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SENATE

REPORT  
No. 94-119

INDOCHINA MIGRATION AND REFUGEE ASSISTANCE  
ACT OF 1975

MAY 12 (legislative day, APRIL 21) 1975.—Ordered to be printed

Mr. SPARKMAN, from the Committee on Foreign Relations,  
submitted the following

REPORT

[To accompany S. 1661]

The Committee on Foreign Relations, to which was referred the bill (S. 1661) to enable the United States to render assistance to or in behalf of certain migrants and refugees, having considered the same, reports favorably thereon with an amendment and recommends that the joint resolution, as amended, do pass.

PURPOSE OF THE BILL

The purpose of this legislation is to authorize emergency assistance for the transportation, temporary maintenance, and resettlement of Cambodian and Vietnamese refugees. The assistance would be provided under the framework of the Migration and Refugee Assistance Act of 1962 utilizing established procedures and administrative machinery with which the voluntary agencies and the state and local governments are familiar.

COMMITTEE ACTION

Following the defeat by the House of Representatives of the conference report on H.R. 6096, the Vietnam Humanitarian Assistance and Evacuation Act of 1975, the President on May 6, 1975, submitted to the Congress draft legislation authorizing the provision of relief and relocation assistance to refugees from South Vietnam and Cambodia. The President's draft legislation was introduced on that same day by the Chairman of the Committee, Senator Sparkman, and co-sponsored by Senators Case, Griffin and Hugh Scott. In addition to this bill, S. 1661, several other bills were pending before the Committee for consideration by May 12, when the Committee held a public hearing

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on the refugee problem. At that time the following witnesses were heard:

1. Senator James S. Abourezk (South Dakota).
2. Ambassador L. Dean Brown, Director, Inter-Agency Task Force on Indochina Refugees, accompanied by:
  - (a) James M. Wilson, Jr., Deputy Director Inter-Agency Task Force on Indochina Refugees
  - (b) Ms. Julia Vadala Taft, Deputy Assistant Secretary for Human Development
  - (c) General Leonard F. Chapman (USMC-Ret.), Commissioner, Immigration & Naturalization Service
  - (d) Major General Maurice F. Casey (USAF), Deputy Director, J-4 and Director of Strategic Mobility Joint Chiefs of Staff.
  - (e) Garnett Zimmerly, Deputy Assistant Administrator, Agency for International Development.
3. David Stickney, Lake Forest, Illinois. Representing the American Friends Service Committee and the Friends Committee on National Legislation.
4. Wells Klein, American Council for Nationalities Service, New York, N.Y.
5. John McCarthy, U.S. Catholic Conference, Washington, D.C.

The texts of such prepared statements of witnesses at that hearing as are available are printed in the appendix to this report.

The Committee considered the pending bills in executive session during the afternoon of May 12 and by a vote of 13 to 0, with one member voting Present, voted to report S. 1661 to the Senate with an amendment in the nature of a substitute and with a favorable recommendation. Those voting Aye were Senators Sparkman, Pell, McGee, Humphrey, Clark, Biden, Case, Javits, Scott, Pearson, Percy, Griffin, and Baker. Senator Mansfield voted "Present."

#### COMMITTEE COMMENTS

American military involvement in South Vietnam and Cambodia has now ended. The committee hopes that the divisiveness created by this long and tortuous involvement will also be ended and that Americans will unite in opening their arms and their hearts to the refugees who fled from South Vietnam and Cambodia in fear of their safety.

One of the great strengths of this country is the diversity of its people. It is a nation of refugees. It is fitting that Congress is considering legislation to assist refugees in resettling in the United States as we approach the bicentennial of our nation's birth. Help to those who fled from Indochina is in the finest tradition of America. There is no better way for Americans to reaffirm what this country stands for than to give them a warm and friendly welcome.

On May 8 by a vote of 91 to 1, the Senate adopted the following resolution:

[S. Res. 148, 94th Cong., 1st sess.]

RESOLUTION: To welcome the latest refugees to our shores

Whereas ours is a Nation of immigrants and descendants of immigrants, many of whom fled from tyranny and bloodshed

in their native lands where they were scorned, hated and hunted; and

Whereas they came here because they know they could find in America safety, freedom and opportunity; and

Whereas they found all those things and more, for they also found America to be a land of compassion as well as affluence, magnanimity as well as wealth; and

Whereas Americans welcomed these fellow, less-fortunate human beings not only for their sake but for our own, knowing that they strengthened our national vitality, constantly renewing the diversity and richness of our lives and the pluralism and dynamism of our society; and

Whereas this periodic influx of refugees and exiles can serve to keep us humble, saving us from the sins of arrogance, pride and self-righteousness by reminding us of our origins, of the misery that abounds elsewhere in the world, and of the destiny that may also befall us should we betray our heritage: Now, therefore, be it

*Resolved*, That the Senate reaffirms that the Statute of Liberty is, as Emma Lazarus called her, the Mother of Exiles; that the Senate reaffirms that the lesson of the parable of the Good Samaritan lives on in the minds and hearts of the American people and is a part of their character; and that the Senate welcomes warmly the latest exiles to our shores—the refugees from South Vietnam and Cambodia.

The purpose of S. 1661 is to implement in practical terms the sentiments expressed in that resolution.

As of May 12, approximately 115,000 refugees from Indochina are under United States protection, all but about 1,000–1,200 of them Vietnamese. Executive Branch officials estimate that a total of 130,000 will eventually be brought to the United States and an additional 10,000–15,000 refugees will be settled in third countries. Of the refugees in U.S. control, 60,935 remain afloat on vessels or are at Pacific restaging sites such as Guam and Wake Island. Some 54,300 have arrived in the continental United States and of this number nearly 15,000 have been processed and released under private American sponsorship. The remainder are in processing centers in California, Arkansas, and Florida.

The transportation and initial care of the refugees under United States protection have been provided by the Department of Defense at the request of the President's specially designated Task Force. Initial costs of the evacuation and basic needs of the refugees have been met by use of \$98,000,000 in funds originally provided for economic aid to Indochina. Those funds have been used to reimburse the Department of Defense for sealift and airlift and basic facilities at the staging and processing areas.

The only other funds available for assistance to the Indochinese refugees under existing law are those which have been made available under the Migration and Refugee Assistance Act of 1962, as amended.

The Department of State/USIA Authorization Act, Fiscal Year 1975 (Public Law 93-475) authorized the appropriation of \$9,420,000 for all migration and refugee programs of the Department of State for

the current fiscal year. An appropriation of \$8,420,000 under this authorization was contained in the Foreign Assistance and Related Programs Appropriation Act, 1975 (Public Law 94-11). In addition, \$10 million in funds made available under the Foreign Assistance Act has been transferred to the Migration and Refugee Assistance account as authorized by section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601). All except \$5 million of the funds thus appropriated or transferred were committed to existing refugee programs prior to the evacuations from Cambodia and South Vietnam. Executive Branch witnesses stress that there are no additional funds available under existing law for meeting essential refugee needs. The problem is especially acute, the Committee was told, because no funds are available to finance resettlement efforts by the voluntary agencies and, as a consequence, bottlenecks are being encountered in moving refugees out of the processing centers.

The principal responsibility for resettlement lies with the following nine voluntary agencies: U.S. Catholic Conference, American Fund for Czechoslovak Refugees, Church World Service, Lutheran Immigration & Refugee Service, United HIAS Service, Inc., Tolstoy Foundation, Inc., International Rescue Committee, American Council for Nationalities Service, Traveler's Aid-International Social Services. Voluntary agencies have assisted in the resettlement of hundreds of thousands of refugees over the past thirty years. Basically, the voluntary agencies which are represented in the three reception centers identify sponsors, geographically distributed across the country.

The Committee was assured that voluntary agencies, working together with the Department of State and the Department of Health, Education, and Welfare will make every effort to disperse refugees throughout the United States. Sponsors for refugees include individuals, families, parishes and community organizations. These sponsors assume a moral obligation to receive the refugees and their families and to find housing, employment, and educational opportunities for them.

In addition to the need for authorization of additional appropriations, new authority is required to provide assistance with respect to refugees who have entered the United States.

The authority of the Migration and Refugee Assistance Act for certain assistance to or in behalf of refugees located in the United States is applicable only to those refugees who have fled from a nation or area in the Western Hemisphere. An extension of the authorities contained in the 1962 Act to refugees from Indochina is necessary in order to permit assistance to state and local public agencies providing services to substantial numbers of refugees, for transportation to and resettlement in other areas of the United States of refugees presently at reception centers, and for vocational training to facilitate the assimilation of the refugees in the United States into our society.

