

Indochinese Refugee Reports

Information Exchange Project American Public Welfare Association
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FAMILY REUNIFICATION MOVES SLOWLY

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In early March of this year, the United Nations High Commissioner for Refugees (UNHCR) reached an initial agreement with the Vietnamese government on a plan for the orderly departure of citizens who wished to leave. In May, Vietnam announced that as many as 10,000 people would be allowed to leave directly for other countries each month, and in June Deputy UNHCR Dale de Haan announced that Hanoi and the UNHCR had agreed to a "memorandum of understanding" on the departure of Vietnamese with relatives abroad.

Prior to the agreement, Vietnam allowed very few people to legally emigrate -- about 30-40 persons a month. Usually those who were granted exit visas had some claim to foreign nationality. After the UNHCR announcement, there was some hope that the plan for orderly departure would significantly lessen the refugee flow out of that country. By all accounts, however, the "program" of legal emigration from Vietnam has been disappointing and frustrating, plagued by delays and setbacks.

In the U.S., all refugee parole numbers are currently allocated to those people who are in countries of first asylum. Due to the large numbers needed to move refugees from camps, the U.S. currently

accepts directly from Vietnam only those who qualify under regular immigration law. Once approval is granted by the Immigration and Naturalization Service (INS) for these people to join their relatives in the U.S., they still must be granted exit visas by the Vietnamese government.

Out of an initial list of 5,000 names submitted to Vietnam by the U.S., only 220 were approved for exit visas. By the end of September, only 134 had arrived in the U.S. (Eighty-nine persons scheduled for departure from Vietnam on September 18 had still not left a month later, and no reason has been given for the delay.) The State Department has names of 9,000 persons in Vietnam whose relatives have successfully filed immigration petitions for them. Each week 300 new petitions are filed with INS by persons seeking to have their relatives join them.

Immigration Requirements

It is possible that expectations for the program were initially too high. An announcement that as many as 10,000 people would be allowed to leave each month -- even if sincere, which is questioned -- ignored the requirements of immigration law and processing in countries these people wish to enter.

In the U.S., those who can request that relatives join them file I-130 forms with the Immigration and Naturalization Service. The form must be accompanied by a notarized statement showing willingness and ability to support relatives. The forms and approval by INS are forwarded to the American Embassy in Bangkok, where they are relayed, upon approval, to the UNHCR in Vietnam.

U.S. immigration law sets up preference categories for granting visas. Under the second preference, permanent resident aliens can petition for spouses and unmarried sons and daughters to immigrate to the U.S. (Refugees here on parole or conditional status cannot

petition for their relatives to join them until their status is adjusted, which can be requested two years after entry.) There is currently a world-wide backlog in second preference visa requests, which are subject to numerical limitation. Only those filed by May 15, 1979 are currently being considered.

U.S. citizens can petition for their spouses, sons and daughters and their spouses and minor children, parents and step-parents, brothers and sisters, and fiances and fiancées. Immediate relatives of U.S. citizens -- children, spouse and parents -- are admitted without numerical limitation. Brothers and sisters aged 21 or over fall into the fifth preference category for visas and are subject to a world-wide numerical limitation. Due to a backlog in the fifth preference requests, visas are being considered only for those petitions filed by September 22, 1978.

Very few refugees have been in the U.S. for five years, the period required to attain citizenship. Of the 239,000 refugees in the U.S., 130,000 arrived between April and August of 1975.

Delays Abroad

Only those whose names also appear on a Vietnamese list of persons wishing to leave qualify for consideration for exit visas, and the Vietnamese government has granted very few exit visas. In an interview with members of a congressional team touring Southeast Asia in August, the Vietnamese Secretary of State for Foreign Affairs, Nguyen Co Thach, told questioners that four categories of people would not be eligible for emigration: 1) those who are serving or eligible for service in the military; 2) people involved in national security affairs; 3) persons working in vital sectors of the economy; and 4) people under prosecution by law. Thach told mission members that the Vietnamese government had to study each case carefully before deciding to allow

a person to leave and that "we have red-tape here just like you do in the United States."

U.S. immigration law requires that an immigrant be interviewed in person by consular officials before entering the country. Documentation must be validated, and certain medical screening is also stipulated. Because the U.S. does not recognize Vietnam and has no consular offices there, persons approved for exit to the U.S. must first fly to Bangkok to complete processing.

