor's own principles by law and impose penalties on unions as well as companies that fell short of the standards we had long ago written into our constitution.

Let me say that we take the same position on the Equal Rights Amendment. The AFL-CIO Constitution and the constitution of every one of our affiliated unions bar discrimination because of sex. But that is not enough. We want the law, and we intend to

stay in the fight for ERA as long as it takes to complete ratification.

But if the race and sex barriers in the job market have been taken down, and if equal employment opportunity has been guaranteed since 1964, why do we need affirmative actions programs today?

We need them simply because equal access to the hiring office, an equal chance to stand in line, an equal chance to fill out job-application forms is not enough.

The damage caused by generations of discrimination has really only become clear since the outward forms of discrimination were swept away. There are barriers of communication, barriers of habit and custom, barriers of education, barriers of doubt on the part of minority workers that the law means what it says and that opportunity is really there.

It isn't enough just to open the door. You have to bring people inside, and that's what our unions have been doing.

They have been advertising, recruiting, counselling, testing, training, teaching and otherwise preparing youngsters for careers that many considered beyond their reach. They have been upgrading the skills of older workers already in the workforce, bringing them up to journeyman level. They have been working with employers and government agencies, with the Labor Education Advancement Program, the Recruitment and Training Program, our own Human Resources Development Institute to develop new approaches and training methods.

During much of the time they have been doing these things under heavy handicaps. During eight of the last 14 years, under the Nixon and Ford Administrations, affirmative action programs received more discouragement than support. All of the emphasis was on dismantling social and education programs that had taken decades to create.

At the same time, two severe, back-to-back recessions wiped out much of the progress minority workers had

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made during the 1960s. Unemployment hit the highest levels since the Great Depression of the 1930s, and jobs were scarce, especially in the construction trades, where a great many outreach programs had been created.

Despite all the problems, those outreach programs continued and expanded, and they are expanding today, in both blue-collar and white-collar occupations. There have been no compromises with standards of workmanship, no watering down of skill levels. Candidates receive whatever preparation they need to pass the qualification tests before their training begins.

I think the greatest testimonial to the care and intelligence that goes into these outreach programs is the high percentage of completion. The dropout level is far lower than that in the nation's colleges and universities. The graduates are first-class, a credit to themselves and their teachers, an asset to their employers and their communities and their country.

It would be foolish to suggest that these programs, valuable as they are, can solve—or even begin to solve—the problems of minority workers and women.

The best affirmative action program to meet their needs and the nation's needs is the full employment program that has been passed by the House and that is awaiting action by the Senate—the Humphrey-Hawkins bill.

This country is never going to achieve social and economic justice until everyone able and willing to work has an opportunity to do so. As George Meany said in 1963, equality without opportunity is meaningless.

Having a job at decent wages and under decent working conditions; being able to pay your way and support your family in decent comfort is the fundamental right that adds force and meaning to all our other rights.

So there is no doubt in my mind that the Humphrey-Hawkins Full Employment Bill is a civil rights measure as important as the Civil Rights Act itself, and the Fair Housing Act and the Voting Rights Act and the Higher Education Act.

Full employment should head the agenda of every organization that

cares about affirmative action. Nothing else will do the job.

The full employment bill is under heavy fire in the Senate. Those who oppose the war on poverty, those who would widen the gap between the haves and have-nots in America, are going to try to sandbag the bill by shifting its focus away from jobs and linking it to inflation. They want a bill that wouldn't operate until the inflation level approaches zero, and the actions of the Federal Reserve and the banks in regard to interest rates—one of the chief causes of inflation—make that a very remote possibility.

So the legislative wars are not over. Doing all we can do with our own affirmative action programs, we are still left with legislative action and political action as the chief tools of progress.

I think the best thing we can do is to continue to build the coalition of

This country is never going to achieve social and economic justice until everyone able and willing to work has an opportunity to do so.

civil rights and labor organizations, women's groups, religious bodies and individuals of good will throughout the nation. We have to keep up our political education and political action efforts, working together and cooperating wherever possible.

We not only have to maintain these efforts, we have to expand them to the greatest extent possible to match the huge increase in activity by right-wing organizations that are implacably opposed to all our goals.

Anyone who has watched the massive assault on the Labor Law Reform bill that has been waged by the far right, funded and supported by corporate America, must be aware that there are rough times ahead for every liberal candidate for public office and every liberal bill designed to benefit ordinary Americans.

So, as we proceed with our program for human rights, equal opportunity and social and economic justice for all, we need each other as never before.

This coalition has been through some tough battles in the past and we have emerged from each one stronger and more united than before. I have no doubt that we are able, ready and willing to meet any test that comes. □

Selling Rope to the Kremlin

By MILES COSTICK

"I believe we can save her (Russia) by trade. Commerce has a sobering influence . . . trade, in my opinion, will bring an end to the ferocity, the rapine, and the crudity of Bolshevism surer than any other method."

British Prime Minister Lloyd George
February 10, 1922

Since the early days of Soviet Bolshevism, the non-communist world has been trying to coax the communists into not being communists by helping them maintain their closed, totalitarian societies with periodic injections of capitalistic credits and western technology. The hoped-for result echoed in British Prime Minister Lloyd George's statement—now more than 56 years past—has failed to materialize. Yet leaders of the capitalist world continue to charge ahead like so many modern-day Don Quixotes in search of their impossible dream: the merger of totalitarian dictatorship with capitalism à la Wall Street.

The old saying, attributed to Lenin, that "Capitalists will sell the communists the rope with which to hang capitalism," should be updated. Capitalists will not only sell the rope, but sell it on credit.

Few people realize that the western nations and the communists are currently engaged in World War III, and the battlefields are economic. The problem is that the economic warfare and resource war conducted by the communist governments are an intrinsic part of their ideology and the world-wide revolutionary process waged by them. On the free world side of the equation, this is not perceived for what it is, and the result is "economic detente" which facilitates transfer of wealth from the West to the East. By providing technology of a strategic nature, entrepreneurs of the non-communist countries strengthen Soviet capacity to wage a more conventional warfare against the free world.

Economic Detente

The United States does not have a clear trade policy tailored to its strategic and economic interests vis-à-vis the communists. Instead it conducts commerce with the communists based

on a vulgar assumption that "one can buy one's enemy."

In a secret talk to the Warsaw Pact (Soviet military bloc) leaders in Prague in June, 1973, Leonid Brezhnev spoke very frankly about using "economic detente" to consolidate the strength of Soviet bloc economies and to advance their standing strategic objectives.

Brezhnev told the communist leaders that by 1985 they will have achieved most of their objectives in Western Europe and also be powerful enough to exert their will anywhere in the world.

Kissinger's Brainchild

Current U.S. policy on trade with the communists was the brainchild of Henry Kissinger. However, the same policy has continued under the Carter Administration. Kissinger's "economic detente" is based on linkage of the two economies, the U.S. and Soviet. The linkage is established by the extension of subsidized credits to the USSR, by transfer of U.S. technology, by exporting grain and foodstuffs, development of Soviet mineral resources, and by U.S.-Soviet ventures in the developing countries of the Third World. Kissinger envisioned that "through a set of strategic and economic agreements, the U.S. could spin a web of vested interests thereby encouraging the Soviet Union to temper its international behavior."

This, of course, has not happened. The USSR remains as aggressive as ever—currently using proxy Cuban troops and its satellites in Eastern Europe throughout the African continent to expand world communist influence and assure its strategic objectives. Meanwhile, the Soviet Union's debt in hard currency to the Western world and Japan has grown to over \$20 billion, while the Soviet economic bloc, COMECON, owes the non-communist world over \$64 billion.

If the communist governments continue to receive financial assistance from the West at the present rate, they will, by 1980, owe the free world \$100 billion. This figure, furthermore, does not include loans to Communist China which only this year has begun to seek financial backing and technology from the Western world.

A great deal of commerce between the United States and the communist government is being subsidized by the American public. Those subsidies take place in direct and indirect ways. A good example of the latter was the 1972 Soviet grain deal.

By suddenly, and unexpectedly, cornering the American wheat market (by buying 25 percent of the total wheat crop of 1972), the Soviets caused an earthquake on the world commodity market. They bought the wheat at subsidized prices with a loan from the Commodity Credit Corporation. The terms of the loan were highly favorable—the interest rate was below the ongoing market rate. American taxpayers subsidized the Soviet transaction with some \$800 million, and the Soviets turned around and resold some American wheat at inflated prices on the world market. They even tried to sell some of it back to the U.S. at inflated prices, while it was still in storage here!

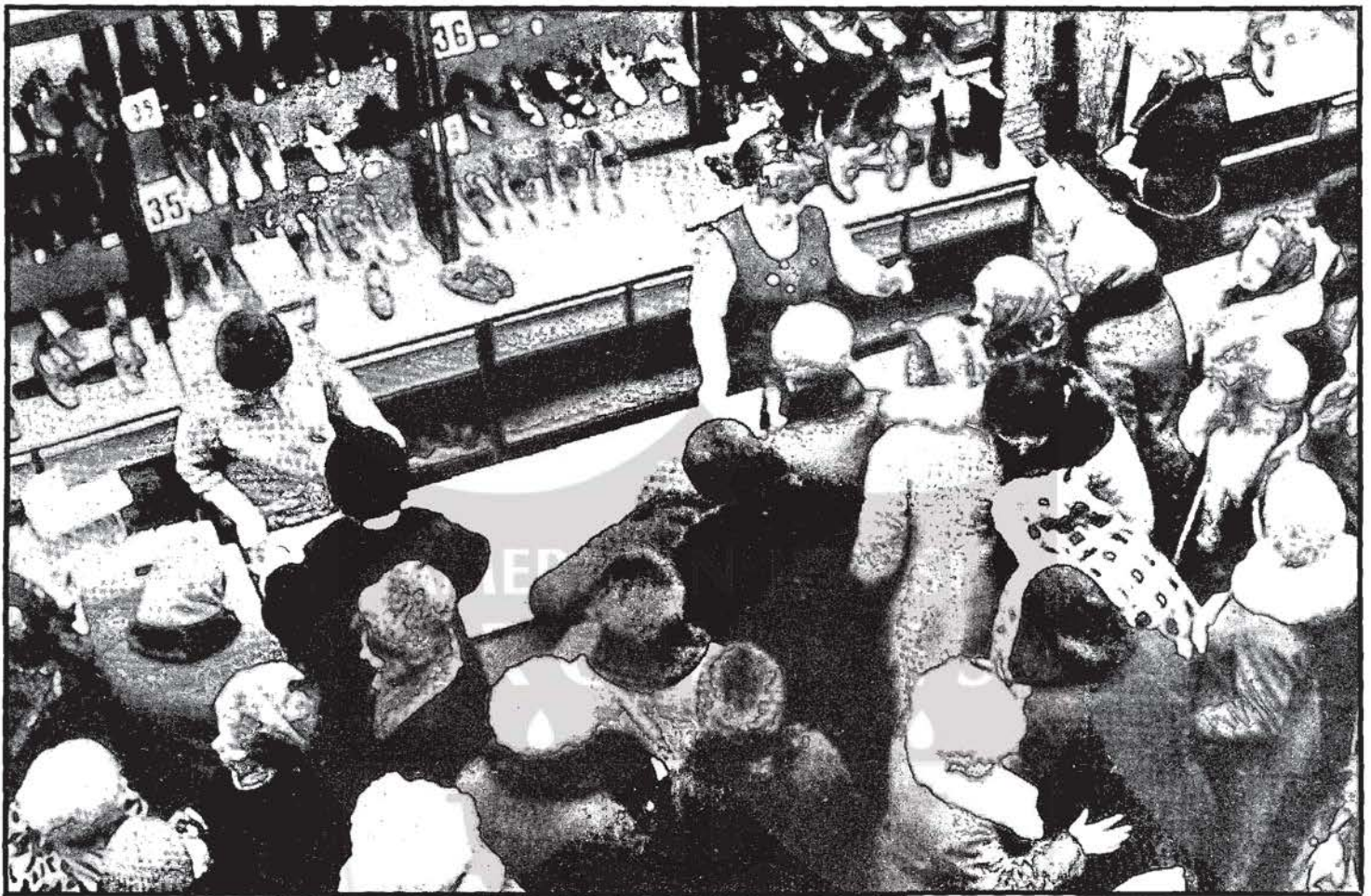
It was estimated that the cost of the 1972 Soviet grain deal to American housewives was over \$3 billion as a result of the increase in the cost of living index, due to the increase in food prices.

The U.S. policy of "economic detente" with the Kremlin has allowed the Soviets to obtain numerous advanced technologies of critical importance in effective strategic and conventional weapons systems—many at the expense of U.S. taxpayers.

For example, the U.S. taxpayers subsidized, at over \$200 million, the development by Lockheed Corporation of the RB 211 high-bypass turbofan jet engine, and Henry Kissinger then approved the sale of this technology to the Soviets. Also approved for sale to the USSR was technology developed to produce the "Seabee" sophisticated cargo ship for which U.S. taxpayers forked out \$50 million in research subsidies.

Subsidized Communism

During Kissinger's peak years, the American taxpayer was, in effect, subsidizing a foreign aid program to the USSR through the Export-Import Bank and the Commodity Credit Corporation—a new Marshall Plan. But while



Wide World Photos

A crowd presses against the counter at the shoe department of Moscow's GUM department store. Many consumer goods taken for granted in the West are hard to find in the Soviet Union, and, if they can be found, are of poor quality.

the post-World War II Marshall Plan made the survival of democracy in Western Europe possible, the Kissinger "Marshall Plan" bailed out the Soviet economy; it thus assured the continuation of totalitarian communism in the Soviet Union, its domination of captive nations, and its growing ability to export subversion and revolution.

In addition, the commerce with the Soviet Union is allowing the Soviets to produce strategic and conventional weapon systems which threaten the very survival of the free world. A typical transaction was the sale in 1972-73 by the Bryant Chucking Grinder Co. of Springfield, Vermont of 164 Centalign-B precision grinding machines. These unique machines are capable of mass production of precision miniature ball bearings to tolerances of one 25-millionth of an inch.

With acquisition of the Centalign-B machines from the Bryant Chucking Grinder Co., the Soviets obtained the capacity to mass-produce guidance mechanisms for the MIRV's (multiple

independently targetable reentry vehicles armed with nuclear warheads) which, by 1980, according to U.S. intelligence officials, will allow the Soviets to have at least 10,000 nuclear MIRV's for deployment against targets in the United States.

Computer Technology

The communists know exactly what they want in technology from the U.S. and other free world nations and are often able to get it at bargain-rate prices by playing one company against another for a better deal. For example, by spending a measly \$3 million on a large scientific computer system built by Control Data Corp., the Soviets gained 15 years in research and development.

What the communists want most from the U.S. today is the very latest in computer technology and electronics. Computers are the core of today's and tomorrow's strategies, for, without them, there are no modern weapons systems. All the new technologies are dependent on computers

and, without them, modern weapons systems could not be built, integrated, tested, deployed, kept combat-ready and operated.

Practically every major computer manufacturer in the U.S. has sold computers and related equipment and technology to the USSR and its satellite governments. These include General Electric, Hewlett-Packard, IBM, Sperry-Univac, Honeywell and RCA, in addition to Control Data Co. of Minneapolis, the principal producer of large strategic computer systems utilized throughout our defense and intelligence establishments.

Last summer it took a letter signed by 309 members of the House of Representatives for President Carter to veto a license for export of one of the world's largest computers to the Soviet Union. Control Data, the manufacturer of the Cyber 76 computer system, still has not given up, however, and has gone to court to try to force the government to issue a permit for the export of Cyber 76 to the USSR.

(Continued on page 16)



union wage negotiations on the side of employers and in the standard-setting procedure of the government's Occupational Safety & Health Administration.

Coalition Pushes Passage of Full Employment Bill

A labor-backed full employment coalition won a promise of active presidential support for an effort to write the Humphrey-Hawkins bill into law before Congress adjourns. The bill, which the House passed last March, would commit the Administration and Congress to shape a program designed to reduce the unemployment rate to 4 percent or less within five years. The target for adult unemployment would be 3 percent.

Coalition co-leaders, Coretta Scott King and Murray H. Finley, told reporters that the White House meeting had brought a promise from Carter that the Administration will "do everything we can to insure passage of the bill without crippling amendments."

Mrs. King linked the bill's goals to her late husband's "dream" of a better world 15 years ago in the historic civil rights march. And Senator Muriel Humphrey, who succeeded her husband in the Senate, has made achievement of his full employment bill her personal crusade.

Labor Urges Ratification of Vote for Washington, D.C.

State labor federations have been asked to commit their full resources to the campaign to ratify a constitutional amendment giving voting representation in Congress to the people of the District of Columbia.

AFL-CIO President George Meany termed adoption of the constitutional amendment by Congress "a civil rights victory which the AFL-CIO has actively sought for many years." It must still be ratified by 38 of the 50 states, and Meany called on AFL-CIO state central bodies and their affiliates to do everything possible toward this goal.

The constitutional amendment would give the nation's capital two senators and at least one representative in the House—all with full voting rights. Washington, D.C., now elects only a non-voting delegate to the House and has no representation in the Senate. The district was given three electoral votes for President in a 1961 constitutional amendment and obtained a non-voting delegate under a 1970 law.

Meany Appoints Panel to Meet with Marshall

President George Meany has appointed a special committee of the federation's Executive Council to meet with Labor Secretary Ray Marshall "from time to time on economic matters, including inflation and its real causes as well as unemployment, trade, etc."

Members of the committee are Meany, Sec.-Treas. Lane Kirkland and Vice Presidents Paul Hall, Martin Ward, Sol C. Chaikin, William W. Winpisinger, Lloyd McBride and Jerry Wurf.

Marshall will serve as chairman of a special Carter Administration committee formed to deal with inflation and collective bargaining matters. Other members of the committee are Barry Bosworth, director of the Council on Wage & Price Stability; presidential assistant Landon Butler, Robert Strauss, the President's adviser on inflation, and Charles L. Schultze, chairman of the President's Council of Economic Advisers.

Earlier Meany had filed a series of complaints with President Carter concerning the activities of Bosworth and his agency, including interference in



Coalition leaders in the campaign for the Humphrey-Hawkins full employment bill were assured of Administration support at a White House meeting with President Carter. Flanking President Carter and AFL-CIO President George Meany are the co-leaders of the Full Employment Action Council, Coretta Scott King and Murray H. Finley, president of the Clothing & Textile Workers.



Merger is celebrated by officers of the new Bakery, Confectionery & Tobacco Workers. From left, Homer Cole, vice president; John DeConcini, president; Rene Rondou, executive vice president; and Gregory Oskoian, secretary-treasurer.

Bakery, Tobacco Unions Merge

The Bakery & Confectionery Workers and the Tobacco Workers have completed merger of the two unions, creating a single organization with more than 170,000 members. The new union will be known as the Bakery, Confectionery & Tobacco Workers International Union.

The merger became final August 16 with approval by delegates to the 30th convention of the 140,000-member Bakery & Confectionery Workers here. The 32,000-member Tobacco Workers had enthusiastically approved the action at a specially called convention the previous day.

Impetus for the merger was the increasing tendency for tobacco companies to diversify their holdings and expand their operations into the bakery and confectionery industry.

IAM Space Calendar

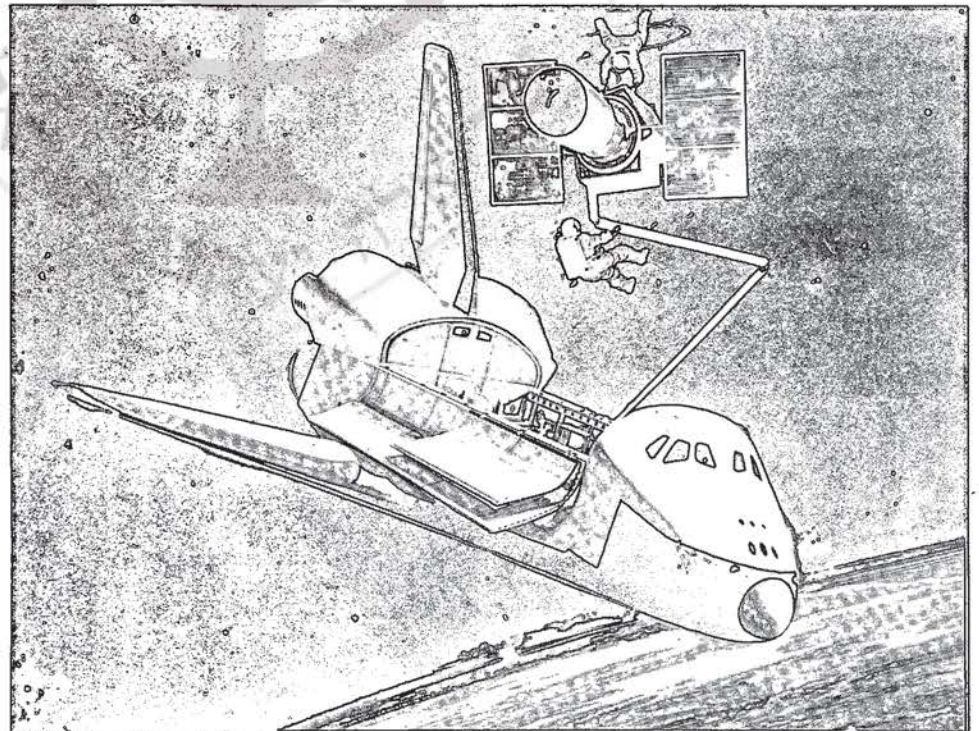
The International Association of Machinists and Aerospace Workers, AFL-CIO, will issue a specially-designed 1979 calendar to celebrate the first 20 years of space exploration and the start of the third decade in space.

IAM members, through their skills, have helped man explore the moon and the universe during the first 20 years of the U.S. space program. Those same skills are now being used in development of the space shuttle whose first manned orbital flight is

scheduled for mid-1979. The space shuttle program now provides more than 43,000 jobs to aerospace workers and many thousands more to those employed in support industries.

The IAM is proud that the results of space technology have benefitted our society in thousands of ways. These encompass everything from satellites

beaming sports and cultural events from Europe into our homes, to life-saving, two-way communications transmitting a heart attack victim's cardiogram from an ambulance to a hospital. Benefits from the space program range from simple conveniences to major systems that help solve critical national programs.



One of the original paintings done for the 1979 IAM calendar by Jim Dineen, this artist's concept shows what the U.S. space shuttle will look like on an actual mission into earth orbit. Some day, IAM space mechanics like those in the photo will put in a typical work day in orbit.



On a recent mission to Asia, American Federation of Teachers President Albert Shanker (with camera) talked with a group of Vietnamese boat people on their arrival at Laem Sing, Thailand.

News & Notes

The stage show *Pins and Needles*, which was a big hit on Broadway in 1937 and ran for four years, was recently revived under the auspices of the Ladies' Garment Workers Union. Here the cast sings "A Song of Social Significance."



(Continued from page 11)

the President's statement this week sharply attacking Cuba, saying "there is no other country that acts in harmony with and under the domination of the Soviets any more than the Cubans do. They are completely aligned with the Soviets . . . Castro has thousands of political prisoners still in jail . . . We have very little, if any, influence on what Castro does concerning basic human rights . . . Nothing would please me more than to see Castro announce today that he was going to withdraw his troops from Angola, Mozambique, South Yemen, from Ethiopia, that he was going to refrain from injecting Cuban troops into Rhodesia in the future, that he was going to release political prisoners. . . . the unnecessary and excessive use of military forces by Castro all over the African continent, to some degree lately in the Middle East, like in South Yemen, has indicated to me that he has not abandoned the interest that Cuba has to subvert other people through military means."