S. 1661 meets the need for additional authorization of appropriations and substantive authority by authorizing the appropriation of funds for a temporary program of relief and resettlement for Indo-

chinese refugees under the authorities contained in the Migration and Refugee Assistance Act of 1962.

The Committee has recommended an authorization of \$405,000,000 to be available until the refugee assistance program terminates on September 30, 1977. It is anticipated that additional funds will be required for FY 1977. The Committee has also authorized use for refugee relief purposes of any funds which may be recovered from amounts previously appropriated for foreign assistance to South Vietnam and Cambodia. Any amounts retrieved from the old assistance programs must either be deducted from the overall amount authorized for refugee assistance or returned to the Treasury. The Committee's action is in line with the policy incorporated in S. 1696, a bill to authorize amounts available but not committed for military assistance to South Vietnam and Cambodia to be used for humanitarian assistance for refugees from South Vietnam and Cambodia, passed by the Senate on May 8.

#### COST ESTIMATES

Section 252(a)(1) of the Legislative Reorganization Act of 1972 requires that committee reports on bills and joint resolutions contain:

(A) An estimate made by such committee, of the costs which would be incurred in carrying out such a bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following such fiscal year \*\*\*.

The Committee estimates that the cost of carrying out the provisions of this bill in fiscal years 1975 and 1976 will be \$405,000,000 but this estimate is highly speculative since it is not clear at this point how many refugees will be brought to the United States and resettled, how long public funds will be needed to support the refugees, or indeed, how many will eventually choose to return to their homeland.

If Executive Branch estimates prove to be reasonably close to the mark, additional funds, but not of the magnitude proposed here, will be required during fiscal year 1977.

#### SECTION-BY-SECTION ANALYSIS

##### SECTION 1. SHORT TITLE

Section 1 of the bill identifies this Act as the "Indochina Migration and Refugee Assistance Act of 1975." This title associates the legislation with the Migration and Refugee Assistance Act of 1962, while also emphasizing it is a separate Act for a temporary program.

##### SECTION 2. AUTHORIZATION

Section 2(a) of the bill authorizes the appropriation of \$405,000,000 for fiscal year 1975 for assistance to and in behalf of Cambodian and Vietnamese refugees. The assistance will be provided under the Migration and Refugee Assistance Act of 1962, as amended, utilizing established procedures and administrative machinery.

The tables below provide information concerning cost estimates by the Executive Branch for the evacuation and resettlement of the refugees:

*Preliminary estimates of transport, temporary care, and resettlement costs (150,000 evacuees in staging areas, of which 130,000 to be resettled in U.S. and 20,000 in third countries)*

1. Daily maintenance; \$15 per person per day for 30 days (150,000 people) at staging areas, \$15 per person per day for 60 days (130,000 people) at processing centers. Includes food, utilities, medical care, etc.	\$185,000,000
2. Airlift: \$530 per person (130,000 people) from staging areas to processing centers, plus air supply of materials estimated at \$30 million	99,000,000
3. Resettlement costs: Estimated at \$600 per person to be provided to voluntary agencies which will transport and administer resettlement, 130,000 people in the United States	78,000,000
4. Subsequent welfare and medical (HEW)	125,000,000
Welfare and social services	50,000,000
Medicaid	30,000,000
Bilingual and vocational training	30,000,000
Public health	15,000,000
5. Movement of added 20,000 refugees to third countries for Resettlement (State/ORM): Estimated at \$1,000 each to cover transport and program administration	20,000,000
New appropriation needed	507,000,000

*Preliminary estimates of evacuation, temporary care, and resettlement costs (150,000 evacuees including 130,000 resettled in U.S. and 20,000 in third countries)*

1. Sealift (DOD): Contract shipping for evacuation	\$30,000,000
2. Airlift (DOD): \$300 per person (110,000 people) to staging areas, \$530 per person (130,000 people) from staging areas to processing centers, plus air supply of materials estimated at \$30 million	132,000,000
3. Facilities (DOD): \$20 million for establishment of staging areas, \$15 million to open processing centers	35,000,000
4. Daily Maintenance (DOD): \$15 per person per day for 30 days (150,000 people) at staging areas, \$15 per person per day for 60 days (130,000 people) at processing centers. Includes food, utilities, medical care, etc.	185,000,000
5. Resettlement Costs (State/ORM): Estimated at \$600 per person to be provided to voluntary agencies, which will transport and administer resettlement, 130,000 people in the United States	78,000,000
6. Subsequent Welfare and Medical (HEW)	125,000,000
Welfare and social services	50,000,000
Medicaid	30,000,000
Bilingual and vocational training	30,000,000
Public health	15,000,000
7. Movement of added 20,000 refugees to third countries for resettlement (State/ORM: Estimated at \$1,000 each to cover transport and program administration	20,000,000
Total requirement	605,000,000
Less amount provided from IPR funds to date under Presidential determination (614(a) waiver)	98,000,000
New appropriation needed	507,000,000

*Summary by agency*

Department of Defense-----	382,000,000
Department of State-----	98,000,000
Department of Health, Education, and Welfare-----	125,000,000
<b>Total</b> -----	<b>605,000,000</b>

*Preliminary estimates of evacuation costs (150,000 evacuees from South Vietnam to staging areas)*

1. Sealift: Contract shipping for evacuation-----	\$30,000,000
2. Airlift: \$300 per person to staging areas (110,000 people)-----	33,000,000
3. Facilities: \$20 million for establishment of staging areas, \$15 million to open processing centers-----	35,000,000
<b>Total requirement</b> -----	<b>98,000,000</b>
Less amount provided from IPR funds under Presidential determination (614(a) waiver)-----	98,000,000
	<b>0</b>

*Estimated expenses for evacuation maintenance and resettlement of Indochina and Cambodian refugees as of May 5, 1975*

Total amount provided for IPR funded to date under presidential determination (614(a) waiver)-----	98,000,000
Contract shipping for evacuation-----	18,000,000
Airlift-DOD, \$300 per person to staging area, \$530 per person from staging areas to processing centers plus air supply of materials-----	34,000,000
Facilities-DOD-open staging areas and processing centers-----	15,000,000
Daily maintenance-DOD-including food, utilities, medical care, et cetera-----	12,000,000
Unobligated reserve for DOD operation-----	7,900,000
Immigration services--processing of refugees-----	1,200,000
Voluntary agencies, ICEM and High Commissioner, International Red Cross, \$500 per person provided to voluntary agencies to administer resettlement program overseas-----	1,400,000
Customs, processing of refugees-----	40,000
National Advisory Committee on Indo-Chinese Refugees-----	50,000
	<b>89,500,000</b>
<b>Amount available</b> <sup>1</sup> -----	<b>8,610,000</b>

<sup>1</sup> Estimated rate of expenditure at present time is \$2.7 million per day.

The Committee is concerned over these estimates and has, therefore, reduced the amount requested by the Executive Branch by \$102,000,000. The Committee notes that \$382,000,000 of the \$605,000,000 estimated as the overall cost of the evacuation and resettlement of refugees is for the Department of Defense, including \$830 per person for air transportation. It seems reasonable that, under the circumstances, the Department of Defense should be reimbursed only for incremental costs incurred in the evacuation and resettlement effort, not full costs. The Committee hopes that the Appropriations Committee will take a very careful look at the basis for these cost estimates.

The reference in section 2(a) to "amounts otherwise available" is intended to make clear that the enactment of appropriations under this section will not affect the legality of the use of the funds previously made available under the Foreign Assistance Act or under the

Migration and Refugee Assistance Act which were already available for assistance to or in behalf of refugees from Indochina.

The refugee program includes the transportation of refugees to reception centers in the United States and their maintenance while they are enroute to or located at those centers, onward transportation to other areas of the United States for resettlement under the auspices of voluntary agencies and private American sponsors, vocational training and reimbursement to State and local governments which incur costs for services provided to the refugees. The proposed program also includes funds for international agencies for the transportation and resettlement of refugees in third countries.

The program will also encompass paying for the transportation back to South Vietnam or Cambodia for those who have a change of mind and desire to return to their homeland. Broad authority for the President to finance return travel expenses if he chooses to do so is provided by Sec. 2(b)(2) of the Migration and Refugee Assistance Act (see Appendix). The Committee does not believe that additional authority is necessary beyond that already provided and expects that funds will be made available to pay for the return of refugees who wish to go back to their homes.

It is noted that in order to qualify as a refugee under both the 1962 legislation and the instant bill, a person must be "in urgent need of assistance for the essentials of life."

At the same time under section 2(b)(4) of the 1962 Act, state and local governments are permitted to utilize their own standards with respect to providing health, educational and employment services in the event they are less rigid than the federal standard of "urgent need of assistance for the essentials of life."