The Thai government currently allows people on their way to the U.S. to remain in Bangkok for two weeks. Delays sometimes occur when medical problems, such as active tb, have to be treated before a person continues on to the U.S., or when some aspect of documentation is incomplete. To date, the Thai government has graciously extended this period when necessary for medical or other reasons.

Delays in Bangkok create problems, however, for the petitioning families in the U.S., who must bear the burden of transit costs. Although transportation loans are available from the Intergovernmental Committee on European Migration (ICEM), petitioning families in the U.S. must pay for food and lodging, medical and visa expenditures and incidental expenses while relatives remain in Bangkok. The average cost per adult is \$300, and any delay raises the cost.

Long-term Solution

Other countries, including France, Britain, W. Germany, Canada and Sweden, work under the UNHCR agreement to bring family members out of Vietnam for reunification with relatives. The U.S. has sought to speed family reunifications here while still operating under regular immigration procedures by asking the Vietnamese government to allow U.S. consular officers to work

in Ho Chi Minh City. This would eliminate the costly, time-consuming delays of completing necessary documentation in Bangkok.

Vietnam has agreed to this principle, but has most recently said that the officers would have to fly into Ho Chi Minh City, complete interviews and documentation and fly out the same day. For obvious reasons, reactions to this stipulation in the U.S. were initially negative. Now, however, the U.S. is reportedly willing to operate under this arrangement as soon as the Vietnamese issue the visas needed for consular officials to enter Vietnam. The State Department has four consular officials in Bangkok who have been prepared to go for several months once the visas are granted. In September, the Vietnamese government allowed a State Department doctor to work in Ho Chi Minh City for four days, examining medical facilities where the necessary physical exams could be administered.

Many U.S. officials believe that a program for orderly departure is the long-term solution to the refugee crisis. Appearing before the Senate Foreign Relations Subcommittee on Asian and Pacific Affairs on September 27, Ambassador Dick Clark said, "We believe it makes sense to start the program [of orderly departure] with these urgent family reunification cases. But we would be prepared to consider broadening the program later if we can work out a way of bringing non-immigration cases directly from Vietnam without jeopardizing efforts to resettle refugees already waiting in camps in Southeast Asian countries of first asylum."

How the program could be broadened remains to be seen. In a letter to Attorney General Benjamin Civiletti on October 5, Senator Edward Kennedy, Senate Judiciary Committee chairman asked that some parole numbers in the extension of the current parole authority be allocated in support of the orderly departure agreement. "In order to assure that

this important agreement is successfully implemented...I strongly believe parole numbers should be used whenever necessary, especially to expedite family reunion cases." An official at INS states that the use of parole numbers for legal departure might be worked out, but "several steps down the line." (See inside for details on the extended parole program.)

In other developments, the State Department has reaffirmed its willingness to charter direct flights from Vietnam to the U.S. for family reunification when the processing is done in that country and the numbers leaving are sufficient to warrant such flights. To date, commercial flights on Air France, coordinated by ICEM, have been sufficient to move family reunification cases out of Vietnam and on to Bangkok and the U.S.

Refugee Community in U.S. Plagued By Guilt

Newspapers published in Vietnamese in the U.S. regularly carry information on family reunification, and the HEW Indochinese Refugee Assistance Program (IRAP) hotline receives an average of 70 calls weekly on this issue. It is very difficult for refugees who have successfully found haven to live with the knowledge that their relatives are still in Vietnam. Reportedly, soon after the UNHCR reached an agreement with Vietnam on orderly departure, newspapers and radio broadcasts in Vietnam began announcing that people with relatives abroad could leave if their relatives were willing to have them. The articles and broadcasts failed to mention that those wishing to leave could do so only under the immigration requirements of the country they wished to enter and with the agreement of the Vietnamese government. Many refugees here receive letters from their relatives accusing them of doing nothing to help their families left behind.

In the U.S., then, refugees need to be aware that they have received correct information on what they must do to bring their relatives here. In response to this need for information, HEW has translated an updated State Department "Fact Sheet" on the program of orderly departure. It is available in Vietnamese and English. For copies, write: Mr. William Eckhoff, Associate Director, Office of Refugee Affairs, HEW, 330 C St., S.W., Switzer Bldg, Rm. 1229, Washington, D.C. 20201. Attn: Ms. Tran Thi Kim Dung.