There is so much that I have not touched on, and I feel certain because these questions are so complex, much that I have over-simplified. Having just returned as Chairman of the IRC Citizens Commission on Indochinese Refugees, including the "boat people" from Vietnam, an estimated 40 to 50 percent of whom have drowned at sea, I do not think I can convey to you the pain that is involved for me in not detailing what it is I know of Cambodia—the Auschwitz of Asia. I must applaud the Administration not only for deciding to admit an additional 25,000 Indochinese refugees to the U.S.

but for having detailed the dread events which have occurred in Cambodia beginning on April 17, 1975. Most importantly, the President himself issued the strongest condemnation to date two weeks ago calling Cambodia "the worst violator of human rights anywhere in the world."

But I must observe once again that words are not always reflected by policy. There are 15,000 Cambodian refugees who have risked all and stagnate in camps in Thailand along the Cambodian border. The blunt fact is that of the last 8,000 Indochinese refugees who have been processed for resettlement in the United States, 191 of these were Cambodians. I regret to say that they are still passengers on "The Voyage of the Damned," fortunate only in that they are the handful who have been able to escape a country of which it can truly be said that the living must envy the dead. We must, I repeat, must open our doors to those thousands who have stagnated for three years in camps along the Cambodian border after risking their lives and losing friends, family, home, all.

Let me close by repeating what I said earlier. The ultimate repository of the concern for human rights must remain with those like ourselves who as individuals must on occasion apply pressure on our government while manifesting our hostility for all those governments elsewhere which deny the most basic of human freedoms.

There are other things we must not fail to do. Most immediately, we must assist those wherever they can be reached who suffer the deprivations of their freedom or have risked their

lives and sacrificed all that was dear to them to seek sanctuary in a not very friendly world. We must press for a constant spotlight on the prisons where those who love liberty languish and on the nations which keep prisoner entire populations which are denied their human rights. Those are the obligations of free men and women.

When Pastor Neimoller was released from Theresienstadt, a Nazi concentration camp, in which 76,000 Jews (of which 15,000 were children) were sent to their death, only 100 children had survived. When Pastor Niemoller was asked, "How did the world let this happen?" he responded, "In Germany, the Nazis came for the Jews, and I didn't speak up because I wasn't a Jew. Then they came for the trade unionists and I didn't speak up because I wasn't a trade unionist. Then they came for the Catholics, and I didn't speak up because I was a Protestant. Then they came for me, and by that time there was no one left to speak for me."

The Polish Jewish poet, Edward Yashinsky, summed up the Holocaust: "Fear not your enemies for they can kill you; fear not your friends, for they can only betray you. Fear only the indifferent, who permit the killers and betrayers to walk safely on the earth."

And finally there are Orlov's words: "We are not fighting for ourselves but for you, to save you. It is too late for us!"

As I thank you for this occasion I so treasure, I close by saying that it is not too late for us. And in my opinion it is not even too late for Yuri Orlov. □

Meany Hits Soviet Move to "Frame" Dissident

Washington — AFL-CIO President George Meany has expressed "deep concern" over the fate of Anatoly Marchenko, one of the six Soviet citizens invited to the AFL-CIO convention last December but denied exit visas by Soviet authorities.

Meany announced that he had received a letter from Gen. Pyotr Grigorenko with information that the KGB was working with criminal elements in the little town of Chuna to frame Marchenko on charges of dealing in gold.

Marchenko, who was sentenced to four years in strict internal exile, has been serving his sentence in Chuna (in Siberia), where he has been working as a loader in a timber-mill. His

sentence was due to expire in September 1978.

Denouncing this latest Soviet effort to silence those of its citizens who are struggling for Soviet compliance with the Helsinki accords, Meany noted that in February he had received a lengthy letter from Marchenko detailing the distorted picture of American life painted by the first official Soviet "trade union" delegation that visited the United States under the terms of the so-called McGovern Amendment. (See April 1978 FTUN.)

In his letter to Meany, Grigorenko said: "Anatoly Marchenko, a worker and member of the Moscow Helsinki group, who despite your invitation was prevented by the Soviet authori-

ties from attending the last AFL-CIO convention, is being persecuted again. Presently living in exile in Chuna, the KGB has begun preparing a new case against him by relying on the false evidence of former criminals to prove that Marchenko has been speculating in gold.

"Such persecution cannot be permitted. Workers throughout the world should protest this criminal activity. . . ."

Noting that Marchenko, a Soviet worker and author of *My Testimony*, a book on Soviet prisons, is in bad health, Meany said: "There appears to be no limit to the cruelty of the Soviet leaders as they try to crush their dissident movement before the 1980 Olympics."

KREMLIN

(Continued from page 11)

With such a computer, the Soviets could obtain any information of a confidential nature stored in data-banks in the U.S. Data processing companies in the U.S. have already sold to the USSR services and terminals which enable them to monitor the flow of information of an economic and corporate nature. In other words, with U.S.-generated help, the Soviets are capable of conducting economic espionage in the U.S.

Cyber 76 could improve Soviet conventional and strategic capabilities across the board. It would improve the Soviet air defense system to the point where it could render obsolete both the B-52 and B-1 bombers, seriously threaten our new cruise missiles, and vastly improve the precision of Soviet ICBM's.

The communist appetite for western technology is staggering. In the past decade, governments of the Soviet bloc have set up more than 800 joint manufacturing ventures with western firms, and, according to figures from the Economic Commission for Europe, in the period from July 1975 to July 1976 alone, about 300 contracts on industrial cooperation were signed by the Communist bloc countries and western firms.

Secret Deals

American corporations should not be allowed to conduct business with the communist governments and their agencies unsupervised—from the initiating phase to the conclusion of the deal. The Soviet state enjoys a monopolistic power versus the competing suppliers from the U.S. and is playing one company against the other to obtain desired technology or industrial know-how.

Secret deals between the Kremlin and U.S. private industry often give the Soviets more than was originally intended. For example, many U.S. firms contributed to the construction of the huge Kama River truck plant in Siberia. Only 16 months after providing part of the capital for this multi-billion dollar project, Chase Manhattan Bank officials admitted, "We got burned." It was really the security of the free world that "got burned" because the Soviets will use this monumental industrial plant financed by the West to produce heavy-duty military trucks, tanks, armored vehicles and other military hardware.

Should the U.S. trade with the communist governments? The argument that trade promotes peace is off base.

Commerce was actually growing between the U.S. and Japan just prior to the Japanese attack on Pearl Harbor, and no economies were more "interdependent" than the British and Germans before both World Wars.

Right now the U.S. has no coherent national policy on the transfer of technology to the communist superpowers and their satellites. As a result, the present U.S. export control system is totally ineffective. Concern led Senator Henry Jackson to write President Carter on July 25, 1977: ". . . I am persuaded that the effect of our past and current policies in this area has been to enable the Soviets and their allies to acquire technology that bears importantly on the military balance between East and West. . . . In my judgment, our current condition can best be described as acute hemorrhaging."

The only remedy for this is to set up a governmental board—strictly accountable to Congress—to see that only deals benefitting the American economy and security as a whole are permitted.

Too many executives of gigantic, multinational corporations have loyalty neither to America nor to the Western democracies under whose protective shield they optimize their profits. As an example, an article in the *New York Times* of February 22, showed how General Electric uses a German firm, the electrotechnical giant, A.E.G., to sell to the Soviets.

Part of A.E.G.'s business involves selling American technology under license to German companies. A.E.G., for example, won a \$732 million contract for gas turbine pumps for the "Friendship" gas pipeline from western Siberia to the West German bor-

der in 1976, using licenses from General Electric.

General Electric has applied for an export license with the Commerce Department to sell twelve 51,000-pound-thrust CF-6 jet-aircraft engines to the Soviet Union. The CF-6 engine is a strategic and technological asset which should not be sold to the Soviets. This engine is used to power three of our largest aircraft—the C-5A, the world's largest cargo plane; the Boeing 747, capable of carrying 60 cruise missiles; and the DC-10. Moreover the turbo-fan technology in the CF-6 has been adapted for use in the engines of our newest naval frigates, destroyers and cruisers. The CF-6 engine was originally developed for the U.S. Air Force at a cost to the American taxpayers of \$315 million.

The proclaimed objective of eventual victory for "socialism" on a world scale makes it clear that any accommodation with Western powers is a purely temporary phase, while the USSR and its satellites build their strength in the advancement of that standing objective.

One of the most urgent tasks is to inform the American public about the deadly potential inherent in the ongoing pattern of the West's strategic technology transfer to communist governments, instigated and carried out on the highest government and private sector levels in the name of "economic detente."

We do not have "economic detente," we have economic warfare waged by the Soviet government and its allies. In other words, in the name of corporate profit, balance of trade and some illusory detente, we are selling Moscow the rope to hang the free world. □

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November 1, 1978

Senator John C. Danforth
United States Senate
Senate Office Building
Washington, D.C. 20510

Dear Senator Danforth:

It was a pleasure to be with you last Wednesday night at the American Jewish Committee's Award dinner honoring Duncan Bauman. Your remarks were especially appreciated. I am writing at this time, however, as a follow-up to the conversations I had with you and your staff member John DeVault regarding the Cambodian refugee situation. Specifically, you asked what we in the American Jewish Committee believe should be done by the United States for these refugees. The following are important actions which could be initiated in the Senate:

1. Parole provisions could be instituted related to the immigration laws, making it possible for a specific number of Cambodian refugees to enter the United States during a specified period of time.
2. A humanitarian airlift could be arranged for those refugees currently located in camps in Thailand as well as those refugees adrift on various craft in the South China sea. The services of the United States Navy could be authorized to locate and process those on boats and the same procedures undertaken to transport Vietnamese refugees could be used for the evacuation of those in camps in Thailand.
3. American civic and religious organizations around the country could be sought to sponsor the refugees who are brought to the United States, providing food, lodging, language training and assisting in employment search.
4. Process of reunification of families could be effected based on the experience obtained in the Vietnamese airlift.

From your May 18, 1978 remarks on the Senate floor it is clear that you appreciate the dimensions of the tragedy which has befallen refugees in Cambodia. You report "stories of forced marches, mass killings, a rising death toll from beatings, shootings and starvation. Phnom Penh, a thriving city of two million people just a few years ago has been disseminated with fewer than two hundred thousand still in the city,

The victims in this case are...former government employees, soldiers and those with an education. The death toll has been estimated as high as 2.5 million people -- out of a total population of seven million...the numbers are difficult to grasp, but each number represents an individual human being."

Since we spoke on Wednesday, our nation commemorated an anniversary of the Statue of Liberty. Her call to "send these, the tempest tossed to me" must not ring hollow. It will be appropriate that this life-saving initiative be introduced by a Missouri Senator who knows the lessons of the Nazi holocaust.

To prove that no one in the world really cared about German Jews, Adolph Hitler approved the launching of a shipload of Jews on the high seas. With contempt for what he regarded as "empty hypocritical humanitarianism" he challenged the governments of the world to demonstrate their real concern. The United States proved Hitler right in his cynical challenge. We not only refused entry, but sent Coast Guard vessels to prevent their entry in territorial waters. This forced their return to Europe where their fate was sealed. The name of that ship was the S.S. St. Louis. The story of that tragedy was documented in film "The Voyage of the Damned."

From St. Louis, Missouri action can begin to stop a repetition of anything like that tragedy.

On behalf of the American Jewish Committee, an organization founded in 1906 to help the victims of persecution, I pledge our active support for actions you may take to rescue Cambodian refugees.

Sincerely,

Jordan S. Harburger
West Central Area Director

JSH:pw

cc: John DeVaait

bc: Hyman Bookbinder

Harold Applebaum

Marc Tanenbaum

Morris Fine

Eugene DuBow

Norman Stack

Alex Grobman

Michael N. Newmark

6 NOVEMBER 1978
VIETNAMESE ABOARD THE "HI HONG"

"WE NOW HAVE THE FIRST CLEAR INDICATIONS THAT UNSCRUPULOUS PEOPLE ARE ATTEMPTING TO PROFITEER IN THE PRESENT INDO-CHINESE REFUGEE SITUATION," THE MINISTER FOR IMMIGRATION AND ETHNIC AFFAIRS, THE HON. M.-J.-R. MACKELLAR SAID TODAY.

MR. MACKELLAR WAS COMMENTING ON REPORTS THAT THE MOTOR VESSEL "HI HONG", IN INDONESIAN WATERS WITH SOME 2,000 VIETNAMESE ON BOARD, WAS ENGAGED IN AN ATTEMPTED SUBTERFUGE. THE REPORTS INDICATED THAT THE "HI HONG" HAD BEEN ACQUIRED RECENTLY BY A GROUP OF BUSINESSMEN FROM HONG KONG WHO, FOR A VERY SUBSTANTIAL PER CAPITA FEE, HAD ARRANGED A RENDEZVOUS WITH SEVERAL PARTIES OF VIETNAMESE. THE REPORTED CIRCUMSTANCES OF THE RENDEZVOUS STRONGLY SUGGESTED AN ATTEMPT TO CONVEY THE IMPRESSION THAT THE PASSENGERS WERE GENUINE REFUGEES.

FOR SOME TIME, AUSTRALIAN OFFICIALS HAD BEEN PAYING CLOSE ATTENTION TO THE CIRCUMSTANCES UNDER WHICH INDO-CHINESE CLAIMING TO BE REFUGEES HAD LEFT THEIR HOME COUNTRIES. THIS WAS THE FIRST SITUATION WHERE THERE HAD BEEN STRONG REASON TO DOUBT THE BONA FIDES OF A GROUP. AUSTRALIAN OFFICIALS WERE CONTINUING TO INVESTIGATE CIRCUMSTANCES OF THE "HI HONG" VERY CAREFULLY, MR. MACKELLAR SAID. MR. MACKELLAR ALSO DREW ATTENTION TO A RECENT STATEMENT BY MR. R. SAMPAKUMAR, REGIONAL REPRESENTATIVE IN KUALA LUMPUR OF THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES. MR. SAMPAKUMAR INDICATED THE UNHCR WOULD BE CONTINUING TO EXAMINE THE CIRCUMSTANCES OF THE "HI HONG". A COPY OF HIS STATEMENT IS ATTACHED.

"AUSTRALIA HAS PLAYED A MAJOR PART IN ACCEPTING MANY THOUSAND OF GENUINE REFUGEES BUT I GIVE STRONG WARNING THAT WE SHALL NOT ACCEPT CASES INVOLVING SUBTERFUGE. I INCLUDE HERE SITUATIONS WHERE PEOPLE FALSELY REPRESENT THEMSELVES AS REFUGEES IN ORDER TO GAIN ADMISSION TO AUSTRALIA," MR. MACKELLAR SAID.

"SUCH RUSES WILL MAKE IT MORE DIFFICULT FOR THE LARGE NUMBERS OF GENUINE REFUGEES FROM INDO-CHINA TO GAIN ACCEPTANCE FOR PERMANENT RESETTLEMENT ELSEWHERE.

MR. MACKELLAR STRESSED THAT AUSTRALIA WOULD CONTINUE TO PLAY A SIGNIFICANT PART IN PROVIDING RESETTLEMENT OPPORTUNITIES IN GENUINE CASES." END TEXT.

ALSTON

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Refugee voyage 'a subterfuge'

Canberra lashes out at HK profiteers



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CANBERRA, Australia (UPI) — Immigration Minister Michael MacKellar accused businessmen in Hong Kong yesterday of profiteering in trying to get Indochinese refugees into Australia.

"We have the first clear indications that unscrupulous people are attempting to profiteer in the present Indochinese refugee situation," MacKellar said in a statement.

He said a refugee boat, the *Hi Hong*, is now in Indonesian waters and has about 2,000 refugees on board.

"But the boat is engaged in an attempted subterfuge," he said. "The reports we have indicate that the *Hi Hong* was acquired recently by a group of businessmen from Hong Kong, who for a very substantial per capita fee, arranged a rendezvous with several parties of Vietnamese."

"The reported circumstances of the rendezvous strongly suggests an attempt to convey the impression that the passengers are genuine refugees."

MacKellar said Australian officials have been paying close attention for some time to the circumstances under which Indochinese claiming to be refugees had left their homeland.

"This is the first situation where there is strong reason to doubt the bona fides of a group," he said.

"Australian officials are continuing to investigate the circumstances of the *Hi Hong* very carefully."

MacKellar also released a communication from R. Sampat Kumar, the United Nations High Commissioner representative on refugees in Malaysia, warning Australian officials about the *Hi Hong*.

In the communication, Sampat Kumar said, "It is not clear to me who the agents or the owners of the ship are."

Piecemeal information indicates that the ownership of the ship has changed hands very recently and that present registration of the ship is valid for a very short period.

"These factors, if proved correct, lead one to question the motives of the owners, agents and captain of the ship concerned," Sampat Kumar said.

Rising Exodus of Vietnamese Spurs Fear That Many Will Perish at Sea

By HENRY KAMM

Special to The New York Times

11/8/78

Am - Bangkok

BANGKOK, Thailand, Nov. 7 — A dramatically heightened flow of refugees leaving Vietnam on small fishing boats, which reached record levels this month, is vastly exceeding the present willingness of countries of asylum to accept them: Officials concerned with refugee problems here and in Malaysia fear that the result may be much greater loss of life.

In the first 25 days of last month, 8,720 refugees from Vietnam reached the overcrowded and underequipped transit camps in Malaysia, bringing the total of refugees there to more than 20,000. The month's total is likely to exceed 10,000 in Malaysia alone, with a corresponding increase also in other Asian countries, particularly the Philippines, Thailand and Hong Kong. The September total for the region was nearly 9,000 people.

When the United States decided last March to admit 25,000 Indochinese refugees in the 12 months to come, it set the number of "boat people" under this quota at 12,500. In the Administration's view, this was considered sufficient to absorb all "boat people" not accepted for asylum in other countries, notably France and Australia.

Asked about the disproportion between the Vietnamese exodus and the quotas that countries of asylum have been willing to set, Richard Holbrooke, Assistant Secretary of State for East Asian and Pacific Affairs, said here last month:

"The situation is serious. It may be outstripping the ability of Western nations to deal with it."

France Accepts 12,000 a Year

Mr. Holbrooke's remark is considered by experts to be a considerable understatement in view of the limitations of existing programs. In addition to the United States quota, increased recently by about 5,000 as a result of pooling of other refugee programs, France accepts about 12,000 Indochinese a year and Australia about 10,000. Other countries admit far fewer.

These totals are for all Indochinese refugees. In addition to about 30,000 from Vietnam currently in Asian camps, there are more than 120,000 refugees from Laos and Cambodia in camps in Thailand.

But the flow from Vietnam, at record heights even now when rough monsoon-season seas greatly increase the risk of perishing at sea, gives the greatest concern to refugee officials.

Because of deep-seated ethnic and political fears, Vietnamese are accepted in Malaysia and Thailand only on the general undertaking of such countries as the United States that they will receive the refugees as immigrants as soon as possible. Even with existing refugee programs, officials of some Asian countries almost always, and of all Asian countries sometimes, push or tow boatloads of Vietnamese back onto the high seas.

U.N. SEEKS SOLUTION FOR 'BOAT PEOPLE'

Asians Urged to Make Joint Plans To Aid Refugees of Indochina

Special to The New York Times

GENEVA, Nov. 10 — The unabating exodus of Indochinese fleeing their homelands has led the United Nations High Commissioner for Refugees to ask countries where the refugees end up to get together to discuss the fate of the asylum-seeking Vietnamese, Laotians and Cambodians.

Poul Hartling, a former Danish Prime Minister who became High Commissioner at the beginning of this year, said the 30 or so delegations expected to attend the special meeting on Dec. 11 and 12 will focus much of their attention on the "tragic odyssey" of the refugees who risk their lives by putting to sea in rickety vessels hoping to get a fresh start in a new homeland.

Despite the risk, these "boat people" are fleeing in growing numbers. Tallies by the United Nations indicate that 12,186 of them reached ports of the South China Sea and even more distant shores during October alone.

That October total is a record for any month since South Vietnam came under Communist rule in 1975, according to the United Nations. It raised to 51,090 the number of such arrivals recorded during the first 10 months of 1978, against 15,667 for all of 1977.

25 Percent Are Rescued

Of the Vietnamese who make the trip successfully, 75 percent actually land in their frail, overloaded boats, according to Dale S. De Haan, Mr. Hartling's deputy. The other 25 percent are rescued at sea.

"Nobody can say how many do not make it to safety," said Mr. De Haan, an American long associated with refugee work.

The refugees' distress signals are sometimes ignored by passing ships. The masters of these ships fear being burdened indefinitely with the refugees because of refusals by authorities at their ports of call to allow the homeless to land.

These incidents recently led the 31-nation executive committee of the High Commissioner's office to appeal to all countries to instruct ships flying their flags to rescue such refugees. At the same time it urged all coastal nations to provide "at least temporary asylum to refugees coming to their shores as a port of first call."

71,379 Escaped in Four Years

The High Commissioner's office says 71,379 Vietnamese successfully escaped from their homeland by sea during the last four years. Of these, 37,176 have found new lands of welcome. The other 34,203, scattered in precarious temporary asylum wherever their own or rescue vessels landed them, are awaiting a permanent new home.

With fresh waves of Vietnamese refugees landing faster than permanent homes can be found for the earlier arrivals, the High Commissioner had to increase by one-third the funds originally budgeted for assisting the boat people in 1979. Of the \$10.1 million now allocated, nearly one-third will be for the Vietnamese refugees in Malaysia, where most boat people land.

Meanwhile, Vietnam has been invited to the consultations on refugees because it, too, is on the refugee receiving end; 160,000 Cambodians, including nearly 26,000 ethnic Chinese, have sought a haven in Vietnam, according to a Vietnamese count.

① Body Case (1)
② History (5)

NO FOOD, NO WATER, NO COMPASS, YET...

The exodus of 'boat people' continues

NEW YORK (AP)—The elderly captain of a fishing boat crammed with 73 Vietnamese refugees was trying to navigate with a small sketch map from an old American news magazine. He said he had not sailed the ocean before.

His peril was similar to that of other boat people encountered by an American-sponsored expedition that sailed the South China Sea for five months dispensing aid to Vietnamese fleeing their homeland.

"They were worse off than I ever expected," said Bert Singleton, captain of the converted navy landing ship that was outfitted by World Vision International, a Christian relief organization.

The ship returned to Singapore in October because of the stormy monsoon seas. It has aided 228 Vietnamese it came across while

cruising the South China Sea between Thailand, Malaysia and Vietnam.

Singleton had expected the flow to abate with the storms, but apparently it is continuing. In September, with the monsoons already blowing, a total of 7,300 refugees arrived in neighbouring countries, UN officials reported.

"I couldn't believe that the refugee boats were so inadequately equipped or in such poor shape," Singleton said. One craft he encountered 420 kilometres at sea had apparently been travelling in circles for days. The 64 people aboard were out of food and down to a spoonful of water a day. None of them could use a compass and

when offered a nautical chart, they turned it upside down.

Many thousands of Vietnamese are thought to have perished at sea since the exodus began after the fall of Saigon in April 1975.

by Peter Arnett

Singleton, a World Vision executive who has a private navigator's licence, recalled locating the boat that had the News Magazine clipping map. It was near midnight in a howling gale.

"We loaded the 73 people aboard our rescue ship, and took their 40-foot boat in tow, but within 36

hours it had sunk," Singleton said. "There is no doubt that if we hadn't arrived on the scene, the refugees would have gone down with it."

Another boat they found had been at sea nine days, out of food and water for four, and still had at least a week's travel ahead. Singleton said one of the refugees told him, "we had already steeled ourselves for death. We believed we would die that night."

The World Vision ship dispensed medical help, food, water, and mechanical and nautical assistance. The US\$50,000-a-month mission may be resumed next year when the monsoon season ends.

World Vision executive Miit

Kohut said their ship was of Thai registry so it did not qualify under recent regulations permitting American vessels to pick up refugees with the guarantee that the United States would accept them. "Consequently," Kohut said, "we were under frequent surveillance by gunboats from Malaysia and Thailand to determine that we were not landing refugees illegally in those countries.