Likewise, under section 2(b)(4) and (6) of the Migration and Refugee Assistance Act of 1962 the financial resources of the refugee shall be considered in determining eligibility for "transportation to, and resettlement in, other areas of the United States" as well as eligibility for "employment or refresher professional training."

The Committee anticipates that HEW will develop procedures to insure that local communities will not be adversely affected by the resettlement of refugees.

Section 2(b) of the bill limits the time during which the funds authorized by this Act will be available. Except for the functions with respect to refugees in the United States, which are performed by or through the Department of Health, Education and Welfare, no obligations may be incurred under this authorization after June 30, 1976. With respect to the HEW activities in the United States, obligations may be incurred through the end of fiscal year 1977. It is expected that expenses during fiscal year 1977 will consist primarily of reimbursement to State and local governments providing services to refugees. After the expiration of this temporary program, any need for additional funds would be met through the normal authorization and appropriation process under the Migration and Refugee Assistance Act of 1962, and, with respect to any refugees continuing to need assistance within the United States, through existing federal, State and local programs.

..



Section 2(c) establishes a procedure to insure that maximum recovery is made of funds previously made available by Congress for military or economic assistance to South Vietnam and Cambodia but not yet expended. Subparagraph (A) of section 2(c) (1) requires the President to make every effort to retrieve all amounts previously authorized and appropriated for assistance to South Vietnam and Cambodia but not expended before the date of enactment of this Act.

Under subparagraph (B) not less than 30 days after the date of enactment of this Act and not later than the end of each 30 day period thereafter, the President must transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate a report describing fully and completely the steps he has taken to retrieve unexpended foreign assistance funds originally intended for Vietnam and Cambodia. These reports shall continue until the end of the calendar year 1975.

Paragraphs (2), (3), (4), and (5) establish a procedure whereby all assistance funds retrieved shall either be used to carry out the purposes of this Act, and the authorization of new appropriations in this bill reduced by that amount, or the funds returned to the Treasury.

Amounts that have been retrieved on or before the date of enactment of any Act appropriating funds under this Act, or which are known on such date to be retrievable, shall be available to carry out the provisions of this Act.

Amounts that have not been retrieved on or before such date, or which were not known on such date to be retrievable, shall upon retrieval be deposited in the Treasury as miscellaneous receipts.

The amount authorized to be appropriated under subsection (a) of section 2 shall be reduced by an amount equal to the amount made available by paragraph (2) of subsection (c).

For the purposes of this subsection, "retrieve" means to make available for expenditure for purposes other than assistance to South Vietnam or Cambodia.

### SECTION 3. DEFINITION OF REFUGEE

Section 3 provides the substantive authority needed to provide to Indochina refugees in the United States the services performed by the Department of Health, Education, and Welfare for refugees from within the Western Hemisphere. This section extends to refugees who have fled from Cambodia and Vietnam the authorities in the Migration and Refugee Assistance Act which are applicable to refugees who have fled to the United States from within the Western Hemisphere.

These authorities include assistance to State and local public agencies, transportation of refugees to other areas within the United States, and training for employment. Programs under the authority of this section will be available only to those refugees who meet the requirements of financial need and other criteria applicable to refugees assisted under the 1962 Act and will terminate no later than the end of the fiscal year 1977, upon the expiration of the authorization contained in section 2 of the bill.

SECTION 4. REPORTS

Section 4 requires the President to consult with and keep the appropriate committees of Congress fully and currently informed regarding the use of funds and the exercise of activities carried out pursuant to this Act. Reports shall be filed with the Speaker of the House of Representatives and the Foreign Relations, Judiciary and Appropriations Committees of the Senate.

# APPENDIX

## STATEMENT OF L. DEAN BROWN, BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE, MAY 12, 1975

Mr. Chairman, the rapid collapse of the governments of Viet Nam and Cambodia has unleashed a virtual flood of refugees who, in their great majority, have turned to the United States for rescue and safe-haven. The United States has welcomed to its shores hundreds of thousands of refugees from Europe and Latin America. We absorbed the flow successfully and to our general benefit. In the present instance, however, we are faced with a situation of unprecedented dimensions. Never before have we been called upon to absorb as large an influx in so short a period of time or to move so many refugees over such great distances. We do not have the cushion which camps for displaced persons in Europe provided or the flexibility which the gradual arrival of Cubans over a period of several years afforded us.

The United States has responded magnificently in evacuating or rescuing at sea almost 120,000 Vietnamese and Cambodians; our military forces, which made the evacuation possible, deserve special credit. They have in addition readied staging areas in the Pacific, reception centers in the United States and provided the transportation and logistical system to support this gigantic movement. The civilian agencies of government, which the President drew together into an Inter-Agency Task Force on April 18, have contributed impressively. The voluntary agencies, traditionally charged with resettlement are straining to meet their responsibilities and Americans—corporations, labor unions, state and municipal governments and private citizens—have generously and, despite present difficult economic conditions, offered support.

We must continue to move with utmost speed if we are to accomplish the task so clearly at hand. The Administration has proposed legislation which will provide \$507 million. I am sure I speak for the President when I express appreciation to the Congress for setting aside normal practice in order to give the legislation urgent consideration.

The evacuation and resettlement of the refugees is of profound importance to the United States. The domestic implications are significant, albeit in our opinion manageable; our ability to care for these victims of the wars in Viet Nam and Cambodia and the quality of our response has a foreign policy dimension. We support free movement of peoples; we are committed to the protection of refugees; and we stand by those whom we befriend when adversity becomes their turn.

Let me turn to the legislation you are now considering. Our estimate of the refugee situation has not changed since the President proposed the present bill. Our principal assumptions and intentions are:

Up to 150,000 Vietnamese and Cambodians will require resettlement in the United States and Third Countries.

Almost 130,000 refugees will be resettled in the United States. In cooperation with private voluntary agencies, we will seek to disperse them geographically and will avoid locating them in areas of high unemployment. It is our intention that they reach their new homes, prepared for life in the United States and capable of being absorbed into America's society and economy.

About ten (10) percent of the refugees will find homes in third countries. We will continue to press on a multilateral and a bilateral basis a vigorous campaign to bring this humanitarian issue to the international community's attention and obtain its cooperation, but we assume the heaviest burden will fall to the United States.

In order to accomplish our objectives, we are asking the Congress to provide funds which will:

- Pay for the air and sea movement of refugees to the Pacific staging areas, the continental United States, and to third countries.

- Provide temporary food and medical care and screening at our staging and reception sites.

- Permit resettlement in communities throughout the United States under voluntary agency and similar auspices.

- Furnish limited vocational and language training.

- Provide adequate federal support in the areas of health and welfare to defray charges to state and local governments.

The program is not new; it does not differ meaningfully from the assistance we have provided earlier generations of refugees. But speed is essential; without new funds the resettlement effort cannot pick up the speed we require to clear our centers and permit the movement of those refugees at our Pacific staging areas to the continental United States.

I would urge the members of this Committee to give their urgent and favorable attention to the Administration's request for funds for evacuation and resettlement assistance. The problems we face in this last and tragic moment of the Indochina conflict call for a dramatic, humanitarian response on the part of all Americans. We cannot afford to delay.

#### REFUGEE COMMENTS

To date a total of 115,237 refugees from Indochina have entered U.S. control. This represents no change from yesterday. (119,137 reported May 11, 1975, was erroneous.)

Of the total refugees in U.S. control 60,935 remain afloat on vessels or are at Pacific safehavens and restaging areas.

Approximately 51,302 have arrived in CONUS. Of those in CONUS:

- 39,622 are under government control at reception centers.

- 14,680 have been processed and have left government control.

Projected activities for the next 24-hour period:

- A total of 8,249 are aboard ships waiting to offload at Guam.

- A total of 2,971 refugees will be flown from Guam to CONUS reception centers.

- 2,971 to Chaffee from Guam.

- 0 to Eglin from Guam.

- 0 to Chaffee from Wake.

The flow to Pendleton has been temporarily curtailed because it is filled to capacity.

