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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 100<sup>th</sup> CONGRESS, FIRST SESSION

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No. 69

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, May 4, 1987, at 12 noon.

## Senate

FRIDAY, MAY 1, 1987

(Legislative day of Tuesday, April 21, 1987)

### RESOLUTION CALLING FOR THE RELEASE OF POLITICAL PRISONERS BY THE GOVERNMENT OF VIETNAM

Mr. BYRD. Mr. President, on behalf of Mr. KENNEDY, for himself, and Mr. DOLE, Mr. BYRD, Mr. FELL, Mr. HELMS, Mr. DURENBERGER, and Mr. HATFIELD, I send a resolution to the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 205) calling for the release of political prisoners by the Government of Vietnam.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. KENNEDY. Mr. President, I am pleased to join today in proposing a resolution to focus renewed attention on one of the utmost urgent humanitarian issues in the aftermath of the Vietnam war—the continued plight of political prisoners in Vietnam and the problem of family reunification.

Last night, Senator DOLE and I had the privilege to attend a reception here in the Capitol organized by a coalition of Vietnamese refugee groups to mark the 12th anniversary of the fall of Saigon. But, more important, they reminded us of the plight of the thousands of Vietnamese refugees who continue to be separated from their family members still in Vietnam.

More tragic still, they focused our attention on family members who have languished for the past 12 years as political prisoners in Vietnamese jails—so-called “political reeducation centers.”

Many humanitarian issues are compelling, but none more so than the plight of these political prisoners.

We need to break the diplomatic logjam that has thwarted any real progress in addressing these humanitarian issues. This resolution calls for that action. It asks the Government of Vietnam to do what it has already publicly said it is willing to do—to release political prisoners and permit

them to resettle abroad or join their families in other countries.

It calls upon Vietnam to do what it agreed to do when it negotiated and signed the orderly departure agreement with the United Nations High Commissioner for Refugees in 1979—to process and give exit visas to family reunification cases.

I am pleased to join in directing the attention of Congress to these critical humanitarian problems, and I urge the Senate to adopt this resolution.

I ask unanimous consent that a very timely and thoughtful editorial on this subject, published today in the Washington Post, may be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 1, 1987]

#### HANOI'S BROKEN PROMISE

Just three years ago the communist government of Vietnam promised to release to the United States all the Vietnamese still incarcerated in “reeducation camps” as a result of their service in the South Vietnamese regime associated with the Americans. Three years later, not a single one of these unfortunate people has been released and allowed to leave the country with their dependents under the amnesty pledged at that time.

These several thousand Vietnamese are the senior people remaining from a larger group caught up after the fall of Saigon in 1975. They were not accused of committing war crimes in the usual sense. They had simply held official positions in civilian and military branches under the old order. They are political prisoners, and they have endured an unimaginable ordeal in the camps. Says Khuc Minh Tho, the leader of a support group of their kin in the United States: “We do not think that belonging to a vanquished regime is a crime. But even if our relatives have committed ‘crimes’ under the new government’s law we think 10 years of imprisonment is enough punishment for those who have sinned.”

Soon after then-premier Pham Van Dong promised to free the prisoners, reports started being heard of Hanoi’s provocative demand that the United States put a political leash on the prospective new arrivals to keep them from somehow acting against Vietnam. But it is extremely farfetched to imagine that these people could, even if they would, add any discernible weight to

the political scales—scales on which the Vietnamese presence in the United States rests very lightly in any event. More recently, Hanoi has simply refused to address the question of the prisoners, and it altogether stopped permitting the emigration even of non-prisoners in January 1986.

In December 1986, Hanoi started a process of leadership renewal and policy review whose significance for matters like this one remains to be demonstrated. Still, if there is any inclination in Vietnam to signal that things are changing, the authorities should consider that nothing would come through to Americans more clearly—along with a resolution of the MIA issue and an end to the occupation of Cambodia—than the prompt release of political prisoners. Hanoi's current policy stands as a glaring example of Vietnamese bad faith.

Mr. DOLE. Mr. President, yesterday marks the 12th anniversary of the end of the Vietnam war.

Entirely apart from any political considerations surrounding the outcome of that war or the question of our political relations with Vietnam, there are three major humanitarian issues that ought to be resolved immediately: The POW/MIA issue; the refugee issue; and the issue of political prisoners still held in Vietnam.

The main reason these issues have not been resolved is that the Vietnamese authorities—and their allies in Kampuchea and Laos—have refused to cooperate in their resolution. Instead, the Hanoi authorities have callously and cruelly played international politics with the lives of countless thousands of innocent people.

It is as simple, and sad, as that. And it is time that we called the Vietnamese authorities to account for their barbarous behavior.

I have spoken elsewhere, and will again be speaking in the future, on the POW/MIA and refugee issues. Today, I want to speak briefly on the political prisoner issue. And, together with Senator KENNEDY, I want to introduce a resolution dealing with this subject.

Today, together with Senator KENNEDY, we have introduced this resolution, along with the distinguished majority leader and a number of other Senators, just to call attention to this fact. A number of us lament that some of the Vietnamese have been in this country for 12 years and longer, some a lesser time, and many waiting to have family members be reunited with them. And they are thwarted at every turn by the Hanoi government.

The facts are simple. When North Vietnam overran South Vietnam in 1975, it threw in jail tens of thousands of South Vietnamese. The main "crime"—and the word "crime" is in quotes—the "crime" was that these people had supported the South Vietnamese Government—their Govern-

ment—against the North Vietnamese aggression. For that, they were thrown into jail.

And today, a dozen years after the war ended, at least 6,000—by the Vietnamese own admission—still remain in jail. The Vietnamese call these jails re-education camps. Knowledgeable, honest people call them concentration camps.

These people have committed no crimes. There are no threat to the political system in South Vietnam. By most accounts, after a dozen years of Communist imprisonment, they are barely alive. There is no earthly reason why they should not be freed—to return to their families or, in the case of those with close relatives in the United States, to come here.

The resolution which Senator KENNEDY and I introduce today calls upon the Vietnamese to release these prisoners, and to expedite all family reunification cases still outstanding between our two countries. It is totally nonpolitical; certainly, in our political terms in the Senate, it is totally nonpartisan. All Senators ought to support it.

This is the 12th anniversary of the end of the war. With this action, and with the acceleration of strong, international pressure on Vietnam to do what is right, let us hope that this issue will no longer be with us next year, when we mark the 13th anniversary.

Mr. President, it would seem to me, and I think that was the plea made last night by those who were attending this very important event, that we do have some responsibility. I am not certain this resolution will have any great impact, but at least it will be a recognition on the part of the U.S. Senate that we are aware of the problem and willing to help in every way possible.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 205) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. Res. 205

Whereas twelve years have passed since the end of the Vietnam war, yet thousands of Vietnamese remain held as political prisoners and many thousand more divided from their families in the United States and other countries;

Whereas the Government of the Socialist Republic of Vietnam has a responsibility to observe international standards of human rights;

Whereas the Government of the Socialist Republic of Vietnam has committed itself to releasing political prisoners to be resettled abroad; and

Whereas the Government of the Socialist Republic of Vietnam has signed an agreement with the United Nations High Commissioner for Refugees to assist in the reunification of families: Now, therefore, be it

*Resolved by the Senate*, That the Government of the Socialist Republic of Vietnam should immediately release all political prisoners held as a result of their previous association with the Government of South Vietnam prior to 1975;

That the Government of the Socialist Republic of Vietnam should fulfill its commitment to negotiate their humane resettlement abroad or to rejoin family members outside of Vietnam; and

That the Government of the Socialist Republic of Vietnam should immediately resume processing of family reunification cases under the United Nations High Commissioner for Refugees' Orderly Departure Program.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. DOLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

the Federal Government. The constitution gives judicial, that is the authority to determine the consistency of that power with the constitution of the judicial branch. It gives the authority to execute the policies to the President. But what branch determines the policies? It is the Congress. Oh, yes, each Senator shares this policymaking power with 435 Members of the House and with 99 other Senators. But the direction this richest and most powerful of all nations pursues is up to us Members of the Congress to work out together, in concert.

Now keep in mind: Our Nation and its economy have become very complex. We face an infinity of problems and challenges. So how do we meet those problems? We have broken the Senate and House into a large number of committees and subcommittees. Virtually every subcommittee works on a series of national or international problems. Those problems are of great importance to the well being of thousands—in many cases, of millions—of Americans, and in some cases to many millions more throughout the world. So just think of it, any Member of Congress willing to devote the time and energy can have a profound effect on the life of thousands of his fellow Americans, and very possibly on the future of many millions.

Throughout American history U.S. Senators have had this golden opportunity to live a life that makes a real difference. Because this country has been the leader of the free world for so much of this century and can expect to continue its leadership for decades to come this is a career that a young American can choose with the realistic hope that if he or she succeeds her or his life can make a difference for people everywhere.

Mr. President, here are a few examples of Senators who made this difference.

Senator Paul Douglas successfully lead the fight for the most significant human rights achievement of the 20th century: the civil rights bill. That Douglas crusade brought black Americans into a great beginning breakthrough as full and free American citizens.

There was Senator Vandenberg who more than any other person won the support of Congress across party lines for the great post-World War II foreign policy program that brought forth the Marshall plan and a great cooperative era of American leadership of the free world.

There was Senator Gaylord Nelson who more than any other figure in public life brought on the age of environmental protection. Senator Nelson left his mark on a remarkable series of pioneer environmental legislation that today we take for granted. The country was unaware of the threat building up from our onrushing technology to our water, air, and land until Nelson made this a personal and an astonishingly successful personal crusade.

There was Senator Robert La Follette. La Follette left on this country a concern for the men and women who work with their hands for modest or even less than modest wages and who tilled the soil for a lifetime. In a series of legislative acts La Follette laid the groundwork for the new freedom of Wilson, for the New Deal of Roosevelt and the Fair Deal of Truman.

And finally there was Robert A. Taft, Mr. Republican and also Mr. Conservative. But what an open minded constructive conservative Senator Taft was. After all, it was Taft who brought the dream of a safe and sanitary home to millions of low-income Americans in a massive way with the Taft, Ellender, Wagner housing bill. And it was Taft who led the fight to break down the barriers of more than 150 years against Federal aid to education on a major basis. Taft argued that the equality of opportunity, that was the basis of the conservative creed, had little meaning in a country where educational opportunity was drastically unequal. His initiatives took the first big step to make access to quality education far less unequal through Federal assistance.

Mr. President, in different ways that contribution by Members of the Senate and House continues to go on today in legislative initiatives by literally hundreds of different Members of the Congress. What an opportunity those of us who serve in this Congress have to help make this world a better place. Rarely do those of us who enjoy this great privilege pause to think what a golden and rare opportunity we have. Most of us strike out more often than we hit safely. Very rarely do any of us knock one out of the park. But just think of it, we are given a chance not just to play in the big league, but to work in the biggest league of them all—the policymaking body of the greatest country in the world. What we do for good or ill, or what we fail to do makes a difference for this great country and beyond. For anyone looking for a career that offers the greatest prospect for a fulfilling life—how can you beat it? How lucky can you get?

You see some of us have a fear that our tombstone might read like this:

Here under the rocks lies Bill Prox  
for him life held no terrors.  
Prox became anm observer, died an observ-  
er.

No hits, no runs, no errors.

I would prefer this instead:

Here under the rocks lies Bill Prox  
for him life had its terrors.  
Prox became an observer, died an observer,  
two scratch hits, one lucky run—a coffin  
full of errors.

Mr. HATFIELD, Mr. President, I ask unanimous consent that the remainder of the Republican leader's time be granted to me.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered. The Senator from Oregon will be in charge of the time.

The Senator for Oregon is recognized.

Mr. HATFIELD, Mr. President, I yield myself 3 minutes.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

#### INDOCHINESE REFUGEE RESETTLEMENT AND PROTECTION ACT OF 1967

Mr. HATFIELD, Mr. President, Sunday's edition of the Washington Post chronicled a serious row in United States-Thai relations which has come about because of our sputtering refugee program in Southeast Asia. Today I am introducing legislation which would commit the United States to a humane and generous refugee protection and resettlement program in that region through the end of this decade, and bar the Immigration and Naturalization Service from any further role in the processing of Southeast Asian refugees.

John Stuart Mill once said, "Against a great evil a small remedy does not produce a small result . . . it produces no result at all." I have examined all of the options which the United States has at its disposal to combat the deteriorating refugee asylum and resettlement situation in Southeast Asia, and I am convinced that anything less than the provisions of this bill will produce no result, no serious improvement at all. In fact, the refugee program as we know it will be dead in a matter of months unless Congress and the administration send a very strong signal of our continuing interest and commitment to the countries of first asylum in the region. I am pleased that the chairman of the Senate Foreign Relations Committee, Mr. PELL, and the ranking member of the Immigration and Refugee Policy Subcommittee of the Judiciary Committee, Mr. SIMON, are joining me in this initiative, along with several other Senators.