"The best we can do now is point them in the right direction. We pray that the weather stays good and that pirates don't attack them. This is not good enough. There has to be greater effort to handle the greatest exodus of refugees of this decade," Singleton said.

Repatriation Talks Show Some Progress

The sixth round in the Thai-Vietnamese refugee repatriation talks yesterday was reported making progress and differences narrowed but not quite to the satisfaction of the hosts.

The talks resumed in the Foreign Ministry at 2 p.m. and dragged on till 6:45 p.m. when the Vietnamese delegation returned to their hotel.

Wing Commander Prasong Sunsi, deputy secretary-general of the National Security Council who was spokesman for the day said the later rounds of negotiations to iron out kinks and set finer details might take place in Hanoi if the Vietnamese will invite the Thais to Vietnam's capital.

Prasong also said the Vietnamese are of the opinion that the Rangoon Agreement is obsolete and must be updated.

The negotiations which began on Oct. 16 were deadlocked when the Thais insisted that about 40,000 Vietnamese refugees in the French-Indochina war in the early 1950s be repatriated while the Vietnamese favor taking back only those who want to return to their homeland.

The seventh round of talks was set for next Friday.

'Help Us', Plea from Boat People

SINGAPORE (The Star) - About 9,500 Vietnamese continued to board an unladen ship at night last week. They arrived in Singapore yesterday for food, medicine and shelter. The boat was found in the waters off the coast of Thailand.

The boat was found by a fishing vessel from the Philippines. The boat was found in the waters off the coast of Thailand. The boat was found in the waters off the coast of Thailand. The boat was found in the waters off the coast of Thailand.

They were in a better way with medical help. They were in a better way with medical help. They were in a better way with medical help. They were in a better way with medical help.

The boat was found in the waters off the coast of Thailand. The boat was found in the waters off the coast of Thailand. The boat was found in the waters off the coast of Thailand. The boat was found in the waters off the coast of Thailand.

Singapore, Already Crowded, Further Tightens Stringent Policy Restricting Refugees From Indochina

Special to The New York Times

SINGAPORE — "You've got to grow calluses on your heart or you just bleed to death," said Lee Kuan Yew, allowing a long pause before he spoke.

Mr. Lee, the Prime Minister, was explaining Singapore's position on permitting Indochinese refugees to come ashore. It consists of driving back out to sea those who arrive in the small fishing boats in which they escaped from their country and those rescued at sea by passing ships; it allows ashore only people who are guaranteed to be accepted by another country within 90 days.

Last month Singapore instituted another restriction, in which the number of those allowed ashore under guarantee of speedy departure will be limited to

1,000 at any given time. In addition, countries that exceed the 90-day deadline will be penalized by even sharper restrictions. More than 800 refugees are currently awaiting departure from Singapore.

"Can I afford to have people festering away in refugee camps, being hawked around to countries which are supposed to have compassion for long-suffering humanity?" asked the Prime Minister in an interview.

150,000 Awaiting Asylum

More than 150,000 refugees from Vietnam, Laos and Cambodia are now awaiting asylum in refugee camps in Southeast Asia, and the flow, particularly from Vietnam, continues to be heavy. By

"hawking," Mr. Lee was alluding to efforts by the United Nations High Commissioner for Refugees to persuade other countries to give the refugees permanent asylum.

"What happened to all those concerned people in Sweden and other parts of the developed industrial democracies who felt so strongly about the inhumanities of the Vietnam War?" the Prime Minister asked. "Surely they must feel some compassion and sympathy for people who would leave their homeland after peace has come."

Singapore, which with more than two million people has one of the highest population densities in the world, accepts no refugees for permanent asylum. The same attitude prevails throughout Asia,

though perhaps with less justification. But Singapore, unlike countries such as Malaysia and Thailand, rejects even the principle of granting temporary shelter to "boat people" who drift in from the sea. Its patrol craft drive off all such refugees.

"We don't want to create a Palestinian situation," said Foreign Minister S. Nathanby Rajaratnam in a separate interview. "We cannot afford a population of embittered, inchoate refugees."

Increasing Numbers of Refugees

Singapore's new ceiling on refugees is a consequence of the dramatic influx of the boat people, particularly into neighboring Malaysia, last month and the increasing number of large boatloads, consisting

principally of ethnic Chinese, who appear to be escaping with the connivance of Vietnamese authorities. Almost 10,000 refugees reached Malaysia last month.

Concerned diplomats and international officials in Southeast Asia fear that the principal result of Singapore's ceiling will be an even greater reluctance by ship captains to come to the aid of small craft in distress. The practice of passing by the boat people is already widespread because of resistance by Asian governments to allowing them ashore; exceptions are likely now to become even rarer, in view of the fact that Singapore, the world's fourth busiest port, is a principal destination of ships plying that part of the South China Sea.

The new rule is likely to drive refugee boats farther northward to avoid Singapore. But the farther north they go, the greater becomes the risk of falling into the hands of pirates, mostly Thai, who traditionally infest the waters of northern Malaysia and southern Thailand. Few of the boats that reach shore in these regions have not been attacked by pirates who have raped women and plundered valuables.

Prime Minister Lee said that Singapore was prepared to be flexible on the 1,000-refugee ceiling as well as on the 90-day limit if third countries were ready to guarantee that refugees would be accepted for immigration. "We have said that we will take as many people as there are places for them to go," he reiterated.

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Guest Editorial

Indochina Update

THE WALL STREET JOURNAL

A little more than a year ago, news began coming out of Indochina on the growing refugee problem in the area. The flow of refugees from Vietnam had not dried up as the new regime established its hold; people were still trying to escape, often by heading out onto the open sea in small boats. A few refugees were also managing to escape from Cambodia, bringing their stories of the almost unbelievably grim and murderous life there. Since then, the American government has made increasingly strenuous efforts to try to deal with the situation. But deteriorating conditions in Indochina keep outpacing them.

This past winter, the International Rescue Committee sent a citizens' commission to Southeast Asia to get some idea of the size of the problem. The group reported more than a hundred thousand refugees sitting in refugee camps in Thailand, with more scattered throughout Southeast Asia. Fifteen hundred boat people a month were coming out of Vietnam, and two to three thousand entered Thailand from Laos each month even though the Thais no longer wanted to accept them as refugees. The citizens' commission recommended that the U.S. adopt a more generous policy towards refugee admissions. The Carter administration responded, saying it would use its emergency parole authority to admit the boat people and more of the refugees with special family or employment ties to the U.S.

But before much of this could be implemented, circumstances changed once more. There's recently been a sharp rise in the number of refugees reaching haven: From April through August, the average was 8,200 a month. Included was an increase in the number of Cambodians, perhaps be-

cause war with Vietnam has diverted Cambodian troops from the Laotian border. The Thai government intends to tighten up its already restrictive admission policies. More of the escapees are now showing up in Malaysia; it seems only a matter of time before the Malaysian government, too, feels it has to do something to cut them off.

Various agencies of government have been trying to cope with these events. Escaped Cambodians, for instance, are in an especially bad position to gain entry into the U.S. because they rarely have relatives here or any special connection with the U.S. government. Congress has just responded with the Dole-Solarz amendment, approving a special use of the parole authority for them. But this isn't an obligation that the country is going to be able to meet easily or neatly. Right now, for instance, the State Department stands in need of more money for our voluntary resettlement agencies, whose costs in settling new immigrants considerably exceed what the government is authorized to reimburse them.

Right now also there are countries that could fruitfully use some prodding to live up to their responsibilities. Japan, for instance, still hasn't forked over the 10 million dollars it pledged to help defray the deficit of the UN's office of the High Commissioner for Refugees. And Sweden, for all the moral sensitivity it displayed during the Vietnam war, evidently doesn't think that its duties extend to taking in some of the people whom postwar Indochina has made homeless.

We will no doubt see many such failings, new needs and seemingly endless tasks before this refugee episode is over. It would be a terrible thing if somewhere among them the impulse to continue were lost.

In Thailand, Refugees' 'Horror and Misery'

Following are excerpts, combined, from several letters written to the executive director of the International Rescue Committee, Charles Sternberg, by a doctor who works with Indochinese refugees in Thailand. In them she tells of the Hmongs from Laos.

By **Dominica P. Garcia**

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 gun-

shot 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 "life-savers" 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.

At the local detention centers, their foremost need is for rest. They are seen sprawled on the ground not caring much for food. But hunger soon

takes over from fatigue. The food served by the Thai authorities, while not meant so, is just right for their alimentary tract: rice and soup with vegetables well-done. Even the bland diet cannot be tolerated by the digestive system of those who have suffered prolonged starvation. They develop vomiting and diarrhea or severe gas pains.

The [International Rescue Committee] Medical Team is almost always on the spot to render first aid to the new arrivals. No one knows for sure when they come, but the need to follow up treatment and change wound dressings of previous cases almost daily, prepares the team for any new ones coming. Antibiotics, vitamins, fever pills are literally dropped into the mouths of semi-conscious patients. Abscesses are incised, drained and dressed, ulcers debrided, gunshot wounds cleaned and stitched, recent abrasions painted with disinfectant. Bandage, gauze, cotton and plaster are used by the kilograms. Cleaning salves and tinctures flow . . . God, they deserve every little help we can give them; they deserve everything!

After a few days at the first detention center, usually 3 or 4 days, they are transported to the stockade in the main district of Nong Khai; another detention area. Here it is easy to get out those who need immediate hospitalization and are readily given permission to move to the camp hospitals. The others are left and taken care of by a [Catholic Relief Services] paramedic team.

Our doctors and nurses at the wards are doing a very fine job, oftentimes working overtime: cleaning, cutting hair, dressing wounds, administering fluids and other medications; feeding; bathing babies; or just plain chatting with those who are disconsolate. Some are too weak to wash what little clothing they have especially those with bowel incontinence. These we provide with old clothing when available or we buy new ones.

We buy medicines for the detention centers. Our regular, monthly supply

'The horror and misery of their flight to safety is etched in their blank tear-stained faces.'

is good only for the camp [outpatient department] and ward patients. Sleeping mats for the in-patients as some of them have to stay on the floors when beds are full, sometimes two in one. When the patients are discharged, they take with them the mats, pillows, blankets and mosquito nets. They don't have enough for the whole family.

In spite of the grimness of the situation the mortality is almost negative. They recover slowly with proper nutrition and medication and good nursing care. Only one newborn baby died five days after she was brought to the Nong Khai hospital. She was born right after the young (widowed during escape) mother crossed the river.

How long the emergency period will last is anybody's guess. Our previous predictions have failed. We thought that with the rising water level of the Mekong river, the influx will abate. [It did not.]

The camp population continues to grow. Nong Khai is presently over 32,000. The rumors are that there are over 8,000 Hmong waiting to cross the river. This may be rumors but 600 did come across the last week of September. Altogether 3,092 came in from Laos in September. [The International Rescue Committee has not yet received Dr. Garcia's report for October.]

We have to spread ourselves thin until the new hospital annex will be finished probably early next year. I enjoined everybody to render their services freely and unselfishly. I told them to expect bigger and varied sanitation problems and more outpatient consultations all of which will demand more of them. At present we have to discharge malnourished children even before they are fully recovered if only to protect them from patients with contagious diseases.

The Monitor's view

Rescue the refugees

The pathetic plight of the thousands of refugees continuing to flee the countries of Indo-China ought to arouse the world's conscience anew. It is horrifying to read of the 2,500 desperate "boat people" aboard a decrepit freighter anchored outside Malaysia for days trying to obtain the right to land and living meanwhile in overcrowded holds in the most inhumane conditions. It is equally distressing to realize that the traditional law of the sea is being abandoned as ships refuse to pick up refugees and sometimes even engage in brutal acts of piracy.

Surely that is not a condition which the nations aspiring to a decent and law-abiding world can afford to tolerate. It is time that concerted international attention be given to a problem that grows worse with every month. Every effort must be made to enlist as many nations as possible in next month's meeting in Geneva called by the UN High Commissioner for Refugees expressly for the purpose of dealing with the issue.

Much of course already is being done. The United States, Australia, France and Canada have generously made new commitments within the last six months to admit more refugees. The US alone has settled some 175,000 Indo-Chinese since 1975. Yet that appears to be only a dent in terms of the magnitude of the challenge.

The stark fact is that refugees are streaming out of Vietnam, Cambodia, and Laos in increasing numbers. Last spring the rate was about 1,000 a month; during the summer it rose to about 7,000 and in October it spurted to a high 10,000, a trend that confirms reports of growing communist repression. Most refugees find their way to the sometimes deplorable refugee camps in Thailand; thousands brave the seas. By recent count, some 150,000 are now in refugee camps in Southeast Asia awaiting resettlement.

What is perhaps needed most as a prelude to the Geneva meeting is an education of the public. Accepting refugees is not merely a matter of humanitarianism; it can be an asset. The experience of the United States shows that the Vietnamese have no desire to swell welfare and charity rolls; they want only an opportunity to be productive. They are industrious, they learn English, and they are willing to change their professions to be gainfully employed, even at menial jobs.

A strong statement of commitment by the United States and other governments to do more would help generate and sustain public interest in the refugee question. The problem promises to be a long-term one — and long-term solutions are needed. Humaneness and magnanimity can have no timetable.

Is Hanoi exporting 'unwanted refugees'?

THERE is growing circumstantial evidence that government, and Communist Party authorities in Vietnam are directly involved in the profitable business of exporting refugees.

Both ruling units of Vietnam have maintained plausible denials and if appears unlikely a "smoking gun" ever will be found.

But an increasing number of officials from countries involved in receiving and resettling the Vietnamese are becoming more outspoken about their suspicions as to how an ever-larger number of refugees "escapes" each month.

Taken in isolation, each fact appears to mean little. But many of the points taken together have made officials suspicious.

For example:

—A large majority of refugees from Vietnam reaching foreign countries are ethnic Chinese,

although only about five per cent of the citizens of the former South Vietnam are of Chinese origin:

— Most of those escaping have paid, and the average price in recent months appears to be about \$3,000 (60,000 baht) in gold, per person:

— Most are middle-class families recently ordered out of Ho Chi Minh City to virgin farms, where their value to Communist Vietnam would be minimal for at least a generation:

— In some cases, relatives have accompanied the refugees to their departure places to say good-bye. These departure points have been in public places in Vietnam:

— Many, if not most, of

the refugees, have been assisted to boats by Vietnamese government officials or soldiers:

— Boats, and their human loads, have been bigger and bigger in recent months, while almost all official and unofficial reports from Vietnam have told of increasing control of the population by the Government:

— Vietnamese officials have publicly refused to accept the return of refugees.



What could be the climax of the whole question of refugees from Vietnam was the apparently highly organized departure of more than 2,500 persons last month in a cargo ship known as the *Hai Hong*.

The story of this cargo vessel is fairly well known. Refugee officials have said in public they believe it was purchased as a scrap vessel, then outfitted specifically to take refugees from Vietnam, for a total "fare" of some \$5 million.

All this may or may not be proved.

The *Hai Hong* saga is far more significant, however, as the straw that broke the back of a refugee programme which had been run up until last month with much sympathy and even some

connivance among officials who closed their eyes to similar if smaller cases.

People — foreigners, including American citizens, as well as Vietnamese — have been telling friends they have bought their way out of Vietnam since a couple of months after the 1975 communist victory.

Until early this year, however, most officials,

by Alan
Dawson
UPI Bureau
Manager,
Bangkok

diplomats and newsmen involved in observing the Indochina scene believed these were individual cases of corruption.

With the China-Vietnam dispute out in the open, however, and with 160,000 of North Vietnam's ethnic Chinese taking the high road to the "motherland," all that changed.

As early as last July, refugee officials in Malaysia had strong evidence that Vietnamese at the highest levels of administration were involved in moving refugees for a price.

That price was so high that it stretched the imagination to believe even the most corrupt and powerful Vietnamese communist could accumulate,

heard and use such wealth.

One load of refugees alone told of making payoffs to the Communists of \$500,000 in pure gold bars.

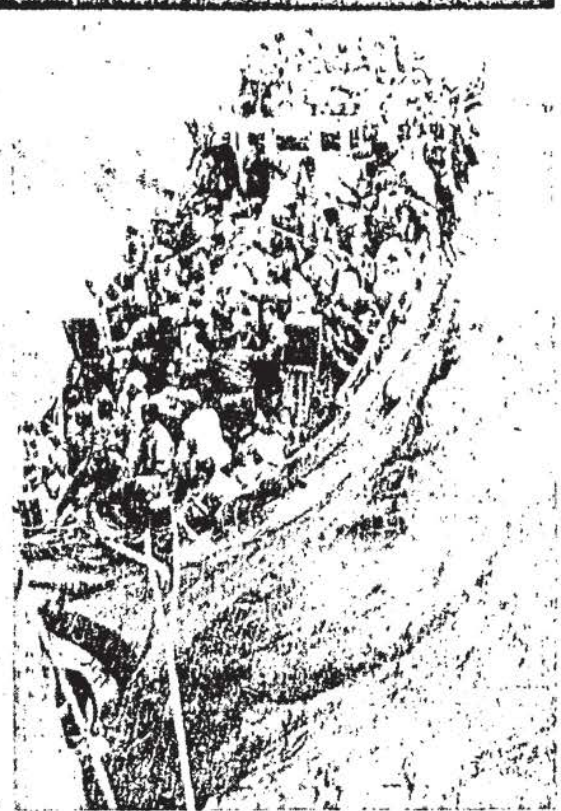
By tacit and unspoken agreement, almost everyone involved in the programme kept quiet. "If you publicise how they get out, others won't be able to escape," said one refugee worker.

The ships and their human cargoes got bigger, however, and with the *Hai Hong*, the United Nations High Commissioner for Refugees' chief representative indicated he had had enough.

Alarmed by the ever-increasing numbers of refugees (a record 14,000 last month alone), the growing disenchantment of Malaysia and an apparent profitable trade in human misery, R. Sampat Kumar blew the story and made it public.

Solutions to the problems are not so easy. The one on everybody's mind is a deal with Vietnam to take back a couple of large boats full of refugees. That, they say might put a stop to the huge exodus.

But no less an expert than Vietnamese Premier Pham Van Dong, when asked whether his government was helping refugees leave the country, lashed out at the men, women and children involved as "Mercenaries" of the former Saigon Government and the Americans. He



About 410 Vietnamese refugees aboard a sinking 66-foot boat were rescued by frigate USS Whipple somewhere in the South China Sea in August and brought to Hong Kong. A snapped photo shows the crowd just minutes before the boat was swallowed by the sea. — UPI

refused a direct answer to the question.

Deputy Foreign Minister Vo Dong Giang, in a Bangkok news conference early this year, stated flatly his country would take back no refugees who have fled since 1975.

Another possibility would be for every country in the world to refuse to take the refugees off the *Hai Hong*, or the next ship like it. That would create a spectre of a ship-to-nowhere, its passengers sick and dying.

An argument finding considerable, growing weight has it that those exiting Vietnam today are no

longer refugees, but middle-class people looking for a better life. The argument holds that the "real" refugees fled at or shortly after the 1975 communist victory.

Since feelings run high on both sides, an acceptable solution is unlikely.

"The West isn't going to take them all, at least not quickly," said a Western diplomat involved in the problem.

"The likely 'solution' is that the refugee camps in Southeast Asia are going to get bigger, more squalid and more permanent for years to come." — UPI

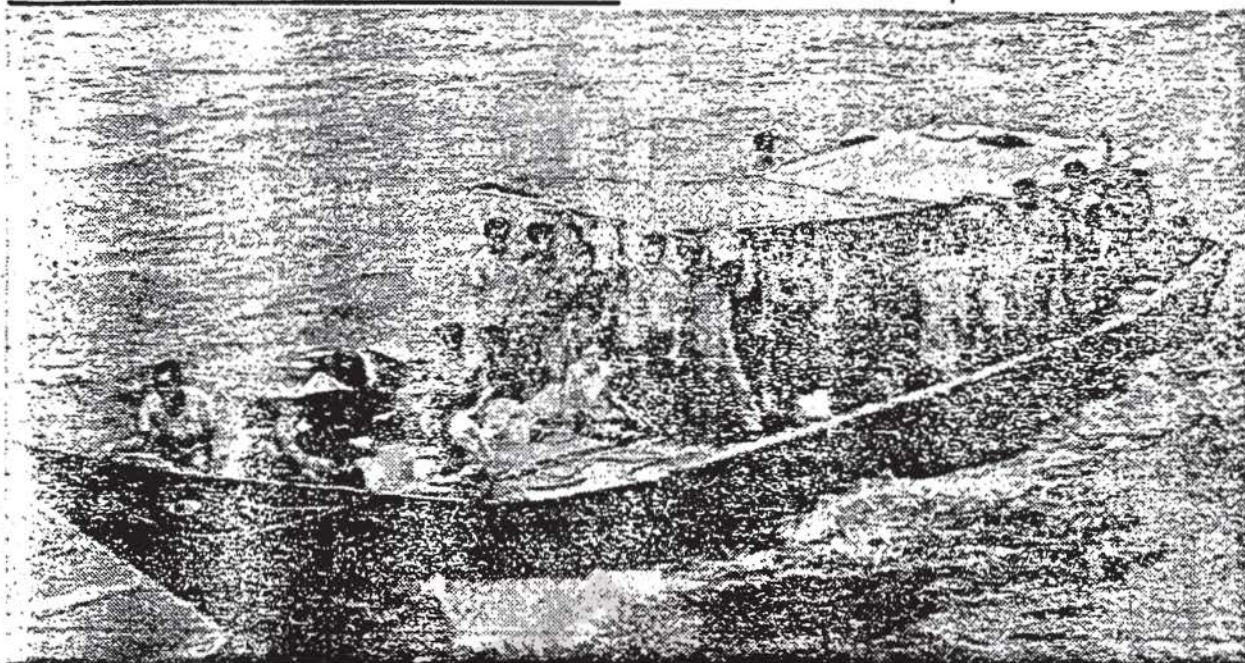


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OUT OF FOOD—This 40-foot fishing vessel with 64 Viet refugees had been traveling in circles in South China Sea when located by rescue ship. None aboard could use compass or chart.

AP Wirephoto

'WORSE OFF THAN I EVER EXPECTED'

Monsoons Halt Aid for 'Boat People'

BY PETER ARNETT
 Associated Press

The elderly captain of a fishing boat crammed with 73 Vietnamese refugees was trying to navigate with a small sketch map from an old American news magazine. He said he had not sailed the ocean before.

His peril was similar to that of other "boat people" encountered by an American-sponsored expedition that sailed the South China Sea for five months dispensing aid to Vietnamese fleeing their homeland.

"They were worse off than I ever expected," said Bert Singleton, captain of the converted Navy landing ship that was outfitted by World Vision International, a Christian relief organization.

The ship returned to Singapore recently because of the stormy monsoon seas. It had aided 228 Vietnamese it came across in cruising the South China Sea between Thailand, Malaysia and Vietnam.

Singleton had expected the flow to abate with the storms, but apparently it is continuing. In September, with the monsoons already blowing, 7,300 refugees arrived in neighboring countries, U.N. officials reported.

"I couldn't believe that the refugee boats were so inadequately equipped or in such poor shape," Singleton said. One craft he encountered 200 miles at sea had apparently been traveling in circles for days. The 64 people aboard were out of food and down to a spoonful of water a day. None of them could use a compass. When offered a

nautical chart, they turned it upside down.

Many thousands of Vietnamese are thought to have perished at sea since the exodus began after the fall of Saigon in April, 1975.

Singleton, a World Vision executive who has a private navigator's license, recalled locating the boat that had the news magazine clipping map. It was near midnight in a howling gale.

