

Indochinese Refugee Reports

Information Exchange Project American Public Welfare Association
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Volume I, Number 6

July 10, 1979

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EDUCATION FOR INDOCHINESE REFUGEE CHILDREN

More than 50,000 Indochinese children now attend elementary and secondary schools throughout the country. Their special educational needs are met by a mix of state, local and federal funds which are sometimes channeled into projects specifically designed for them, but which usually support programs designed for multi-language groups. As with all programs for Indochinese refugees, the history of educational support for refugee children is a history of ad hoc response to an initial emergency situation and the progressive development of legislation to deal with continuing needs.

Legislative History

Although school districts receive only 8-10% of their total funding from the federal government, that amount can be crucial to special programs such as those needed for refugee children.

In 1975, under the Indochina Migration and Refugee Assistance Act, (P.L.94-23), one-time-only grants were made to school districts for "emergency transitional assistance" to elementary and secondary schools. Only districts with 100 or more Indochinese students (or 1% of their total enrollment, whichever was less) were eligible. Grants were awarded based on the number who exceeded the threshold level, approximately \$250 for each student.

Indochinese Refugee Reports is published biweekly, by the Information Exchange Project, operated under Grant #96-P-9104/3-01 from the Office of Refugee Affairs in the Social Security Administration, Department of Health, Education, and Welfare.

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In 1976, the Indochina Refugee Children Assistance Act (P.L. 94-405) provided for one-year grants to state educational agencies (SEAs) for unspecified "educational services" for Indochinese children parolled into the U.S. since 1975. Under the Act, SEAs were enabled to make sub-grants to local educational agencies (LEAs) at a rate of \$300 per child up to the first 100 in the district (or 1% of the total population, whichever was less) and sub-grants of \$600 for each eligible child over the first 100 (or 1%).

Although the Act was signed into law in November 1976, appropriations were not made until May 1977. Funds were distributed beginning with the school year in 1977. Through September 30, 1978, approximately 53,000 Indochinese children throughout 2,187 school districts received special educational services through the program. Information provided by SEAs showed that the breakdown for these services was as follows: 50% of participating LEAs offered classroom instruction in English As a Second Language or English for Speakers of Other Languages; 20% of participating LEAs offered bilingual and bicultural educational services specifically designed for Indochinese children; 20% offered long-term tutorial services to refugee children on a "pull out" basis or on a special schedule; and approximately 10% offered intermittent tutorial services to refugee children.

According to an OE official and several state education officials, the \$18.5 million awarded under the 1976 law were the absolute minimum required for the necessary programs. On September 30, 1978, those funds expired.

Since that time, states have been operating on their own resources. Although no exact figures have been compiled, it is known that several states have simply operated out of their own bilingual education funds to aid Indochinese children, usually in programs that include other lan-

guage groups. Some local districts devise ways to fund their own programs. In the absence of any funding, some officials guess that there are children who are simply mainstreamed and left to fend for themselves.

The Office of Indochinese Refugee Assistance in the Office of Compensatory Education Programs (OE Bureau of Elementary and Secondary Ed) administers the program of federal financial assistance to states for educational services to Indochinese refugee children. Its links to the IRAP program and to the Office of Bilingual Education are "informal." In the absence of any federal program dollars for states, its director, Jim Lockhart, has been offering training and technical assistance to states through on-site monitoring and evaluation of existing programs, participation in workshops and consultation with governors' offices and SEA and LEA officials who request information. This assistance has come through that Office's salary and expense fund allocations.

Legislatively, the picture is not entirely bleak. On November 1, 1978, President Carter signed the Education Amendments of 1978 (P.L. 95-561), which extended the Indochina Refugee Children Assistance Act, with changes, through 1981. However, no funding was appropriated for the act in the 1979 Supplemental Appropriations, nor is there a request for funds in the FY'80 budget.