Mr. President, why am I introducing the Indochinese Refugee Resettlement and Protection Act of 1967?

One need only read the major newspapers to discover that there has been an ugly, steady erosion in the United States refugee program in Southeast Asia. I ask unanimous consent that these articles be printed in the Record following my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HATFIELD, Mr. President, these articles tell of a different kind of Southeast Asian "domino effect"—one where country after country tightens their asylum policies. This hardening of attitudes of Thailand, Hong Kong, Malaysia, and others is no surprise to me: These countries are throwing in

the towel because the United States appears to be throwing in the towel. A Thai official this weekend eloquently stated the linkage between United States processing for resettlement, and the level and quality of protection which the Thai are willing to provide the refugees. The Thai point to the dismal INS performance and the State Department's juggling of carryover numbers and justifiably conclude the United States resolve is wandering and wobbly.

Put yourselves in the shoes of the Thai. President Reagan pledges U.S. support for a continued refugee resettlement and protection program. Secretary Shultz travels to the region and reiterates that support. But then the INS drops the ball when it comes time to implement this commitment. What you end up with is confusion among the first asylum countries, confusion which has led to the ominous situation the refugees now face.

This INS problem is not a new problem. Whether you are talking about the Kamput problem of 1982 and 1983, or this year's 60-percent rejection rate of the lowland Lao, you are talking about a persistent INS processing problem which is directly causing a major diplomatic problem for the United States and its ASEAN friends.

In fairness to INS, let us face the facts: Immigration officers are not refugee officers. INS guidelines must apply worldwide. And to them, an Afghan refugee is the same as a Vietnamese refugee. Unfortunately, we in Congress know that this is not so, because the United States did not fight a war in Afghanistan and propel the region into political and economic upheaval, and that the United States does not grant a clear preference to Afghan refugees as we do Southeast Asian refugees.

So, I believe that Congress can best implement its clearly enunciated foreign policy objectives by removing the INS from the process, and by telling the rest of the world that if they want to run and hide from the ongoing refugee crisis in Southeast Asia, they will not be able to hide behind the United States.

I urge all of my colleagues to examine this bill and its many sections. I am confident that Senator KENNEDY, a long time supporter of the refugee program for Southeast Asia, will have his committee give this bill careful consideration quickly, since time is of the essence. If the United States Government continues to send mixed signals and continues to fail to monitor the rampant protection problems in the border camps, and continues to propose small remedies when great ones are needed, then we can be assured that the Cambodian, Vietnamese, and Laotian refugees soon will be placed like sitting ducks along the borders, with no meaningful United States role in ensuring their safety.

I do not believe that the U.S. responsibility for the problems of the refu-

gees in that region is as great as it was a decade ago; but I say emphatically today that our responsibility to them is not over yet, and that we cannot allow our refugee policy to be ushered to a premature end.

I ask unanimous consent that the text of the bill be reprinted in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 814

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SHORT TITLE**

**SECTION 1.** This Act may be cited as the "Indochinese Refugee Resettlement and Protection Act of 1987".

**CONGRESSIONAL FINDINGS**

**Sec. 2.** The Congress finds that—

(1) because of our past military and political involvement in the region, the United States has a continued, special responsibility to the persons who have fled and continue to flee the countries of Cambodia, Laos, and Vietnam;

(2) in view of this special responsibility, the United States has placed special priority on the resettlement and protection needs of the Indochinese refugees;

(3) the continued occupation of Cambodia by Vietnam and the instability of the governments of Vietnam, Cambodia, and Laos have led to a steady flight of refugees from those countries.

(4) Hong Kong, Indonesia, Malaysia, Singapore, the Philippines, and Thailand, have been the front line countries bearing tremendous burdens caused by the flight of these refugees, distinguishing themselves as the leaders of an unprecedented humanitarian response to the plight of Indochinese refugees;

(5) largely in response to a lessened commitment among resettlement countries to the refugees of the region, these countries of first asylum have recently taken steps to close refugee camps. Such camp closings would seriously undermine the continuation of a humane refugee policy and are inimical to the resolution of refugee problems in the region;

(6) the United States bears a share of the responsibility for the deterioration in the refugee first asylum situation in Southeast Asia because of unnecessarily slow and complex resettlement procedures; prolonged and often questionable adjudications in humanitarian parole, immigration and refugee cases; failure to implement effective policies for the region's "long-stayer" populations; failure to adequately monitor refugee protection and screening systems along the Thai-Cambodian and Thai-Laotian borders; a policy of allocating admissions numbers to "carryover" refugees approved in previous years rather than qualified new cases; and the virtual collapse of the Orderly Departure Program (ODP) from Vietnam which has served as the only safe, legal means of departure for refugees from that country, including Amerasians and long-held "re-education camp" prisoners;

(7) the United Nations High Commissioner for Refugees (UNHCR) shares responsibility for the hardening of attitudes in first asylum countries. The UNHCR should be pressed to upgrade its staff presence and level of advocacy to revive the international commitment with regard to the problems facing Indochinese refugees in the region; and

(8) the United States must renew its commitment to an ongoing, generous refugee resettlement and protection program for Indochinese refugees, including urgently needed educational programs for refugees along the Thai-Cambodian and Thai-Laotian borders, until the underlying causes of refugee flight are addressed and resolved.

**PERIOD FOR CONSULTATION WITH THE CONGRESS ON REFUGEE ADMISSIONS**

**Sec. 3.** Section 207 of the Immigration and Nationality Act is amended—

(1) by adding at the end of subsection (a), the following new paragraph:

"(4) For purposes of this subsection, appropriate consultation shall be held not later than May 1 preceding the start of the fiscal year for which the President is making a determination under this subsection."

(2) by redesignating clauses (1), (2), and (3) of subsection (b) as clauses (A), (B), and (C), respectively, of such subsection;

(3) by redesignating subsection (b) as subsection (b)(1);

(4) by adding at the end of subsection (b)(1), as redesignated by paragraph (3) of this section, the following new paragraph:

"(2) For purposes of this subsection, appropriate consultation shall be held not later than 30 days after an unforeseen emergency refugee situation exists"; and

(5) in subsection (d)(1), by inserting "but not later than May 1," after "start of each fiscal year".

**AUTHORITY OF THE SECRETARY OF STATE**

**Sec. 4.** Section 207 of the Immigration and Nationality Act, as amended by section 2, is further amended—

(1) by redesignating subsection (c)(1) as subsection (c)(1)(A);

(2) in subsection (c)(1)(A), as designated, by inserting "and except as provided in subparagraph (B)" after "subsection (a) and (b)";

(3) by adding at the end of subsection (c)(1)(A), as redesignated, the following new subparagraph:

"(B)(i) Notwithstanding subparagraph (A), subject to the numerical limitations established pursuant to subsections (a) and (b), only the Secretary of State, in his discretion and pursuant to such regulations as he may prescribe, may authorize admission under this section of any refugee from Southeast Asia who is not firmly resettled in a foreign country, is determined to be of special humanitarian concern to the United States, and is admissible (except as otherwise provided under paragraph (3)) as an immigrant under this Act.

"(ii) To the extent not inconsistent with a specific provision of this Act, an authorization of admission of a refugee by the Secretary of State under this subparagraph shall be conclusive with respect to any determination by the Attorney General or any officer or employee of the Department of Justice under this Act."

**ELIGIBILITY FOR REFUGEE STATUS**

**Sec. 5.** Section 207(c)(1) of the Immigration and Nationality Act, as amended by section 3, is further amended by adding at the end thereof the following:

"(C) Notwithstanding any other provision of this Act, or any regulation issued thereunder, any refugee who—

"(i) is eligible for classification under any of paragraphs (1) through (7) of section 203(a), and

"(ii) for whom a visa number is available or is likely to become available within 12 months,

may not be denied refugee status by virtue of that eligibility."

## ALLOCATIONS OF REFUGEE ADMISSIONS

Sec. 6. (a) Notwithstanding section 207 of the Immigration and Nationality Act—

(1) within the worldwide refugee admissions ceiling determined by the President, the President shall allocate—

(A) at least 28,000 admissions from East Asia, and

(B) at least 8,500 admissions for the Orderly Departure Program, for each of the fiscal years 1988, 1989, and 1990; and

(2) within the allocation made by the President for the Orderly Departure Program from Vietnam pursuant to paragraph (1)(B), a number of admissions allocated in a fiscal year under priorities II and III of the Program (as defined in the Department of State Bureau for Refugee Programs worldwide processing priorities) and the number of admissions allocated for Amerasians and their immediate family members under priority I, shall be at least 1,500.

## LONG-STAYER RESETTLEMENT

(b)(1) It is the sense of the Congress that under the leadership of the United States renewed international efforts should be made to resettle Indochinese refugees who have lived in camps for 3 years or longer, as proposed in the Report of the Secretary of State's Indochinese Refugee Panel in April, 1986.

(2) Of the refugee admissions allocated under paragraph (1)(A), for each of the fiscal years 1988, 1989, and 1990, at least 9,000 shall be admissions of persons who have lived in refugee camps for at least 3 years.

## HUMANITARIAN PAROLE AUTHORITY FOR EAST ASIANS

Sec. 7. Notwithstanding subparagraph (B) of section 212(d)(5) of the Immigration and Nationality Act, the Attorney General must in accordance with section 212(d)(5)(A) of such Act, parole into the United States, for humanitarian reasons and without regard to family reunification considerations, not less than 150 persons who have lived in refugee camps from East Asia for each of the fiscal years 1988, 1989, and 1990.

## ALLOCATION OF EDUCATIONAL ASSISTANCE FOR THAILAND

Sec. 8. Section 105 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(c) Of the amounts authorized to be appropriated to carry out this section, \$5,000,000 for each of the fiscal years 1988 and 1989 may be available for educational programs, projects, or activities along the Thai-Laotian border and the Thai-Cambodian border which are carried out by Thai non-governmental organizations in conjunction with relief organizations and civilian camp leadership."

## ALLOCATION OF ECONOMIC SUPPORT FUND ASSISTANCE FOR THAILAND

Sec. 9. Chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund) is amended by adding at the end thereof the following new section:

"Sec. 353. Allocation for Thailand.—(a) The Congress finds that many Thai residents of villages located close to the border with Laos and Cambodia have been adversely affected by civil strife and refugee migrations.

"(b) Of the amounts authorized to be appropriated to carry out this chapter for the fiscal years 1988 and 1989, \$5,000,000 for each such fiscal year may be available to provide financial assistance for Thai villages

within close proximity to Indochinese refugee camps."

## ALLOCATION OF INTERNATIONAL MILITARY EDUCATION AND TRAINING ASSISTANCE FOR THAILAND

Sec. 10. Chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training) is amended by adding at the end thereof the following new section:

"Sec. 546. ALLOCATION FOR THAILAND.—Of the amounts authorized to be appropriated to carry out this chapter for the fiscal year 1988 and 1989, \$1,000,000 for each of such fiscal years may be available to train the armed forces of Thailand to provide protection to Indochinese refugee camps within Thailand against attacks originating across the border with Laos or Cambodia."

## POLICY TOWARD PROTECTION OF REFUGEE CAMPS

Sec. 11. It is the sense of the Congress that the international community should increase its efforts to assure that Indochinese refugee camps within Thailand are protected against attacks originating across the border with Laos or Cambodia and, especially, that international observers and relief personnel should be present on a twenty-four hours a day basis at camp "Site 2" in Thailand.

## EXHIBIT No. 1

[From the Christian Science Monitor, Mar. 5, 1987]

## CAMBODIANS IN LIMBO

REFUGEES ON THAI-CAMBODIAN BORDER FACE NEW STATUS AS DISPLACED PERSONS

(By Mary Anne Weaver)

It was a symbol of hope to many, a source of controversy to some. It is now becoming history.

Khao I Dang, the most famous refugee camp in Indochina—and the last Cambodian resettlement center in Thailand—is in the process of closing down.

The controversial decision, which was announced by the Thai government in December, means that the camp's 24,000 Cambodian residents will not only be displaced, but will also presumably lose the opportunity to emigrate.

Yet there are so many imponderables—deadlines set for their transfer, deadlines then delayed—that it remains unclear what legal status, if any, the Cambodians will ultimately retain.

There is thus an eerie silence here in Khao I Dang, and much uncertainty and confusion, as men whisper in corners and women squat on the ground, waiting for some sort of selection process.

Who will go where? Will the "illegals" be discovered? Will any of them be trucked unwillingly to one of the displaced-persons camps even closer to the border, possibly one run by the civilian followers of the dreaded Khmer Rouge, which ruled Cambodia with a reign of terror between 1975 and 1979?