#### RESETTLEMENT IN THE U.S., \$78 MILLION

Admission to the United States of up to 130,000 Vietnamese and Khmer (Cambodian) refugees has been approved by the Attorney General, after consultation with Members of Congress. Those who qualify will be paroled into the United States. Provision must be made for their settlement. Some, for example, who are immediate family members of U.S. citizens, will need no Government-funded assistance beyond the staging areas. The great majority, however, will require help. As in previous refugee surges, since the end of World War II, experienced voluntary agencies have agreed to undertake the actual work of resettling the refugees. This involves, beginning at the staging areas, ascertaining the personal and occupational characteristics of each individual and family, counseling the refugees, locating individuals, organizations and communities which are prepared to receive them and matching refugees with sponsors. They then must arrange movement of the refugees to new communities, assist in placing them in housing, jobs, schools and community activities. Many skilled and devoted people, both employees of the voluntary agencies, volunteers and sponsors in thousands of localities across the country, will be involved in this process. The aim is to integrate these people into the fabric of American society, without displacing American workers, and in such a manner that the refugees quickly become self-supporting and productive tax paying citizens of this country.

The nine voluntary agencies listed below are participating in this effort:

- U.S. Catholic Conference (USCC).
- American Fund for Czechoslovak Refugees (AFCR).
- Church World Service (CWS).
- Lutheran Immigration and Refugee Service (LIRS).
- United HIAS Service, Inc. (UHS).
- Tolstoy Foundation, Inc. (TF).
- International Rescue Committee (IRC).
- American Council for Nationalities Service (ACNS).
- Traveler's Aid-International Social Services (TAISS).

The last three agencies are operating as a joint enterprise under the umbrella of IRC.

The voluntary agencies already have representatives at Guam and the three staging areas in the continental United States.

We plan to pay for internal transportation plus \$500 per person resettlement costs. The most recent experience of agencies performing resettlement activities in the United States indicates that \$500 per capita is an appropriate level for this factor. Several Voluntary agencies have pointed out that earlier experience with the placement of refugees (\$300 per capita was paid to voluntary agencies for the resettlement of Ugandan Aisans and Soviet refugees) has been modified by increased difficulty in the marketing of many skills and performing those activities necessary for the integration of the refugees in the general population. Inflation continues to increase the costs of this integration. The sheer size of the Indo Chinese refugee flow and

the resulting magnitude of the problem of placements will require that the most intensive efforts be brought to bear in a limited time frame. The estimate of \$78,000,000 recognizes the significance of these factors in the development of per capita costs for resettlement of the Indochina refugees. The estimated costs for in country transportation, \$100 per capita, include point to point fares at a presumed favorable rate plus necessary local transportation.

#### RESETTLEMENT IN THIRD COUNTRIES, \$20 MILLION

The resettlement of refugees from Indochina in third countries should be the responsibility of the international community. The U.S., however, is bearing the major share of the responsibility by virtue of the long and close association with the Government of Vietnam and Cambodia, with many private organizations and institutions, especially in the case of Vietnamese refugees. We have assumed the care, particularly of those persons whom we have evacuated and brought temporarily to U.S. bases abroad and to the U.S. itself. An effort has been and is continuing to be made to internationalize the resettlement effort.

The United Nations High Commissioner for Refugees (UNHCR) has agreed to afford protection against forcible return to their countries of origin, to assist in resettlement, especially of those refugees who have escaped to other countries on their own, and to facilitate the repatriation of those who, of their free will, request it. The American and International Voluntary Agencies, will of course also perform their traditional function in this undertaking.

The Intergovernmental Committee for European Migration (ICEM) has agreed to assist in finding resettlement opportunities in Latin American for those who meet selective migration criteria of ICEM and the host-countries, to move refugees to the United States and other countries at reduced rates, and to undertake other tasks at the request of the UNHCR.

The International Committee of the Red Cross (ICRC) is prepared to furnish travel documents to refugees at needed in Thailand and other countries.

ICEM and the UNHCR have sent representatives to Guam.

As the above-mentioned agencies had made no provision in their regular budgets for this emergency, the funds for their efforts will have to come almost entirely from the United States. The agencies will request contributions from other countries, particularly if countries of first asylum call upon the traditional agencies for assistance, but there is little expectation that much money will be forthcoming as a result of such appeals.

American Ambassadors around the world have also asked the governments to which they are accredited to receive Indochina refugees for permanent resettlement. Canada, France and a number of other countries have responded positively. Discussions with other governments are continuing.

It is estimated that about 20,000 refugees may be settled elsewhere than the United States with funds from this appropriation, at an average cost of \$1,000 including overseas transportation, agency services and program and administrative costs.

## FACT SHEET: EVACUATION AND RESETTLEMENT OF INDO CHINESE REFUGEES

*Evacuation*

86,000 U.S. citizens and South Vietnamese have been evacuated by air and sea by U.S. military.

All American citizens who wanted to leave South Vietnam did get out.

An estimated 41,000 more South Vietnamese have fled their country on boats, by ship or over land.

Only \$98 million is available under existing authority for the evacuation program. To date, DOD has incurred over \$70 million in costs for the evacuation. Without additional funds, the U.S. Government will be able to continue resettlement efforts only one more week.

*Restaging Sites*

All refugees are being processed through Guam and Wake Islands where they are receiving housing, food, Immigration and Naturalization Service screening, and rigorous health care.

An appeal internationally by United States to offer opportunities for resettlement in third countries, has resulted in the active participation of the UNHCR and ICEM, ICRC on Guam. Representatives are on site assisting in such resettlement. The Australians and the Canadians have immigration officials on Guam or at Camp Pendleton.

The health condition is very good, and no unusual health problems exist.

Less than 100 people out of 30,000 on Guam have been hospitalized, most of which were for maternity care, pneumonia, mild diarrhea—but no serious disease.

INS is processing through those refugees whose documents are in order and are eligible for entry into U.S.

PHS Center for Disease Control has established a surveillance system to identify and treat illness.

*Reception Centers Stateside*

The three centers are Camp Pendleton, Calif.; Fort Chaffee, Ark.; Elgin Air Force Base.

American voluntary agencies which have enabled the resettlement of millions of displaced persons who have been war victims are working closely with USG to resettle those refugees who enter the U.S.

The major agencies are:

Migration and Refugee Services, 1312 Massachusetts Avenue, N.W., Washington, D.C., 659-6631.

American Fund for Czechoslovak Refugees, 1709 Broadway, Room 1316, New York, N.Y. 10019.

Church World Service, Immigration and Refugee Program, 475 Riverside Drive, New York, N.Y. 10027.

Lutheran Immigration and Refugee Service, 315 Park Avenue South, New York, N.Y. 10010.

United Hias Service, Inc., 200 Park Avenue South, New York, N.Y. 10003.

Tolstoy Foundation, Inc., 250 West 57th Street, New York, N.Y. 10019.

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

American Council for Nationalities Service, 20 West 40th Street,  
New York, N.Y., 212/279-2715.

Traveler's Aid-International Social Services, 345 East 46th  
Street, New York, N.Y., 212/687-5958.

The last three agencies have entered into a cooperative arrangement to process resettlement cases but wish to be listed separately as agencies engaged in resettlement.

In addition, the Red Cross, Travelers Aid International have provided extraordinary assistance.

The private sector has come forward with major expressions of assistance, including United Airlines which is providing transportation from reception centers to final destinations throughout the country.

By the time each refugee leaves a reception site he will have a local sponsor identified by a voluntary resettlement agency, a rigorous health screening, and all children 1-5 will receive immunizations for measles, rubella, polio, diphtheria, pertussis, and tetanus.

The voluntary agencies will assume responsibility for finding housing, enrolling children in schools, assisting in employment opportunities for head of households, assistance in language skills, etc.

#### *Resettlement*

Every effort will be made to ensure the resettlement to the extent possible will not be concentrated in a few enclaves in the country and will not result in economic or social service hardship.

The Department for HEW, subject to Congressional action on the Administration's bill, will provide full reimbursement to State and local social service and health agencies for costs they may incur in providing income assistance, health maintenance, social services and educational services to refugees who are in need of such assistance.

#### *Previous Refugee Emigrations*

Displaced persons: 1945-52	450,000
Eastern Europeans: 1953-56	189,000
Hungarians: 1956-57	30,701
Cubans: 1959 to present	675,000

Total 1,344,701

#### ANALYSIS OF THE INDOCHINESE REFUGEE SITUATION

##### UNDER AMERICAN PROTECTION: 113,340

On May 7, 1975, there were just under 112,553 Vietnamese under American protection. Of this total, over 70,000 were located at the American designated staging areas on Guam (37,210) and Wake (3,073) or at transshipment points in the Philippines preparing to embark on ships or aircraft for staging centers. 9,446 Vietnamese were on the high seas. 19,346 Vietnamese were being processed through reception centers at Travis and Eglin Air Force Bases or at Camp Pendleton and Fort Chaffee. All the refugees in the 112,553 left Vietnam during our planned evacuation (about 40,000) or were rescued at sea or escorted from Vietnamese coastal waters. The refugees and



permanent residents as well as individuals who may qualify for parole under the high risk category.