"We loaded the 73 people aboard our rescue ship and took their 40-foot boat in tow. But within 36 hours, it had sunk," Singleton said. "There is no doubt that if we hadn't arrived on the scene, the refugees would have gone down with it."

Another boat they found had been at sea nine days, out of food and water for four, and still had at least a week's travel ahead. Singleton said one of the refugees told him, "We had already steeled ourselves for death. We believed we would die that night."

The World Vision ship dispensed medical help, food, water and mechanical and nautical assistance. The \$50,000-a-month mission may be resumed next year when the monsoon season ends.

Milt Kohut, a World Vision executive, said the old landing ship was chartered "as one step toward changing the inhumanity that since 1975 encouraged international shipping to pass by the Vietnamese refugees without helping them."

Because the chartered ship was of Thai registry, it did not qualify under recent regulations permitting American vessels to pick up refugees with the guarantee that the United States would accept them. Consequently, Kohut said, "We were under frequent surveillance by gunboats from Malaysia and Thailand to determine that we were not landing refugees illegally in those countries."

The World Vision ship did practice some subterfuge in assisting the refugees. To handle the 73 rescued from the sinking ship, they arranged for a small ship to be purchased ashore. It was sailed out to international waters to rendezvous with the old Navy ship. The refugees were loaded aboard and pointed toward land.

"It was all perfectly legal," Kohut said. "By landing in their own boat they would be treated as political refugees. If we had taken them in they would have been regarded as illegal aliens and deported back home."

Singleton said he feels more should be done to help the refugees. So far, nearly half a million Vietnamese have fled their homeland. Singleton would like "15 or 20 ships of U.S. registry" patrolling the South China Sea to pick them up.

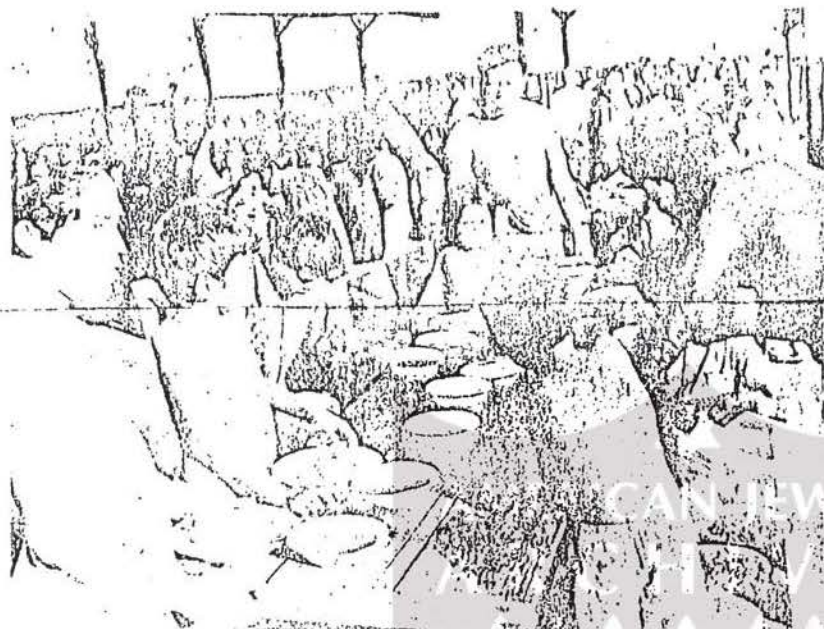
"The best we can do now is point them in the right direction. We pray that the weather stays good and that pirates not attack them. This is not good enough. There has to be greater effort to handle the greatest exodus of refugees of this decade," Singleton said.

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16 Nov. 1978
BKK TIMES
INTERNAT'L



Showing eagerness to leave camp and begin life anew, Cambodian refugees in Buri Ram sit down to lunch.

Refugee load on Thailand still growing

Refugee resettlement programs in Thailand are finally working more smoothly, quotas have been raised and local resettlement is being planned. The problem now is to find more resettlement countries.



Cambodian refugees under guard at Ta Phraya.

BANGKOK (UPI) — A representative of the United Nations High Commissioner for Refugees (UNHCR) said the total number of refugees registered in Thai camps reached 116,534 by the end of September, up more than 1,000 over the previous month.

by Paul Wedel

The UNHCR official said that "last month was one of our better months. About 2,000 refugees left for resettlement in third countries, but more than 3,100 new refugees were registered."

A brutal regime in communist Cambodia and uncompromising socialist transformation in Vietnam have added to the flow. But most of Thailand's refugees come from tiny neighboring Laos.

More than 98,000 Laotian refugees are living in Thai refugee camps and thousands more are believed to be living illegally outside the camps in the Thai countryside. Some of the Laotian refugees are hill tribesmen fleeing a military suppression campaign launched against them by well-armed Laotian and Vietnamese troops.

But the leader of a group of 200 Meo rebels that recently crossed into Thailand told reporters resistance in many areas has been crushed by Vietnamese planes and artillery.

Tens of thousands of Meos are still fighting in Laos, he said, but many will escape to Thailand when further resistance becomes impossible.

The majority of the refugees however, are lowland Laos, who flee from a combination of distaste for the communist regime and disappointment over the failure of communist promises to maintain a decent standard of living.

With a drought last year and wides-

pread floods this year adding to serious food shortages, the flow of refugees has steadily increased. Refugee resettlement programs at the French, Australian and United States embassies have ironed out some of the bureaucratic bugs that have plagued them over the past three years and movement abroad, especially for Vietnamese boat people, is fairly quick.

The 15,011 Cambodians registered in the camps, many stuck there for over three years, are looking for speedier action once a proposed U.S. quota of 7,000 Cambodians per year is approved by President Carter. Embassy refugee officials say no official word on the program has

come through so far and no preparations for the increase have been made.

Canada recently announced a new program aimed at the neglected Cambodians, but the numbers were limited to 20 families per month. Some Western countries and the UNHCR have been urging Thailand to resettle some of the refugees in Thailand permanently. But the Thai government, with a large, land-poor population of native Thais in the countryside, is extremely wary of the political consequences of aiding and resettling Laotians, Cambodians and Vietnamese while its own people go unassisted.

The tough Meo hill tribesmen, many of whom fought in the CIA-supported army of General Vang Pao, have used their rugged mountain defenses to fight off communist government domination for three years since the Pathet Lao took over Vientiane.

[end]

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WASHINGTON, D.C. POST
SUNDAY, NOV. 19, 1978

'Boat People'

THE TURBULENCE created by a generation of war in Indochina continues to spin off refugees: Cambodians fleeing to Vietnam and Thailand, Laotians to Thailand, ethnic-Chinese Vietnamese to China and to the open sea. These last "boat people" have numbered in the tens of thousands since 1975, in an overall total of more than half a million. Their travails—dying at sea in sinking boats, abandonment by passing ships, denial of entry by some Asian countries—have been heartbreaking. Currently one particular cargo of Vietnamese is lying off Malaysia. This involves something quite new: Most boat people have fled surreptitiously in small boats, but the 2,500 passengers on the Hai Hong, a chartered ocean-going vessel, are ethnic Chinese who evidently bought their way out with the connivance of Hanoi—and to its profit. A number of vessels similar to the Hai Hong are said to be loading off Vietnam right now.

As it is, the concern generated for the Hai Hong has broken a logjam in Washington. Even before this incident, the Indochina flow was outrunning the 25,000 refugee places the United States had allotted this year—on top of the 175,000 refugees admitted since 1975. With a smoother system, American officials could have adjusted to this year's unexpected circumstances. But they didn't. They are adjusting now: Malaysia is being assured that, if it adds the Hai Hong 2,500 to the 35,000 other boat people it already has ashore, it will not have to keep them, and places

are being made for additional refugees in the United States.

The need remains for Congress, in particular Rep. Joshua Eilberg (D-Pa.), chairman of the key subcommittee, to improve the system by granting the executive branch more refugee discretion, within agreed limits. Refugees should not be left suspended in misery at one point or another around the world while Americans fumble with the paperwork.

The international community can do more to even out the burdens of caring for Indochina refugees. Part of that effort should be to try to stanch the flow. No doubt it is difficult for any nation to wrestle with the aftermath of prolonged war, but that is no excuse for the way the three Indochina regimes have made life literally intolerable for hundreds of thousands of their citizens. A refugee flow of this sort should be recognized and condemned internationally as a mark of gross political failure.

At the same time, we see a certain risk in the Carter administration's new public criticism of the method—in effect, selling exit permits—by which Hanoi is dumping the latest boat people. The method is cynical, and perhaps the criticism of it will help end it. But in Vietnam, as elsewhere, it has given hope to some desperate people. Vietnam should be faulted for destroying the lives of its people, not for one particular way in which a few of them are gaining at least the chance of a new life.

Keeping Faith With the Boat People

The Carter Administration's offer to take an additional 2,500 Indochina "boat people" out of Malaysian transit camps should persuade Kuala Lumpur to grant safe haven to the 2,500 aboard the freighter Hai Hong. But this latest crisis dramatizes a new Vietnam refugee problem, far larger than any since the American departure from Saigon.

The source of the problem, ironically, is that Vietnam is now permitting some of its oppressed residents to leave. It may even be organizing their departure — in return for ransom payments of about \$2,000 a head, in the style of Hitler Germany and, more recently, the East German Communist regime. The State Department has rightly declared this "reprehensible," but who would prefer to see this escape hatch shut?

Last spring, the United States appeared to have solved the chief problem. The American decision to admit 25,000 more refugees by next April, half of them Vietnamese coming by sea, seemed to take the pressure off Malaysia, Thailand, Singapore and other Asian countries and permit them to provide temporary safe havens. But at that time 1,500 refugees aboard small boats were trickling monthly into other Southeast Asian countries; now 2,500 have arrived on one ship. The number of boat people rose to 5,000 in May, almost 7,000 in September, 10,500 in October. Judging by November arrivals, a rate of 20,000 a month now appears possible.

The number of boat refugees in Malaysian camps

has jumped from 20,000 to 35,000 in six weeks. The fear of being saddled with such a permanent burden is what caused Kuala Lumpur to turn away the Hai Hong unfortunates, most of them ethnic Chinese from Saigon. (Indonesia and Singapore had already refused to let them land.) Meanwhile, Laotians are fleeing by land into Thailand at an increased rate of 3,000 a month; Cambodians are fleeing into South Vietnam, and Hanoi has asked the United Nations for assistance in providing for the 150,000 to 300,000 already there. The last Congress, on Senator Kennedy's urging, voted \$1.5 million to aid Cambodian refugees, including those in Vietnam. The complexities mount.

Attorney General Bell has been reluctant to use his emergency powers of admission for the newest 2,500 boat people. His proposal for new legislation is still tied up in various agencies; it could not be passed before late next year. An American commitment to admit substantial numbers of Indochinese refugees — perhaps 75,000 to 100,000 a year over three or four years — may be the minimum needed to get other governments to do their share, following the example of France and Canada.

The entire subject has yet to be thought through. But two things seem clear. American responsibility for Indochina's refugees cannot be evaded. And a further commitment by the United States to admit 30,000 to 50,000 more boat people in the coming months is needed urgently. If Mr. Bell is unwilling to shoulder that responsibility, President Carter must do it for him.

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WILLIAM J. CASEY
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CITIZENS COMMISSION ON INDOCHINESE REFUGEES

CARE OF INTERNATIONAL RESCUE COMMITTEE, INC.

386 PARK AVENUE SOUTH • NEW YORK, NEW YORK 10016

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

MEMORANDUM

November 21, 1978

TO: Commission Members

FROM: Steve Young, Assistant Dean *SBey*

Recently, two Cambodian refugees drove a long way to see me and ask that I bring to the attention of our government some of their concerns for the adjustment of the very poor and largely rural Cambodian refugees who will be coming here from the camps in Thailand (sometime). Their concerns are so valid and the recommendations which we discussed to deal with them so sensible that I would like to present them to you in the hopes that, if you agree, they can become the recommendations of this Commission which Leo with his usual skill and finesse can then attempt to have the U. S. government adopt as its policy.

The underlying concern of the two Cambodians who came to see me is that uneducated rural Cambodians will not be well served by a parole process which brings them over one by one to sponsor families scattered all over this country. Cambodians will need group resettlement near centers of Cambodian culture (now largely extinct in Democratic Kampuchea) and they will need more training in english and employment skills than has been provided for the Vietnamese refugees.

Our recommendations are as follows:

1. The White House should establish an advisory committee of five Cambodians and five Americans familiar either with Cambodia or with a Buddhist culture (Thailand's) to assist the government in planning the relocation of the Cambodian survivors here.
2. English classes should now be organized in the refugee camps in Thailand. This would give hope to refugees, use available time well and relieve their anxieties (and that of the Thai government) on the American commitment to resettlement.
3. Four or five states should be identified for group resettlement of refugees. Each resettlement area should have programs to support Cambodian music, culture and religion.

4. A camp should be re-opened here to bring over groups of refugees - 1000 at a time - and orient them to things like toilets, traffic lights, buses, driver's licenses, etc., including American eating, shopping and cooking habits. This will make their initial adjustment easier.

To simplify matters, if you like all or some of these recommendations could you please quickly so write or call Leo. Hopefully, you will agree with their general thrust. Modifications can be worked out by the appropriate officials as the program is formulated in the future.



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CITIZENS COMMISSION ON INDOCHINESE REFUGEES

CARE OF INTERNATIONAL RESCUE COMMITTEE, INC.

386 PARK AVENUE SOUTH • NEW YORK, NEW YORK 10016

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November 27, 1978

Rabbi Marc H. Tanenbaum
American Jewish Committee
165 East 56 Street
New York, New York 10022

Dear Rabbi Tanenbaum,

The following is the itinerary for your trip to Southeast Asia. Neal Ball, coming from Chicago and I coming from San Francisco will meet you either at the Hong Kong airport or at the Hilton the night of Saturday Dec. 2nd. We will then travel together for the rest of the way.

Friday, Dec. 1 - New York (JFK) - Tokyo - HongKong
Pan Am 801
depart 11:00am

Saturday, Dec. 2 - Arrive Tokyo - 2:45pm
Connect with Pan Am 1
depart 6:00pm - arrive Hong Kong 9:40pm
Hong Kong Hilton

Note: Ball and DeVecchi arrive on Pam An 5 at 9:10pm)

Sunday, Dec. 3 - Hong Kong - Kuala Lumpur
Malaysia Airlines 11
depart 4:15pm, arrive Malaysia 7:20pm
Kuala Lumpur Hilton

Monday, Dec. 4 - Malaysia--Visit Trengganu and Pulau Bidon boat camps - monsoon, local hostility
overnight-Pulau Bidong

Tuesday, Dec. 5 - Malaysia--Visit Kuantan boat camp, return Kuala Lumpur. Dinner U.S. Embassy. Kuala Lumpur Hilton
Joe Gettier/Kevin Lind
U.S. Embassy JVAR

Wednesday, Dec. 6 - Malaysia--Depart Kuala Lumpur Thai International 408 at 7:15am.
Arrive Bangkok, Thailand 9:40am
Meetings (informal) with U.S. Embassy staff.
Dusit Thani Hotel

Thursday, Dec. 7 - Thailand--morning flight Bangkok to Udorn, visit Nongkhai refugee camp.
overnight in Udorn.

November 27, 1978

Friday, Dec. 8 - Thailand - morning flight Udorn to Bangkok. Car from Bangkok to Aranyaprathet refugee camp, overnight in Aranyaprathet

Saturday, Dec. 9 -Thailand--return to Bangkok via Sikhieu refugee camp, dinner, American Ambassador. Oriental Hotel

Sunday, Dec. 10- Thailand--depart Bangkok 11:15am. Cathay Pacific 740
Hong Kong--arrive 2:50pm
Hilton Hotel

Monday, Dec. 11- Depart Hong Kong 1:00pm - Pan Am 2 - arrive Tokyo 5:30pm
Depart Tokyo 6:45pm - Pan Am 800 - arrive New York 5:15pm

Please note that your ticket does not reflect a change in date and flight for the Kuala Lumpur-Bangkok portion of the trip. This change, necessitated by events in Malaysia, has been confirmed. We will have our tickets amended to reflect this in Hong Kong or Kuala Lumpur.

I look forward greatly to traveling with you on this important mission.

Yours sincerely,

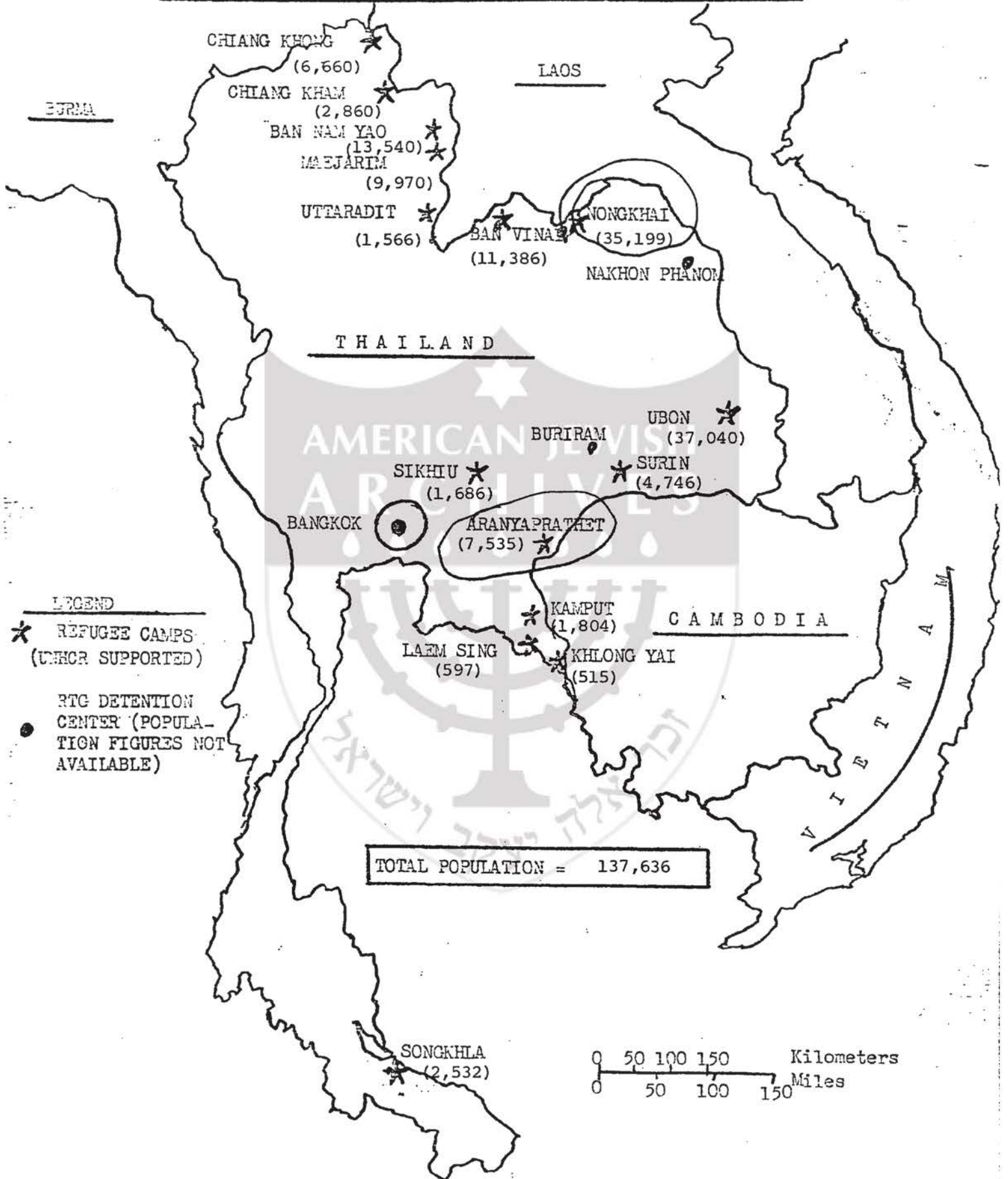


Robert P. DeVecchi

RPD:er



INDOCHINESE REFUGEE CAMPS IN THAILAND



UNHCR CAMP POPULATION FIGURES AS OF 1 DECEMBER 1978

all KASTON

Making It in America— Story of the Vietnamese

They came as refugees to an alien society in 1975. And already many are prospering. Now the United States is opening the door to more.

Thousands of South Vietnamese, forced to flee their country in advance of the Communist takeover three years ago, have made a remarkably smooth transition to American life—smoother, in fact, than that made by many European immigrants who poured into the U.S. early in the century.

The results of a comprehensive survey, just published by the University of Maryland, belie widespread American fears that the 166,000 Indo-Chinese granted asylum in the U.S. would face painful, perhaps insuperable, problems of adjustment. The survey shows that—

- Almost all of the refugees who wanted to work have found jobs. Unemployment, about 5.9 percent last year, stood below the national average of 7 percent for 1977.

- Incomes of refugee households, while still modest, are rising rapidly. More than half of the households were earning more than \$9,600 a year in 1977, compared with the median household income of \$13,572 for the U.S. population as a whole. In 1975, 42 percent of the refugee households had annual incomes of less than \$2,400.

- Language ability has steadily improved, enabling Vietnamese to obtain higher-paying jobs.

- Government assistance to refugees has declined. The percentage receiving some kind of assistance, in the form of food stamps, medical aid, cash assistance or welfare, dropped from 39.6 percent in 1975 to 32 percent in 1977.

The conclusion of Darrel Montero, author of the University of Maryland study: "The findings indicate that, in general, the refugees are making substantial progress socioeconomically, and they are moving steadily toward self-sufficiency."

Plight of "boat people." The Vietnamese success story coincides with a move by the U.S. to admit additional "boat people," Indo-Chinese refugees who still are fleeing by the thousands in everything from rowboats to ocean-faring freighters. Their plight was dramatized in mid-November by Malaysia's refusal to accept 2,500 stranded in coastal waters aboard the freighter *Hai*

Hong. The U.S. on November 17 joined France and Canada in an offer to resettle these refugees as part of the quota of 25,000 that this country has agreed to admit during the year ending April 30. The administration may ask Congress to raise this quota.

As for the 166,000 Indo-China refugees already in this country, 88 percent of them Vietnamese, two reasons are cited for their quick adjustment to American society: massive U.S. help, plus the special background and connections of those who were able to escape before the collapse of the Saigon regime.

Taxpayers in the U.S. have spent at least 569 million dollars since May, 1975, to cover costs of the refugee-assistance program, from evacuation through resettlement. The emergency Indo-China Migration and Refugee Assistance Act of 1975 provided 100 percent federal reimbursement to states for all refugee assistance. In addition, a number of federally financed language and vocational-education programs have provided special assistance for 10,300 refugees. Individual Americans or families sponsored 7 out of 10 refugees in the first stage of the transition to U.S. life, and U.S. families adopted hundreds of orphans.

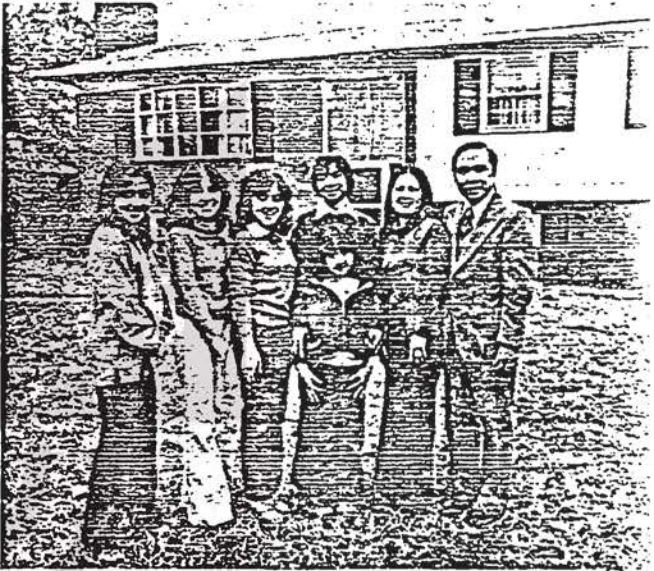
Middle-class immigrants. The real key to the success of the Vietnamese in America, however, has been their unique background. Unlike millions of earlier immigrants who fled European poverty to find a new life, the Vietnamese refugees, for the most part, were members of the middle class. Many already were Americanized before they arrived in this country.