There is some hope that Indochinese children may receive special services under Title I (Financial Assistance to Meet Special Educational Needs of Children) and Title VII (Bilingual Education) of the Education Amendments of 1978. Optimism is tempered, however, by the stringent requirements for Title I funds, which go to schools with a certain proportion of families below the poverty line. Because most Indochinese children are initially sponsored by middle-class families, it is doubtful that Title I will directly affect many of their schools. The Bilingual Education Act was recently amended to include children "of limited English proficiency" in reading, writing or understanding English, a

NPRMs

provision which should broaden participation in grants awards. Whether or not service to Indochinese children will be greatly enhanced under this act remains to be seen. Figures for the 1977-78 Basic Education Grants made through the Bilingual Education Act show that there were only two grants for Indochinese children alone: in one district in New Orleans, in another in Grand Rapids, serving a combined total of 355 students. Throughout the year, out of a total of 565 grant awards, 59 went to programs for Asian and Pacific children. (Figures were not separated out for distinct language groups.) Of the \$94.5 million awarded for basic education grants, \$6.5 went to Asian and Pacific language projects, or about 7% of the total.

Outlook

At present, the only framework for providing federal aid to Indochinese students is the unfunded Indochina Refugee Children Assistance Act and the Bilingual Education Act. However, Title III -- Temporary and Transitional Assistance to Refugees-- of the Refugee Act of 1979, Section 301(b)(1)(E), authorizes appropriations for "payments to State and local agencies for projects to provide special educational services (including facility in English) to refugee children in elementary and secondary schools." One OE official considers this a reaffirmation of the Indochina Refugee Children Assistance Act. Another interprets it to cover transitional aid needed when an Indochinese child enters a school mid-year, creating unanticipated expenses. After the first year, according to this official, funding would have to come under grant awards under Title XIII (Extension of Indochina Refugee Children Assistance Act) or VII of the Education Amendments of 1978.

As required by law, HEW recently issued a NPRM for the Indochina Refugee Children Assistance Act. Under the Education Amendments of 1978, this Act limits eligibility to those children arriving in the U.S. on or after January 1, 1977. It also specifies that educational services covered are: supplementary educational services necessary to enable children to achieve satisfactory performance levels in school; additional basic instructional services related to costs for these children, including the hiring of additional teachers and purchase of materials and supplies; and special in-service training for teachers. Major points for the proposed regulations are:

- States are eligible for, not entitled to, the funds.

- SEAs and LEAs must provide data to show that costs are directly related to the presence of Indochinese children in the schools.

- As stated by law, the maximum grant that a SEA may receive is \$450 per child aged 5 to 17 who is provided with public educational services. However, the distribution of funds by SEAs is discretionary: sub-grants to LEAs may reach a maximum of \$675 per child served, allocating more funds to those LEAs providing more services than others.

- Program funds may be allocated for any actual expenditures directly related to the educational services provided to a child who has been in the U.S. less than two years. For children who have been in the U.S. two years or longer, program funds can be used for only those actual expenditures that are in addition to the average per pupil expenditure of the LEA during the preceding year. (For other provisions which govern the types of expenditures allowed, application requirements and other guidelines, see Federal Register, Volume 44, No. 123, June 25, 1979.

Comments must be received before August 24, 1979.)

Proposed regulations for the Bilingual Education Act represent a complete rewrite of the current program regulations. (See Federal Register, Volume 44, No. 127, June 29, 1979. Comments must be received before August 29, 1979.) The act authorizes four types of programs: direct grants (including basic projects in bilingual education, demonstration projects and others), desegregation support, fellowships and research and development. Some of the major changes now governing basic project grants are:

-In weighing selection criteria for grants, 50 points out of a possible 90 are based on the number and percentage of students with limited English proficiency.

-Consideration for award can include whether or not the program could be continued beyond the award of federal funds. In addition, priority can be given to those language groups historically underserved in bilingual education programs.

-There is a requirement that bilingual personnel have the ability to converse with considerable proficiency in the language of the students on both general topics and specific subject areas.

Coordinating Efforts

Unofficial estimates are that as many as 40-50% of the refugees who will arrive in the U.S. in the future will be children between the ages of 5 and 17. It's clear that the needs of these students will have to be met over time. Education officials say that where classroom programs can't be funded, in-service training of teachers is the next best option. But resource centers are also needed to develop materials, conferences and workshops for in-service training, and materials centers are needed to

identify and evaluate educational publications. All of this requires coordination and funding.

HEW announced recently that the regulations to be developed for the IRAP program by October 1 may coordinate education programs for refugees with all other refugee programs. In the meantime, efforts to develop regulations for the Indochina Refugee Children Assistance Act continue as required by law, although no one seems too optimistic about funding for the program. If the Refugee Act passes this year, funding may soon be available through Title III provisions for educational services. Barring that case, schools will be ferreting funds for Indochinese children through application for Bilingual Ed grants, through state bilingual funds or local sources.