The barbed wire surrounding this city—one square kilometer (four-tenths of a square mile) of bamboo and thatch and about 12 km (7½ miles) from the Thai-Cambodian border—seems more protective than menacing. There is added protection in the blue-and-white UN flag. Khao I Dang is administered by the Thai military, assisted by the UN High Commissioner for Refugees.

It is the last of five UNHCR-administered camps directed at resettling Cambodian refugees abroad. The camps to which the refugees are now being sent are administered by the three Cambodian resistance groups—the two noncommunist factions of Prince Norodom Sihanouk and the Khmer People's Na-

tional Liberation Front (KPNLF) and the communist Khmer Rouge. It remains unclear precisely what role the UN will be assigned in looking after the refugees after Khao I Dang finally closes down.

And despite the assurance given Western embassies by Prasong Soonsiri, secretary-general to Thai Premier Prem Tinsulanonda, that no one will be placed in a Khmer Rouge camp against his will, there is still a sense of disquiet. The refugees in Khao I Dang don't know for sure.

The disquiet turned to alarm on Jan. 15, when Khao I Dang residents heard that 1,883 displaced persons in Site 8, one of the Khmer Rouge-run civilian camps, were rounded up by Khmer Rouge forces and trucked, in the middle of the night, to Na Trao, a Khmer Rouge military base. The base is controlled by the so-called "butcher of Kampuchea," Ta Mok, and international relief organizations have no access to it. A month later, there was no sign of what had happened to the displaced persons who were rounded up.

Rumors, Plans. Prospects for UN protection. They are all part of the mosaic inside Khao I Dang. It was among its neatly ordered huts that the final scenes of the award-winning movie "The Killing Fields" were filmed.

How peacefully the refugees will leave here is a lingering question. Some of the "illegals," or "sneakers," who are thought to number 1,000 to 1,500 and who bought their way into the camp, have turned themselves over to Thai officials in what amounts to an amnesty exchange. If they turn themselves in, they will be permitted to go to the displaced-persons camp of their choice.

But other illegals have literally gone underground, digging holes in obscure corners of the camp, covering the holes with boards and foliage, and coming out only at night.

The first group—about 200 residents—was moved out of Khao I Dang Sunday, and the closure of this camp, established on Nov. 21, 1979, signals the end of an era. It also signals the end of Thai hopes that the remaining refugees, who once numbered 140,000, will be resettled abroad. "The West," said Mr. Prasong, "could have done more."

Western diplomats, whose sensitivity about the closure matches that of the Thais, claim that many of the refugees left in Khao I Dang have been screened for immigration two or three times. "They were simply found unsuitable," one Western official said. "They either lacked skills, had no family connections abroad, or were considered suspect politically—in a word, followers of the Khmer Rouge."

It was the terror of the Khmer Rouge, Pol Pot's regime, that sent hundreds of thousands of Cambodians fleeing across the frontier. More than 260,000 remain in Thailand, in the displaced persons camps—a string of thatched huts hugging the border, some as close as a mile to the frontier.

One such camp, Site 2, only 12 miles from the border, is the largest Cambodian city after Phnom Penh, the capital, and the third-largest city in Thailand. Sweltering, dusty, and ramshackle, it is run by the KPNLF and houses 3,500 Vietnamese.

Tensions are palpable among rival groups and between the camp's residents and the somewhat notorious Thai Rangers, the paramilitary group assigned to provide security for the camp. (A recent report by the Lawyers Committee for Human Rights cited the conduct of some of the rangers as one of the threats to the refugees' security and as having created an atmosphere of fear in the camps.)

Site 2 is already vastly overcrowded, but some of Khao I Dang's refugees are likely to

be sent there—although the majority would probably favor Site B, a camp about five miles from the border run by Prince Sihanouk's faction of the resistance.

There is a certain irony to the Khao I Dang illegals being resettled at Site 2, since most of them originated there. In Site 2, they had felt the lure of emigrating abroad and the increased prospects that residence in Khao I Dang could bring. For a price, the "fixers" and the "paymasters" said they would get the Site 2 residents into Khao I Dang.

According to relief workers, and a number of Khao I Dang illegals who were discovered, arrested, and shipped back to Site 2, thousands of baht, the Thai currency, changed hands in each transaction. Transferring one family of four could cost more than 10,000 baht (\$400) in a nation with a per capita income of only \$646 a year. They thought they were buying their way to freedom. The last step was to buy their way out of Khao I Dang jail.

Today they are back where they started, sitting cross legged on bamboo slat beds, playing Khmer style checkers with tiny pieces of wood. Beyond them, at Site 2's outer perimeter, loom the Dangrek Mountains, with Cambodia beyond.

In a dried-out field, in the southern part of this vast, chaotic camp, are the telltale remnants of Vietnamese mortar shells that crashed into a densely populated area on Jan. 26. The attack only wounded six people and no one died—but it was the second time that a civilian camp inside Thailand was shelled by Vietnam.

"It was a warning," said Thou Thon, a former Phnom Penh lawyer, now an administrator at the camp, "of how close we are to the Vietnamese forces, and of what could come next."

In Aranya Prathet, Thailand, the hot, dusty frontier headquarters of VN agencies and international relief organizations working in the camps, there is the same sense of confusion as there is in Khao I Dang, and more questions than answers to what will happen next in this desolate mountain scrubland.

"The real issue," said one international relief worker, "is not the closure of Khao I Dang, but the questions behind the closure. What will the status of these people be? Will they still be eligible for immigration? Will they remain refugees? And will they still have the same kind of protection now offered by UNHCR? . . . No one really knows."

For Thailand, which intends to phase out all refugee camps and to limit its role as a nation of first asylum, the camps have been an enormous burden.

Not only is Thailand a country of refuge for Cambodians, Laotians, and Vietnamese, there are Karens and Kachins, Iranians, one-time members of the Chinese Nationalist Army, Mons, other hill tribal people, and even Nepalese.

"The Western nations have very short memories," said Mechai Viravaidya, a Thai government official. "The Thai government has done a great deal to resettle refugees. But if others fall in a partnership, it's unfair to drop the burden on us. Thailand has the memory of 1954. There are still 50,000 Vietnamese in the northeast of Thailand left over from the fall of Dien Bien Phu," Mr. Mechai added.

CRANKING BUREAUCRATIC WHEELS TO  
REUNITE A REFUGEE FAMILY  
DOCUMENTS ARE A CRUCIAL LINK IN VISA  
PROCESS

(By Timothy Appell)

WASHINGTON.—Sowatha Kong clicks in the videocassette made by relief workers in Thailand and glimpses the mother she has not seen since 1975.

The elderly woman on the screen smiles broadly after being told that the tape will be shown to her daughter in America and, in the steady staccato of the Khmer tongue, asks how long it will be before they can see each other.

It is a poignant reminder of the stake Mrs. Kong has in the plight of refugees in Indochina. Like thousands of other Southeast Asians who have settled in the United States, the young Cambodian lost track of many of her relatives.

Some 260,000 people, most of them Cambodians, still live in camps along the Thai-Cambodian border. Many have no relatives in Western countries or, if they do, are unable to contact them to let them know they are alive. Others, like Sowatha's mother, simply wait for the slow wheels of bureaucracy to turn.

The US has shifted in the last year to process more Indochinese as immigrants rather than as refugees. State Department officials point to a number of factors that contributed to the change, particularly the high number of Indochinese who held American citizenship.

"We need to balance our efforts," says Ambassador At Large Jonathan Moore, the US coordinator for refugee affairs. "This means gradually moving from a refugee system toward immigration whenever possible." Close to 800,000 Indochinese have come to the US as refugees since 1975. By the end of 1986, some 46,000 had become citizens, according to the State Department.

Once refugees become citizens, they can apply to bring their immediate relatives into the country as immigrants. This saves the government money that could go for resettlement programs, because the US-based relatives are responsible for the newcomers, assuring them a home and financial support.

But critics say the policy is flawed. Since last year, the US Embassy in Thailand has interviewed 179 Cambodians seeking immigrant visas, of which 148 were approved. Only 28 have left Thailand for the US. Some relief workers contended that the US is being unduly strict in reviewing applications for both refugees and immigrants, often rejecting applicants over technicalities or asking for documents that are impossible to get.

Some of the problems with the system can be seen in the story of the Kong family. Sowatha and her husband came to the US as refugees in 1981 and became citizens last November. They have been trying to get Sowatha's mother and brother out of Thailand since 1983. "We were working on getting them here as refugees," Sowatha says. "Then, in the middle of everything, we had to change our approach."

After gaining citizenship, the Kongs filed applications to bring their relatives to the US as immigrants. The process turned into an avalanche of red tape, however.

The problem is documents. Many Indochinese refugees left behind basic records, such as birth certificates and high school diplomas. Sowatha began reconstructing her family records once she made it into a refugee camp. She tracked down a Cambodian who attended her wedding; he gave her an affidavit that she now uses as proof.

Last fall, she applied for visas for her relatives. But officials at the Immigration and

Naturalization Service denied the request for her mother, saying the documents were incomplete, while approving her brother, for whom identical materials had been submitted. Among other things, the INS wants to see her mother's birth certificate.

Sowatha has not seen her mother or brother for more than a decade. In late 1975, Cambodia's Khmer Rouge leaders rousted people from their homes and sent them to labor in the countryside. "We'd walk for days, and when we finally thought we'd met someone in authority, they'd tell us to keep on going," says Sowatha, who was separated from her husband, parents, and other relatives. She survived for four years by using her skills as a nurse.

She was reunited with her husband, and together they bribed and bluffed their way to the border of Thailand and into the Khao I Dang refugee camp. The camp, which is in the process of being closed, has been the only place where Cambodians could gain internationally recognized refugee status and become eligible for resettlement abroad. People in border camps are considered "displaced" and could be forced to return to Cambodia.

In 1982, a letter from Sowatha's mother was smuggled out of Cambodia. Sowatha began writing her mother, urging her and her brother to escape. The Kongs paid \$4,000 to get them smuggled into Khao I Dang, which was no longer accepting arrivals. As "illegals" they were not eligible for food or medicine, so they moved back to a border camp.

Today Sowatha carries around an armload of INS documents. She figures she spends several hours a day working on the forms and letters needed to press her case. Despite delays and complications, she remains optimistic. Recalling her own struggle to escape, she says her experience shows it can be done.

(From the New York Times, Feb. 12, 1987)

KHAO I DANG: REFUGEE JOB NOT FINISHED

In announcing the closing of the Khao I Dang refugee camp Thailand pleads with the West: Resettle these 15,000 Cambodians as you have pledged or back they go to the border with Cambodia. The West needs to heed the message if it is to protect the carefully assembled international structure for handling refugees.

The resettlement of the last decade of almost two million Indochinese refugees has been a remarkable humanitarian endeavor, led by the United States. Across the country, churches and volunteer groups have refurbished houses, stocked cupboards, found jobs for and welcomed into their communities Vietnamese, Laotians and Cambodians by the thousands.

The experience has brought many Americans to believe that resettling people in this country is what refugee work means. Only partly true. Most of the work, whether by individual countries, the United Nations High Commissioner for Refugees or nongovernmental organizations, is overseas. Two-thirds of the U.S. budget for refugees goes abroad.

Settling refugees in the United States, France, Australia or wherever is the last choice of refugee workers. The first is repatriation. Since refugees by definition face a well-founded fear of persecution if they go home, this is possible only if things at home change. The second solution is resettlement within the region, in the country of first asylum. Only when the first two are impossible is resettlement in a third country undertaken.

In the case of Vietnamese and Cambodians, repatriation was out of the question, and neighboring countries were hostile to them. Thailand itself was loath to take on the hundreds of thousands who poured across her borders. Only assurances that the refugees would be resettled elsewhere brought Thai consent.

The United States welcomed 111,000 refugees from Indochina in 1979, 200,000 in 1980, 159,000 in 1981. Then the resettlement process slowed. Today some 15,000 of the Cambodians first sent to the Khao I Dang camp remain in Thailand. They have no family in the United States, are mostly rural and uneducated and so rank lower on the classification scale than those who came earlier. Many of them were judged ineligible for having given inconsistent stories or for associations with the brutal Khmer Rouge regime. Thailand, unwilling to settle them permanently, has closed the camp and says it will move them back to the border.

Fifteen thousand lives are in jeopardy. So is the refugee program generally if other first-asylum countries don't see to it that Thailand gets help.

Thailand has mostly done its part, but needs to persevere a little longer. In the meantime, the U.S. Embassy there, the State Department, the Immigration Service and the White House have to get back into the act. That means additional money.