In addition to American immigration authorities in our staging and reception centers, Australian and Canadian authorities are or shortly will be present. The United Nations High Commission for Refugees (UNHCR) and the Intergovernmental Committee on European Migration (ICEM) are represented on Guam. We anticipate that as many as 20,000 of all those Vietnamese refugees under or outside American protection will be resettled in third countries as a result of their activities, the normal reuniting of families or our bilateral diplomatic initiatives.

There were on May 7 some 787 Cambodians in Thailand whom we intend to parole for entry into the United States.

ESTIMATED AMOUNT OF REFUGEES IN THIRD COUNTRIES: 15,600

To date, about 15,600 Vietnamese have fled to third countries. Small and large craft, in decreasing numbers continue to arrive in countries near the states of Indochina. We estimate that there are about 4,000 Vietnamese currently in Hong Kong, 7,100 in Singapore and between 400 and 500 along the Malaysian coast. We do not know how many more may arrive but we have made our position clear. The United States expects that refugees will receive the protection normally extended under the United Nations Convention and Protocol on the Status of Refugees. If a recipient country will not receive them, it is our position that UNHCR and ICEM should be called into action. However, we know already that Hong Kong and Singapore are not prepared to hold Vietnamese refugees and we already anticipated they might, in their large majority, have to enter the American stream.

STRANDED INDOCHINESE IN THE UNITED STATES: 15,200

According to the Immigration and Naturalization Service's latest statistics, there are almost 14,000 Vietnamese students, diplomats, businessmen, trainees and others stranded in the United States. They will be allowed to stay and resettle. In addition, there are 1,200 Cambodians in the same category.

INDOCHINESE STRANDED IN THIRD COUNTRIES: UNKNOWN

We understand there are approximately 1,400 Vietnamese diplomats and their families and estimate anywhere from 6,000 to 12,000 Vietnamese students, travelers, and businessmen stranded in third countries. The latter category is only a preliminary estimate; it is too early to determine how many will seek entry or have to resettle in the United States. We are, in this regard, again calling on international agencies and individual nations for cooperation.

Estimated grand total: 144,140.

REFUGEE PLAN

We are now estimating that up to 150,000 Vietnamese and Cambodian refugees will be resettled. Of this number, we hope about 15,000

can be taken by other countries, leaving roughly 130,000-135,000 to be settled in the U.S.

Out planning is premised on four basic principles. These include:

- Maximum internationalization of the problem;
- Maximum dependence on international and domestic voluntary agencies and private resources;
- Minimum impact on areas in the United States currently suffering high rates of unemployment; and
- Maximum coordination among the many federal, state and local government and community organizations together with the voluntary agencies, that will be involved in refugee resettlement.

Within the context of these estimates and uncertainties, our current plan for resettlement as described as follows:

The major elements of the resettlement plan are:

- Mobilization of international and domestic resources;
- Movement of refugees to staging areas;
- Third country resettlement;
- Movement of refugees to United States reception centers;
- Reception center processing and preparation for resettlement;
- The voluntary agency resettlement program;
- Post-sponsorship assistance;
- Contingency federal government planning for residual resettlement problems; and
- Funding.

*The Mobilization of Resources.*—This consists of several elements, the principal of which are: marshalling the cooperation and assistance of other countries in resettling refugees, collection and verification of United States sponsors and private offers of assistance, establishment of staging areas and continental United States reception centers, mobilizing voluntary agencies, establishment of inter-agency resettlement teams at the centers, computerizing all refugee data, offers of sponsorship and offers of private assistance, and using this data to assess the impact of resettlement. We are seeking rapid approval of Congressional appropriations to help fund the major elements of the program.

*The Movement of Refugees to Staging Areas.*—This phase of the operation has been mostly accomplished. Using the Department of Defense's transportation and logistics system, we have moved from Vietnam, the Philippines and Thailand by air and sea 126,000 refugees to two main staging areas—Guam and Wake Island.

The main tasks at the staging areas are to provide the basic necessities of food, shelter and health care, if needed, and compile basic identification data. It is also the function of the staging areas to manifest refugees and arrange for their onward transportation to reception centers in the continental United States, utilizing military and commercial aircraft.

These programs will be carried out in military facilities and administered by a joint DOD/STATE/AID/INS/HEW team, assisted by voluntary and international organizations which include *inter alia* United Nations High Commissioner for Refugees (UNHCR), International Committee of the Red Cross (ICRC), International Committee for European Migration (ICEM).

*Third Country Resettlement.*—As stated earlier, we hope that third countries will be able to absorb as many as 15,000 refugees. Primary

responsibility for this activity rests with the United Nations High Commissioner for Refugees (UNHCR) and the International Commission for European Migration (ICEM) working with both the countries of asylum and the resettlement countries. These agencies are already in contact with many of these countries who have expressed an interest in receiving Vietnamese. Specific numbers for each country and plans to assist this effort are not yet fully developed. The United States will assist ICEM with transportation arrangements to the extent required. It is also envisioned that onward movement to third countries will occur at each stage of the refugee resettlement process; in other words, at the staging areas, reception centers or even after release from the reception centers.

We will also provide for the return to Vietnam or Cambodia for those refugees who request it. Arrangements for the return of these refugees to their home country also will be made with ICEM or UNHCR.

#### RECEPTION CENTER PROCESSING AND PREPARATION FOR INITIAL RESETTLEMENT

We plan that all refugees destined for resettlement in the U.S. will be brought to one of three reception centers—Camp Pendleton, California; Fort Chaffee, Arkansas; or Camp Eglin, Florida.

The major planned activities at the reception centers will be:

- Provision of basic needs such as food, shelter, clothing and other necessities.

- Final processing.

- Orientation to life in the United States and counselling, conducted in large part by the voluntary agencies.

- Recreation activities.

- Arranging sponsorship. Using computerized data developed in the identification, processing and counselling stages, voluntary agencies will match refugees with offers of sponsorship. In its entirety, the process includes contact with the proposed sponsor, a voluntary agency assessment of the sponsor's capability to sponsor, and voluntary agency assurance that, in their judgment, the sponsor has the capacity and will assume a moral responsibility for the refugees.

- In-center education, training, and further orientation for those refugees lacking immediate sponsorship.

The centers will be able to utilize the services of local volunteer groups, e.g., recreation programs and distribution of donated goods, but should not be a burden on the local communities.

In summary, the activities in the reception centers will emphasize the fastest processing and outflow possible consistent with immigration requirements and the best interests of the refugees. At the same time, we recognize that life in camp must be more than food, shelter and processing in order to maintain emotional stability among the refugees and ensure they are ready for integration into American society. Therefore, activities such as refugee self-government, ethnic language reading materials, recreational and self-improvement activities will be encouraged.

*Initial Resettlement.*—After the assurance of sponsorship has been obtained and the national security check has been completed, the refugee is ready for release from the reception center. Transportation to the nearest point of sponsorship will be arranged by the center. If it is determined that the refugee or sponsor cannot afford all or part of these transportation costs, transportation will be provided under the resettlement program.

Refugees who are the relatives or dependents of American citizens or permanent residents will be released to their principals. For the rest, the voluntary agencies and sponsors assume the main tasks of refugee resettlement. Funds will be provided to voluntary agencies (not directly to refugees) for this purpose. For planning purposes, we estimate that an average of \$600 per refugee will be granted to the voluntary agencies. We wish to point out, however, that based on previous experience, the funds being requested of Congress for the resettlement portions of the program will constitute only one-third to one-half the average amount that voluntary agencies will expend in resettling refugees. The balance comes from charitable contributions.

During the resettlement period, the voluntary agencies will assist with the initial contact between refugee and sponsor and counsel the sponsor if desired and needed. The voluntary agencies will provide an allowance if needed for initial resettlement costs such as food, clothing, furniture and shelter. Voluntary or community groups will also assist with basic orientation of the refugee to the community, placement of children in school and development of job prospects. In most cases it is expected that the sponsor will be able to do much of this on his own.

*Post-Sponsorship Assistance.*—From previous experience in resettling refugees, we know that the job will not end with the initial resettlement. Some will need further counselling and orientation to U.S. life. Many will need special language training. Most will have to improve their previous skills or develop new capabilities in order to quickly become a productive and self-sufficient part of American life. Therefore, the following programs are planned to augment the efforts of voluntary agencies, sponsors, and local community services and resources.

Establishment of a Job Bank to determine employment opportunities in relation to the refugee's location, his skills or his potential.

Establishment of an Educational Services Program, including:

Assessment of the English language proficiency (written and oral), and equivalency of previous education to the U.S. educational system.

Assessment of vocational skills and counselling on vocational training and opportunities.