Almost half are Roman Catholics, and thousands had fled North Vietnam in 1954 when the nation was divided. Two thirds of the Vietnamese came from urban areas, where they had been exposed to French-colonial and, later on, American influence.

Eighty percent of the refugees were younger than 35. Almost half of the heads of households had secondary-school educations, and 23 percent held



Ex-Col. Viet Mai Ha works as mechanic's helper. He is training for bigger things.



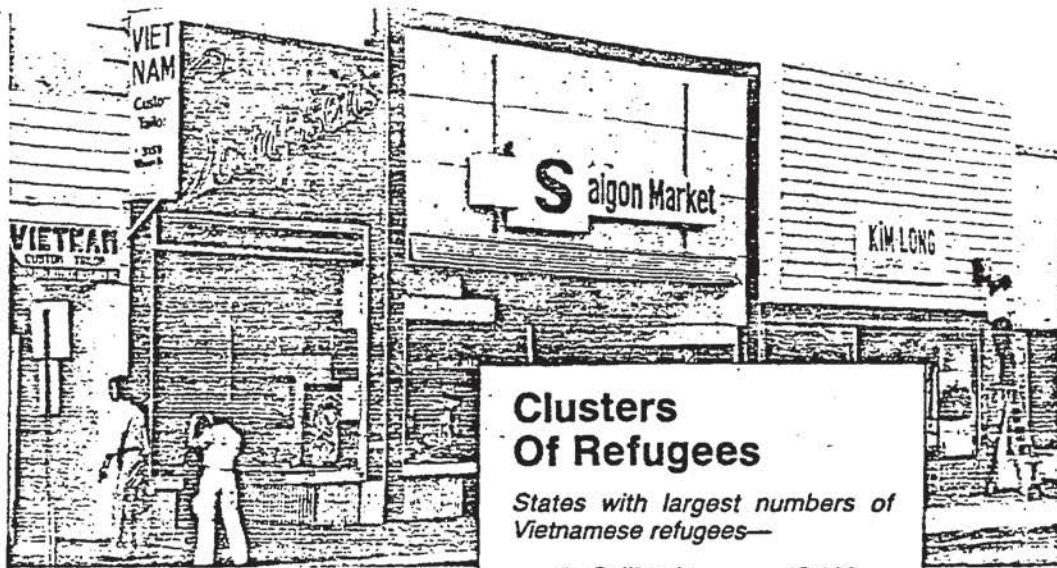
Le Khac Than, a success as an insurance salesman, is proud owner of family home in Falls Church, Va.

university degrees. Fifty-eight percent had "average" fluency in English. Approximately 28 percent of the heads of households were white-collar workers in Vietnam, 7 percent professionals.

The refugee success story, however, is not without examples of setbacks or hardships. Ironically, the policy of the U.S. government to disperse new arrivals to all 50 states was the biggest handicap to smooth adjustment.

Scattering the Vietnamese was seen by U.S. policymakers in 1975 as the best way to avoid American hostility when unemployment stood at 8.9 percent and many U.S. citizens balked at bankrolling victims of a war they wanted to forget. But it broke up extended Vietnamese families and community groups, robbing many displaced refugees of the comfort of kinship.

Some American government officials now voice second thoughts about initial federal policy, although most agree that the benefits far outweighed the problems. "The only bad thing that we did was to stick some of the Vietnamese out in rural areas as single families," observes Edward Sponga, asso-



Clusters Of Refugees

States with largest numbers of Vietnamese refugees—

| | |
|-----------------|--------|
| 1. California | 45,108 |
| 2. Texas | 15,416 |
| 3. Pennsylvania | 7,374 |
| 4. Louisiana | 7,141 |
| 5. Virginia | 6,718 |
| 6. Washington | 5,909 |
| 7. Florida | 5,515 |
| 8. Illinois | 4,982 |
| 9. New York | 4,576 |
| 10. Oregon | 3,941 |
| 11. Minnesota | 3,891 |
| 12. Oklahoma | 3,441 |
| 13. Colorado | 3,316 |
| 14. Iowa | 2,992 |
| 15. Missouri | 2,947 |
| 16. Ohio | 2,903 |
| 17. Maryland | 2,853 |
| 18. Michigan | 2,822 |
| 19. Wisconsin | 2,583 |
| 20. Hawaii | 2,517 |

Source: U.S. Dept. of Health, Education and Welfare

ciate director of the refugee-assistance program. "That was murder for them."

Now that the first phase of resettlement is complete, with about 95 percent of the Vietnamese working and 81 percent renting homes, refugees are trying to re-establish those broken ties by migrating to ethnic enclaves in major cities and to states where climates resemble home.

The result: More than one third of all Indo-Chinese in the U.S. now live in California and Texas, although government policy has spread refugees from Alaska, with 225, to Vermont, with 52. Enclaves are being formed in New York, Dallas, New Orleans, Los Angeles and a dozen other cities.

Job opportunities and the availability of welfare also contribute to the migration. Refugees are moving to the sun belt to find jobs, says Nguyen Be of the Indo-Chinese Mutual Association. Jeanne MacDaniels of the International Rescue Committee sees large numbers of refugees moving to California, because it is easier to get welfare there. "They hear rumors, so they pack up and go," says the IRC official.

Psychological adjustments. Anxiety about relatives left behind is another problem. Uncensored mail from home details food shortages and life under Communism. Some of the refugees suffer from chronic depression, for which conventional Western psychological treatment was found "sometimes wholly ineffective, because of language and cultural factors," a Senate subcommittee reported in March.

Culture shock jolted other Vietnamese refugees, with ignorance of U.S. customs often leading to legal difficulties. "Shoplifting is the biggest problem, because they are not used to our shopping centers," remarks Tina Herlinger, director of the American Bar Association's toll-free telephone-referral service for Indo-Chinese refugees. "When the Vietnamese leave one store in a shopping center, they think they are still in the complex and don't have

to pay until they have completed their shopping."

Poverty creates problems, too, particularly for those who left middle-class lives behind to accept lower-paying and lower-status jobs in America.

Viet Mai Ha, for instance, was the leader of almost 200,000 people and commander of 10,000 troops as district administrator for a county-size area of South Vietnam. Today, however, the 45-year-old career military man works as a mechanic's helper to support his wife and five children near Houston.

"Life here is very hard," says Ha, who rises at 5 a.m. at his small house in Sugar Land, Tex., to get to his job, and then ends each workday with 5 hours of training to become a draftsman.

"Before, I used my mind. Now I use my hands. It's very simple."

The University of Maryland study found that only 19.5 percent of the Vietnamese refugees, shortly after their arrival in the U.S., held jobs at levels comparable to those they had in Vietnam. Only 1 in 6 professional men held a professional-level job after more than two years in the U.S.

Programs were inaugurated to en-

able Vietnamese dentists and physicians to qualify for licenses in the U.S., but Vietnamese lawyers and judges had to complete studies at American law schools before resuming legal practice.

To compensate for the lower-paying jobs, thousands of refugee families have sent the women to work, abandoning the stay-at-home tradition of the homeland. This boosts family income, but often shifts the power balance

in the household, triggering marital disputes and divorce.

The American dream. Having two breadwinners worked out for the family of Le Khac Than of Falls Church, Va. The wife of the former Saigon government telecommunications specialist worked for 2½ years in a discount store to help the family. Those days are over, thanks to the impressive success achieved by Than in his own career.

Than earned about \$30,000 last year selling 2.6-million-dollars worth of insurance, and he recently sold investment property to finance a jewelry boutique for his wife. The family—with initial help from American contacts made in Saigon—fulfilled the American dream in barely three years, owning a home, having a son in college and two cars in the garage.

"We have not had any great problems getting along with people," says the 41-year-old Than, who still harbors dreams of returning to Vietnam. "People our age—we're always thinking about the homeland. But for the children, I think no, their lives are here."

For the future, some observers see a slowdown in the initial period of rapid assimilation, chiefly because the most adaptable refugees already have made the transition to U.S. society. Across-the-board government assistance ends in the fall of 1979, with new refugees to receive assistance on an individual basis for three years.

Formation of urban ethnic enclaves, like those that nurtured earlier immigrants, may further slow Vietnamese progress. But Montero, who has conducted one of the most extensive studies of assimilation to date, forecasts that many of the refugees will only stop briefly at the enclaves.

Says the sociologist: "It appears likely that an increased familiarity with the English language and an expanding job market might be the final keys to rapid advance and ultimately total and complete assimilation of the Vietnamese in America." □

ALTON KASTNER

11/20/78

Dear Max,

Please call
if I can help
in any way.

Am looking forward
to seeing you in
Hong Kong.

Respectfully,

al

NEWS COMMITTEE

FROM THE

THE AMERICAN JEWISH COMMITTEE Institute of Human Relations, 165 E. 56 St., New York, N.Y. 10022, (212) 751-4000

The American Jewish Committee, founded in 1906, is the pioneer human-relations agency in the United States. It protects the civil and religious rights of Jews here and abroad, and advances the cause of improved human relations for all people.

MORTON YARMON, Director of Public Relations

ALERT TO EDITORS

YOUR COVERAGE INVITED

WHAT: Three Americans will make a 10-day trip to Southeast Asia to investigate conditions of Vietnamese "boat people" and Cambodian and Laotian refugees in camps in Malaysia and Thailand, where more than 100,000 Indochinese refugees have sought sanctuary from the Communist takeover of their countries. The 3-man delegation will also meet with U.S. Ambassadors and Embassy staffs in Kuala Lumpur, Malaysia, and Bangkok, Thailand, and with Malaysian and Thai government leaders.

WHO: Rabbi Marc H. Tanenbaum, National Director of Interreligious Affairs, American Jewish Committee;

Neal Ball, Vice President, American Hospital Supply Corp., Chicago, Ill.;

Robert P. DeVecchi, Director, Indochina Program, International Rescue Committee.

They are part of the Citizens Commission on Indochinese Refugees, and will precede other members of the Commission who will also participate in the fact-finding trip. (See "Additional Information" below.)

WHEN: The three men will leave the U.S. on Friday, Dec. 1, and will return Tuesday, Dec. 12.

Rabbi Tanenbaum will leave New York on Friday, Dec. 1, 11 a.m., on Pan Am flight #801.

Mr. Ball will leave Chicago on Friday, Dec. 1, 9:40 a.m., on TWA flight #135.

Mr. DeVecchi will leave San Francisco on Friday, Dec. 1, 2:30 p.m., on Pan Am flight #5.

The group will assemble at the Hong Kong Hilton on Saturday night, Dec. 2, and proceed together from then on.

WHERE: See page #2 for daily schedule.

ADDITIONAL INFORMATION: The Citizens Commission on Indochinese Refugees is an independent committee of citizens formed with the assistance of the International Rescue Committee for study of the problems and policies affecting the refugees from Cambodia, Laos and Vietnam. The findings of that Commission -- which includes the novelist James Michener, civil rights leader Bayard Rustin, former Undersecretary of State for Economic Affairs William Casey, and Ambassador Cecil Lyons among others -- were instrumental in the adoption by the U.S. Government earlier this year of policies concerning Indochinese refugees. As a result of these policies, some 25,000 Vietnamese and 15,000 Cambodians have been granted the right of asylum in the United States. Dr. Leo Cherne, Chairman of the International Rescue Committee, and Mr. Casey are the co-chairmen of the Citizens Commission on Indochinese Refugees.

- more -

Richard Maass, President; Maynard I. Wishner, Chairman, Board of Governors; Morton K. Blaustein, Chairman, National Executive Council; Howard I. Friedman, Chairman, Board of Trustees
Bertram H. Gold, Executive Vice President

Washington Office, 818 18th St., N.W., Washington, D.C. 20006 • Europe hq.: 41 rue Paul Doumer, 75016, Paris, France • Israel hq.: 9 Ethiopia St., Jerusalem, 95149, Israel
Mexico-Central America hq.: Av. E. National 533, Mexico 5, D.F.

Concerning the involvement of the American Jewish Committee in this project, Rabbi Tanenbaum has stated: "Jews must feel a very special empathy for the Vietnamese 'boat people' because their desperate plight recalls the tragedy of Jewish refugees from the Nazi Holocaust whose ships, the St. Louis and the Exodus, were denied haven by the free world. It is of the utmost importance that the tragic indifference to their plight in 1939 should not be repeated."

Rabbi Tanenbaum was a member of a fact-finding International Rescue Committee mission to Thailand, the Phillipines, Singapore and Malaysia last February. He was denied admission to Malaysia as a result of protests from right-wing Moslem groups. The Government of Malaysia has informed the U.S. State Department that they welcome Rabbi Tanenbaum on this present mission, and that they regret the denial of entry to him in Malaysia last February.

DAILY SCHEDULE

- Sunday, Dec. 3 - Hong Kong - Kuala Lumpur
Malaysia Airlines 11
depart 4:15 p.m., arrive Malaysia 7:20 p.m.
Kuala Lumpur Hilton
- Monday, Dec. 4 - Malaysia--Visit Trengganu and Pulau Bidon boat camps
overnight-Pulau Bidong
- Tuesday,
Dec. 5 - Malaysia--Visit Kuantan boat camp, return Kuala Lumpur.
Dinner U.S. Embassy. Kuala Lumpur Hilton
- Wednesday,
Dec. 6 - Malaysia--Depart Kuala Lumpur Thai International 408 at 7:15 a.m.
Arrive Bangkok, Thailand 9:40 a.m.
Meetings (informal) with U.S. Embassy staff.
Dusit Thani Hotel
- Thursday,
Dec. 7 - Thailand--morning flight Bangkok to Udorn, visit Nongkhai refugee camp.
overnight in Udorn.
- Friday, Dec. 8 - Thailand - morning flight Udorn to Bangkok. Car from Bangkok to
Aranyaprathet refugee camp, overnight in Aranyaprathet
- Saturday,
Dec. 9 - Thailand--return to Bangkok via Sikhieu refugee camp, dinner, American
Ambassador. Oriental Hotel
- Sunday,
Dec. 10 - Thailand--depart Bangkok 11:15 a.m. Cathay Pacific 740
Hong Kong--arrive 2:50 p.m.
Hilton Hotel
- Monday,
Dec. 11 - Depart Hong Kong 1:00 p.m. - Pan Am 2 - arrive Tokyo 5:30 p.m.
Depart Tokyo 6:45 p.m. - Pan Am 800 - arrive New York 5:15 p.m.

11/29/78
78-960-164

SUMMARY OF REFUGEE SITUATION IN THAILAND
30 NOVEMBER 1978

REFUGEE POPULATION (1975 - 1978)

| | ARRIVALS | DEPARTURES | RESIDUAL POPULATION | % INCREASE OVER PAST YEAR |
|--------------|----------------|---------------|---------------------|---------------------------|
| 1975 | 77,241 | 12,755 | 64,486 | - |
| 1976 | 35,558 | 24,178 | 75,866 | 18% |
| 1977 | 35,750 | 14,021 | 97,595 | 29% |
| 1978 TO DATE | 63,833 | 23,792 | 137,636 | 45%* |
| TOTAL | 212,382 | 74,746 | 137,636 | |

CURRENT REFUGEE POPULATION

| | LAND | BOAT | TOTAL | % OF TOTAL |
|--------------|----------------|--------------|----------------|-------------|
| LAO | 118,085 | 0 | 118,085 | 86% |
| KHMER | 14,628 | 202 | 14,830 | 11% |
| VIET | 1,794 | 2,927 | 4,721 | 3% |
| TOTAL | 134,507 | 3,129 | 137,636 | 100% |

CUMULATIVE DEPARTURES (1975-1978)

| | | CURRENT RATE OF GROWTH |
|---------------|---------------|---------------------------------------|
| UNITED STATES | 34,792 | AVERAGE MONTHLY ARRIVALS 4300 |
| FRANCE | 30,843 | AVERAGE MONTHLY POP. INCREASE 5700*** |
| AUSTRALIA | 4,890 | AVERAGE MONTHLY DEPARTURES 2100 |
| OTHERS | 4,221 | NET MONTHLY INCREASE 3600 |
| TOTAL | 74,746 | |

U.S. REFUGEE PROGRAMS IN THAILAND (AS OF 30 NOVEMBER 1978)

| | CEILING | APPROVED | DEPARTED | REMAINING ALLOCATION |
|--|-----------------|---------------|---------------|----------------------|
| 1975 LAO PROGRAM | 3,466 | 3,412 | 3,412 | 54 |
| 1976 EXPANDED PAROLE PROGRAM | 10,050 | 10,050 | 10,050 | 0 |
| 1975-1978 VIETNAMESE/CAMBODIAN PAROLE, CONDITIONAL ENTRY, HUMANITARIAN PAROLE, AND IMMIGRANT VISAS | INDEFINITE | 7,740 | 7,730 | INDEFINITE |
| 1977-INDOCHINESE PAROLE PROGRAM | | | | |
| LAND | 8,000 | 8,000 | 7,111 | 0 |
| BOAT | 2,306 | 2,306 | 2,284 | 0 |
| 1978-INDOCHINESE PAROLE PROGRAM | | | | |
| BOAT | 1,648 | 1,648 | 1,535 | 0 |
| 1978-LONG RANGE PAROLE PROGRAM | | | | |
| LAND | 12,500 | 7,878 | 2,207 | 4,622 |
| BOAT | INDEFINITE | 918 | 465 | 1,582 |
| TOTAL | 48,197** | 41,952 | 34,794 | 6,258 |

* PROJECTED (THROUGH 31 DECEMBER 1978)

** INCLUDES SPECIAL PROGRAM APPROVALS

*** INCLUDES ACTUAL ARRIVALS PLUS PREVIOUS ARRIVALS WHO LIVED IN THAILAND FOR A TIME BEFORE REGISTERING IN A REFUGEE CAMP

THE US REFUGEE PROGRAM IN THAILAND

30 SEPTEMBER 1978

INTRODUCTION

Over three years have now elapsed since the change of regimes in Indochina in the spring of 1975. Since that time, the United States has inaugurated a number of programs for the resettlement of Indochinese refugees. As of the end of September 1978, the United States had resettled approximately 170,000 of them, over 31,714 of whom had first sought asylum in Thailand. The following information covers those programs specifically concerned with Thailand. It also deals with other country acceptances, the Thai refugee dilemma, United States selection criteria, and out-processing of refugees.

1975 and 1976

During 1975, several thousand Indochinese refugees received parole in Thailand and left for the United States. In the spring of 1976, the Attorney General authorized the Expanded Parole Program for Indochinese refugees. That program covered 11,000 of them, about 10,000 of whom came from temporary asylum in Thailand.

Indochinese Parole Program (IPP) - 77 and 78

The US Attorney General authorized the Indochinese Parole Program (IPP)-1977 on 11 August 1977 and IPP-78 on 25 January 1978. IPP-77 provided for the admission of 15,000 Indochinese refugees into the United States; and IPP-78, 7000. Under IPP-77, 8000 refugees were selected from 13 inland camps in Thailand, and 7000 others from among refugees who reached the East Asian littoral via the high seas. Both allocations have been exhausted. Of the 7000 spaces for boat refugees, Immigration and Naturalization Service (INS) officers approved 2306 from camps in Thailand. Under IPP-78, designed only for boat refugees, INS officers approved 1648 from Thailand.

Long Range Parole (LRP)

The Attorney General authorized a Long Range Parole (LRP) for 25,000 Indochinese refugees on 14 June 1978. The parole will extend thru 30 April 1979. The Attorney General hopes that legislation governing the regular intake of Indochinese refugees will next year be able to replace the continuing exercise of the parole authority. The Administration is committed to accepting 25,000 Indochinese refugees per year over the next few years, whether by parole or through legislation. Under LRP, the U.S. will accept 12,500 refugees from inland Thai camps, and at least 2500 from boat camps in Thailand. After the allocation of an initial 5000 spaces to land refugees who arrived in the camps before 11 August 1977, we will be processing both land and boat refugees at fixed monthly rates. This approach should promote greater evenness than has characterized our previous programs.

Other US Programs

There are four other current programs which accept modest numbers of Indochinese refugees from Thailand for the United States. They are conditional entry, humanitarian parole, a special Lao program, and immigrant visas. Since the inauguration of IPP-77, 744 refugees had left Thailand for the United States under these programs.

Resettlement Elsewhere Abroad

Other countries, particularly France, Canada, and Australia, have also resettled significant numbers of Indochinese refugees. The majority of these refugees sought temporary asylum in Thailand, but several thousand first fled to other Asian countries, and have since gone on to resettlement elsewhere abroad. The significant French program continues at the acceptance pace of approximately 1000 refugees a month, the majority from Thailand, that it has maintained since May 1975. France had taken 29,780 refugees from Thailand as of 30 September 1978.

Australia initiated a program in September 1977 destined to take in approximately 1800 refugees, principally from Thailand, within one year's time. By December Australia completed rush program for an additional 1087 refugees from camps in Malaysia. Australia then announced a quota of 2000 more Indochinese refugees to be accepted principally from Malaysia and Thailand by June 1978, and a further one of 9000 from July 1978 through June 1979. As of 30 September 1978, Australia had accepted 4,521 refugees from Thailand.

Canada in mid-1977 announced a program of accepting 450 Indochinese refugees, and initiated a further program in 1978 for boat refugees. Canadian interview teams have increased the frequency of their visits to refugee camps during 1978, and by 30 September 1978, had accepted 743 refugees from Thailand.

Between September and November of 1977, New Zealand accepted some 420 refugees, and Denmark 52. The Federal Republic of Germany has established a quota for 200 refugees, Belgium 150, and the Netherlands 60. Great Britain has recently agreed to take 50 refugees from Hong Kong. Switzerland offers special programs for Indochinese, or other refugees, who have severe medical or mental problems. Switzerland has accepted 109 refugees from Thailand. Norway, like Switzerland, has set no quota, but it has been particularly generous in accepting refugees that Norwegian ships pick up on the high seas.

The Thai Refugee Dilemma

Because of its common border with Laos and Cambodia, and its relative proximity to Vietnam, Thailand has borne the major burden of Indochinese refugees in Asia. With certain exceptions in late 1977, the Royal Thai Government (RTG) has followed a liberal policy of granting temporary asylum to refugees. Using funds provided by the United Nations High Commissioner for Refugees (UNHCR), and its own resources, the RTG had earlier established 15 camps and two transit centers to accommodate refugees until they found resettlement opportunities elsewhere. Resettlement abroad has unfortunately not been able to keep pace with the influx of refugees into Thailand. 55,841 new refugees have entered UNHCR-supported camps in Thailand since 1 August 1977. There are now just over 116,534 Indochinese refugees in these camps. Thai detention centers and district jails, holding refugees not under UNHCR care, contain an estimated 1800 other refugees.

Local Settlement

The RTG has so far been unwilling to locally settle Indochinese refugees in country. The RTG believes not only that absorption of such a large number poses political, economic, and security problems for the Kingdom, but also that countries of traditional immigration should take in a greater share of refugees. The RTG has announced its willingness, however, to consider local settlement when the number of refugees in Thailand is significantly reduced through departures for resettlement abroad or repatriation to countries of origin. In September 1978 the RTG agreed, at UNHCR request to consider a pilot project to enhance refugee self sufficiency.