The Office of Refugee Affairs recently distributed the translated publication to all Vietnamese mutual assistance societies in an effort to get the information widely disseminated within the Vietnamese community.

REFUGEE RESETTLEMENT IN CANADA: PART I

In July of this year, Canada announced that it would resettle up to 50,000 refugees by the end of 1980. To equal Canada's commitment in proportion to population, the U.S. would have to admit 465,000 refugees in the same period of time. Our current commitment is to admit 168,000.

Because of its streamlined efficiency, Canada's resettlement record has gained international respect and attention. All aspects of the program -- both international and domestic -- are administered by one decentralized federal agency, the Canada Employment and Immigration Commission, through its ten regional offices. This is in marked contrast to the U.S., where the Departments of State, HEW and Justice (through both the Attorney General's Office and the Immigration and Naturalization Service) each play a role.

Because Canada already ranks fourth in the world as a resettler of Indochinese refugees, and because of the uniqueness of its program, we will be featuring Canadian resettlement efforts in this and in the next issue of the newsletter.

(next page)

This first segment deals with the international aspects of resettlement.

For all refugees, regardless of final destination, resettlement begins with overseas processing. Here, as in other parts of Canada's program, efficiency and humanitarian concern interact to speed a refugee's arrival in the new homeland.

Canada admitted 14,360 Indochinese refugees between 1975 and July 1979 and will admit half as many more between August and the end of this year, bringing the overall total through this year to 21,000.

The first thing Canada did after announcing its new refugee quota in July was to increase its overseas processing staff. As of August, there were fourteen immigration officers in Southeast Asia: seven in Singapore (to process refugees there and in Malaysia and Indonesia), four in Bangkok to process refugees in Thailand, and two in Hong Kong and one in the Philippines. Additional officers have been sent since then, and the government has announced that 27 other immigration officers in Asia can be diverted to refugee processing in an emergency. (The U.S. currently has 27 immigration officers processing refugees in Southeast Asia.)

Canada also moved quickly to streamline the processing procedure itself. "Refugee processing is the immigration service's number one priority," says Mr. Ron Atkey, Employment and Immigration Minister. On July 18, the Canada Employment and Immigration Commission (CEIC) ordered that documentation carried out by immigration officers abroad be reduced by 50% -- and four required records were swiftly reduced to one.

Simultaneously, the government relaxed selection criteria to allow immigration officers maximum flexibility in making their decisions. "No one factor, with the exception of personal motivation, is a mandatory criterion for admission to Canada," reads a publication of the CEIC. Immigration officers inter-

viewing refugees who wish to come to Canada ask for information on education, work experience and family background. But above all else, they look for signs of personal motivation, which is partly measured by success in native country and partly by the expressed desire to succeed in Canada. Employment and Immigration Minister Atkey explains, "Refugees in Canada are expected to become self-supporting members of Canadian society as previous refugees to Canada have done so successfully."

The old and disabled are not refused admission, however, simply because they cannot work, provided that they have family in, or coming to, Canada. The Canadian resettlement program strongly emphasizes family reunification, and intact families are never separated in the immigration processing.

Between January and June of this year, 90% of all Indochinese refugees admitted were Vietnamese. Reflecting concern about the plight of other groups of refugees, from August till the end of this year 40% will be refugees from camps in Thailand, mainly Cambodians and Laotians, while 39% will come from Malaysian and Indonesian camps and 20% from Hong Kong, mainly Vietnamese refugees. Three thousand refugees are arriving in Canada each month.

Transportation

Once refugees have been interviewed in camps and accepted for admission to Canada, it takes only 6-8 weeks to get them there. Within a month of its decision to take in more refugees, the government had made plane reservations for all refugees to enter by the end of this year. The Department of National Defense committed aircraft to move refugees, and the government made contracts with commercial airlines. The government is also studying the possibility of chartering a ship for refugee movement.

Airline companies issue travel warrants

to refugees for their flights, and then bill the Employment and Immigration Commission for the costs. All refugees understand that this money is given as an interest-free loan and that repayment is expected. The government established this practice for all immigrants in 1951, when it sought to encourage immigration. The message, clearly, is that immigrants have a stake in their resettlement.