Just as important, it means supporting the United Nations High Commissioner in his talks with Thailand about how to handle the Khao I Dang refugees short of returning them to the border. Refugee workers say many cases have been arbitrarily classified as ineligible and need further review. Additional remedies are available, notably finding a way to admit the refugees under other provisions of law. The issue of Indochinese refugees is still open.

[From the Wall Street Journal, Feb. 23, 1987]

#### DISPLACED CAMBODIANS STRAIN THAILAND'S CAMPS

(By Claudia Rosett)

**SITE 2, THAILAND.**—Nak Chhoeun is a two-year-old Cambodian girl with dirty feet, a shy smile and a shrapnel wound—now healing—on the back of her head. She lives in what you could call a bad neighborhood. From where she stands in a dusty lane of this huge refugee camp known as Site 2, it's only about two miles to the Cambodian border. Just over that border are the Vietnamese troops who fired 17 rounds of artillery shells into the camp on Jan. 26, injuring Nak Chhoeun and eight others. Now, along with the monotonous rations and indefinite confinement, her family and neighbors can contemplate the shell craters near their bamboo huts.

Clearly the solution is to find a new home. Nak Chhoeun's 23-year-old mother, Lav Chhoy, says she has lived in refugee camps since she fled Cambodia in 1979 and would like to resettle in a third country. But for the roughly 375,000 Indochinese refugees still in the Thai camps, chances of moving on—or even moving farther from the border—are bad and getting worse. Most of those eligible for resettlement under current criteria have already gone. Fearful that the flimsy camps are becoming permanent problems, the Thai government is stepping up its efforts to get rid of the refugees one way or another.

The latest effort took the form of a three-paragraph letter from the Thai authorities, delivered on Feb. 6 to about 40 representatives of various relief agencies operating along the border. The letter said that after July 1, 1987, the Thai government would

consider all refugees not actually being processed for resettlement as "persons who no longer have a chance for third country resettlement."

The letter, signed by the deputy director for the Displaced Persons Operations Center, Virachai Naewboonnien, also said that for the second half of 1987, the Thai government would change its guidelines for the refugees to remain. For example, the letter implied that resettlement training programs would be forbidden: "No teaching of the English, French or Thai language will be allowed."

In their attempts to enlist third-country help to absorb the massive refugee population, the Thais have been known to talk tough in public and go easier in private. Previous threats have brought promises of more help from abroad. But Western relief workers say that Thailand's tolerance is genuinely running out. One experienced worker says the letter is "the first thing I've seen that specifies things are coming to an end." Although the refugee inflow is down from hundreds of thousands some years ago a few hundred a month, the U.S. quota for immigrants from all of Indochina in fiscal 1987 is 32,000. Of these, at most 20,000 might come from the camps in Thailand. And of the Free World's host countries, the U.S. is one of the most open to these people. "From Thailand's perspective," says this relief worker, "they've got to go back where they came from."

Repatriation is a course that could mean death or punishment for many of these refugees. So far no policy has pushed the issue that far. But another ominous sign has been the Thai government's decision to close Khao I Dang, an apolitical camp for Cambodians run by the United Nations High Commissioner for Refugees. Although relief workers with access to the camp say that more than 20,000 people are still living in Khao I Dang, it has been officially shut down since the first of the year. Reporters are not allowed in. Inmates who cannot immediately find resettlement are to be moved to political camps under the control of Cambodian resistance groups.

Once refugees enter these political camps, their chances of going anywhere else—except into Cambodia to fight the Vietnamese army—dwindle close to zero. Site 2, where Nak Chhoeun got her shrapnel wound, is one such camp. Its 159,000 inmates are under the administration of the Khmer National People's Liberation Front, run by former Cambodian Premier Son Sann. Another political camp, farther north along the border is Site B, or Green Hill, where about 42,000 people are under the control of Prince Norodom Sihanouk, the former head of state. To the south is Site 8, where roughly 30,000 people are fenced in under the auspices of the same Khmer Rouge responsible for the deaths of close to two million Cambodians in the late 1970's. Still more civilian camps run by the resistance lie elsewhere along the Cambodian border. The number and locations change from time to time to escape Vietnamese attacks, but altogether, the Cambodians in these resistance camps number about 260,000.

In the jargon of the Free World's immigration departments, the inmates of these camps are not refugees but "displaced persons," who are expected eventually to return home. Accordingly, existence in the camps becomes a long exercise in wasted lives. One of the civilian administrators of Site 2, Thou Thom, describes the daily routine as "wait until the supplies are coming and eat and sleep." The people are not allowed to take jobs for pay. They are not al-

lowed to go anywhere. They are not even allowed to trade with outsiders.

The Thai prohibition against trading is aimed partly at keeping life in the camps so isolated and austere that it does not attract more refugees. It is also intended to prevent smuggling of goods from the camps into Cambodia and Vietnam. Nonetheless, a lot of trading, or "smuggling," goes on, and it offers a hint of the energy that these refugees could be putting into building new lives elsewhere. Instead, they spend their time and effort trying to outwit the Thai authorities. Just south of Site 2, it was hard to miss the four young men rushing toward the camp fence, which is patrolled by Thai soldiers. They were pushing bicycles loaded down with smugglers' sacks of goods.

One camp inmate at Site 2 ticked off some of the booty confiscated by Thai authorities recently: On Jan. 8 Thai soldiers seized a batch of monosodium glutamate (used for food seasoning). On Jan. 11 they seized some bananas, sugar cane, soap and cigarettes are also popular items.

Another prevalent activity at the camp is procreation. Small children, most of them born in the camps, come running by the dozens to greet an American visitor. At the entrance to the Khmer Rouge Camp, Site 8, a little boy in green pants and a pair of army boots much too big for his feet is the first person encountered at the gates. One relief-organization official estimates the birth rate among refugees at about 5%, more than twice the Thai rate.

There are several reasons for this burgeoning population. Most of those who survived to reach the camps are of childbearing age; the old and young were the chief victims of the Khmer Rouge regime. Once the survivors reached even temporary asylum, they began rebuilding their lost families. Also, pregnant or nursing women and small children receive supplementary rations from the U.N. Border Relief Organization that trucks in rations for the refugees. Along with the standard-issue rice, mung beans, salt, oil and dried fish, they also get fruit and milk. Finally, as the relief official put it, "There's not a whole lot else to do recreation-wise in the camps."

Most of these children did not face the land mines and bandits at the border to cross into Thailand. They are, in effect, native refugees. But more than anything else, their presence in the camps underscores the blindness of a world that will not offer them, or their parents, a future.

[From the New York Times, Mar. 6, 1987]

#### THAIS SAID TO BAR LAOTIAN REFUGEES

(By Barbara Crossette)

**BANGKOK, THAILAND.**—With refugees arriving at nearly all of Thailand's borders, the Thai authorities appear to be toughening policies on Laotians, now the largest refugee group in the country.

About 1,300 Laotians seeking asylum have reportedly been held back by troops at one northern Thai border crossing. Some of the refugees are thought to be members of an anti-Communist movement who would be endangered if forced to return to Laos.

Their movement has the support of the United States Council for World Freedom, a private group led by John K. Singlaub, a retired American general who backs a number of anti-leftist causes around the world.

#### REFUGEE STATUS PERIL

Many Laotians already in Thai camps may face a loss of refugee status in four months if they are not accepted by other countries for resettlement, according to aid organizations.

The moves against the Laotians follow Thailand's closing of the Cambodian refugee camp at Khao I Dang on Jan. 1. The 22,134 people there are to be moved to settlements housing about 250,000 displaced Cambodians who are not considered refugees.

Thailand's Ministry of the Interior, which controls the camps housing about 80,000 Laotian refugees, more than 55,000 of them Hmong and other hill-tribe people, has told international aid organizations that after July 1, it will regard all people left in the camps as "rejected" by third countries. Agencies will be asked to curtail assistance, including the foreign-language training useful for emigration.

#### 1,300 HMONG CONSTRAINED

In Nan Province, on the Laotian border, Thai military authorities have been preventing two groups totaling about 1,300 Hmong from seeking asylum and assistance.

About 600 of them are thought to have crossed into Thailand last month; the rest may have been trapped along the border for eight months or more.

Although opinions differ on the extent to which these hill-tribe people are being forcibly constrained by Thai troops—and whether any have been driven back into Laos involuntarily—foreign relief workers believe at least some of the would-be refugees may be facing hunger if not starvation. They are camping in mountainous terrain near the town of Nam Pun.

No international organizations have been allowed access to them, prompting an unusually strong statement of concern from the United Nations High Commissioner for Refugees.

"The U.N.H.C.R. continues to monitor the situation and to hold discussions with Thai authorities in the hope that those Laotians who are seeking asylum can have their claims processed according to established procedures," the statement said. "U.N.H.C.R. hopes that the appeal for asylum will be responded to urgently, as it appears that these Laotians are in need of humanitarian assistance."

#### ANTI-COMMUNIST TIES

An unknown number of the Hmong near Nam Pun are thought to have been associated with the persistent but weakened anti-Communist rebels, a movement that goes back to the Central Intelligence Agency's "secret war" against the Communist movement in Laos during the Vietnam war.

The Laotian Government announced last year after a Communist Party Congress that it was about to begin a drive to improve its army and eliminate security threats. In the past, periodic conscription drives have produced waves of refugees in Thailand.

Many Laotian hill-tribe people who emigrate find it difficult to adjust to Western living; others have refused to be resettled abroad, preferring to stay around the Ban Vinal refugee camp in Loel Province in Thailand. The camp has become a hill-tribe town without fences. Most Laotians have been treated well by the Thais, whose culture is close to theirs.

Leaders of the Laotian insurgency, most of whom are based abroad, have tried to encourage young Hmong and other Laotian exiles to stay in Southeast Asia and join the armed struggle against the Vientiane Government, which is closely allied with Vietnam. Young Laotians in Thai refugee camps frequently tell reporters they are torn between starting new lives abroad and committing themselves to the anti-Government movements.

(From the New York Times, Mar. 19, 1987)

#### THAIS PRESSING OUTRAGE OF THE LAOTIANS

(By Barbara Crossette)

**PAK CHOM, THAILAND**—A year after shutting down several reception centers for Vietnamese boat people, and less than three months after choosing the Cambodian refugee camp at Khao I Dang, the Thai authorities appear to have turned their attention to the 84,000 or more Laotians in crowded Mekong Valley and other Thai-Lao border camps.

Last Sunday before dawn, Thai security forces raided a refugee camp at Ban Vinal, 10 miles south of this Mekong River town. At least 100 Laotians, possibly 130 or more, may have been detained to be forcibly repatriated, according to the refugees.

International refugee officials in Bangkok, who asked that deportations stop, said these are the first forced repatriations from Ban Vinal since the camp opened in December 1975.

Thailand, which has sheltered hundreds of thousands of Indochinese refugees since Cambodia, Vietnam and Laos fell to Communist forces in 1975, agreed to set up refugee centers in return for international promises of resettlement. Thai officials believe these promises have not been fulfilled by more developed nations.

"If they send me back, I am dead," Yang Tong Khai said today, as he stood in a Thai police compound and nervously refolded his identity papers.

Mr. Yang, a 49-year-old ethnic Hmong from Laos, says he was one of dozens of men, women and children seized at Ban Vinal.

The armed troops and the police who entered Ban Vinal, according to refugees and relief workers (relief workers were barred from the camp on the day of the raid), were looking for "illegals." These are exiles who found ways to get into Ban Vinal after 1983, when Thailand officially closed the camp to new arrivals. In 1985, Thais also began screening Lao exiles to determine if they could provide they were entitled to refugee status.

"We thought this might be coming sooner or later," a refugee worker from Ban Vinal said today of the raid, adding that from Jan. 1 the Thai authorities had stopped the practices of allowing refugees to be paid for small jobs or to sell their handicrafts.

"But we never expected this to come so soon," he said. "Or in this manner."

#### REPORTERS NOT ALLOWED

Today, the Ban Vinal camp commander, Prasit Sarathum, would not allow reporters to enter the camp to interview him about the Sunday raid because they did not have camp passes. These normally take a minimum of several weeks to acquire through the Thai Interior Ministry.

But the police officers here in Pak Chom, where about 70 of the people seized at Ban Vinal have been brought, allowed visitors to meet the detainees, almost all of them Hmong hill people.

They are being held in an open field behind the police station, overlooking the Mekong and the Laotian hills beyond. Women and small children are shaded in a thatched pavilion under trees. The Laotians are comfortable, but frightened.

Many of the people rounded up had been at Ban Vinal camp, about 350 miles north of Bangkok, for several years. Unable to qualify for food rations or housing because they had arrived after 1983, they were cared for by family and friends who had preceded them into exile.