FORMER SENATOR NOW SPEAKS FOR WORLD'S REFUGEES

Dick Clark has been a familiar face at congressional hearings in recent months, but these days he comes not as a senator from Iowa but as the U.S. official who speaks for the world's refugees. Defeated in his re-election bid last year, Clark was chosen in late February by President Carter for the new post of U.S. coordinator for refugee affairs.

Although Clark has no specific experience in refugee matters, as a member of the Senate Foreign Relations Committee from 1972 to 1978, he reportedly gained the respect of Secretary of State Cyrus Vance. According to aides to Clark, reasons for his appointment, besides Vance's esteem, include the administration's desire to appoint a prestigious figure to underscore the importance of refugee problems and the savvy and contacts the former senator would bring to the job of lobbying for the administration's proposed Refugee Act of 1979.

The coordinator's office, established to give a focal point to all federal refugee efforts, possesses a broad mandate. It is responsible for formulating the government's policy and budget

vis-a-vis refugees and for overseeing both U.S. refugee efforts abroad and resettlement programs at home. It also represents the administration in dealing with Congress on refugee affairs and acts as liaison to voluntary organizations, governors, mayors and others. However, it leaves the actual running of refugee programs to other parts of the government.

The coordinator's office is lodged in the State Department but is not in the regular chain of command. Clark reports directly to Secretary of State Vance--and to President Carter.

Since becoming coordinator, Clark has traveled to Southeast Asia and to Europe to see the refugee situation firsthand and to talk to officials of foreign governments and international organizations. One of his purposes was to convince other countries to take more refugees and to contribute more money to international assistance programs. To strengthen his hand in such dealings, he was named ambassador-at-large by Carter, and he reports directly to the president as well as to the secretary of state.

The State Department's refugee work is presently scattered among the Bureau of Human Rights and Humanitarian Affairs, the Bureau of International Organization Affairs and the Agency for International Development. Clark is overseeing the consolidation of the State Department refugee programs in a single unit, the first in a series of reorganizations of all U.S. agencies that deal with refugees. The new unit, which should be fully operational by October, is currently headed by acting director Frank Sieverts, deputy assistant secretary of state for refugee and migration affairs. The permanent director will report directly to Clark.

A staff of 14 people, who were detailed from elsewhere in the State Department or other federal agencies or who came from congressional offices, carry out the work of the co-

ordinator's office. The staff is currently working for passage of the administration's refugee bill and is planning trips by Clark to observe domestic resettlement programs. Clark's office has published the government's first assessment of the worldwide refugee situation. (For copies of the 56-page 1979 World Refugee Assessment, write the Office of the U.S. Coordinator for Refugee Affairs, Room 7528A, Department of State, Washington, D.C. 20520.)

Clark also chairs the new Interagency Committee on Refugee Affairs, created to develop better coordination, management, and long-term policy planning and budgeting for refugees among federal agencies.

Recent Developments

res. staff FAMILY REUNIFICATION BEGINS

On June 26, the first phase of the Vietnamese family reunification program began when eight persons boarded a chartered plane bound for Bangkok, where they will be processed before flying on to join relatives in the U.S. Fifty people were expected on the first flight, and it is not known why so many failed to appear.

In early March, Deputy U.N. High Commissioner for Refugees (UNHCR) Dale De Haan announced that an initial agreement had been reached with Vietnam to allow for the orderly departure of Vietnamese with relatives abroad. (See issues #2 and 3.) An official in the State Department Visa Office reported that during the week of June 18, Vietnam responded to the U.S. list of 5000 names with a list of 2700. Of those, only 465 reportedly wanted to come to the U.S., and 160 of those names did not appear on the U.S. list. Additionally, 60 people on the Vietnamese list are already in the U.S. The remaining 220 persons have been approved for exit visas. Those coming to the U.S. will enter as relatives of citizens or of permanent resident aliens, not as refugees.

Under the finalized agreement reached in early June with De Haan, Vietnam had agreed to release as many as 10,000 persons a month. An official in the Visa Office noted, "Obviously, their initial response is very disappointing. How fast this moves remains to be seen."