The flight costs -- \$750 for adults, \$150 for children and \$50 for infants-- come out of a revolving fund which is replenished by repayment, which historically has a rate of 95%. Refugees understand that repaying their loans enables other refugees to enter the country. When the transportation loan is granted, it is accompanied by a three-year monthly repayment schedule. An immigration officer can adapt the schedule according to the refugee's individual circumstances, taking into account the total amount of the loan, the number of people in the family and family income. (Refugees coming to the U.S. are also expected to repay the loans for their flights, although the cost is lower: \$320 for adults, \$160 for children and \$25 for infants. The U.S. government partially subsidizes the transportation costs through contributions to ICEM, the Intergovernmental Committee for European Migration, which arranges for the transportation.)

Provincial Reception Centers

In July, the Employment and Immigration Commission decided to establish staging centers in Canada to provide initial reception services. All processing not directly relating to overseas requirements was shifted to the staging areas, thus lessening any delays in departure from refugee camps.

The two staging centers, one in Edmonton, Alberta and the other in Montreal, Quebec, are both military bases. The Department of National Defense supplies the facilities and services,

including ground transportation, food shelter, medical and health services, clothing distribution and general orientation.

Refugees are in the centers for 3-5 days at most before moving on to points of final destination in Canada. They are greeted by Immigration and Employment staff, and employment workers begin preliminary counseling and occupational assessment. Workers from the Department of Health and Welfare complete any necessary medical screening.

NEXT: DOMESTIC RESETTLEMENT IN CANADA

Recent Developments

U.S. CAMBODIAN AID PLAN ANNOUNCED

As starving and seriously ill Cambodian refugees continue to pour in Thailand by the thousands daily, the U.S. is making preparations to participate in the relief efforts currently underway. On October 24, President Carter pledged that over the next 18 months, the U.S. will offer \$70 million in aid to Cambodia, \$30 million of it to be available immediately to those inside Cambodia and \$9 million for refugees who have crossed into Thailand. Approximately \$30 million will be made available by supplemental appropriations.

On October 25, the House passed an existing foreign assistance authorizing bill, H.R. 4955, which was amended to include \$30 million specifically earmarked for Cambodian relief. That bill has been cleared for action in the Senate.

On the day of President Carter's meeting, three senators, James Sasser (D-Tennessee), John Danforth (R-Missouri) and Max Baucus (D-Montana) met with officials of the Heng Samrin government in Phnomh Penh to present a proposal for the delivery of food and medical aid. According to this plan, a truck

convoy would deliver aid to Cambodia daily along two major roads leading to Phnom Penh, with drop-off points along the way. Vietnamese forces would provide security for the convoy. The proposal has been referred to the Central Committee of the current government in Phnom Penh. In a press conference in that city, Senator Danforth stressed that the aid is already available. "All they have to do is give one word -- yes," Danforth reported.

President Carter's announcement of U.S. aid followed a meeting with religious leaders on the issue of the Cambodian famine. The Reverend Theodore Hesburgh, president of Notre Dame University, pledged a private match of government funds.

UNICEF and the International Committee of the Red Cross have negotiated with the Heng Samrin government for several months to get aid into Cambodia. During the week of October 15, an agreement was finally reached to the satisfaction of those two groups, who feared that aid could be diverted to military troops.

Individuals and groups can make contributions to the relief effort by sending checks to:

The American Red Cross, 17th and D St., N.W., Washington, D.C. 20006.
(Make checks payable to the American Red Cross and earmark both the check and the envelope "Cambodian Relief".)

(Or) The U.S. Committee for UNICEF, 331 E. 38th St., New York, New York 10016. (Make checks payable to the U.S. Committee for UNICEF, and mark both check and envelope "Cambodian Relief".)

EXTENDED PAROLE ORDER

On October 18, following consultation with both the House and Senate Judiciary Committees, Attorney General Benjamin Civiletti authorized an extended parole order to admit 14,000 refugees from South-east Asia to enter the U.S. each month. The action was necessary because previous

parole numbers had been exhausted and because the Refugee Act is not in place to authorize the admissions. Also included in the parole order, exercised by the Attorney General under Section 212(d)(5) of the Immigration and Nationality Act, are some 3,000 Soviet and East European refugees to enter each month.

The parole authority is extended through December 15, 1979, but will terminate sooner if Congress passes the Refugee Act. Further admissions would take place under provisions of that legislation.