Program Criteria for Inland Camp Refugees

When the Attorney General authorized IPP-77, there were over 86,000 refugees located in inland camps throughout Thailand; when he authorized LRP, there were over 111,000. In view of the large number of applications for resettlement in the United States, and the availability of spaces for only a fraction of the refugee population, the US established criteria for refugee selection. These criteria are not based on a refugee's skills. Besides the requirement of continued presence in the camp since at least 11 August 1977 for IPP-77 and 14 June 1978 for LRP, those potentially eligible for selection included refugees (and their families) who: (1) had close relatives living in the United States; (2) were former employees of the United States Government in Indochina; or (3) were closely associated with US policies or programs because of their position in the former Indochinese governments or armed forces, because of having worked for American firms or organizations, or because of training in or by the US.

Program Criteria for Boat Refugees

Refugees selected from the inland camps must qualify under one of the foregoing criteria, with a special exception for humanitarian consideration--to avoid, for example, abandoning a distant relative in the camp when the principal applicant leaves for the United States. IPP-77, however, eventually encompassed all boat refugees who reached Asian shores regardless of whether they fit the category requirements. The only provisos were that the refugee not have a resettlement commitment from another country, and not be excludable from the United States under immigration law. IPP-78 had essentially the same liberal stipulations except the requirement for a one month delay from the date of the UNHCR biographic report before those refugees without close relatives in the United States could be considered for the U.S. program. LRP employs a category system for boat refugees similar to the one for inland refugees, but only to establish priority of movement. Category IV - humanitarian parole-encompasses all those boat refugees who do not fit in the other categories, and who are not inadmissible to the United States under immigration law, or who do not have resettlement offers from other countries.

U.S. Refugee Program Organization in Thailand

Several American agencies participate in the selection of refugees from Thailand for resettlement in the United States. The Embassy Refugee Section consists of over 60 persons. Over ten are US Government personnel, both American and Thai. The Americans come from the Department of State, and the Agency for International Development. There are also some 50 Americans and Thai working in this program under the direction of the Joint Voluntary Agency (JVA) representative in Bangkok. JVA is under contract to the Department of State. The Refugee Section also employs 7 to 8 refugees of Hmong, Khmer, Lao and Vietnamese ethnic origin who are waiting to go to the United States. They serve as interpreters and perform other duties related to their ethnic groups. As they depart for America, others take their places. Officers of the United States Immigration and Naturalization Service (INS) operate out of the Refugee Section during their temporary assignments to Thailand.

The Embassy Refugee Section has the responsibility of implementing the US refugee program in Thailand, and keeps Washington informed on its progress as well as of problems that develop. In carrying out US refugee policy, the Section coordinates with the Royal Thai Government, the local representatives of the United Nations High Commissioner for Refugees and the Intergovernmental Committee for European Migration, and officers of Bangkok embassies whose countries also have resettlement programs. The Section also briefs the press and other interested parties.

The JVA in Thailand is a private organization representing the American Council of Voluntary Agencies (ACVA). ACVA is the organization in New York which acts as a coordinating body for the voluntary agencies that find sponsorship in the United States for refugees. JVA teams visit camps to pre-screen refugees who express an interest in resettlement in the United States, and JVA maintains dossiers on potentially qualified refugees, forwards biographic information to ACVA on those refugees eventually approved for US resettlement, and assists in the outprocessing of refugees from Thailand.

Refugee officers, all of whom are language-qualified career officers from various executive branch departments and agencies, evaluate JVA pre-screening results for the particular ethnic group for which they are responsible. They check case files and interview refugees to ensure eligibility under the criteria, place written comments in case files, and make recommendations to INS officers. Because of the extremely high number of potentially eligible Category III refugees in inland camps versus spaces available for them, refugee officers assign a numerical score to each of the Category III principal applicants.

INS officers have sole legal authority to approve refugees for US resettlement. They ensure that refugees are selected according to the criteria, and in compliance with US immigration law.

INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION (ICEM)

After INS has approved a refugee and after the Embassy receives a verification of sponsorship for a refugee in the US, responsibility for outprocessing refugees shifts to ICEM. ICEM has a staff of 24 internationals and Thai working specifically with the US Refugee Program.

Selection-Process for Inland Camp Refugees

Selection of land refugees under IPP-77 was a complex procedure involving the following steps before a refugee could depart for the United States. (Selection of boat refugees is less involved, and in some rare cases, pre-screening, refugee officer review, and INS acceptance have all taken place in one day.)

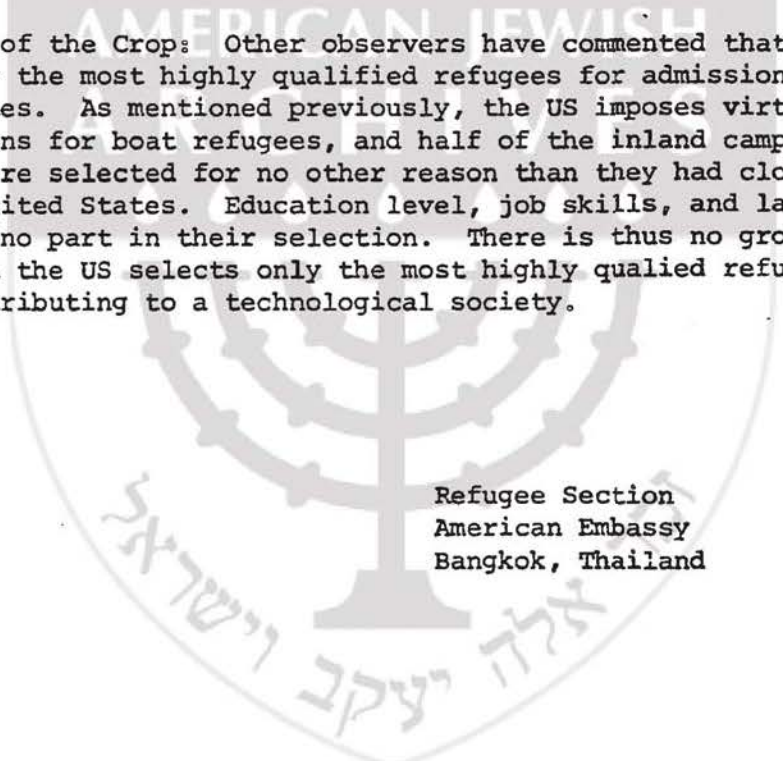
1. Interested refugees register with a JVA pre-screening team. JVA representatives indicate on the registration form whether the refugees appear to qualify under IPP-77 criteria, and under which category they fall.
2. The JVA team sends or brings registration forms to Bangkok where the JVA clerical staff opens dossiers on potential qualifiers. The staff prepares security clearance cables on all refugees, relative search and verification cables for Category I refugees, and employment verification cables for Category II refugees. The staff also files documents and correspondence and, when necessary, requests additional information from the refugee's relatives in the US or from former employers.
3. Refugee officers inspect dossiers to check the validity of documentation. The officers interview as many potentially qualified refugees as possible in order to determine whether they meet the qualifications for presentation to INS officers.
4. Refugee officers and JVA personnel accompany INS officers to the camps, where INS officers, during personal interviews, approve or disapprove refugees for entry into the United States.
5. JVA representatives send biographic information on all approved refugees to ACVA which then initiates the sponsorship search.
6. After ACVA confirms sponsorship, the Refugee Section contacts the Intergovernmental Committee for European Migration (ICEM), which asks the Bangkok Regional Office of the United Nations High Commissioner for Refugees to request the Thai Ministry of Interior to transfer sponsored refugees from the camps to Bangkok.
7. ICEM handles medical examinations for the refugees--sometimes in Bangkok and sometimes in the camps--and makes travel arrangements abroad.

8. After the refugees have received the required medical clearance, they depart for the US.

Criticisms of the Program

A. Slowness: As many have observed, selection of refugees for resettlement in the United States can be slow. It can take from two to six months or more from original registration with a JVA representative to arrival in the United States. The slowness is attributable to several factors: The scope, particularly of the inland camp programs, where justice demands that virtually all potentially eligible refugees be interviewed before INS approvals take place; medical examinations and clearance; a necessity to insure that refugees who are selected meet US legal requirements; and, because the refugee camps in the United States have been closed since December 1975, the time needed to find sponsors who will care for the refugees immediately upon their arrival in the United States.

B. Cream of the Crop: Other observers have commented that the US selects only the most highly qualified refugees for admission to the United States. As mentioned previously, the US imposes virtually no qualifications for boat refugees, and half of the inland camp refugees under IPP-77 were selected for no other reason than they had close relatives in the United States. Education level, job skills, and language ability played no part in their selection. There is thus no ground for contending that the US selects only the most highly qualified refugees capable of contributing to a technological society.



Refugee Section
American Embassy
Bangkok, Thailand

REFUGEE POPULATION IN THAILAND
AS OF 1 DECEMBER 1978

| PROVINCE | CAMP | POPULATION |
|-----------------------------------|----------------------|----------------|
| LAND CAMP POPULATION: | | |
| LOEI | BAN VINAI | 1,559 |
| NAKHON RACHASIMA | SIKHIU | 25 |
| NONGKHAI | NONGKHAI LAO | 24,297 |
| UBON RACHATHANI | UBON | 37,040 |
| TOTAL LAO | | 62,921 |
| CHIANG RAI | CHIANG KHONG | 6,660 |
| LOEI | BAN VINAI | 9,827 |
| NAN | BAN NAM YAO | 13,540 |
| NAN | SOB THUANG | 9,970 |
| NONGKHAI | NONGKHAI HMONG | 9,157 |
| PAYAO | CHIANG KHAM | 2,860 |
| UTTARADIT | FAK THA | 1,566 |
| TOTAL HMONG | | 53,580 |
| NAKHON RACHASIMA | SIKHIU | 1,633 |
| NONGKHAI | NONGKHAI | 161 |
| NONGKHAI | (THAI DAM/THAI NUNG) | 1,584 |
| TOTAL VIETNAMESE (EX-LAOS) | | 3,378 |
| CHANTHABURI | KAMPUT | 1,804 |
| NAKHON RACHASIMA | SIKHIU | 28 |
| PRACHINBURI | ARANYAPRATHET | 7,535 |
| SURIN | LAM PUK | 4,746 |
| TRAT | KHLONG YAI | 515 |
| TOTAL KHMER | | 14,628 |
| TOTAL LAND CAMP POPULATION | | 134,507 |
| BOAT CAMP POPULATION: | | |
| CHANTHABURI | LAEMSING | 597 |
| SONGKHLA | SONGKHLA | 2,532 |
| TOTAL BOAT POPULATION | | 3,129 |
| TOTAL REFUGEE POPULATION | | 137,636 |

SOURCE: UNHCR

LRP APPROVALS AS OF 1 DECEMBER 1978

| | I | II | III | IV | TOTAL |
|--------------------|----------------|---------------|------------------|---------------|------------------|
| BKK/LAO | 1/1 | 0/0 | 0/0 | 0/0 | 1/1 |
| C.KHAM/LAO | 0/0 | 0/0 | 1/1 | 0/0 | 1/1 |
| C.KHONG/LAO | 1/8 | 1/5 | 5/32 | 0/0 | 7/45 |
| LOEI/LAO | 2/5 | 2/8 | 8/28 | 0/0 | 12/41 |
| MAEJARIM/LAO | 0/0 | 0/0 | 1/7 | 0/0 | 1/7 |
| NAM YAO/LAO | 0/0 | 0/0 | 3/12 | 0/0 | 3/12 |
| N.KHAI/LAO | 108/380 | 28/115 | 361/1597 | 8/19 | 505/2111 |
| SIKHIU/LAO | 2/2 | 0/0 | 12/16 | 0/0 | 14/18 |
| UBON/LAO | 31/134 | 23/133 | 368/1511 | 9/39 | 431/1817 |
| UTTARADIT/LAO | 0/0 | 0/0 | 1/3 | 0/0 | 1/3 |
| TOTAL LAO | 145/530 | 54/261 | 760/3207 | 17/58 | 976/4056 |
| <hr/> | | | | | |
| C.KHAM/HM | 0/0 | 3/21 | 5/22 | 0/0 | 8/43 |
| C.KHONG/HM | 3/14 | 2/8 | 26/103 | 0/0 | 31/125 |
| LOEI/HM | 25/104 | 4/22 | 279/1409 | 6/22 | 314/1557 |
| MAEJARIM/HM | 0/0 | 0/0 | 12/53 | 0/0 | 12/53 |
| NAM YAO/HM | 9/32 | 5/28 | 45/241 | 1/5 | 60/306 |
| N.KHAI/HM | 27/96 | 6/44 | 123/615 | 5/22 | 161/777 |
| UTTARADIT/HM | 0/0 | 0/0 | 11/56 | 0/0 | 11/56 |
| TOTAL HMONG | 64/246 | 20/123 | 501/2499 | 12/49 | 597/2917 |
| <hr/> | | | | | |
| N.KHAI/VIET | 22/91 | 3/21 | 4/10 | 0/0 | 29/122 |
| SIKHIU/VIET | 10/42 | 1/16 | 2/2 | 1/1 | 14/61 |
| UBON/VIET | 6/16 | 2/17 | 3/14 | 0/0 | 11/47 |
| TOTAL VIET | 38/149 | 6/54 | 9/26 | 1/1 | 54/230 |
| <hr/> | | | | | |
| ARANYA/KHM | 0/0 | 0/0 | 102/268 | 1/1 | 103/269 |
| KAMPUT/KHM | 0/0 | 0/0 | 28/82 | 1/1 | 29/83 |
| SURIN/KHM | 0/0 | 0/0 | 106/322 | 0/0 | 106/322 |
| UBON/KHM | 0/0 | 0/0 | 1/1 | 0/0 | 1/1 |
| TOTAL KHMER | 0/0 | 0/0 | 238/673 | 2/2 | 240/675 |
| <hr/> | | | | | |
| GRAND TOTAL | 247/925 | 80/438 | 1508/6405 | 32/110 | 1867/7878 |

IPP-77 BREAKDOWN AS OF 1 DECEMBER 1978

| | I | II | III | IV | TOTAL |
|--------------------------------|-----------|----------|----------|-------|-----------|
| BKK/LAO | 6/9 | 0/0 | 0/0 | 1/2 | 7/11 |
| C.KHONG/LAO | 3/8 | 7/34 | 2/11 | 0/1 | 12/54 |
| LOEI/LAO | 0/0 | 1/7 | 1/1 | 0/0 | 2/8 |
| NAM YAO/LAO | 2/2 | 2/3 | 0/0 | 0/0 | 4/5 |
| N.KHAI/LAO | 233/619 | 71/288 | 89/414 | 1/59 | 394/1380 |
| SIKHIU/LAO | 0/0 | 0/1 | 0/0 | 0/0 | 0/1 |
| UBON/LAO | 101/283 | 68/291 | 90/394 | 0/33 | 259/1001 |
| TOTAL LAO | 345/921 | 149/624 | 182/820 | 2/95 | 678/2460 |
| <p>AMERICAN JEWISH ARCHIVE</p> | | | | | |
| C.KHAM/HM | 0/0 | 7/36 | 18/72 | 0/4 | 25/112 |
| C.KHONG/HM | 12/40 | 9/47 | 23/120 | 0/6 | 44/213 |
| LOEI/HM | 367/1451 | 15/101 | 172/921 | 0/27 | 554/2500 |
| MAEJARIM/HM | 8/38 | 4/23 | 10/47 | 0/1 | 22/109 |
| NAM YAO/HM | 81/349 | 3/16 | 37/203 | 0/4 | 121/572 |
| N.KHAI/HM | 143/597 | 14/91 | 116/587 | 0/22 | 273/1297 |
| UTTARADIT/HM | 0/0 | 0/0 | 2/14 | 0/0 | 2/14 |
| TOTAL HMONG | 611/2475 | 52/314 | 378/1964 | 0/64 | 1041/4817 |
| BKK/VIET | 2/7 | 0/0 | 1/1 | 0/0 | 3/8 |
| N.KHAI/VIET | 11/46 | 4/26 | 2/18 | 0/5 | 17/95 |
| SIKHIU/VIET | 49/152 | 6/33 | 10/47 | 2/2 | 67/234 |
| UBON/VIET | 3/5 | 0/0 | 0/0 | 0/0 | 3/5 |
| TOTAL VIET | 65/210 | 10/59 | 13/66 | 2/7 | 90/342 |
| ARANYA/KHM | 33/87 | 1/1 | 24/66 | 0/4 | 58/158 |
| BKK/KHM | 2/5 | 2/3 | 1/2 | 0/0 | 5/10 |
| KAMPUT/KHM | 7/30 | 0/0 | 8/18 | 0/0 | 15/48 |
| K.YAI/KHM | 3/8 | 0/0 | 0/0 | 0/0 | 3/8 |
| N.KHAI/KHM | 1/5 | 0/0 | 0/0 | 0/0 | 1/5 |
| SURIN/KHM | 10/31 | 1/1 | 40/113 | 0/6 | 51/151 |
| UBON/KHM | 0/0 | 0/0 | 1/1 | 0/0 | 1/1 |
| TOTAL KHMER | 56/166 | 4/5 | 74/200 | 0/10 | 134/381 |
| GRAND TOTAL | 1077/3772 | 215/1002 | 647/3050 | 4/176 | 1943/8000 |

IPP-77 BOAT APPROVALS AS OF 1 DECEMBER 1978

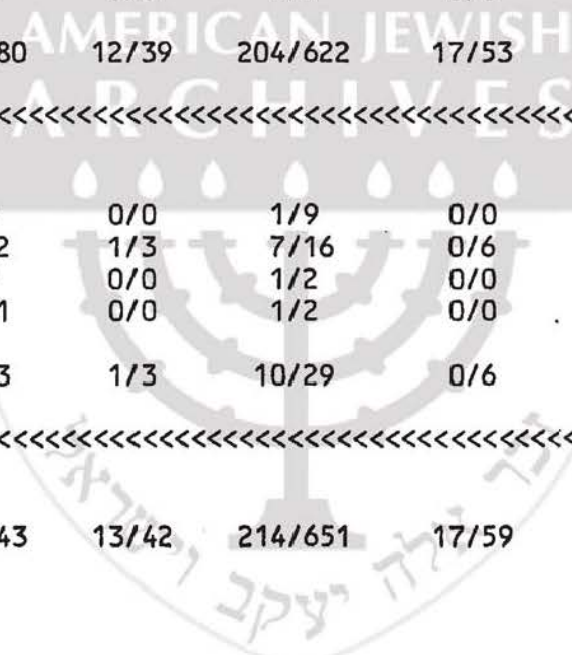
| | I | II | III | IV | PHII | TOTAL |
|---------------------|----------------|--------------|----------------|--------------|----------------|-----------------|
| IMM. JAIL/VIET | 0/0 | 0/0 | 3/13 | 0/0 | 1/1 | 4/14 |
| LAEMSING/VIET | 74/231 | 3/8 | 67/225 | 2/29 | 80/228 | 226/721 |
| MERCH. VESSELS/VIET | 7/19 | 0/0 | 5/20 | 0/0 | 0/1 | 12/40 |
| SIKHIU/VIET | 1/1 | 0/0 | 2/8 | 0/0 | 4/9 | 7/18 |
| SONGKHLA/VIET | 146/429 | 9/31 | 127/356 | 15/24 | 138/277 | 435/1117 |
| TRAT/VIET | 0/0 | 0/0 | 0/0 | 0/0 | 3/9 | 3/9 |
| VIET TOTAL | 228/680 | 12/39 | 204/622 | 17/53 | 226/525 | 687/1919 |

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| | | | | | | |
|--------------------|--------------|------------|--------------|------------|---------------|---------------|
| KAMPUT/KHM | 0/0 | 0/0 | 1/9 | 0/0 | 1/11 | 2/20 |
| LAEMSING/KHM | 4/12 | 1/3 | 7/16 | 0/6 | 39/126 | 51/163 |
| MERCH. VESSELS/KHM | 0/0 | 0/0 | 1/2 | 0/0 | 0/0 | 1/2 |
| TRAT/KHM | 7/51 | 0/0 | 1/2 | 0/0 | 34/149 | 42/202 |
| KHMER TOTAL | 11/63 | 1/3 | 10/29 | 0/6 | 74/286 | 96/387 |

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| | | | | | | |
|--------------------|----------------|--------------|----------------|--------------|----------------|-----------------|
| GRAND TOTAL | 239/743 | 13/42 | 214/651 | 17/59 | 300/811 | 783/2306 |
|--------------------|----------------|--------------|----------------|--------------|----------------|-----------------|



GIST

—A quick reference aid on U.S. foreign relations primarily for Government use. Not intended as a comprehensive U.S. policy statement.



BUREAU OF PUBLIC AFFAIRS

DEPARTMENT OF STATE

REFUGEES: US POLICY

July 1978

1. Background: Since 1945, the US has accepted about 2 million refugees, including some 400,000 East Europeans who immigrated under the provisions of the Displaced Persons Act of 1948 and nearly 200,000 accepted under the Refugee Relief Act of 1953. Large numbers have also been paroled into the US by the Attorney General under the parole provision of the Immigration and Nationality Act. In this category are 675,000 Cubans; 30,000 Hungarians who arrived after the abortive Hungarian revolt in 1956; 15,000 Chinese who came via Hong Kong in 1962-64; 172,000 Indochinese since 1975; and lesser numbers of Soviet Jews, Czechoslovak refugees after the Soviet invasion of Czechoslovakia in 1968, and Asian residents of Uganda following their expulsion in 1972. Since enactment of the Fair Share Law of 1960 and continuing with the enactment of the Seventh Preference of the Immigration and Nationality Act, the US has been admitting a steady stream of refugees from Communist countries and from the Middle East. Finally, an estimated 250,000 refugees have come to the US since 1945 as regular immigrants under the quota or regular preference provisions of the Immigration and Nationality Act.
2. Current situation: The number of refugee problems around the world shows no sign of abating. There are:
 - more than 1.5 million Palestinian Arab refugees in the Middle East, more than half of them in camps;
 - more than 2 million refugees of various categories in Africa, particularly in the Horn and southern Africa;
 - some 200,000 displaced Turkish and Greek Cypriots receiving assistance from the UN High Commissioner for Refugees (UNHCR);
 - 150,000 to 200,000 refugees who have fled across the Burmese border to Bangladesh; and
 - large numbers of Lebanese displaced by civil strife.
3. US refugee policy: The US accepts refugees for the following reasons:
 - to promote peace. Refugee problems often cause international and domestic frictions that threaten peace, and by resolving refugee problems those tensions are defused;
 - to reduce economic and political burdens upon countries of asylum;
 - to express America's deep-seated humanitarian tradition and to show our concern for the homeless and persecuted; and

- to help restore to refugees the human rights they have been denied in their homelands, a prime objective of overall US refugee policy.

4. Latin America: In Latin America, there are some 10,000 native political refugees and detainees -- principally in Argentina, Brazil, Chile, Paraguay, and Uruguay. These are in addition to far larger numbers of old European refugees under UNHCR mandate who are not yet citizens of the country in which they reside. Our policy is to resettle these refugees and political detainees as promptly as possible, thus removing them from unsatisfactory and often dangerous situations. We firmly support the UNHCR program in Latin America for the reestablishment of the refugees and for their interim care and maintenance. The Attorney General recently authorized the parole into the US of 500 cases among the Latin American refugees and detainees.
5. Indochinese refugees: Of particular importance are the US-supported UNHCR refugee programs in Asia. There are more than 100,000 Indochinese refugees in camps in Thailand who are being assisted by the UNHCR, and thousands of additional Indochinese refugees who have escaped by boat from their homeland and who are seeking resettlement from the various countries of first asylum. Our policy is to promote effective temporary asylum for those escaping by boat and to assist in their permanent resettlement. We also support the UNHCR in finding homes for the Indochinese refugees in Thai camps, either by resettling as many as possible in other countries or through the local integration of those who cannot be resettled abroad. In June 1978 the US announced its intention to accept another 25,000 Indochinese refugees as immigrants.
6. Other programs: The US also supports several other significant refugee programs:
 - In Europe there is a continuing substantial flow of refugees from the USSR and other Eastern European countries. We continue to assist Eastern European refugees by facilitating their resettlement as soon as possible. The Attorney General recently authorized the parole into the US of an additional 12,000 refugees from Eastern Europe.
 - We also provide financial assistance (\$20 million in 1978) to facilitate the resettlement and integration of Soviet and other Eastern European refugees in Israel.
 - We support the UNHCR assistance programs for refugees in southern Africa, the Horn, and elsewhere in Africa.