Identification or development of appropriate educational materials.

Establishment of English language training programs.

Establishment of vocational education programs with an English language component.

Provision for training necessary for re-accreditation for professionals wishing to practice their previous skills in this country (e.g., doctors, lawyers, and teachers).

Identification of educational institutions with previous experience in teaching foreign nationals, especially Vietnamese and Cambodian.

Establishment of a central dissemination and referral service to assist refugees and sponsor agencies in obtaining appropriate educational materials, e.g., phrase books for families who have sponsored refugees with limited English capacity.

Assistance under presently organized Department of Health, Education, and Welfare programs once the refugee's permanent resident status is established—e.g., student financial assistance programs for higher education and programs for limited English speaking students under the Emergency School Assistance Act.

Establishment of a Social Services Program. Social services through public agencies would be limited in the same manner as they apply to other residents of the states and communities in which the refugees are located. Assistance will be provided to refugees who have a high risk of becoming dependent on assistance unless they receive help with pressing problems. The major purpose of this assistance is to help individuals and families achieve self-support and remain self-supporting. The services expected to be most needed are:

Counseling related to obtaining and retaining employment.

Referral to community resources—such as vocational rehabilitation for persons who have disabilities which constitute barriers to self-support.

Arranging for needed medical services.

Homemaker service where a parent has to be hospitalized for an illness and there is no one available to take care of the children.

Arranging for day care for children, if necessary, when a parent is in vocational rehabilitation.

Maximum reliance will be placed on voluntary agencies in a community for these services. And, of course, because of the extended family among the Vietnamese, it is expected that other family members will usually be able to provide necessary child care. Federal funding is expected to be limited to provision of bilingual staff, when necessary.

Beyond this, we anticipate the need for contingency federal government planning for assistance in solving certain additional residual resettlement problems for several months following the initial resettlement. Such problems may include difficult sponsorship and placement cases, serious mismatches in the sponsorship process, and the need to relocate refugees. Our planning is not developed for this stage of the resettlement process and we have not included this contingency in our funding request to Congress. As in the other phases, however, we will depend heavily on private voluntary agencies and established social welfare agencies for provision of these services.

*Contingency Federal Planning.*—Although we expect that the voluntary agencies and private sponsorship will absorb the great majority of refugees, we have asked several federal agencies to develop information which will assist with residual resettlement problems. We have asked, for example, that HEW, in cooperation with Labor, and DOD report on employment sectors where skills are presently in short supply; HUD to assess regional availability of low to medium cost hous-

ing; and Interior to analyze land availability in our Pacific or Caribbean areas for rice farming or tropical agriculture.

*Third Country Resettlement.*—As stated earlier, we hope that third countries will be able to absorb as many as 15,000 refugees. Primary responsibility for this activity rests with the United Nations High Commissioner for Refugees (UNHCR) and the International Commission for European Migration (ICEM) working with both the countries of asylum and the resettlement countries. These agencies are already in contact with many of these countries who have expressed an interest in receiving Vietnamese. Specific numbers for each country and plans to assist this effort are not yet fully developed. The United States will assist ICEM with transportation arrangements to the extent required. It is also envisioned that onward movement to third countries will occur at each stage of the refugee resettlement process; in other words, at the staging areas, reception centers or even after release from the reception centers.

We will also provide for the return to Vietnam or Cambodia for those refugees who request it. Arrangements for the return of these refugees to their home country also will be made with ICEM.

Attachment A summarizes the results of our efforts to obtain other country assistance in the resettlement of refugees.

*Funding.*—Attachment B summarizes the Administration's request to Congress for the federal funds needed to carry out this resettlement effort.

The foregoing plan constitutes only a mild adaptation of the basic manner in which hundreds of thousands of refugees have been resettled in this country since the end of World War II. The main difference is that never before have we been faced with the responsibility of resettling so many so fast.

RESETTLEMENT OF VIETNAMESE REFUGEES IN COUNTRIES—POSITIVE REACTIONS AS OF MAY, 10, 1975

Country	Number of acceptable refugees best estimate, subject to change	Qualifications
Canada.....	10,000	Based on number of Vietnamese with Canadian relatives and those holding visa letters.
France.....	5,000+	Before the fall of the Government of Vietnam there were as many as 10,000 French citizens. Those citizens and their close relatives have easy access to France. Other refugees with connections and interest in France should have access.
Australia.....	5,000	May take half as many refugees as does Canada.
Germany.....	4,000	Total could exceed 5,000 including 1,000 Vietnamese students already in Germany.
Great Britain.....	1,000	
Total.....	25,000	

Countries expressing a positive interest in accepting VN refugees, probably less than 100 per country:

Gabon	Dominican
Morocco	Grenada
Belguim	St. Vincent
Italy	Singapore
Antigua	New Zealand
Barbados	Spain

# UNHCR ASSESSING SITUATION OF THE VIETNAMESE OUTSIDE THEIR COUNTRY

A number of governments have drawn the attention of the UNHCR to the recent arrival in various countries of large numbers of Vietnamese, as well as groups of Cambodians, who left their country during the recent events and who now need assistance.

The High Commissioner has expressed concern about the substantial number of people who clearly require urgent solutions to their situation. The Office will place emphasis, according to needs, on resettlement in countries willing to accept them, or durable asylum in countries where they have arrived.

The High Commissioner is contacting a number of governments of countries of potential resettlement. In addition, UNHCR will assist in facilitating voluntary repatriation wherever possible, if this is the preferred choice of some of the uprooted, and the reunion of split families, thereby alleviating the tragic consequences of separation.

According to information available, at this stage, the groups have arrived in significant numbers in Guam, Hong Kong, Malaysia, Philippines, Singapore and Thailand, though smaller numbers find themselves in a number of other countries including some outside the area.

The High Commissioner representatives are assessing the situation in these countries in order to provide the data required for appropriate action.

As part of this comprehensive assessment two UNHCR officials arrived in Guam today.

The High Commissioner, Prince Sadruddin Aga Khan, stated "my Office has always helped promote speedy solutions to problems of refugees and displaced persons wherever they might be. UNHCR will, as in the past, seek ways to encourage, as needed, voluntary repatriation, integration in countries of first asylum, the resettlement of individuals of concern to us, in a strict humanitarian and non-political manner."

## STATEMENT OF SENATOR JAMES ABOUREZK BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE

Mr. Chairman, thank you for allowing me the time this morning to present my views on the questions regarding humanitarian and resettlement assistance to refugees from Indochina.

I'm here because I believe that the Administration has failed to develop an adequate plan for providing assistance and for resettling the 150,000 Vietnamese, and Cambodians who fled their country. It has failed to compile adequate data on the refugees and continues to provide inadequate and sketchy reports to the Congress.

Instead, they have come to the Congress with an open-ended request for vast sums of money for well-intentioned assistance to Vietnamese and Cambodians whose numbers at this point even remain unclear. Last week, for example, they advised the Judiciary Committee that they were extending the parole authority by an additional twenty thousand to cover what they think is the total number of refugees coming into the United States.

After twenty years of U.S. involvement in Indochina, it would be wrong to turn our backs on the thousands of refugees now attempting

to enter the United States. We ought to help these people, just as we have helped the hundreds of thousands of refugees from other parts of the world in years passed. What we ought not to do is to commit ourselves unnecessarily to a plan which is based on emotionalism and hastily prepared plans. There is no logical reason why this Congress must commit itself all the way through 1977 to decisions made within a few day's time. It is highly unusual for the Congress to commit itself this far in advance, especially in a case such as this where no well thought-out plan has been constructed.

Because we have no plan, we are being forced into offering humanitarian aid to perhaps thousands of trained political assassins who operated the Phoenix Program in Vietnam and for other undesirables. The ironic thing about this is that in the past twenty years—the same time period in which this country was so heavily committed to Vietnam—we have refused asylum in this country for people who have tried to live honestly in other countries, but could not do so because of the anti-humanitarian policies of some other governments, most of whom obtain support from our government. I am talking about Soviet Jews, Palestinian refugees, refugees from Brazil, Chile, Indonesia, Berundi and Rhodesia.

Before we vote on appropriations of the magnitude requested by the President and for the length of time he suggests, we ought to let the dust settle and emotions come down. I think its about time we combined a little thought with our generous inclinations. Instead of continuing to stumble over ourselves in an effort to demonstrate our magnanimous generosity, we ought to rethink and replan a workable program to help these people.

The bill which I introduced last week is designed to do that, Mr. Chairman.

First, the bill would limit the Administration's aid request to \$127,000,000 for a period of three months following the date in enactment. If one would stretch out the President's request for assistance over the time period for which he has requested, this amount is actually more generous for the first three months than what would be provided for under his request.