Status of Refugee Act

Acting Secretary of State Warren Christopher had requested the Attorney General to extend the parole order on September 25, when it became evident that the Refugee Act would not be passed by September 30. The House Judiciary Committee ordered the bill, H.R. 2816, to be favorably reported on September 19, but has not filed the report to date. When the report is filed, the bill may be taken up by the House Foreign Affairs Committee or cleared for floor action. If the bill is passed, major differences will have to be resolved in a House/Senate conference.

ADVISORY BOARD MEETS

On Tuesday, October 23, the staff of the Indochinese Information Exchange Project welcomed members of the project's Advisory Board, who met for the first time to provide input on the needs for information that exist in the refugee resettlement field.

The staff of the *Indochinese Refugee Reports* deeply appreciates the time that board members took out of busy schedules to provide insight and information for our project. Attending were: Norman Lourie, Chairman, of the National Coalition for Refugee Resettlement and the Pennsylvania Department of Public Welfare; George Wagner (for Donald Hohl,

Associate Director), U.S. Catholic Conference Migration and Refugee Services; Ruth McLean, Lutheran Immigration and Refugee Services; Dr. Edwin Silverman, Director, Illinois Governor's Information Center for Asian Assistance; Vince Jordan, for Guy Lusk, Division of Financial Services, Virginia Department of Welfare; Ron Sequin, Arlington Department of Human Resources (Virginia), Nguyen Hun Phu, President, Vietnamese Lawyer's Association; Inaam Mansoor (for Joyce Schuman, Project Director), Indo-Chinese Cooperative Education Program (Arlington, Virginia); and Ed Sponga, Gerry Wynne and Nguyen T. Kimchi, Office of Refugee Affairs, HEW.

Resource Exchange

ELEMENTARY AND SECONDARY BILINGUAL EDUCATION PROGRAM

The George Mason University in Fairfax, Virginia, will be offering a course of study for Vietnamese students who wish to teach in bilingual education programs. Beginning in January 1980, under a Title VII grant from HEW, the GMU Department of Education will offer a degree program in Vietnamese bilingual education. Although the current funding is only through August 1980, continued funding for the program will be sought and is expected. George Mason University is fully accredited by the Southern Association of Colleges and Schools.

Under the Title VII grant, all tuition for Vietnamese students is covered. English competency is a requirement, and Vietnamese students must have a high school diploma in the U.S. or a high school equivalency exam. In the absence of these requirements, students will be required to take the TOEFL exam to show language competency.

Refugee resettlement professionals may wish to post an announcement of this program. For further information, prospective students should write to: Professor Jack Levy, Department of Education, George Mason University, 4400 University Drive, Fairfax, Virginia 22030.

Statistical Reports

Current Indochinese Refugee Population In The U.S. By State

As of October 15, 1979

1. Alabama	1,382
2. Alaska	214
3. Arizona	1,744
4. Arkansas	1,997
5. California	34,065
6. Colorado	5,344
7. Connecticut	2,186
8. Delaware	168
9. District of Columbia	2,523
10. Florida	5,728
11. Georgia	2,102
12. Hawaii	3,843
13. Idaho	420
14. Illinois	8,415
15. Indiana	2,256
16. Iowa	4,131
17. Kansas	3,228
18. Kentucky	1,254
19. Louisiana	3,600
20. Maine	374
21. Maryland	2,374
22. Massachusetts	2,358
23. Michigan	4,347
24. Minnesota	6,315
25. Mississippi	846
26. Missouri	2,402
27. Montana	591
28. Nebraska	1,579
29. Nevada	1,377
30. New Hampshire	184
31. New Jersey	2,117
32. New Mexico	945
33. New York	5,763
34. North Carolina	2,079
35. North Dakota	389
36. Ohio	3,503
37. Oklahoma	4,152
38. Oregon	8,398
39. Pennsylvania	10,408
40. Rhode Island	1,324
41. South Carolina	377
42. South Dakota	439
43. Tennessee	3,124
44. Texas	24,573
45. Utah	2,059
46. Vermont	58
47. Virginia	7,699
48. Washington	9,442
49. West Virginia	209
50. Wisconsin	3,251
51. Wyoming	159
52. Virgin Islands	12
53. Guam	341
54. Puerto Rico	39
55. Other & Unknown	1,356
TOTALS	254,028

NB. These figures are based on January 31, 1979, alien registrations, adjusted for under-registration; plus new refugee arrivals initially resettled in State; plus/minus estimated net inflow/outflow from secondary migration between States.

Source: Office of Refugee Affairs,
HEW/SSA