The American Embassy in Bangkok has been receiving approximately 250 additional petitions each week from Vietnamese seeking the release of their relatives. The embassy is reported to be hiring additional staff to cope with the large volume of requests, which have to be processed and forwarded through the UNHCR.

Health
CALIFANO ANNOUNCES ADDITIONAL HEALTH MEASURES FOR REFUGEES

On June 14, nine days after a press statement concerning reported health problems among arriving Indochinese refugees (see issue #5), HEW Secretary Joseph Califano announced initial findings of an investigative health team sent to the West Coast. The team met with federal, state and local officials, volag representatives and refugees and also visited tb and venereal disease clinics, health departments and hospitals.

The team concluded that the risk of transmission of diseases by refugees to American citizens is very low for several reasons. First, the medical screening in Southeast Asian camps eliminates most risks of transmission. Additionally, the diseases identified (tb, vd, leprosy) are treatable and generally require close contact for transmission to occur. Other diseases occurring more frequently in the Indochinese population are less likely to occur in the U.S. due to sanitation.

The team also concluded that more should be done to meet the health care needs of the Indochinese refugees once they arrive in the U.S., particularly in the delivery of ambulatory care, outpatient diagnosis and screening, immunization, disease

prevention, nutrition, dental care and mental health. Califano stated that at present "there is no overall system for addressing health needs of Indochinese refugees."

Among several steps Califano announced were:

- The team which has been sent to Southeast Asia to study screening and treatment of refugees in camps, headed by the Director of the Center for Disease Control, Dr. William Foege, will work with health officials to begin immunization of children there against childhood diseases.

- Administrator of the Health Services Administration Dr. George Lythcott will begin planning with local health authorities to set up mechanisms for refugees to receive a variety of health services shortly after their arrival in the U.S.

- Working with INS and U.S. Public Health Service officials, Dr. Foege has been directed to study methods used to notify local health authorities of the anticipated arrival of refugees in their communities.

When the team dispatched to Southeast Asia returns, possibly within three weeks, its findings and the full report of the West Coast investigative team will be made public with recommendations. Califano noted that previously announced measures are "first steps" in improving the health care of refugees now arriving in the U.S.

Prog.
IRAP REORGANIZATION

HEW Secretary Joseph Califano has announced that the Special Programs Staff in the Office of Family Assistance in the SSA has been placed within a new "Office of Refugee Affairs," directed by Dennis Gallagher, formerly of the National Manpower Institute. Philip Holman, current director of the Office of Special Programs in OFA, will serve as deputy di-

FY'80 APPROPRIATIONS

Labor-HEW

rector of the new office. For program and policy purposes, the Office will report directly to Peter Bell, recently named Deputy Under Secretary for International Affairs. For administrative purposes, the Office of Refugee Affairs is located within SSA.

Califano also announced that he has directed regulations for the Indochinese program to be developed by October 1.

UPDATE ON SUPPLEMENTAL
APPROPRIATIONS *Jan.*

On June 25, the Senate passed H.R. 4289 which makes supplemental appropriations for the fiscal year ending September 30, 1979. The bill contained appropriations for both HEW and Department of State refugee assistance. The bill is now scheduled to go to conference on July 10, when Congress resumes work after its July 4th recess.

The Senate bill was identical to the House bill in regards to HEW appropriations. (See issue #5.)

By floor amendment, however, appropriations for Department of State assistance were raised. The Senate Appropriations Committee had slashed the original \$10 million emergency fund to \$7.5 million. The full Senate raised that by \$9.7 million, for a total appropriation of \$17.2 million for emergency funds. The ceiling for migration and refugee assistance was raised to \$108.9 million from the Committee's \$103,035,000 million, and now exceeds the House appropriation of \$104.9 million. The amendment for the changes was introduced by Senator Boschwitz (R.-Minnesota) and passed by a vote of 70 to 22, with eight members not voting.

A House/Senate conference on authorizing legislation for the Department of State supplemental appropriation, scheduled for June 27, was rescheduled for some time after the recess.

On June 28, the House passed H.R. 4389, making appropriations for Labor and HEW for FY'80. \$23.5 million were appropriated for refugee assistance (\$20 million for Soviet refugees, 2 million for Cuban and \$1.5 for Federal administrative costs). No appropriations for FY'80 were made for Indochinese refugees, because the current authorization for appropriations expire on September 30, 1979.