#### POPULATION ESTIMATES DIFFER

Estimates differ on the number of unregistered people living in Ban Vinal. The Thai authorities say there may be 10,000, with more arriving from Laos almost daily. Aid agency officials believe there are between 1,000 and 3,000 in a camp population thought to be around 42,000.

The Thai authorities have largely turned a blind eye to the "illegals," and Ban Vinal functioned almost as a Laotian hill tribe city that just happened to be in Thailand—until Sunday.

The refugees interviewed today said they thought that 79 Laotians, also Hmong, have already been sent back into the custody of Lao security forces since the raid. The refugee authorities had earlier reported only 38 forced returnees, but numbers differ in almost every aspect of the deportations.

Thai officials have also said that 97 more Laotians were apprehended Tuesday trying to get to Ban Vinal and were returned immediately to Laos.

Mr. Yang, a former soldier in the Royal Lao Army before 1975 and a member of the anti-Communist guerrilla movement since, has been told he will be among the next to go. He feels certain he will be imprisoned, and probably killed. He has not been permitted so far to make his case to any international aid agency.

In Bangkok, Gerald Walzer, the representative of the United Nations High Commissioner for Refugees, issued a statement today saying that he had met with senior Thai Government officials on hearing of the deportations.

He said he had "expressed deep concern about these involuntary returns of asylum seekers." He also appealed "for assurances that there would be no further forced returns, and that claims to refugee status of asylum seekers now detained by the authorities would be examined under the established procedures."

"The U.N.H.C.R. has no information on how those returned to Laos have been received by the authorities there," the statement said.

Mr. Yang first entered Ban Vinal in 1979, he said. But in 1980 he was ordered to return secretly to Laos by Vang Pao—the Laotian guerrilla leader who commands his forces from exile in the West, usually the United States.

Guerrilla forces have moved back and forth into Laos in the past, according to refugees and the Thai police officers in the Mekong Valley. Cambodian and Burmese guerrillas also move in and out of Thai territory. Relations have been improving between Thailand and Laos, however, and Thailand has been encouraging Laotians to return home.

Mr. Yang said that in 1984, he tired of the fighting with the guerrillas and fled back to Thailand and Ban Vinal, where his family still lived. But by then, he had lost his residence status there.

"Tell people this," he said today. "Tell them, don't send me back. Please kill me here. That would be better."

(From the Washington Times, Mar. 2, 1987)

#### THAILAND STARTS EVACUATING CAMBODIAN REFUGEES FROM LAST CAMP

(By Michael Adler)

**KHAO-I-DANG, THAI-CAMBODIAN BORDER**—Some 230 refugees, carrying their lifetime belongings in plastic sacks and cans, were evacuated yesterday from Thailand's last camp for resettling Cambodians in other countries.

The departures are the first step in Thailand's plans to move 24,000 inhabitants

from Khao-I-Dang camp to camps run by Cambodian resistance factions. From the new camps, only a return to Cambodia, rather than resettlement in a third country, is possible.

For refugee Chak Saary Rot, a 27-year-old former student of English in Cambodia, it was the end of a dream of finding a home away from Cambodia, a land terrorized by the bloody Khmer Rouge regime from 1975-1979 and occupied since then by Vietnamese troops.

He made his way to Khao-I-Dang six months ago, which makes him a relatively new arrival at the camp, due east of Bangkok and only six miles from the border. Some 500,000 Cambodians have fled there since 1975.

His stay in the dusty camp of bamboo huts, a symbol of hope and asylum for refugees hoping to escape the Cambodian conflict, amounted to six months in jail as an illegal immigrant.

Yesterday he was among the "illegals" taken to Site B, a camp controlled by loyalists of Cambodian resistance leader Prince Norodom Sihanouk, which lies 180 miles northeast of here.

As he was hurried along by Thai guards toward one of four ten-wheel evacuation trucks, he said: "It is hopeless. My head is troubled. I came to go to a third country."

Others were complaining that they had been given no choice of which of the eight Cambodian resistance-run camps along the Thai-Cambodian border they would be sent to.

Thai authorities had said illegals who volunteered to go would be given a choice, but almost all those who left were apparently not volunteers.

The evacuees also included Vietnamese who had illegally entered Khao-I-Dang.

Thai authorities declared Khao-I-Dang, the last of five centers once run by the United Nations High Commissioner for Refugees, closed on Jan. 1.

They said it had been a magnet for Cambodians fleeing both their war-torn country and residence in the resistance camps.

The Cambodians in the resistance camps are not eligible for resettlement abroad, while many in Khao-I-Dang are. But Thailand feels Western nations are increasingly reluctant to accept refugees, so Thailand is trying to limit its role as a country of first asylum.

While analysts have been skeptical about Thailand carrying through on threats to empty Khao-I-Dang, the evacuation yesterday convinced the refugees, said camp residents and aid workers at the site.

"This time they realize the Thais mean business. They are depressed. The mood is low in Khao-I-Dang, said one Western aid official.

Not all the residents of the camp have the official "refugee" status, which makes one eligible for resettlement.

Out of the estimated 24,000 people in Khao-I-Dang, only 16,737—many at the site since 1979—are officially classed as refugees.

The evacuation is to start with the illegals, followed by the category of 7,000 non-refugees, probably in April, and finally the last 16,737 after giving Western countries a year to decide on whether to accept them, Thai authorities said.

In Hanoi, a U.N. refugee official has warned that American and Vietnamese officials have only six months left to reach agreement on continuing their refugee program.

If the program is to continue, the two sides will have to resolve their differences by August, when a backlog of some 10,000 Vietnamese who are already part way through the exit procedure should be

cleared, said Charles Henri Broche, the representative in Hanoi of the United Nations High Commissioner for Refugees.

[The refugee program, officially called the Orderly Departure Program, was set up in 1979 under the aegis of the U.N. office to put an end to the tragedy of the "boat people," who were fleeing Vietnam in huge numbers.]

(From the Washington Post, Feb. 19, 1987)

#### CAMBODIAN-REFUGEE ABUSE REPORTED

(By Barbara Crossette)

CHIANG MAI, THAILAND.—More than 250,000 Cambodians, many of them survivors of the Khmer Rouge era and victims of an eight-year-old war against the Vietnamese who ousted it, continue to be vulnerable to abuse in refugee camps in Thailand, according to the New York-based Lawyers Committee for Human Rights.

In a report released today, based on extensive interviews in Thai-Cambodian border camps for refugees and displaced people, the human rights organization documents cases of rape, robbery, assault, extortion and murder, often perpetrated by fellow Cambodians who roam the lawless border area in well-armed bandit gangs.

The report, "Seeking Shelter: Cambodians in Thailand," also concludes that the residents of a string of border camps and a refugee center now in the process of being closed, are often abused by the people assigned to protect them.

Their attackers sometimes come from the guerrilla armies they support—particularly soldiers or former soldiers of the Khmer People's National Liberation Front, some of whom act as warlords in border areas—or from Thai forces, in particular the paramilitary "rangers" of Task Force 80, a unit created in 1980 specifically for this border area.

#### ANALYZED BY INTERVIEWERS

The material on Thai military abuses was gathered and analyzed by the committee's principal interviewers, Stephen Golub, a lawyer and consultant to the committee who did research in the camps; Floyd Abrams, a New York lawyer, and Diane Orentlicher, director of the committee's international human-rights program, who had talks with Thai and international officials. The charges have never been so convincingly or comprehensively documented, an official of an international relief organization said here.

"The caliber of ranger units varies widely," the report says. "Some have heroically defended Cambodian camps from raids by Cambodian bandits. Several rangers have been wounded, and at least two killed."

"All too often, however," the report concludes, "ranger units are ill-disciplined, unruly, and even violent. Some relief workers suspect that many ranger units include juvenile delinquents and paroled convicts."

Information on Task Force 80 abuses collected by a reporter from refugees in border camps over the last two years corroborates these conclusions. Several women at Site 2, where 140,000 people live within a mile of Cambodian territory, described sexual assaults by rangers. One young man was reported to have been stabbed for failing to provide acceptable prostitutes.

#### TORTURE CASE DOCUMENTED

Amnesty International documented a case of torture in March 1986 by Thai forces at Khao I Dang, the refugee camp Thailand is now closing. Three Cambodians told a Khmer-speaking foreigner investigating the incident for Amnesty that they had been burned, struck with rifles, whipped with electric cables and doused with boiling, salted water.

The lawyers' committee report says: "As recently as Nov. 18, 1986, an illegal entrant who had been hiding in Khao I Dang was apprehended by several rangers. He was fatally shot in the back of the head, and a post-mortem examination identified a bullet hole in his wrist, which seemed to indicate that the victim's hands were behind his head when the fatal bullet was fired. Bruises covering his face indicated that the victim had been severely beaten before he was shot."

The report also drew these conclusions:

The proximity of camps to the border exposes them to attack by the Vietnamese. The report recommends they be moved to safer ground.

Khmer Rouge control over 59,000 Cambodians should be greater cause of concern. The report, finding that some civilians under Khmer Rouge control have been forcibly moved or taken away for "re-education," suggests that displaced people in these camps should be given the option of moving to camps under non-Communist control.

Many abuses occur at night, when international agencies are not represented in the camps. The report recommends that international personnel should be stationed in the larger camps at night. It also recommends that the United Nations High Commissioner for Refugees be given responsibility for protecting all the displaced Cambodians, not just those classified as resettlable refugees by Thailand.

Mr. Abrams and Ms. Orentlicher, who produced two years ago the first report on human-rights abuses inside Cambodia since the end of the Khmer Rouge era—"Kampuchea: After the Worst"—were denied entry to that country by the Phnom Penh Government. There have been no obstacles to gathering information in Thailand, however.

(From the New York Times, Feb. 15, 1987)

#### AID OFFICIALS TROUBLED BY MOVES ON CAMBODIA BORDER

(By Barbara Crossette)

BANGKOK, THAILAND.—The sudden relocation of large numbers of refugees under Khmer Rouge control in four inaccessible Thai-Cambodian border camps is worrying relief agencies, a United Nations official said today.

The official, Tatsuro Kunugi, who is completing a three-year assignment as the United Nations Secretary General's special representative on Cambodian assistance, said that particularly "ominous" were secretive night-time movements in January of 1,683 people from a relatively open Khmer Rouge-controlled civilian camp known as Site 8 to a closed camp at Na Trao, more than 250 miles to the northeast.

The Khmer Rouge leader in charge of Na Trao is Ta Mok, one of the most ruthless regional commanders during the rule of the Pol Pot regime from 1975 to 1979. Two million Cambodians died during those years by execution, starvation, disease and forced labor.

Mr. Ta Mok—whom Prince Norodom Sihanouk, the former Cambodian ruler, calls "Pol Pots Himmler"—was commander of the southwest region in Cambodia during the Khmer Rouge era. There have been reports that Mr. Ta Mok may be trying to wrest control of the Khmer Rouge from Son Sann, the publicly announced successor to Mr. Pol Pot, who is believed to be terminally ill.

Khmer Rouge officials have said the clandestine movements in January were cases of "family reunification." Relief officials who

were allowed to interview some of the people who were moved were told that they had gone voluntarily, Mr. Kunugi said.

Diplomats and aid officials speculate that the relocated civilians may be needed for logistical support as the Khmer Rouge guerrillas move deeper into Cambodian territory. The three guerrilla armies opposing the Vietnamese imposed Government in Phnom Penh say they are now able to operate in almost every Cambodian province.

Mr. Kunugi said the 1,683 people were moved out by truck on three successive nights, on Jan. 13, 14, and 15. Although the Thai Army has denied any involvement, refugee and aid officials say the movement could not have taken place without the knowledge of the military, which controls the roads in the border zone. Thailand supports the Cambodian guerrillas.

In an interview, Mr. Kunugi said relief agencies were effectively barred from observing the distribution of essential aid—food, water and building materials—at Na Trao and Huay Chan camps in Sisaket Province and Boral and Ta Luen camps farther south in Trat Province. There are 29,000 people in the four closed camps.

International aid is intended only for civilians, not guerrilla armies. Mr. Kunugi, who said he reached an "understanding" with the Phnom Penh Government after heavy border fighting in 1985 that civilian camps would not be attacked if they were clearly separated from guerrilla operations, is concerned about the consequences of humanitarian assistance being diverted to Khmer Rouge forces.

The United Nations Border Relief Operation has the authority to recommend the curtailing of humanitarian aid to the closed camps.

"Food is going to these camps through the Thai Army," Mr. Kunugi said. "We don't always see the end provision."

Mr. HATFIELD. Mr. President, I yield the remaining balance of the time of the Republican leader to the Senator from South Dakota [Mr. PRESSLER].

The ACTING PRESIDENT pro tempore. The Senator has yielded to the Senator from South Dakota.