Secondly, this legislation would require the Administration to come up with a plan. At the end of two months, the Administration would be required to report to the Congress exactly how they are spending the refugee funds, how much more they need, and for what specific purposes. Having had the benefit of two months' experience, the INS, the State Department and other federal agencies will have a far clearer picture of what they need and when they will need it. And the Congress, too, will be in a much better position to consider their information and requests.

Third, the bill will provide funds to any Vietnamese or Cambodian refugee who has had a change of heart and who wishes to return to his or her homeland. I have no idea at this point how many of these people there are. That is the reason for the second provision of my bill, There may be 50. There may be 500. But whatever the number, just as we owe it to the people who want to resettle in this country to help them, so do we owe it to the people who want to resettle in their own country to help them.

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Finally, the legislation I propose would set a one year moratorium on all hiring by any U.S. intelligence agency or the Department of Defense who participated in the Operation Phoenix Program. As you know, Mr. Chairman, the Phoenix Program was one which involved the planned and hired assassination of opponents of President Thieu and others who disagreed with his policies. Deputy Assistant Secretary of Defense Dennis Doolin has admitted that 26,369 Vietnamese citizens lost their lives as a result of this program.

On November 25, 1974 the Los Angeles Times quoted Allied Intelligence sources which indicated that Phoenix Operatives were "mainly former criminals and communists recruited from the jails." They said that these assassins are also used to arrest especially dangerous suspects and to administer the roughest tortures.

Last week, The San Francisco Chronicle quoted an AID official as saying that there could be as many as 5,000 Phoenix program employees coming into this country.

Since our government has already taken the responsibility of bringing these people over, it would be wrong to try to send them back. However, we can forbid the intelligence agencies and the Defense Department from using them over here. At least, we ought to insist on a one year moratorium, as my bill provides to insure that the appropriate agencies observe these people and consider their backgrounds very carefully.

This summarizes my bill, Mr. Chairman. It provides for the amount of money which the President has requested, but for a more practical time period. Circumstances and subsequent needs are bound to change within the next two months. There is no question but that the Congress will be in a much better position to make further decisions and commitments after we have had the benefit of hindsight provided by two months' time.

TESTIMONY FOR THE U.S. SENATE FOREIGN RELATIONS COMMITTEE ON BEHALF OF THE AMERICAN FRIENDS SERVICE COMMITTEE AND THE FRIENDS COMMITTEE ON NATIONAL LEGISLATION, MONDAY, MAY 12, 1975

My name is David W. Stickney of Lake Forest, Illinois. I am a member of the Board of Directors of the American Friends Service Committee, for which I speak today, and I am also speaking for the Friends Committee on National Legislation. I wish to note that no individual can speak for the whole Religious Society of Friends, or Quakers, and my remarks are on behalf of the two organizations I have referred to.

For the record, I am recently retired as Associate Director of the Illinois State Hospital Association. I served the American Friends Service Committee as field director of the Quaker Rehabilitation Center in Quang Ngai, South Vietnam, in 1966 and 1967, and last visited Quang Ngai in March, 1975. I also visited Laos in March, 1975.

The American Friends Service Committee, which has had a long history of assistance to refugees and a deep involvement in assistance to war victims on all sides of the wars in Indochina, is distressed by the one-sided focus on humanitarian aid which has been presented to Congress and the public. In the last days of the war in Vietnam, there

were White House appeals for the thousands and thousands of refugees in South Vietnam. When the war ended, the appeal was changed; Americans now were asked to focus their aid efforts only on those Vietnamese who left their country for the United States.

The American Friends Service Committee believes that, despite the selectivity with which the United States has sometimes opened its doors to refugees—admitting some, denying others, it is an established and proper tradition for Americans to open their doors to those who are or feel forced to flee their homelands. We believe that those Vietnamese, who, however rightly or wrongly, feared for their lives and futures in Vietnam, should have the opportunity to come to this country. We also believe that the actual evacuation of those Vietnamese was ill-considered, hasty, haphazard and chaotic. But, regardless of the character of the evacuation, there are now Vietnamese refugees on American soil and we believe that every reasonable effort should be made to assist them, according to their wishes—to assimilation in our society, to resettlement in other lands, or to repatriate to Vietnam.

The American Friends Service Committee does not at present have any operation to assist these refugees; the United States government and others are addressing this need. We believe that many Quaker Meetings in various parts of the country might well be willing to assist individual refugees or families seeking a new life.

We are distressed that official American attention is being given only to those who left Vietnam. The need of the human beings in Indochina, about whom there was so strong an emotional appeal a few short weeks ago, is still there. The end of the war and the advent of a new government has not lessened the need. To ignore that need now, because of United States political considerations, would make a mockery of the official United States concern so recently expressed about it.

There is no doubt that the need of many of the 100,000-plus Vietnamese refugees now under United States care is great. But it should be obvious to all that the need of the millions of war victims who remain in Vietnam is greater. We believe that the greatest need is still in Indochina. That need includes:

- Aid to the wounded, maimed and sick;

- Aid to the displaced;

- Aid in reconstruction of homes and villages;

- Aid in rehabilitation of agricultural land;

- Aid in food supplies until adequate crops come in;

- Aid in detecting and rendering harmless the tons of unexploded ordnance all over the Indochinese landscape.

The United States has a responsibility to the Vietnamese who are suffering in these days. Our war actions and our military support to the wars in Indochina are directly responsible for enormous amounts of human, social and environmental damage in Indochina, amounting to the proportions of a great human catastrophe. There have been calls from high United States levels to put the Vietnam war behind us. Can we in good conscience put out of sight and out of mind the enormous damage we caused or helped to cause? Can we put out of sight and mind the declarations of two Presidents that we must help to repair the terrible damage to Vietnam and the Vietnamese? We believe that Americans cannot in good conscience do that. We believe

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that it is necessary for the Vietnamese to be aided and that it is necessary for Americans to aid them. Surely it is unnecessary now to remind Americans of the numbers of wounded and injured in Vietnam, the numbers of homeless and bereaved, the number of acres of farm and forest land that we helped to destroy. If we are to ever have true reconciliation with the people of Indochina, the way must be paved by the work of restoration and reconstruction. We are prepared to help.

In this connection, the American Friends Service Committee is disappointed that, with the change of regimes in Cambodia and South Vietnam, the United States government has placed all of Cambodia and Vietnam under the "trading with the enemy" provisions of the government. If the American Friends Service Committee and other agencies, which have provided aid to South Vietnam for years, now wish to continue to do so, they must seek government licenses or else be faced with the decision as to whether God's law or United States law shall govern our humanitarian responses.

We believe that the Congress of the United States should enact legislation containing these points:

(1) The United States should drop Cambodia and all of Vietnam from the category of "enemy" and allow for unrestricted humanitarian assistance to go to those who need it, regardless of their political beliefs or those of their governments.

(2) The United States Congress should legislate humanitarian aid for all of Indochina on a humanitarian, a political basis.

(3) The legislation should stipulate that the aid may go through channels which will facilitate its distribution and use. Those channels are the United Nations and the voluntary agencies which are able or experienced in providing aid to all sides in Indochina.

Because the American Friends Service Committee has insisted on its aid to Indochina being on a non-partisan basis and of a nature to aid civilians rather than war efforts, we have been able to maintain open relations with the governments of the Republic of Vietnam (Saigon), the Democratic Republic of Vietnam (Hanoi), and the Provisional Revolutionary Government of South Vietnam. Our staff members have, with full knowledge and consent of the United States government, visited or worked in all parts of Vietnam. We have staff in Vietnam today. We are in contact today with the governments in Vietnam and both parts of the coalition government in Laos. We are seeking such contacts with the new government in Cambodia. We may, therefore, be in a position to assist the United States government in carrying out truly humanitarian aid on a non-political basis. If arrangements satisfactory to the United States government and the governments of Vietnam can be worked out, we are prepared to offer our assistance, on the basis of trust in us and of our adhering to our basic and our operational principles in relating to the human need in Indochina.

We urge this Committee to include in legislation which it reports to the floor, a provision which will authorize humanitarian assistance to needy people in South Vietnam, Cambodia, and Laos through international organizations and private voluntary agencies.

The Provisional Revolutionary Government of South Vietnam has requested humanitarian assistance. UN Secretary General Kurt

Waldheim has made a worldwide appeal for humanitarian assistance to Indochina.