On June 16, the Senate Subcommittee on Labor-HEW approved H.R. 4389 for the full Appropriations Committee. Mark-up is expected by the full committee some time after the July 4th recess.

Department of State

On June 12, the House Rules Committee granted a rule for H.R. 4392, making appropriations for the Departments of State, Justice, Commerce, and the Judiciary for FY'80. It is now ready for floor action in the House, but no date has been set. H.R. 4392 awaits floor action in the House before being considered by the Senate Subcommittee on State, Justice, Commerce, the Judiciary.

دولتي HOLBROOKE SPEAKS ON REFUGEES AND
U.S.-VIETNAMESE RELATIONS

Outlining two years of vacillating negotiations for the normalization of relations between Vietnam and the U.S., Assistant Secretary of State for East Asian and Pacific Affairs Richard Holbrooke told a Senate subcommittee on June 13, "It is hard to envision progress toward normalization under existing circumstances, although we do not preclude continuing informal discussions from time to time...on regional and bilateral matters." Holbrooke appeared before the Subcommittee on Asian and Pacific Affairs

to discuss relations between the two countries and the current refugee situation.

In discussing the framework for relations between the U.S. and Vietnam, Holbrooke stressed the need for some indication from Vietnam that it would develop policies to enhance the peace and stability of the Southeast Asian region and also that it would cooperate with the U.S. in accounting for men still listed as missing in action. Holbrooke emphasized the role of deep-seated historical and ethnic hostilities between Vietnam, China, the Soviet Union and neighboring countries in recent territory violations, repressive actions and the current exodus of refugees from Vietnam, Cambodia and Laos.

Holbrooke stated that the U.S. is prepared to accept family reunification cases directly from Vietnam and retains a commitment to give priority to refugees from countries of first asylum. The U.S. is exploring means to settle refugees in additional areas, such as Latin America, and also the possibility that funds for refugee resettlement projects in these areas might be channeled through international financial institutions.

Holbrooke observed that there is a very real possibility of extensive famine in Cambodia later this year due to the destruction caused by fighting between Vietnamese forces and Khmer Rouge, incomplete planting and harvesting, and consumption of crops by migrant refugees. Dick Clark, coordinator for refugee affairs, has previously suggested that famine could significantly increase the flow of refugees out of Cambodia, worsening the situation for neighboring countries. Holbrooke outlined ways that the U.S. might support efforts of the International Committee of the Red Cross, UNICEF and the World Food Program to channel food aid to the Cambodian population if necessary.

At the subcommittee's request, Holbrooke also discussed the Soviet

presence in Vietnam, Vietnamese-Chinese relations, the situation in Cambodia and the effect of recent events on Thailand. Holbrooke predicted that although the Vietnamese and Chinese have initiated discussions on their differences, distrust is likely to continue for some time and may result in indirect combat taking place, as is happening in Cambodia. Thailand is in a precarious security position, Holbrooke noted, because the presence of so many Pol Pot forces (and supporters) and refugees along its border may provoke Vietnam to an attack of Thailand.

ACTIONS IN THE COORDINATOR'S OFFICE

On June 19, Dick Clark, coordinator for refugee affairs, appeared before the House Subcommittee on Immigration, Refugees, and International Law and provided an update on the current refugee situation. In his remarks, Clark came down harder on the role of the Vietnamese government in the refugee exodus than in past statements. He also noted that prior to Thailand's recent large-scale forced repatriation of Cambodians, his office had vigorously sought to place Cambodian refugees who have relatives in the U.S. in UNHCR camps. They succeeded in placing only 1000 before the repatriation began. Clark assured the subcommittee that refugees in camps in Malaysia are relatively safe at this time, as it is clear that Malaysia is only forcing new arrivals back out to sea.

In other recent action, Clark presented President Carter with proposed actions concerning refugees that were developed in late June in conjunction with Vice President Mondale and the National Security Council. The content of the initiatives will not be made public until the president reaches some decision.

SENATE HEARING AVAILABLE *yes.*

The March 14, 1979 hearing before the Senate Judiciary Committee on the Refugee Act of 1979 is now available at no charge through the Committee (U.S. Senate, Room 2226, Dirksen Senate Office Building, Washington, D.C. 20510.)