Mr. HATFIELD. I have.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

#### STUDENT AID IN THE FISCAL YEAR 1988 BUDGET

Mr. PRESSLER. Mr. President, nearly 30 years ago Congress declared, in the first title of the National Defense Education Act, that:

The Congress hereby finds and declares that the security of the Nation requires the fullest development of the mental resources and technical skills of its young men and women. . . . This requires programs that will give assurance that no student of ability will be denied an opportunity for higher education because of financial need . . .

Unfortunately, the administration's fiscal year 1988 budget request for student financial aid programs seems to directly contradict this declaration.

These holes are literally the middle of zeros. And the zeros are found in nearly 20 education budget line items. For instance, in 1987 the College Work Study Program was funded at nearly \$600 million. The 1988 request is zero. The Supplemental Educational Oppor-

tunity Grant Program received \$412 million in 1987. In the 1988 request—zero. The National Direct Student Loan Program received \$188 million in 1987—zero for 1988. The State Student Incentive Grant Program received \$76 million in 1987—zero for 1988. I could go on and on.

Mr. President, in view of the deficit there is no doubt that we must tighten our belts wherever possible. Last year, I was an original cosponsor of the Higher Education Amendments of 1986. Under the able leadership of Senators STAFFORD and PELL, who resisted efforts to make the bill a budget buster, eligibility requirements were tightened, loopholes were closed, and collection of defaulted student loans was enhanced. The higher education reauthorization bill is a success story. While I do not agree with every provision of the legislation, it was a compromise which Republicans, Democrats, administration officials, and the education community accepted.

In contrast to this sweeping, effective compromise, the administration's current proposal would result in a 46-percent reduction in overall student aid funding. Nearly 3 million awards would be eliminated from the 1987 total of 9 million. Is this truly in our Nation's best interest? I argue it is not. Our investment in student aid must be responsible and prudent. However, simply cutting off millions of students from the opportunity for higher education is not the answer.

One of the most successful and effective student aid programs is college work study. In 1987, approximately 787,000 students will benefit from the College Work Study Program. According to the National Association of Student Financial Aid Administrators, 65 percent of the funds go to students with family incomes of \$24,000 or less. College work study programs attempt to place eligible students in jobs directly related to their field of study. Federal college work study funding is matched by participating institutions. While the Federal portion is currently 80 percent, it will be 75 percent in fiscal year 1989 and only 70 percent thereafter. By making students earn financial assistance and lowering the Federal matching rate, the College Work Study Program represents one of the most effective student aid programs in existence. However, the administration proposes to wipe it out.

Mr. President, I will not go into the details of the effectiveness of every Federal student aid program. In recent years, Congress has created a number of cost-savings measures for student aid programs. Some are becoming effective just this year. For instance, a needs analysis for guaranteed student loan applicants is now in place. A more restrictive definition of "independent student" was necessary to halt abuses. Pell grants are targeted to the truly needy, with 77 percent of all Pell grants being awarded to those with family incomes of \$15,000 or less. In

fact, 53 percent have family incomes of only \$7,500 or less. Mr. President, I think that points out that there are not abuses in the Pell Grant Program except in very rare cases. Continued development of cost-savings mechanisms like these is the proper way to have financial aid programs contribute to deficit reduction.

Mr. President, in my home State of South Dakota, over 75 percent of our students rely on financial aid. South Dakota students carry a higher loan burden than the national average, yet have one of the lowest student loan default rates in the nation. I am always proved to point that out. For 1986, the national Guaranteed Student Loan Program default rate was 9.6 percent. The South Dakota default rate was 5.3 percent. Mr. President, students like those in South Dakota who rightly accept responsibility for repaying their obligations should not be punished because of the failure of others.

Mr. President, it is my hope that the Senate will realize the short-sightedness of the administration's budget proposal for financial aid programs and soundly reject it. Congress is on the right track in developing additional cost-savings mechanisms to eliminate abuses, but not eliminating desperately needed awards. We should remember our 30-year-old promise that no student of ability will be denied an opportunity for higher education due to financial need.

Mr. President, I yield back the remainder of my time, and I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota has yielded back the balance of his time.

The majority leader is recognized.

Mr. BYRD. Mr. President, I yield 4 minutes to the distinguished majority whip.

Mr. CRANSTON. Mr. President, I thank the majority leader very, very much. And I thank him for his leadership on this issue, and on so many others.

The ACTING PRESIDENT pro tempore. The Senator from California is recognized for 4 minutes.

#### CONTRA CLOTURE VOTE

Mr. CRANSTON. Mr. President, the upcoming vote is an important one for our Nation and for our people. It is also important for the U.S. Senate. The very genesis of Congress in 18th century was belief that the executive should be accountable to popular assembly—the Congress.

Accountable on issues of war and peace; and

Accountable on how public funds are expended.

This administration seeks to evade accountability.

This administration has prosecuted an undeclared war for 6 years now—6

Communications security has no constituency. There is no tangible product and the public can never really be sure that we have done anything. But National Security Decision Directive 145 says it is a national policy and national responsibility to offer assistance to the private sector in protecting communications. It's time to make communications security (ComSec in the lingo) a true national security priority supported with resources as well as rhetoric. This was certainly the conclusion of the Comprehensive Intelligence Committee report.

I agree, and have suggested a way to get on with it. If someone has a better idea—if you have another idea—I would be happy to know it. The important thing is that we stop this massive leak of sensitive information and protect your privacy.

#### ADDITIONAL COSPONSORS

S. 264

At the request of Mr. HUMPHREY, the name of the Senator from Nevada [Mr. HECHT] was added as a cosponsor of S. 264, a bill to amend the Internal Revenue Code of 1986 to deny status as a tax-exempt organization, and as charitable contribution recipient, for organizations which perform, finance, or provide facilities for abortions.

S. 577

At the request of Mr. INOUE, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 577, a bill to amend the Federal Election Campaign Act of 1971 to regulate political advertising in campaigns for Federal elective office.

S. 686

At the request of Mr. DASCHLE, the name of the Senator from Wisconsin [Mr. KASTEN] was added as a cosponsor of S. 686, a bill to amend the Agricultural Act of 1949 to limit the quantity of milk protein products that may be imported into the United States.

S. 734

At the request of Mr. JOHNSTON, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of S. 734, a bill to extend trade adjustment assistance to workers and firms in the oil and gas industry whose services or products are not directly competitive with imports.

S. 924

At the request of Mr. BENTSEN, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 924, a bill to revise the allotment formula for the alcohol, drug abuse, and mental health services block grant under part B of title XIX of the Public Health Service Act.

S. 1020

At the request of Mr. MOYNIHAN, the name of the Senator from Kentucky [Mr. FORD], the Senator from Alaska [Mr. STEVENS], and the Senator from Arizona [Mr. DECONCINI] were added as cosponsors of S. 1020, a bill to create the office of Librarian of Congress Emeritus.

#### SENATE JOINT RESOLUTION 15

At the request of Mr. KARNES, his name was added as a cosponsor of Senate Joint Resolution 15, a joint res-

olution designating the month of November 1987 as "National Alzheimer's Disease Month."

#### SENATE JOINT RESOLUTION 76

At the request of Mr. KARNES, his name was added as a cosponsor of Senate Joint Resolution 76, a joint resolution to designate the week of October 4, 1987, through October 10, 1987 as "Mental Illness Awareness Week."

#### SENATE JOINT RESOLUTION 107

At the request of Mr. SPECTER, the names of the Senator from Kansas [Mr. DOLE], the Senator from Kentucky [Mr. MCCONNELL], the Senator from Oklahoma [Mr. NICKLES], the Senator from New Jersey [Mr. BRADLEY], the Senator from Maryland [Ms. MIKULSKI], the Senator from Florida [Mr. GRAHAM], and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of Senate Joint Resolution 107, a joint resolution to designate April 1987, as "Fair Housing Month."

#### SENATE JOINT RESOLUTION 115

At the request of Mr. SYMMS, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of Senate Joint Resolution 115, a joint resolution making an urgent supplemental appropriation for emergency assistance to the Polish independent trade union organization NSZZ "Solidarnosc" for the fiscal year ending September 30, 1987, and for other purposes.

#### SENATE CONCURRENT RESOLUTION 15

At the request of Mr. HEFLIN, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of Senate Concurrent Resolution 15, a concurrent resolution expressing the sense of the Congress that no major change in the payment methodology for physicians' services, including services furnished to hospital inpatients, under the Medicare Program should be made until reports required by the 99th Congress have been received and evaluated.

#### SENATE CONCURRENT RESOLUTION 54—URGING THE PRESIDENT TO SEND A SPECIAL REPRESENTATIVE TO VIETNAM TO RESOLVE PENDING HUMANITARIAN ISSUES AND TO ESTABLISH TECHNICAL RESOLUTION OFFICES IN BOTH COUNTRIES

Mr. HATFIELD (for himself, Mr. PELL, Mr. SIMPSON, Mr. DECONCINI, Mr. DOMENICI, Mr. KENNEDY, Mr. STAFFORD, Mr. HECHT, Mrs. KASSEBAUM, Mr. KERRY, Mr. DASCHLE, Mr. LEVIN, Mr. LUGAR, Mr. PRESSLER, Mr. SANFORD) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

#### S. CON. RES. 54

Whereas twelve years have passed since the end of the Vietnam War, and it is in the best interests of the United States to put the War behind the Nation;

Whereas the United States is deeply committed to the resolution of the many pend-

ing humanitarian issues which are a legacy of the Vietnam War and which cannot be quickly and finally resolved without increased cooperation and open channels of communication between the United States and Vietnam; and

Whereas unresolved humanitarian issues affect people in both countries and range widely, including the fullest possible accounting of American MIAs and POW's; the release of political prisoners in Vietnamese re-education camps; the rejuvenation of the emigration procedures for Vietnamese through the Orderly Departure Program; the resettlement of Amerasians still in Vietnam; and the health and safety of Indochinese refugees living in camps throughout Southeast Asia, particularly along the troubled Thai-Cambodian border: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That it is the sense of the Congress that the President should designate and send to Vietnam at the earliest practicable date a special Presidential representative to negotiate with the Government of Vietnam for—

(1) an agreement for the speedy resolution of all the aforementioned outstanding humanitarian issues between the two countries; and

(2) an agreement for the establishment of technical resolution offices in the capitals of both countries for the purpose of implementing the agreement described in paragraph (1).

SEC. 2. The Secretary of the Senate shall transmit a copy of this concurrent resolution to the President.

Mr. HATFIELD. Mr. President, on this day 12 years ago the war in Vietnam ended. Today I am submitting a concurrent resolution which will address the lingering anguish of the thousands of Americans for whom the war has not ended.

I am submitting a concurrent resolution with Senators PELL, SIMPSON, DECONCINI, KENNEDY, DOMENICI, and several others which urges the President to take bold, new steps to resolve with the Government of Vietnam the POW-MIA issue and the many other compelling humanitarian issues yet to be resolved. These issues are a legacy of the war which separate our two countries, and which can only be resolved through cooperation and upgraded diplomacy. Senator McCLURE and I were in Hanoi at the beginning of this year. It was the first time I had the opportunity to go back to Vietnam since my own war period there in 1945 when Ho Chi Minh and the United States were allies fighting a common war. When Senator McCLURE and I were there we emphasized with the Vietnamese leadership one point: The United States of America speaks with one voice in its resolve to receive the fullest possible accounting of American servicemen who did not return from the war in Vietnam, Laos, and Cambodia. On this issue there are no liberals or conservatives, no Democrats or Republicans, no hawks or doves—only Americans. This resolution I am introducing today will serve as a vehicle to accelerate the dialog between the United States and Vietnam, and hopefully usher in a new era in rela-

tions to hasten to an end the uncertainty that hangs heavy over the lives of these unfortunate families.

This resolution asks the President to send to Vietnam at the earliest practicable date a special representative to negotiate with Vietnam a resolution agreement on the many humanitarian questions at issue between our two countries. And I emphasize "humanitarian." To facilitate the implementation of this agreement, this resolution calls for the establishment of technical offices in Hanoi and Washington to allow for the more frequent exchanges of information and technical data on these humanitarian issues.

The infrequent technical talks have had to be totally and completely inhibited and crippled because we have to shuttle our representative between Bangkok and Hanoi, for the simple reason we have no presence in Hanoi.

The National League of Families of American Prisoners and Missing in Southeast Asia reports that there are 2,416 American POW's and MIA's. Of that number, 1,113 are known to have been killed in action, their bodies have never been recovered. In another 647 cases, a presumptive finding of death was made at the time of loss, during the time the United States was still in Vietnam. So by the end of the war, fewer than 800 were technically regarded by the Pentagon as either MIA or POW. And of this number, the Pentagon lists 436 cases as "nonrecoverable" because of the circumstances of loss, such as loss at sea. So while we want the fullest possible accounting of all 2,416, this breakdown encourages me to believe that the task before us is achievable.