The Senate approved language authorizing \$150 million for needy people in South Vietnam and Cambodia when it passed S. 1484, the evacuation bill, on April 23 and the Conference Report April 25. Unfortunately, when the House failed to approve the Conference Report because of the fast-changing situation in Vietnam, this provision was lost. This Committee also approved S. 1541 on April 30 authorizing an additional \$50 million in FY 1975 in humanitarian assistance for Cambodia.

As the language of S. 1484, the Vietnam Contingency Act of 1975, noted: "It is traditional for the American people to be generous and compassionate in helping the victims of foreign conflicts and disasters. In keeping with that tradition, it shall be the policy of the United States to provide humanitarian assistance to help relieve the suffering of refugees and other needy people who are the victims of the conflicts in South Vietnam and Cambodia."

The bill before this Committee now deals only with some 150,000 war victims who left Vietnam. We hope this bill will be amended to provide a generous U.S. contribution for food and medicine and other humanitarian assistance to the millions who remained in Indochina and who are also victims of the conflict there.

We urge the Committee to incorporate provisions similar to those in S. 1484 and S. 1541.

At the end of a long, divisive, and terrible war, we need no more recriminations. We need to learn from this experience. Even more important, we need acts of unprecedented generosity. If the world is to move away from the war and aggression, nations must set new standards of civility, magnanimity, and compassion. We covet for our nation this kind of spirit and leadership.

#### MIGRATION AND REFUGEE ASSISTANCE ACT OF 1962, AS AMENDED

Public Law 87-510 [H.R. 8291], 76 Stat. 121; 22 U.S.C. 2601, approved June 28, 1962, as amended by Public Law 88-634 [H.R. 11812], 78 Stat. 1021, approved October 7, 1964

AN ACT To enable the United States to participate in the assistance rendered to certain migrants and refugees

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Migration and Refugee Assistance Act of 1962."

SEC. 2. (a) The President is hereby authorized to continue membership for the United States in the Intergovernmental Committee for European Migration in accordance with its constitution approved in Venice, Italy, on October 19, 1953. For the purpose of assisting in the movement of refugees and migrants and to enhance the economic progress of the developing countries by providing for a coordinated supply of selected manpower, there are hereby authorized to be appropriated such amounts as may be necessary from time to time for the payment by the United States of its contributions to the Committee and all necessary salaries and expenses incidental to United States participation in the Committee.

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(b) There are hereby authorized to be appropriated such amounts as may be necessary from time to time—

(1) for contributions to the activities of the United Nations High Commissioner for Refugees for assistance to refugees under his mandate or in behalf of whom he is exercising his good offices;

(2) for assistance to or in behalf of refugees designated by the President (by class, group, or designation of their respective countries of origin or areas of residence) when the President determines that such assistance will contribute to the defense, or to the security, or to the foreign policy interests of the United States;

(3) for assistance to or in behalf of refugees in the United States whenever the President shall determine that such assistance would be in the interest of the United States: *Provided*, That the term "refugees" as herein used means aliens who (A) because of persecution or fear of persecution on account of race, religion, or political opinion, fled from a nation or area of the Western Hemisphere; (B) cannot return thereto because of fear of persecution on account of race, religion, or political opinion; and (C) are in urgent need of assistance of the essentials of life;

(4) for assistance to State or local public agencies providing services for substantial numbers of individuals who meet the requirements of subparagraph (3) (other than clause (C) thereof) for (A) health services and educational services to such individuals, and (B) special training for employment and services related thereto;

(5) for transportation to, and resettlement in, other areas of the United States of individuals who meet the requirements of subparagraph (3) (other than clause (C) thereof) and who, having regard for their income and other resources, need assistance in obtaining such services; and

(6) for establishment and maintenance of projects for employment or refresher professional training of individuals who meet the requirements of subparagraph (3) (other than clause (C) thereof) and, who, having regard for their income and resources, need such employment or need assistance in obtaining such retraining.

(c) Whenever the President determines it to be important to the national interest, not exceeding \$10,000,000 in any fiscal year of the funds made available for use under the Foreign Assistance Act of 1961, as amended,<sup>1</sup> may be transferred to, and consolidated with, funds made available for this Act in order to meet unexpected urgent refugee and migration needs.

(d) The President shall keep the appropriate committees of Congress currently informed of the use of funds and the exercise of functions authorized in this Act.

(e) Unexpected balances of funds made available under authority of the Mutual Security Act of 1954, as amended, and of the Foreign Assistance Act of 1961, as amended and allocated or transferred for the purposes of sections 405(a), 405(c), 405(d) and 451(c) of the Mutual Security Act of 1954, as amended,<sup>2</sup> are hereby authorized to be

<sup>1</sup> For text, see page 3.

<sup>2</sup> See sec. 6 of this Act.

continued available for the purposes of this section and may be consolidated with appropriations authorized by this section.<sup>3</sup>

Sec. 3. (a) In carrying out the purpose of this Act, the President is authorized—

(1) to make loans, advances, and grants to, make and perform agreements and contracts with, or enter into other transactions with, any individual, corporation, or other body of persons, government or government agency, whether within or without the United States, and international and intergovernmental organizations;

(2) to accept and use money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or otherwise for such purposes.

(b) Whenever the President determines it to be in furtherance of the purposes of this Act, the functions authorized under this Act may be performed without regard to such provisions of law (other than the Renegotiation Act of 1951 (65 Stat. 7)), as amended,<sup>4</sup> regulating the making, performance, amendment, or modification of contracts and the expenditure of funds of the United States Government as the President may specify.

Sec. 4. (a) (1) The President is authorized to designate the head of any department or agency of the United States Government, or any official thereof who is required to be appointed by the President by and with the advice and consent of the Senate, to perform any functions conferred upon the President by this Act. If the President shall so specify, any individual so designated under this subsection is authorized to redelegate to any of his subordinates any functions authorized to be performed by him under this subsection, except the function of exercising the waiver authority specified in section 3(b) of this Act.

(2) Section 104(b) of the Immigration and Nationality Act (8 U.S.C. 1104(b)), is amended by inserting after the first sentence the following: "He shall be appointed by the President by and with the advice and consent of the Senate."<sup>5</sup>

(b) The President may allocate or transfer to any agency of the United States Government any part of any funds available for carrying out the purposes of this Act. Such funds shall be available for obligation and expenditure for the purposes for which authorized in accordance with authority granted in this Act or under authority governing the activities of the agencies of the United States Government to which such funds are allocated or transferred. Funds allocated or transferred pursuant to this subsection to any such agency may be established in separate appropriation accounts on the books of the Treasury.

Sec. 5. (a) Funds made available for the purposes of this Act shall be available for—

(1) compensation, allowances, and travel of personnel, including Foreign Service personnel whose services are utilized primarily for the purpose of this Act, and without regard to the

<sup>3</sup> The final sentence in section 2(e) of this Act, repealed by the Foreign Assistance and Related Agencies Appropriation Act, 1965 (Public Law 88-634, 78 Stat. 1021), reads: "Funds appropriated for the purposes of this section shall remain available until expended."

<sup>4</sup> 50 U.S.C. App. 1211 note.

<sup>5</sup> See page 345.

provisions of any other law, for printing and binding, and for expenditures outside the United States for the procurement of supplies and services and for other administrative and operating purposes (other than compensation of personnel) without regard to such laws and regulations governing the obligation and expenditure of Government funds as may be necessary to accomplish the purposes of this Act;

(2) Employment or assignment of Foreign Service Reserve officers for the duration of operations under this Act;

(3) Exchange of funds without regard to section 3651 of the Revised Statutes (31 U.S.C. 543), and loss by exchanges;

(4) Expenses authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.),<sup>6</sup> not otherwise provided for;

(5) Expenses authorized by the Act of August 1, 1956 (70 Stat. 890-892), as amended; <sup>7</sup> and

(6) All other expenses determined by the President to be necessary to carry out the purposes of this Act.

(b) Except as may be expressly provided to the contrary in this Act, all determinations, authorizations, regulations, orders, contracts, agreements and other actions issued, undertaken, or entered into under authority of any provision of law repealed by this Act shall continue in full force and effect until modified, revoked, or superseded under the authority of this Act.

SEC. 6. Subsections (a), (c) and (d) of section 405 of the Mutual Security Act of 1954, as amended, subsection (c) of section 451 of the said Act, and the last sentence of section 2(a) of the Act of July 14, 1960 (74 Stat. 504), are hereby repealed.

SEC. 7. Until the enactment of legislation appropriating funds for activities under this Act, such activities may be conducted with funds made available under section 451(a) of the Foreign Assistance Act of 1961, as amended.<sup>8</sup>

<sup>6</sup> For text, see page 359.

<sup>7</sup> 22 U.S.C. 2662 et seq.

<sup>8</sup> For text, see page 3.