National
Foreign
Assessment
Center

The Refugee Resettlement Problem in Thailand

A Research Paper

GC 78-10048U
May 1978

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TABLE OF CONTENTS

| | <i>Page</i> |
|--|-------------|
| Key Points..... | v |
| Background | 1 |
| Factor Influencing Permanent Resettlement..... | 3 |
| Environmental problems | 3 |
| Insurgency concerns | 5 |
| Other factors..... | 5 |
| Resettlement Plans | 5 |
| Outlook | 6 |
| Appendix | 7 |
| Current Refugee Camp Situation: Northeast and East | 7 |
| Current Refugee Camp Situation: North | 8 |

FIGURES

| | <i>Page</i> |
|--|--------------|
| Thailand (Regional Map) | faces page 1 |
| Distribution of Food to Refugees (photo) | 1 |
| A Northeast Thailand Refugee Camp (photo) | 2 |
| Temporary Vietnamese Boat Camp (photo) | 3 |
| General Summary Maps | |
| Land Use..... | 4 |
| Ethnic Groups | 4 |
| Vegetation..... | 4 |
| Camp Populations by Ethnic Group | |
| Northeast and East (table)..... | 7 |
| North (table) | 8 |
| Indochinese Refugees Camps in Thailand (map) | 9 |

The Refugee Resettlement Problem in Thailand

Central Intelligence Agency
National Foreign Assessment Center

May 1978

Key Points

In the two and a half years since the Communist takeovers in Cambodia, Vietnam, and Laos, approximately 160,000 displaced Indochinese have sought refuge in Thailand. An estimated 100,000 of these refugees remain in the country.

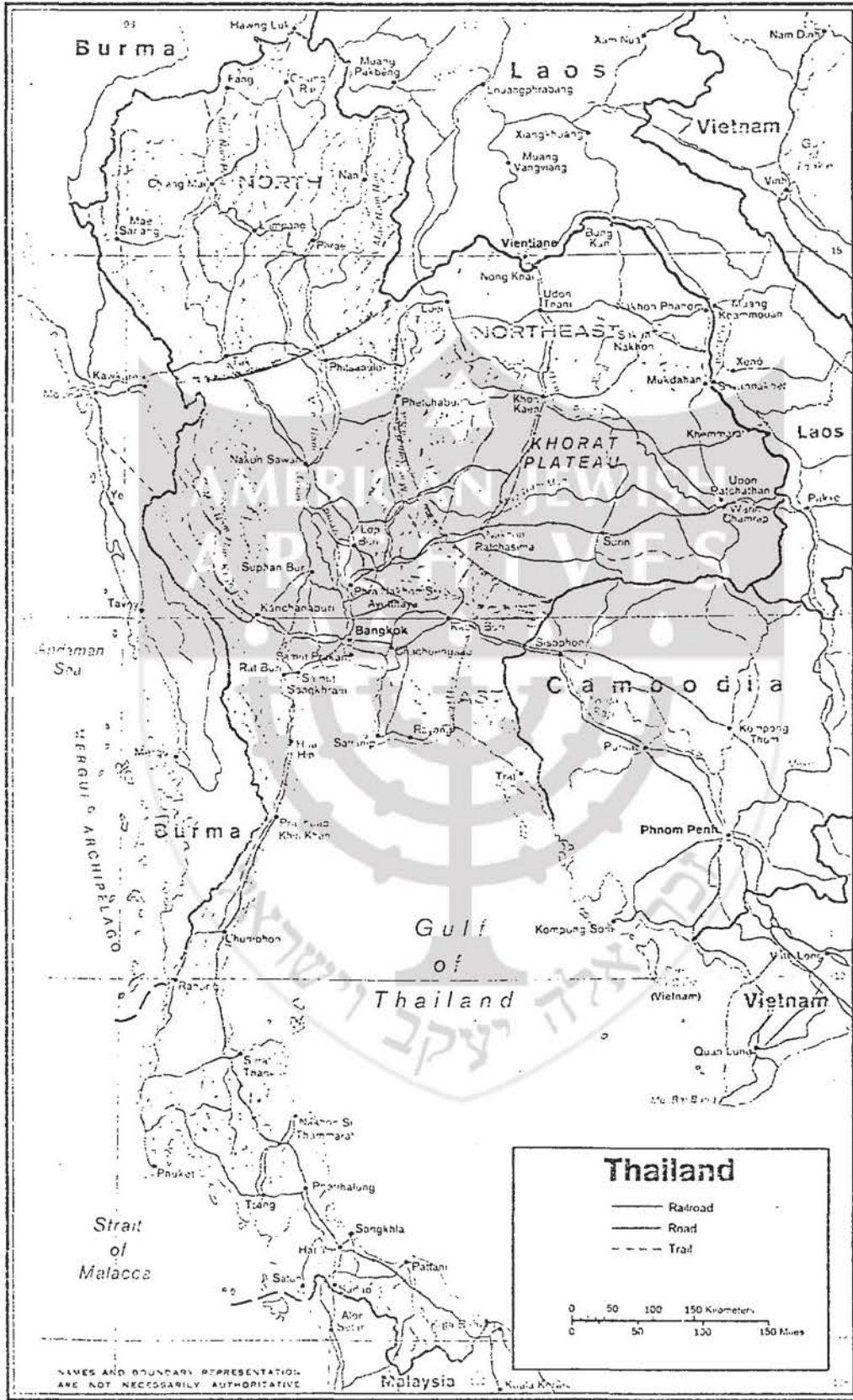
The repressive political systems and poor economic prospects in the Indochina countries continue to spur large numbers to seek better conditions in Thailand. Nearly all Indochinese reaching Thailand are admitted either to 1 of the 15 refugee camps jointly operated and funded by the Thai Government, the UN High Commission for Refugees, and a number of voluntary agencies, or one of four temporary detention centers. Among the 15 camps there is considerable variety in living conditions. There are common complaints over inadequate food rations, insufficient water, and crowded conditions, but reliable observers familiar with refugee conditions in other parts of the world report that none of the problems with basic camp services is critical. There is generally adequate food, shelter, and medical attention.

Confronted with the prospect of a continuing influx of new refugees, the Thai Government has been reluctant officially to concede that large numbers will have to be permanently resettled in Thailand, believing that to do so would encourage a substantial increase in the influx of refugees.

Bangkok has just begun to formulate a long term refugee policy, and permanent resettlement of camp inhabitants is not an immediate prospect. Worrisome problems are associated with resettlement and the Thai Government has expressed a number of major concerns:

- The difficulties in locating an adequate number of suitable resettlement sites in the underdeveloped but politically sensitive North and Northeast regions.
- The perception that the refugees pose an increased security threat in areas already troubled with Communist insurgents.
- The fear that Thai peasants will resent any aid to the refugees.

Thailand will be unable to bear all the costs of major permanent resettlement programs alone. Senior Thai officials have made it clear that greater international recognition and financial and technical support for Thailand's role in absorbing the Indochinese refugees are expected. Bangkok will almost certainly look to the United States in particular for long term major financial and resettlement assistance, and at the least, Thai officials probably expect an increase in US funds already contributed through the UN High Commission for Refugees to help offset the costs of a resettlement program.



The Refugee Resettlement Problem in Thailand

Background

Since the Communist takeovers in Indochina in 1975, an estimated 160,000 displaced persons have sought refuge in Thailand. While more than 50,000 have been resettled in third countries,* nearly 100,000 overland refugees currently live in 13 camps** spread along Thailand's eastern borders with Laos and Cambodia awaiting resettlement (appendix map). Of the remaining 10,000 or so refugees, some apparently

* France has accepted approximately 30,000 refugees from Thailand; 22,000 have been resettled in the United States. The total numbers of Indochinese refugees accepted by the United States since 1975 is about 165,000.

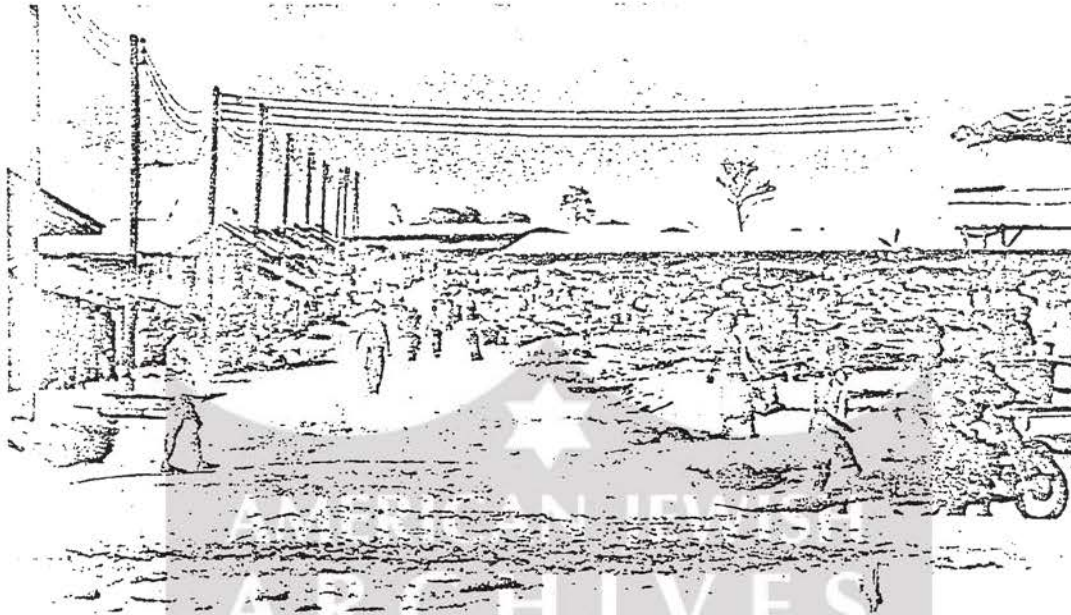
** These camps are officially called "Displaced Persons Centers" by the Thai Government because it does not legally recognize the inhabitants of the centers as refugees but rather as temporary, illegal entrants. Basic necessities and administrative and technical support for the camps are being met through the combined efforts of the United Nations High Commission for Refugees (UNHCR) in cooperation with the Thai Government, plus a variety of voluntary agencies.

have evaded local Thai authorities and reside illegally with relatives or friends, usually in the more remote areas of the border districts in the Northeast region. Many of them are managing to obtain identification papers and are effectively melding in with the Thai population. A relatively small number of refugees are in four temporary detention centers. As of late February, refugee lists from the UNHCR-supported camps showed the total in-camp population divided between approximately 82,000 Laotians, 14,000 Cambodians, and 2,100 Vietnamese. (See appendix for individual overland camp population figures.) There are an additional 1,800 Vietnamese refugees in boat camps at Laem Sing and Songkhla.

Through October 1977 the Thai Government accepted nearly all refugees, regardless of whether political or economic reasons caused their flight. In November 1977 Bangkok, citing security considerations, began applying an exclusionary ban that included strict new entry requirements for Indochinese refugees. New refugees were to be



Cambodian refugees in line to receive food rations at the Aranyaprathet camp.



Portion of the Nong Khai refugee camp. A sharp increase in new Lao refugee arrivals in the latter half of 1977 has outstripped available housing. New refugees either build thatched huts or purchase space in a barracks from refugees about to depart for resettlement in third countries.

screened by district and provincial officials to separate "bona fide" refugees (those fleeing political repression) from "illegal" refugees (those escaping to Thailand principally to better their economic conditions). The former would be admitted to the UNHCR-supported camps; the latter transported to special detention centers while attempts are made to repatriate them to their respective homelands.

In addition to security considerations, the growing economic and administrative burdens of caring for the refugees were prime factors in explaining the Thai action. The rate of arrivals in the months immediately preceding the ban averaged approximately 2,000 per month, a number nearly as high as that recorded immediately following the Communist victories in Indochina. There have been no reliable indications that the inflow of refugees has significantly subsided in the past few months. A final consideration was Bangkok's fear that an official open-door refugee policy would be viewed as a hostile act by Hanoi, Vientiane, and Phnom Penh.

Proclaiming the exclusionary ban has been much easier than enforcing it, and implementation of the ban has varied widely from district to district. For the most part, local officials have been unequal to the task largely because it places heavy administrative de-

mands on local governments already burdened with the problems of caring for large refugee populations. Provincial authorities have also been influenced by recent refugee policy statements from Bangkok. Despite the ban, the Thai Prime Minister, for example, has publicly stated that Thailand will continue to accept and treat refugees in a humanitarian way. Thus, many local officials, when faced with an actual situation follow a humanitarian policy. A few provincial officials along the Mekong, however, do make determined efforts to discourage refugee arrivals. Nonetheless, most of the recent Lao and Cambodian refugees have been allowed to stay. In recognition of that fact, the Thai Government and the UNHCR agreed to allow some post-November arrivals who have relatives already in the UNHCR-supported camps to join them there. The Thai Government also has moved other bona fide refugees among the post-November arrivals into camps supported by the UNHCR.

In the case of Vietnamese "boat people" who manage to reach Thai shores, Bangkok has instructed local and provincial officials to receive and care for them in a humanitarian manner. All are sent to either the Songkhla or Laem Sing camps to await resettlement in third countries. Offshore the Royal Thai Navy reportedly still tries to repel refugee craft encountered

in the course of routine patrolling or other exercises, but apparently no patrols are being launched specifically to intercept and deny landing rights to refugee boats.

Factors Influencing Permanent Resettlement

Bangkok realizes that the camps are not a permanent solution to the refugee problem, even though all but 1 of the existing 15 camps are physically large enough to absorb projected increases over the next several years—provided funding is available to expand camp services. Recognizing the limits of the exclusionary ban and confronted with the prospect of a continuing inflow of new refugees, particularly into the Northeast, a handful of Thai officials are reluctantly coming to the conclusion that a large number of refugees will have to be resettled in Thailand, principally in remote rural areas of the Northeast and North.

There are formidable obstacles to the permanent resettlement of these refugees within the Northeast and North—both of which are chronically depressed regions plagued by poor soil and outmoded agricultural techniques. It will be difficult to find suitable locations where refugees can be permanently resettled with the reasonable expectation that they could be economically self-sustaining.

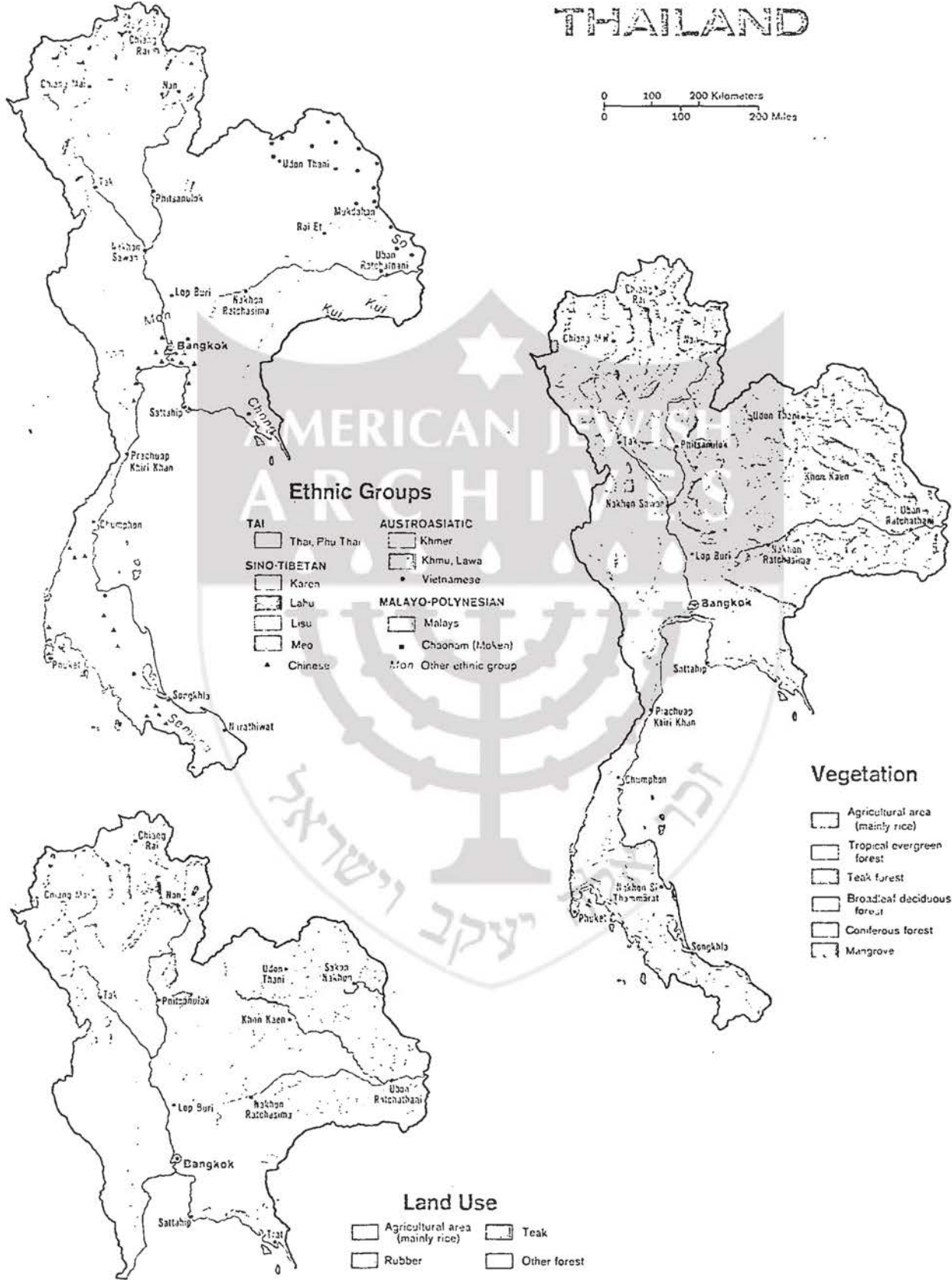
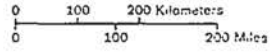
Environmental problems: Resettlement of Khmer, Lao, and other lowland farmers in Northeast Thailand will be slowed by the low standard of living and the rudimentary level of economic development in the region. Although the Northeast comprises about one-third of the country's total land area and has about the same proportion of its population, the per capita income is less than one-half of the national average. The region accounts for only 16 percent of the gross national product. The Northeast is overwhelmingly rural; about 85 to 90 percent of the people are farmers, and the only urban concentrations of significance are the provincial capitals.

The most critical factor in any Northeast resettlement scheme is provision for an adequate supply of water. Unfortunately, rainfall amounts are erratic (only about 1 year in 5 is there ample rainfall) and rainfall effectiveness is reduced by a high rate of evaporation and rapid percolation of water through the underlying sandstone. Irrigable land is limited and most has already been developed and densely settled by Thai citizens. Consequently, many potential sites likely will be plagued with precarious supplies of water. Coupled with the poor soils common to the region occasional meager harvests (the 20 to 25 percent below normal rice harvest of 1977 in the Northeast, for example) can be anticipated.



Temporary refugee camp for Vietnam "boat people" along Thai coast, approximately 225 kilometers southeast of Bangkok.

THAILAND



For the several hilltribe groups, such as the Hmong (Meo), resettlement in the North where terrain and climate are similar to that in their home areas of Laos would appear logical. This could, however, aggravate the already significant deforestation problem facing Thailand. The traditional system of shifting or slash-and-burn cultivation practiced by the hilltribes now annually removes approximately 250,000 hectares of forest, accelerates erosion, and increases the chances for serious flooding. Any resettlement of large numbers of Hmong and other ethnic hilltribes in the northern highlands without provisions for a more stable agricultural economy will accelerate this destruction.

Insurgency concerns: The Communist insurgency in Thailand, which has grown steadily, if slowly, in strength and capability since it began over a decade ago, will likely be a major factor affecting final resettlement of the refugees. There are already at least 7,500 armed insurgents operating in areas of the North and Northeast, and Thai military leaders, who believe that Communist agents from Laos and Cambodia have penetrated the refugee influx, have expressed concern over the location and distribution of resettled refugees in these politically sensitive regions. Enlisting military support for any resettlement program will be essential for its success, and senior Thai military representatives will need to participate in the planning process.

The insurgent threat is most serious in the Northeast, where it is most open to external support from the neighboring Communist countries. In addition to perceived dangers of locating resettlement areas in sensitive border areas, the Thai military may object to plans calling for a large number of small refugee resettlement sites scattered over wide areas of the interior of the Northeast. They are concerned that this would open the heart of the region already troubled by pockets of insurgency to exploitation by Communist agents. Regardless of where the resettlement sites may be located, the military will probably insist that the refugees' freedom of movement be restricted, at least for an initial period.

In the North, the Communists have placed a greater emphasis on military confrontation than they have in the Northeast, but the overall insurgent threat is more limited. There are approximately 3,500 armed insurgents operating in the region, the overwhelming majority, hilltribesmen. While well-organized militarily, the insurgency in the North is essentially a tribal movement hindered by a weak ideological foundation. The insurgents are seldom challenged in some thinly populated areas, but, more significantly,

they have made few inroads in the economically more important and more populous lowland areas of the region where ethnic Thais predominate. The Thai military could be expected to argue for the resettlement of many of the refugees in the latter areas. Some hilltribesmen will probably be allowed to resettle in the highlands but may be discouraged from choosing sites judged too inaccessible to government influences.

Other factors: In addition to locating an adequate number of suitable sites, Thai officials will need to determine the refugees' legal rights to the lands upon which they are eventually settled. Some local Thai living in the vicinity of the camps are already resentful of the aid given the refugees. Heightened feelings and tensions could be expected following any attempt to grant the refugees titles to, or use of, public lands that local Thai themselves would eagerly exploit.

Aside from the land issue, some local officials have advised that in order to develop cooperative relationships between the refugees and their Thai neighbors, all governmental economic and social development projects conceived primarily to ease problems of resettlement be designed so that they will also provide direct, visible benefits to the local Thai populations.

Resettlement Plans

Because of the difficult environmental conditions most of the resettled refugees would face in both the North and Northeast, some Thai Government officials are considering the possibility of conducting thorough feasibility studies before finally deciding on refugee resettlement sites. The substantial expense and administrative burdens that would be involved in such a program, however, make it highly unlikely that the Thai will carry out the studies without guarantees of foreign financial and technical assistance.

Initially, the bulk of any official Thai resettlement activity will probably be in the Northeast. The vast majority—perhaps 75 percent—of refugees who might eventually be permanently resettled will likely be lowland Lao and Khmer who share a common linguistic and cultural heritage with local population in the Northeast. Given the average Thai's strong dislike for the Vietnamese, the successful resettlement of those refugees in the Northeast or elsewhere in Thailand does not seem possible. Refugee leaders at the Sikhiu camp, where nearly all overland Vietnamese refugees are located, estimate that about one-third of the camp's inhabitants would prefer to emigrate to France with the remainder hoping to go to the United States. Currently, emigration to third countries is exceeding the rate of new arrivals at Sikhiu. Most of

the Hmong will probably be settled in the mountainous north or in remote districts of Loei and Nong Khai Provinces.