Mr. President, the families of the MIA's-POW's are best served by a higher level, and more frequent, dialog between our two countries, and that is precisely what this resolution presents to the families for whom the Vietnam war is not a thing of the past. I am certain that many of our newest citizens—Americans of Vietnamese origin—who have loved ones in reeducation camps or in the backlogged and broken-down Orderly Departure Program also will welcome this resolution. And the neglected cause of Amerasians in Vietnam also will be given new life by the recommendations of this resolution, as will the plight of the hapless victims of the tumult from the war who are trapped in refugee camps throughout Southeast Asia and cannot go home safely.

Here we are, a decade and a half removed from the war, and look at where we stand: The POW-MIA talks are stalled, and followup from past talks logistically snarled; the ODP Program has not seen a new interview in over a year; the reeducation camp prisoner negotiations long ago fell apart; and Amerasians are still stuck in Vietnam. Therefore, I believe the United States must enlist additional personnel and new, forthcoming strategies in its battle to resolve the pend-

ing humanitarian issues. That is all this resolution says.

Mr. President, we should be entering a new era in United States-Vietnam relations, and we must lay aside the successful but now inefficient practices of low level, piecemeal diplomacy. We need sunshine dialog, more frequent talks, better channels of communications, and new players in the process. Let us face the facts: While we have made progress on some of the humanitarian issues in dispute, we face such serious logistical and diplomatic problems that anything short of what this resolution calls for will be terribly inadequate, as well as disappointing to the families still suffering from the war. In 1986, four technical talks in POW's-MIA's were held, and in 1987 none have been held.

Now, there are many reasons for this hiatus in dialog, principal of which is the shakeup of the Vietnamese leadership.

It was recently announced that last fall Gen. John Vessey was appointed as the administration's special representative to Vietnam. I am gratified by the news of the designation of such a representative. One might find interesting the timing of the announcement since I made the request for a special representative to President Reagan, Secretary Shultz, and National Security Council Director Carlucci on February 4, this year and no mention of the appointment, or even its consideration was made in our discussion in the Oval Office.

But be that as it may, I am hopeful that General Vessey, a man I respect deeply, will go to Vietnam immediately and precipitate a new era in relations with Vietnam, an era which can only help the families still suffering from the legacies of the war. I told Deputy Prime Minister Thach that I felt an improvement in relations through improved and upgraded contacts was the only way to resolve the humanitarian issues, and I repeat that assessment today. I would speak for Senator McClure on this subject, but he is free to speak for himself. I believe he would agree with my statement today, although I do not want to commit him to my perspective on these issues.

Let us be frank: Hard line diplomacy means hard times for MIA-POW families in America. The United States does not want to be in the position by the tone of its diplomacy of finding itself pushing the Vietnamese further into dependence upon the Soviet Union.

Let me turn to the Cambodian question briefly, for this resolution is silent on Cambodia. First, I find it simply inconceivable that the United States is not marshalling all of its diplomatic force on the Government of China, with whom we have diplomatic ties, to terminate their financial and moral support for the murderous Pol Pot and the Khmer Rouge. The United States as leader of the free world and

as global champion of human rights cannot be silent while regional politics somehow have found a respectable place for the genocidal Khmer Rouge to flourish. Until the Khmer Rouge are disbanded, and until the Democratic resistance led by Prince Sihanouk and Son Sann stands alone as the alternative to a Vietnamese occupation, the world community will be forced with the ugly choice of a Cambodia which is Vietnamese occupied or Khmer Rouge terrorized. The United States and ASEAN countries cannot claim innocence when we knowingly allow the perpetuation of the Khmer Rouge cadre as an unholy partner in the struggle to get the Vietnamese out of Cambodia. We may not be giving the Khmer Rouge a penny, but we have allowed them a place to live and operate by not demanding their banishment, even though history will soon show Pol Pot and his troops among mankind's most heinous killers.

I believe the United States can join with its friends Thailand, Singapore, Australia, and others to help seek a negotiated end to the Vietnamese occupation. I went to Bangkok prior to my departure to Hanoi to stress to my friends my conviction that the best interests of Thailand and ASEAN are served by the United States removing its self-imposed muzzle and involving itself in the Cambodia debate in a significant way. We cannot grant our proxy on geopolitical questions to any country or any association of countries. If any of my colleagues wants to help ASEAN countries and safeguard them from the spread of communism, then they can join with me in holding these countries harmless from the punitive, destructive trade bill that is about to be before the Senate.

Before concluding, I want to address the resolution as it affects the lives of the hundreds of thousands of refugees living in camps throughout Southeast Asia. We can all agree that the preferred solution for these refugees is repatriation. Unfortunately, repatriation for Hmong, Lao, Cambodian, and Vietnamese refugees today is synonymous with summary execution or immediate imprisonment. How many times must we look to what the Heng Semerin regime or the Pathet Lao do to push backs before we quit talking about repatriation as a viable option. It is not. In fact, repatriation will never be a viable option for the refugees of the region until the United States plays a major role in that process. And until the United States has an improved relationship with Vietnam, the United States will not be involved in the negotiations for safe repatriation for the region's refugees.

Fourteen Senators, including Senators PELL, SIMON, and I, introduced S. 814, the Indochinese Refugee Resettlement and Protection Act of 1987. This measure is a bridge until a repatriation agreement is adopted. It safeguards asylum for the refugees of the

region; it commits the United States to a modest refugee resettlement program through the end of the decade; and it offers help to Thailand and our other friends who have given asylum to the refugees. I urge my colleagues to join in cosponsorship of that measure which I intend to offer as an agreement to the State Department or the Foreign Aid authorization measures when they come before the Senate. Time is of the essence, and as it stands, the plug has been pulled on the refugee program, and the United States is bedside, front and center, wringing its hands, expressing compassion, doing little and nothing. But again, the whole resolution of the refugee problem turns on U.S. involvement in the diplomatic process, not as bystanders dealing with the symptoms, but as activists working toward the solutions.

Mr. President, let me close with the simple statement: I believe Ronald Reagan can go down in history as the President who put the Vietnam war behind the nation, and I believe this resolution proposes a bold, new step in that direction. And I believe that step must be taken immediately. President Reagan has done more to elevate the importance of these humanitarian issues than any other President, and I believe he can be the President to finally resolve them.

**SENATE CONCURRENT RESOLUTION 55—PROVIDING FOR SENATE AND HOUSE DELEGATIONS TO PARTICIPATE IN CEREMONIES IN NEW YORK CITY COMMEMORATING THE BICENTENNIAL OF THE CONSTITUTION**

Mr. MOYNIHAN (for himself and Mr. D'AMATO) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

**S. CON. RES. 55**

Whereas the Constitution officially became the form of government of the United States on March 4, 1789;

Whereas New York City served as the first capital of the United States;

Whereas the first Congress convened in New York City in April 1789;

Whereas George Washington was inaugurated as the first President of the United States in New York City on April 30, 1789;

Whereas while meeting in New York City, the first Congress passed legislation creating the executive departments of the Federal government and the Federal court system; and

Whereas while meeting in New York City, the first Congress, under the leadership of Representative James Madison of Virginia, framed and proposed to the states the ten constitutional amendments known today as the Bill of Rights: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That the Speaker of the House of Representatives and the Majority Leader of the Senate, in consultation with the Minority Leaders of their respective Houses, are authorized and directed to appoint members of their respective Houses to serve on a delegation of members*

of the Congress which will take part in ceremonies to be held in New York City in April 1989 commemorating the 200th anniversaries of the implementation of the Constitution as the form of government of the United States, the inauguration of George Washington as the first President of the United States, and the proposal of the Bill of Rights as the first ten amendments to the Constitution, and shall invite the President to join this delegation in participating in these ceremonies.

● Mr. MOYNIHAN. Mr. President, I rise today to introduce, with my distinguished colleague from New York, a concurrent resolution to provide for the participation by delegates from both Houses of Congress in ceremonies celebrating the role New York City played in the establishment of the American Republic, Congressman SCHEUER is introducing the same resolution in the House of Representatives.

Specifically, this resolution directs the Speaker of the House and the majority and minority leaders in the Senate to appoint Members of the Congress to serve as members of a delegation to these ceremonies. Such ceremonies will include observance of the day on which the Constitution officially became the basis of our form of government, the anniversary of the inauguration of George Washington as the first President of the United States in New York City on April 30, 1789, and the convening of the first Congress in New York in April 1789.

The role of New York City in the early history of this Nation is more significant than many realize. The story of the moving of the Capital from New York City to Washington is a fascinating tale which gives a unique insight to the concerns of our Founding Fathers. On or about June 20, 1790, Thomas Jefferson, then Secretary of State, Alexander Hamilton, Secretary of the Treasury, and James Madison, Member of the House of Representatives for the Fifth District of Virginia, met over Jefferson's dinner table at 57 Maiden Lane, in Manhattan, and reached a momentous agreement.

Two issues were involved. First, whether the new National Government would assume the debt incurred by the States during the Revolutionary War. Hamilton had proposed this 5 months earlier, in his "Report on the Public Credit." Here was a classical regional conflict. Virginia, which pretty much spoke for the South, had arranged to repay its debt. It would gain little if the National Government were to pay off the debt of others. The Northern States had not paid theirs (and also had more debt—nearly a third of the battles of the Revolutionary War were fought on New York soil). Northern financiers had bought up a good deal of this debt, in the form of much-discounted bonds, and stood to make a bundle if Hamilton could deliver.

The second issue was whether the Capital would remain in New York

or move south. The Constitution had left the matter unresolved, providing only that the seat of the Government of the United States be located in an area "not exceeding 10 miles square." More than just the region was at issue. Was ours to be a country run by Southern farmers or by Northern financiers? Never mind that the Southern farmers were not quite plowmen, while the Manhattan financiers had to deal with an already developed urban democracy that was not notably disposed to an oligarchy of position. Something large and enduring was at stake. Jefferson and Hamilton understood this. Jefferson made the deal. The war debt would be assumed. In return, the Capital would move to a swamp on the banks of the Potomac.

In a sense, we New Yorkers gave up the distinguished honor of being home to our Capital in order that the country—the Republic—could begin on solid economic footing. A small price to pay for the security of a nation.

It is for these and many other contributions that New York made during the birth of our Nation that we offer this resolution.

I urge my colleagues to support this resolution. ●

● Mr. D'AMATO. Mr. President, I am proud to join my colleague from New York [Mr. MOYNIHAN] in sponsoring a concurrent resolution relating to ceremonies scheduled for April 1989 in New York City. Our resolution establishes a delegation of Members of both Houses to participate in a formal celebration of the 200th anniversaries of our Constitution, the inauguration of George Washington as our first President, and the proposal of the Bill of Rights as the first 10 amendments to our Constitution.

Some of my colleagues will be selected to attend these ceremonies, but every American will be there in spirit, just as early Americans had their eyes and ears on New York City back in April 1789. Imagine the excitement of the colonialists as the Constitution was unveiled; their pride as George Washington became the first President; and their anticipation of a new era as Congress first convened in New York City, our Nation's first Capital.

The celebration of these events, to be held in New York City in April 1989, comes close on the heels of the 100th anniversary and rededication of the Statue of Liberty. Last July 4 we were reminded of the spirit that is America and of the freedoms we all enjoy. Two years hence we will celebrate the birth of our government, and reaffirm a promise the American people made nearly 200 years ago:

We the people, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

### GRATUITY TO GLORIA S. GARNER

The resolution (S. Res. 198) to pay a gratuity to Gloria S. Garner was considered, and agreed to; as follows:

S. Res. 198

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Gloria S. Garner, widow of William F. Garner, Sr., an employee of the Senate at the time of his death, a sum equal to eleven and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

### GRATUITY TO MARGARET C. MITCHELL

The resolution (S. Res. 199) to pay a gratuity to Margaret C. Mitchell was considered, and agreed to; as follows:

S. Res. 199

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Margaret C. Mitchell, mother of Dorothy M. Mitchell, an employee of the Senate at the time of her death, a sum equal to six and one-half months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

### GRATUITY TO WILLIAM MACKLIN

The resolution (S. Res. 200) to pay a gratuity to William Macklin was considered, and agreed to; as follows:

S. Res. 200

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to William Macklin, nephew of William J. Wooten, an employee of the Architect of the Capitol assigned to duty on the Senate side at the time of his death, a sum to equal six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

### RESOLUTION CALLING FOR THE RELEASE OF POLITICAL PRISONERS BY THE GOVERNMENT OF VIETNAM

Mr. BYRD. Mr. President, on behalf of Mr. KENNEDY, for himself, and Mr. DOLE, Mr. BYRD, Mr. PELL, Mr. HELMS, Mr. DURENBERGER, and Mr. HATFIELD, I send a resolution to the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 205) calling for the release of political prisoners by the Government of Vietnam.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. KENNEDY. Mr. President, I am pleased to join today in proposing a

resolution to focus renewed attention on one of the utmost urgent humanitarian issues in the aftermath of the Vietnam war—the continued plight of political prisoners in Vietnam and the problem of family reunification.