Testimony was presented by Deputy Secretary of State Christopher Warren; Norman Hill, executive director of the A. Philip Randolph Institute; representatives of volags involved in resettlement; and a panel of state and local agency representatives. Of particular interest are: the statement of Norman Hill, who spoke in support of the bill on behalf of national black leaders; a prepared report by ACVA on the role of volags in resettlement; and a concise and comprehensive study of past laws and programs concerning all groups of refugees, prepared by Catherine McHugh of the Congressional Research Service.

Appendices also include an April 1979 report of the UNHCR on the refugee program; the HEW December 31, 1979 report on IRAP; the 1979 World Refugee Assessment report from the Office of the U.S. Coordinator; and the bill itself.

INDOCHINESE MATERIALS CENTER *note*

On May 1, the Indochinese Materials Center in Kansas City, Missouri published a bibliography of materials on the education and resettlement of Indochinese refugees, which is available free of charge. Updates will be issued on a sporadic basis as necessary and will be sent to "subscribers" automatically.

The bibliography is catalogued in seven series: textbooks for teaching English; curricular and supplementary materials for teaching Vietnamese, Cambodians, and Laotians (including the Thai Dam and Hmong); general resettlement information; and general information concerning Asians.

For each of the 160 listings, the bibliography provides an ordering source, cost (if any) and the intended audience (parents, elementary or secondary students, adult teachers, sponsors). No attempt is made to suggest any one source over another.

The Indochinese Materials Center is funded through the Office of Education, and although funds expire September 30, officials expressed optimism that the program would be refunded. The bibliography can be obtained through Mr. James B. Tomy, Director, Intergovernmental Services, Indochinese Materials Center, U.S. Office of Education, 601 East 12th Street, Kansas City, Missouri 64106.

A HANDBOOK FOR TEACHERS *note*

One of the projects funded by the Indochina Refugee Children Assistance Act of 1976 was the preparation of A Handbook for Teachers of Vietnamese Refugee Students, published by the Illinois Office of Education in 1977. Authored by a native-born Vietnamese psychologist, Dr. Tam Thi Dang Wei, the book's stated goal is "a sharing of experiences, concerns and ideas" to assist American teachers and school administrators in the education of Vietnamese students. Ninety-two pages long, the book is informally presented in an easily read format and includes case studies which illustrate cross-cultural conflicts experienced by a Vietnamese child in the U.S.

The handbook also addresses administrative issues (school records, grade placement) and general considerations in the learning of English as a second language. Appendices include references on education guides and where they can be ordered, bibliographies on Vietnamese history and traditions and on ESL teaching materials, and other educational sources. The handbook can be ordered at no charge through: The Governor's Information Center for Asian Assistance, 160 N. LaSalle Street, Room 2006, Chicago, Illinois 60601.

CARTER PLEDGES TO DOUBLE
REFUGEE ENTRY

At the recent economic summit conference of the major Industrial democracies held in Tokyo, Japan on June 28-29, President Carter made a public commitment to double the number of refugees entering the U.S. from 7,000 to 14,000 a month. The pledge was intended to encourage other countries at the conference (Japan, Canada, France, Britain, West Germany and Italy) to consider similar moves. Carter also sought to assure ASEAN (Association of Southeast Asian Nations) countries meeting several days later that the world community would relieve them of the burden they now shoulder in offering temporary asylum to large numbers of refugees. Several days later Secretary of State Vance met with ASEAN leaders and sought to persuade them not to turn away new refugees arriving on their shores and across their borders.

It is not known how soon the Attorney General will seek Congressional approval of a new parole order to accommodate the increased numbers of refugees. This will be necessary before increased entry is permitted.

DEPARTMENT OF STATE

The Department of State gave the following figures for Indochinese refugees in Thailand camps and boat refugees in other Southeast Asian countries.

	<u>As of June 30, 1979</u>	
	<u>Current Camp Population</u>	<u>Refugees Arriving in June</u>
Thailand	165,000 land 9,000 boat	1,000
Malaysia	75,000 (approx.)	7,000
Hong Kong	59,000	20,000
Macao	3,000	300
Indonesia	47,000	17,000
Japan	500	100
Philippines	5,000	1,000
Singapore	- 500? (no report)	No report
Taiwan, India, Australia	800	No report
Korea	50	7
Total	200,000 boat refugees 165,000 land refugees	46,000 boat refugees 11,000 land refugees

*Plus 4,000 Khmer Rouge, not included because of possible repatriation.