Outlook

The current rate of refugee inflow—about 3,000 per month—into the UNHCR-supported camps is expected to continue and will outstrip the rate at which the refugees will depart for resettlement in third countries. Consequently, the refugee camps and their inhabitants are likely to become a permanent problem, one that Bangkok will be facing for at least several more years. The exclusionary ban will remain unevenly enforced for the near future as most Thai officials will continue to be relatively benign in their handling of new overland refugee arrivals. A substantial new influx or heavy buildup of refugees after that time, however, could convince Bangkok of the need for a much harsher restrictive policy.

The present refugee population in Thailand is about 100,000 and if past arrival rates for both overland and boat refugees continue, perhaps 35,000 more refugees could be expected to enter Thailand during the next 12 months. France, the United States, and other countries are currently accepting less than 20,000 refugees a year from Thailand. Even if the United States and other third countries increased somewhat their acceptances in the future, it would not appreciably reduce the overall refugee resettlement problem for Thailand.

In view of the complexities that will be involved in resettling this large refugee population, progress toward working out the details of actual settlement can be expected to be slow. Moreover, it appears that any major Thai Government resettlement program will require large financial and technical assistance from third countries.

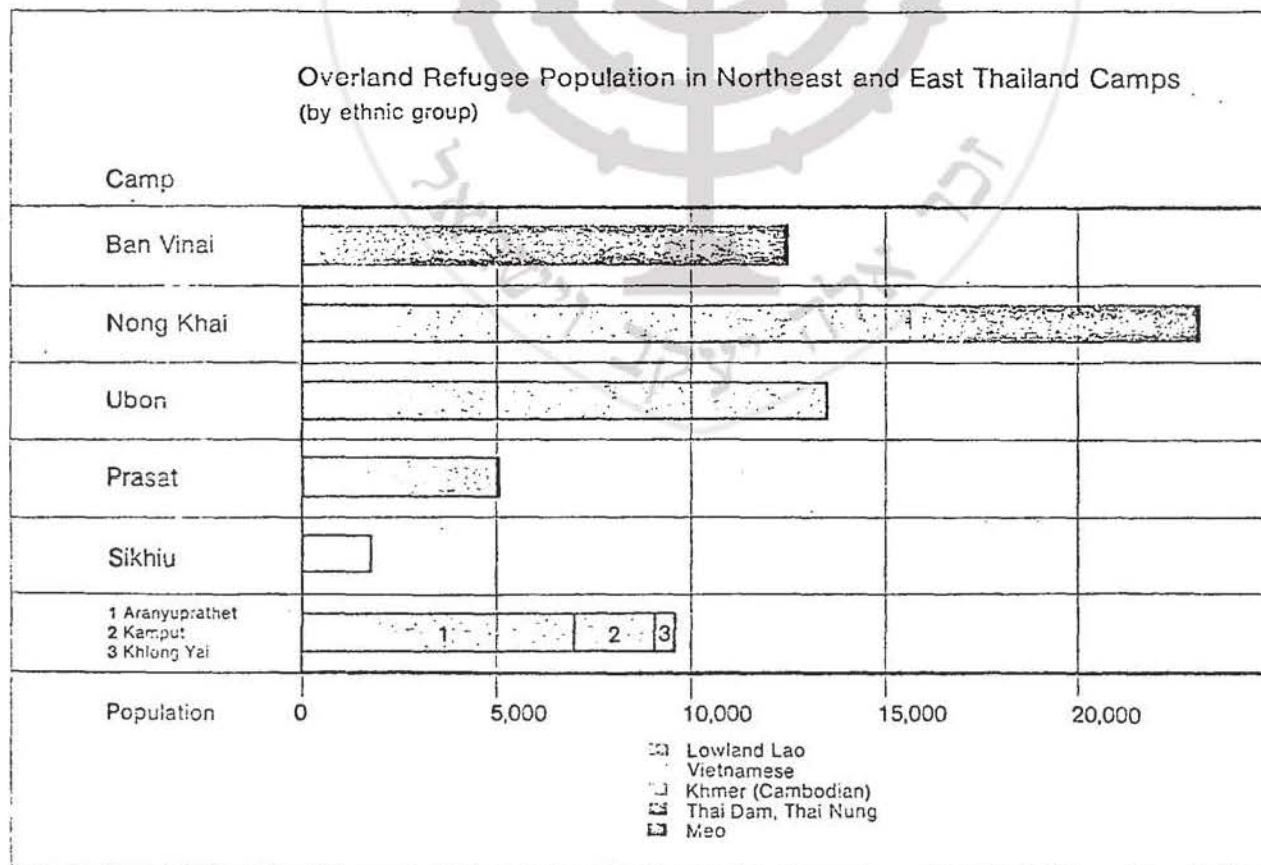


Appendix

During most of last year the total refugee camp population in the Northeast and East remained relatively stable at around 50,000 as the number of new refugees entering the eight camps about equaled the number of those departing for resettlement in third countries. This situation began changing in September 1977, and the population has since increased to more than 65,000; the sharpest gains have been in the Northeast, particularly at the Ubon and Nong Khai camps. By February 1978 the five Northeast camps alone held at least 56,000 people, a population representing more than half the total in camp population throughout Thailand. The three camps in the East region have experienced only a moderate inflow of refugees in recent months and the total camp population there has been relatively stable.

Most new arrivals in the Northeast during recent months have been lowland Lao with urban or non-agricultural backgrounds, replacing the Hmong tribesmen as the majority refugee group. Hmong refugees initially came to the Northeast region in considerable numbers, but the influx declined markedly during late 1976 and 1977. Reports from Loei and Nong Khai Provinces in the last month, however, indicate that the flow of Hmong into the region is again on the upswing, with new arrivals averaging 250 per week. More significantly, these hilltribesmen reportedly represent only the advance elements of a much larger Hmong population that is attempting to flee into Thailand as a result of Communist Lao and Vietnamese military action against hilltribes in north and north central Laos. If another heavy Hmong influx

Current Refugee Camp Situation: Northeast and East



does develop, most of the new arrivals would likely be placed in the Nong Khai camp or the Ban Vinai camp in Loei where the population is almost exclusively Hmong.

Aside from the reported Communist military actions in Laos, the poor economic conditions and political repression prevailing in other parts of the country and in Cambodia are likely to keep the influx into the Northeast at a high level for the next several months. Equally important, the number of third country departures from the camps in each of the past several months has not kept pace with the flow of incoming refugees. For the Northeast camps alone, there could be a net increase of at least 5,000 lowland Lao refugees by June of this year.

In the Nong Khai and Ubon camps, the Thai are facing increasingly difficult problems with living conditions caused by the large number of new refugees absorbed by these camps since last summer. Both have become moderate-size towns and basic services are under heavy strain.

After two and a half years, the camps remain nearly as dependent on outside resources for their support as when they were established. Infertile land, lack of

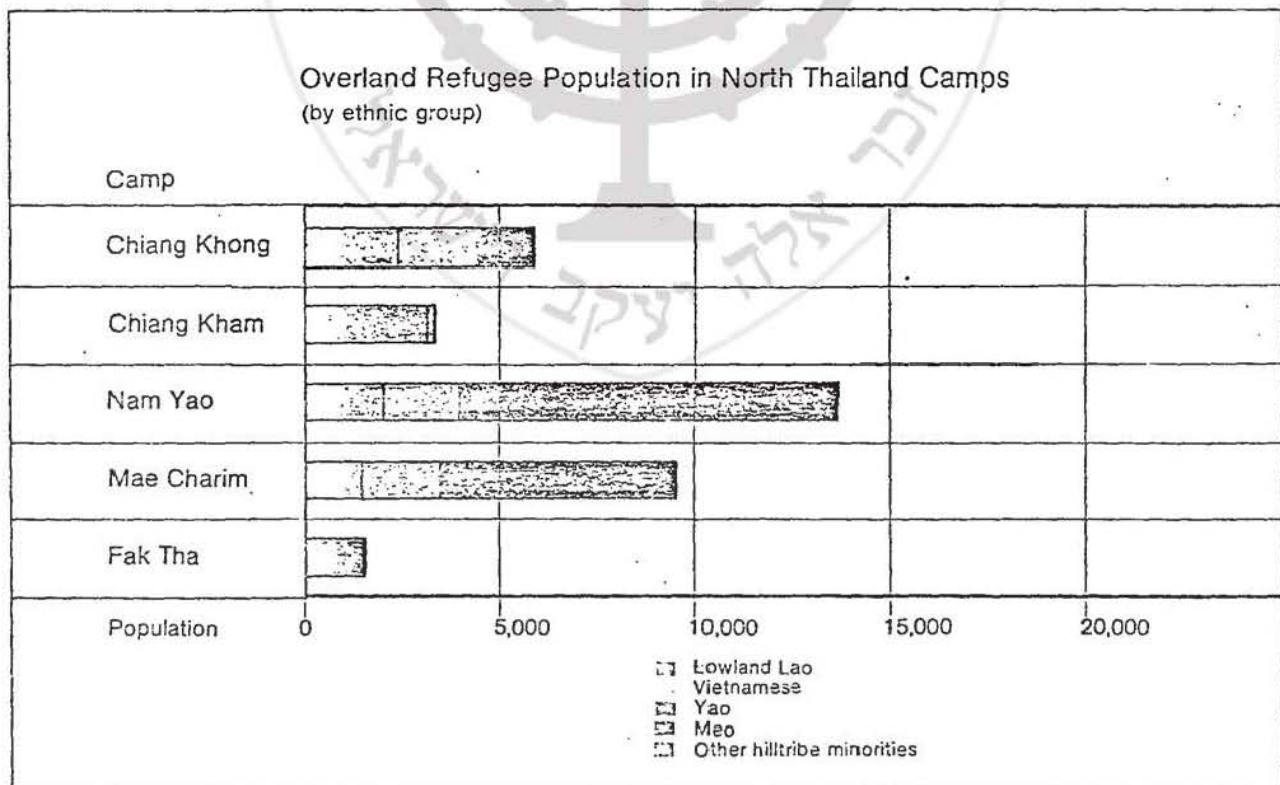
water, and negative mental attitudes of the refugees are the principal reasons behind the failure of the camps to achieve a greater degree of self-sufficiency.

Northern Thailand has at least 30,000 Indochinese refugees distributed in five camps in four different provinces. Lao hilltribe groups, predominantly Hmong, comprise the overwhelming majority; in addition, there are over 6,500 Yao as well as substantial numbers of Kui, Lue, and Lao Theong. Only about 1,000 lowland Lao are found in all the North Thailand camps. Almost all the refugees in these camps came out of northwestern Laos.

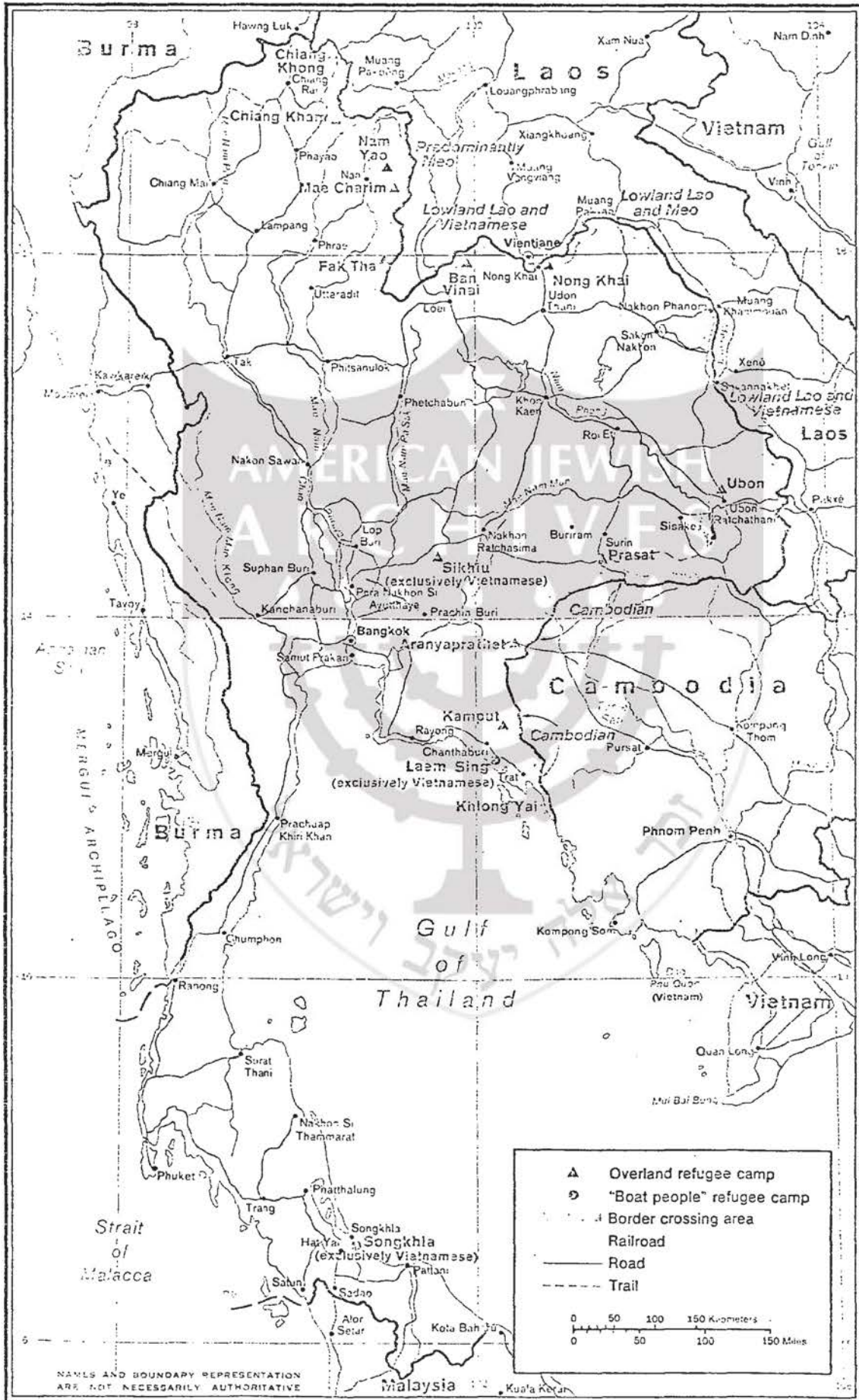
All of the camps have been in operation for more than 2 years, and the total camp population size has been relatively stable since late 1977. New arrivals from Laos to northern Thailand are expected to average fewer than 100 per month for the near future. There are occasional reports, however, of sizable numbers of hilltribe refugees, sitting on the other side of the border awaiting an opportunity to slip through Lao Communist border patrols and escape to Thailand. Some of these may be part of the larger Hmong group reported headed toward the Northeast.

Camp life has settled into daily routines somewhat similar to that encountered in a typical hilltribe village

Current Refugee Camp Situation: North



Indochinese Refugee Camps in Thailand



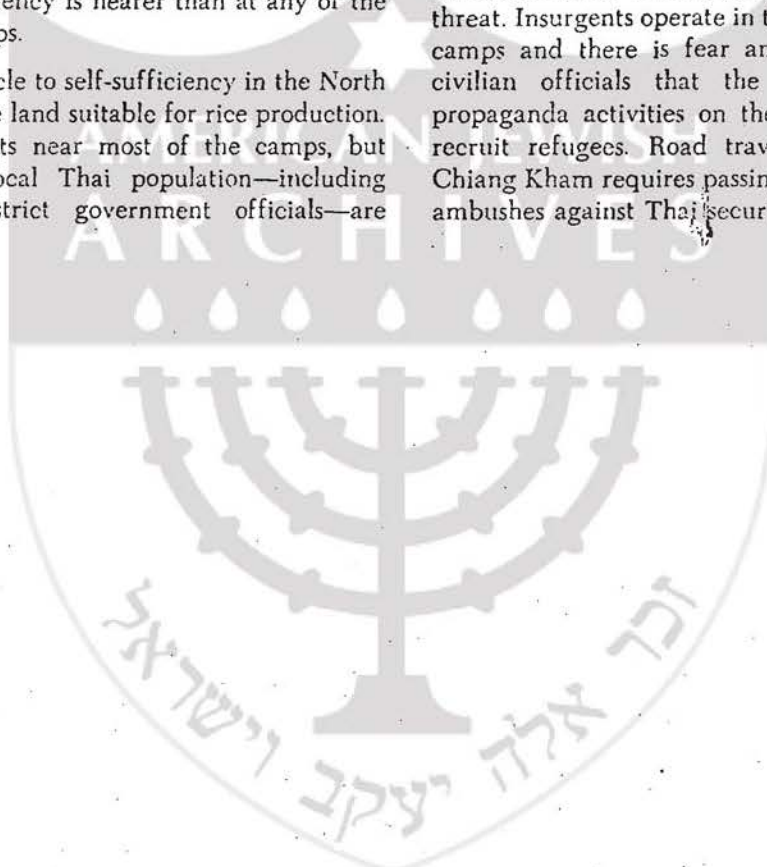
NAMES AND BOUNDARY REPRESENTATION ARE NOT NECESSARILY AUTHORITATIVE

minus, in most cases, the major agricultural pursuits of growing upland rice and other crops, including opium. All the North Thailand camps (except for the one at Nam Yao) have adequate amounts of space. There are personal gardens, schools, health clinics, plus a growing number of domestic animals. Camp residents spend a good deal of time in such tasks as water carrying, food preparation, and handicrafts. Some opportunity exists in each of the camps for inhabitants to work outside in day jobs, though few people appear to take advantage of such opportunities. Efforts to promote self-sufficiency in food among the refugees in the North have been somewhat more successful than among refugees in the Northeast camps, and at Fak Tha food self-sufficiency is nearer than at any of the other refugee camps.

The biggest obstacle to self-sufficiency in the North is a lack of adequate land suitable for rice production. Sufficient land exists near most of the camps, but elements of the local Thai population—including provincial and district government officials—are

critical of assistance already being provided the hilltribe refugees. Officials generally view the refugees as competitors for the limited government resources available in the North; and the local Thai villager, usually unaware of the UN's funding role in the camps, complains of the material benefits accorded the refugees. This opposition has interfered with efforts to make the camps more self-sufficient, especially such suggestions as providing camp residents land that could be planted in rice and other crops.

With the exception of the Chiang Kham camp in Phayao Province, all North Thailand camps are situated in areas where the Communist insurgency is a threat. Insurgents operate in the general vicinity of the camps and there is fear among Thai military and civilian officials that the insurgents may focus propaganda activities on the camps in an effort to recruit refugees. Road travel to all camps except Chiang Kham requires passing through areas in which ambushes against Thai security forces have occurred.



United Press International
 Karim, leader of Iran's National Front, leaving Teheran news session under arrest.

Malaysians Bar Huge Boatload Of Ill Refugees

By HENRY KAMM
 Special to The New York Times

PORT KLANG, Malaysia, Nov. 11 — On a decrepit freighter of uncertain origin, riding at anchor for nearly three days outside this port near Kuala Lumpur, more than 2,500 refugees from Vietnam are jammed into every available inch of space. They have little to eat and almost no water to drink, and they have been refused the right to land in two countries so far.

The 2,517 refugees, nearly half of whom are less than 17 years old, are fearful and demoralized. It is hard to tell whether their apathy is due more to lack of hope or to weakness from hunger, thirst and illness, but the morose stillness of the mass of people, including hundreds of young children, is frightening.

Decks and Holds Are Crowded

They sit or lie, when the available space in their confined places allows it, in the four cavernous freight holds, on the four decks and in all the gangways. When it rains, as it does frequently in this monsoon season, they get soaked. When the sun beats down on them, as it does most of the day, they get burned and sick.

This is by far the largest boatload of Vietnamese to escape in the three years of the unceasing flow of refugees. They boarded the freighter, the Hai Hong, from an uncertain number of smaller fishing craft on Oct. 23 and 24. The

Continued on Page 7, Column 1

MALAYSIA BARRING REFUGEE SHIPLOAD

Continued From Page 1

smaller boats had set out from places scattered all along the coast of southern and central Vietnam.

By their accounts, they boarded the Hai Hong somewhere between Vietnam and Hong Kong, then sailed far southward to Indonesia. They were denied entry there but were resupplied with water, rice and hard biscuits. The water has run out, which makes the remaining rice useless. Some biscuits remain.

From Indonesia, the ship turned back northward, arriving here on Thursday morning. Malaysia has also rejected them and has not yet given them food or drink. The representative of the United Nations High Commissioner for Refugees in Kuala Lumpur, the Malaysian capital, was taken out to the closely guarded and sealed-off ship by police launch yesterday but was not allowed on board for fear that the desperate refugees might hold him hostage.

Five of the refugees were brought down to meet him to tell him of their plight, but 24 hours later relief had still not reached the ship.

Walking through the ship is extremely difficult because of the crowding. Whenever a visitor stepped, he hurt people who had no room to make way for him. Babies were held up so that he could see the ugly rashes that cover their bodies; most of the children are covered with such rashes.

Old men and women sit or lie, unable to do much more than moan. The mother of



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2,500 Vietnamese refugees are on ship anchored off Malaysian port.

a baby born 10 days ago held up the child to show its wan face and skinny body. "No milk," she said, looking at her breasts. The father of another newborn infant slowly parted the green blanket in which he was wrapped to disclose a tiny, pale face. "Mother sick," he said with an apologetic smile.

Many adults and children held their hands to drowsy and feverish heads, complaining of constant headaches. In the fetid holds, hundreds of people lie listlessly. They rarely come up for air, because each hold has only one narrow ladder, and they are too weak to attempt the climb.

Almost everyone aboard has diarrhea, the refugees said, and there are few toilets. People sleep on the bare iron decks. Few have anything but the clothing on their bodies, and the sacks and bundles of extra possessions are pitifully few and small. Many people lost whatever they brought with them in the perilous climb up the ship's rope ladders from their fishing boats in high and stormy seas. Many suffered bruises, some fractures.

The holds and decks resound with ugly coughing. A woman began to shout across the crowded deck, broke into sobs and soon most of the women were sobbing and pointing at their sad children. Men averted their eyes in embarrassment.

Malaysia's Home Affairs Minister, Tan Sri Ghazali Shafie, said in an interview in Kuala Lumpur that the Government would send provisions to the ship and expected to drive it from Malaysian waters soon. A government engineer inspected the ship's engines today and found them ready to resume the voyage that has no destination.

Malaysia has accepted by far the greatest number of "boat people" into its badly overcrowded island and coastal camps, but Tan Sri Ghazali said it could not accept such large boatloads in the absence of adequate facilities and the evident unwillingness of Western nations to allow such great numbers to enter as immigrants.

More than 28,000 refugees are now in Malaysian camps. About 10,000 arrived last month alone, and this month's rate, not including the 2,517 on the Hai Hong, continues at the same pace.

The Malaysian Government, like others in this region, eagerly awaits a public statement by the United States and other refugee-admitting nations that they are willing to greatly increase their inadequate quotas for Indochinese refugees or a declaration that they will not take more.

Their present policies and apparent connivance of Vietnamese officials at the escape sites, the Home Affairs Minister believes, cause the exodus to continue and leave people such as the passengers of the Hai Hong in limbo and the governments of Southeast Asia with unwelcome refugees.

While the misery on the freighter continues, debate among Malaysian official and foreign diplomats centers not on how to keep the refugees alive but on the circumstances of their flight. An Australian minister has declared them to be "migrants" rather than refugees and therefore not to be considered under his Government's refugee program.

Newspapers in Asia have charged that the refugees have been spirited out by a Hong Kong "syndicate" at great profit and therefore are not "genuine refugees." But R. Sampatunuar, the United Nations representative here, said that whatever the circumstances of their departure, they could not return to Vietnam without risking life or liberty and must therefore be considered refugees.

Although the ship had not been boarded until two journalists went on it today, charges are current that its passengers are rich Chinese who paid huge amounts for their passage. Interviews aboard indicated, however, that the proportion of ethnic Chinese among the passengers was no greater than that in the cities of Vietnam, where most of the passengers come from, and that most of the passengers were of modest means before they lost everything.