Last night, Senator DOLE and I had the privilege to attend a reception here in the Capitol organized by a coalition of Vietnamese refugee groups to mark the 12th anniversary of the fall of Saigon. But, more important, they reminded us of the plight of the thousands of Vietnamese refugees who continue to be separated from their family members still in Vietnam.

More tragic still, they focused our attention on family members who have languished for the past 12 years as political prisoners in Vietnamese jails—so-called “political reeducation centers.”

Many humanitarian issues are compelling, but none more so than the plight of these political prisoners.

We need to break the diplomatic logjam that has thwarted any real progress in addressing these humanitarian issues. This resolution calls for that action. It asks the Government of Vietnam to do what it has already publicly said it is willing to do—to release political prisoners and permit them to resettle abroad or join their families in other countries.

It calls upon Vietnam to do what it agreed to do when it negotiated and signed the orderly departure agreement with the United Nations High Commissioner for Refugees in 1979—to process and give exit visas to family reunification cases.

I am pleased to join in directing the attention of Congress to these critical humanitarian problems, and I urge the Senate to adopt this resolution.

I ask unanimous consent that a very timely and thoughtful editorial on this subject, published today in the Washington Post, may be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

(From the Washington Post, May 1, 1987)

#### HANOI'S BROKEN PROMISE

Just three years ago the communist government of Vietnam promised to release to the United States all the Vietnamese still incarcerated in “reeducation camps” as a result of their service in the South Vietnamese regime associated with the Americans. Three years later, not a single one of these unfortunate people has been released and allowed to leave the country with their dependents under the amnesty pledged at that time.

These several thousand Vietnamese are the senior people remaining from a larger group caught up after the fall of Saigon in 1975. They were not accused of committing war crimes in the usual sense. They had simply held official positions in civilian and military branches under the old order. They are political prisoners, and they have endured an unimaginable ordeal in the camps. Says Khuc Minh Tho, the leader of a support group of their kin in the United States: “We do not think that belonging to a vanquished regime is a crime. But even if our

relatives have committed ‘crimes’ under the new government’s law we think 10 years of imprisonment is enough punishment for those who have sinned.”

Soon after then-premier Pham Van Dong promised to free the prisoners, reports started being heard of Hanoi’s provocative demand that the United States put a political leash on the prospective new arrivals to keep them from somehow acting against Vietnam. But it is extremely farfetched to imagine that these people could, even if they would, add any discernible weight to the political scales—scales on which the Vietnamese presence in the United States rests very lightly in any event. More recently, Hanoi has simply refused to address the question of the prisoners, and it altogether stopped permitting the emigration even of non-prisoners in January 1986.

In December 1986, Hanoi started a process of leadership renewal and policy review whose significance for matters like this one remains to be demonstrated. Still, if there is any inclination in Vietnam to signal that things are changing, the authorities should consider that nothing would come through to Americans more clearly—along with a resolution of the MIA issue and an end to the occupation of Cambodia—than the prompt release of political prisoners. Hanoi’s current policy stands as a glaring example of Vietnamese bad faith.

Mr. DOLE. Mr. President, yesterday marks the 12th anniversary of the end of the Vietnam war.

Entirely apart from any political considerations surrounding the outcome of that war or the question of our political relations with Vietnam, there are three major humanitarian issues that ought to be resolved immediately: The POW/MIA issue; the refugee issue; and the issue of political prisoners still held in Vietnam.

The main reason these issues have not been resolved is that the Vietnamese authorities—and their allies in Kampuchea and Laos—have refused to cooperate in their resolution. Instead, the Hanoi authorities have callously and cruelly played international politics with the lives of countless thousands of innocent people.

It is as simple, and sad, as that. And it is time that we called the Vietnamese authorities to account for their barbarous behavior.

I have spoken elsewhere, and will again be speaking in the future, on the POW/MIA and refugee issues. Today, I want to speak briefly on the political prisoner issue. And, together with Senator KENNEDY, I want to introduce a resolution dealing with this subject.

Today, together with Senator KENNEDY, we have introduced this resolution, along with the distinguished majority leader and a number of other Senators, just to call attention to this fact. A number of us lament that some of the Vietnamese have been in this country for 12 years and longer, some a lesser time, and many waiting to have family members be reunited with them. And they are thwarted at every turn by the Hanoi government.

The facts are simple. When North Vietnam overran South Vietnam in 1975, it threw in jail tens of thousands of South Vietnamese. The main

"crime"—and the word "crime" is in quotes—the "crime" was that these people had supported the South Vietnamese Government—their Government—against the North Vietnamese aggression. For that, they were thrown into jail.

And today, a dozen years after the war ended, at least 6,000—by the Vietnamese own admission—still remain in jail. The Vietnamese call these jails re-education camps. Knowledgeable, honest people call them concentration camps.

These people have committed no crimes. There are no threat to the political system in South Vietnam. By most accounts, after a dozen years of Communist imprisonment, they are barely alive. There is no earthly reason why they should not be freed—to return to their families or, in the case of those with close relatives in the United States, to come here.

The resolution which Senator KENNEDY and I introduce today calls upon the Vietnamese to release these prisoners, and to expedite all family reunification cases still outstanding between our two countries. It is totally nonpolitical; certainly, in our political terms in the Senate, it is totally nonpartisan. All Senators ought to support it.

This is the 12th anniversary of the end of the war. With this action, and with the acceleration of strong, international pressure on Vietnam to do what is right, let us hope that this issue will no longer be with us next year, when we mark the 13th anniversary.

Mr. President, it would seem to me, and I think that was the plea made last night by those who were attending this very important event, that we do have some responsibility. I am not certain this resolution will have any great impact, but at least it will be a recognition on the part of the U.S. Senate that we are aware of the problem and willing to help in every way possible.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 205) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

#### S. Res. 205

Whereas twelve years have passed since the end of the Vietnam war, yet thousands of Vietnamese remain held as political prisoners and many thousand more divided from their families in the United States and other countries;

Whereas the Government of the Socialist Republic of Vietnam has a responsibility to observe international standards of human rights;

Whereas the Government of the Socialist Republic of Vietnam has committed itself to releasing political prisoners to be resettled abroad; and

Whereas the Government of the Socialist Republic of Vietnam has signed an agreement with the United Nations High Com-

missioner for Refugees to assist in the reunification of families: Now, therefore, be it

*Resolved by the Senate*, That the Government of the Socialist Republic of Vietnam should immediately release all political prisoners held as a result of their previous association with the Government of South Vietnam prior to 1975;

That the Government of the Socialist Republic of Vietnam should fulfill its commitment to negotiate their humane resettlement abroad or to rejoin family members outside of Vietnam; and

That the Government of the Socialist Republic of Vietnam should immediately resume processing of family reunification cases under the United Nations High Commissioner for Refugees' Orderly Departure Program.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. DOLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### ENROLLED JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, May 1, 1987, he had presented to the President of the United States the following enrolled joint resolutions:

S.J. Res. 57. Joint resolution to designate the period commencing on May 3, 1987, and ending on May 10, 1987, as "National Older Americans Abuse Prevention Week"; and

S.J. Res. 87. Joint resolution to designate the month of May 1987 as "National Digestive Diseases Awareness Week."

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STENNIS, from the Committee on Appropriations, with amendments:

H.R. 1827. A bill making supplementary appropriations for the fiscal year ending September 30, 1987, and for other purposes (Rept. No. 100-48).

By Mr. GLENN, from the Committee on Armed Services, without amendment:

S. 12. A bill to amend title 38, United States Code, to remove the expiration date for eligibility for the educational assistance programs for veterans of the All-Volunteer Force; and for other purposes.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. BYRD (for Mr. BIDEN), from the Committee on the Judiciary:

Bohdan A. Futey, of Ohio, to be a judge of the U.S. Claims Court for the term of 15 years;

David Bryan Sentelle, of North Carolina, to be U.S. circuit judge for the District of Columbia Circuit;

Reena Raggi, of New York, to the U.S. district judge for the eastern district of New York;

Ronald S.W. Lew, of California, to be U.S. district judge for the central district of California;

Richard J. Danonco, of New York, to be U.S. district judge for the southern district of New York;

David S. Doty, of Minnesota, to be U.S. district judge for the district of Minnesota;

J. Keith Gary, of Texas, to be U.S. Marshal for the eastern district of Texas for the term of 4 years;

Earl L. Rife, of Ohio, to be U.S. Marshal for the northern district of Ohio for the term of 4 years;

Dwight G. Williams, of Mississippi, to be U.S. Marshal for the northern district of Mississippi;

Robert W. Foster, of Ohio, to be U.S. Marshal for the southern district of Ohio for the term of 4 years; and

Wilkes C. Robinson, of Kansas, to be a judge of the U.S. Claims Court for the term of 15 years.

By Mr. BOREN, from the Select Committee on Intelligence:

William H. Webster, of Missouri, to be Director of Central Intelligence.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HELMS:

S. 1118. A bill to help prevent rape and other sexual violence by prohibiting dial-a-porn operations; read the first time.

By Mr. SPECTER:

S. 1119. A bill to amend title II of the Social Security Act to protect the benefit levels of individuals becoming eligible for benefits in or after 1979; to the Committee on Finance.

By Mr. MELCHER:

S. 1120. A bill to amend the Mineral Lands Leasing Act of 1920 to improve the administration of the Federal Coal Leasing Program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY:

S. 1121. A bill to require the General Accounting Office to audit the Board of Governors of the Federal Reserve System, the Federal Advisory Council, the Federal Open Market Committee, and Federal Reserve banks and their branches; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DASCHLE:

S. 1122. A bill to amend the Federal Meat Inspection Act to impose reciprocal inspection requirements for imported meat articles under certain conditions, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DURENBERGER:

S. 1123. A bill to require air emissions which are precursors of acid deposition, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SIMON:

S. 1124. A bill to amend title 18, United States Code, to require that telephone monitoring by employers be accompanied by a regular, audible warning tone; to the Committee on the Judiciary.

By Mr. CRANSTON (by request):

S. 1125. A bill to amend title 38, United States Code, to authorize modification of the structure of the Office of the Chief Medical Director, to clarify procedures for removal for cause of certain employees, to authorize the use of the Director Pay Grade within VA Central Office and for related purposes; to the Committee on Veterans' Affairs.

By Mr. EVANS (for himself and Mr. ADAMS):

onerous and costly regulation the law requires of banks, why haven't such institutions come into existence? A prime reason is because they can't compete with the low-cost credits banks attract with Federal insurance of deposits. How would Litan and Tobin meet this problem? They would confine those institutions that accept Federal deposits to 100 percent safe Government deposits. Litan-Tobin would simply knock the low-cost insured deposits out of the Lending Act.

The Litan-Tobin proposal would do the following: It would end any safety and soundness problem for insured deposits. It would also tend to reduce the return on such deposits. Since the proposal would raise the cost of money to the new institutions that could make loans, it would also raise the cost of credit to American business. Since the supply of credit to these institutions would come from short-term money market sources and not from insured depositors that supply would be more sensitive to the increased risk, the institutions would undergo in recession periods. So the cost of credit for American business would not only be higher. It would be more volatile and more likely to rise in periods of recession when the risk factor would increase.

Of course there are many other potential scenarios for change in what has become an increasingly more dynamic financial market. The job of the Congress must be to make these changes rather than leave them to the regulators and the courts. We should make changes so that we protect the safety and soundness of our financial institutions, reduce discrimination and conflict of interest to a minimum, and provide for maximum competition.

Once again I thank my friend, the distinguished majority leader, and yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

#### MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business not to extend beyond the hour of 9:30 a.m. and that the vote that was originally scheduled for 10 occur at 11:30 as already indicated. Shortly I will know from Mr. PELL and others as to whether or not they wish to change the period for debating the resolution on which the vote will occur.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEBATE ON MIA RESOLUTION TO BEGIN AT 11:10 A.M.

Mr. BYRD. Mr. President, I ask unanimous consent that the time for debate on the MIA resolution begin at 11:10 under the same conditions as heretofore entered.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECESS UNTIL 11 A.M.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate stand in recess until the hour of 11 o'clock a.m.

There being no objection, the Senate, at 9:15 a.m., recessed until 11 a.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ADAMS).

#### MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that there be a period for morning business between now and 11:10 a.m., and that Senators may speak therein up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. BYRD. Mr. President, at 11:10 a.m., the time would be under control and there would be debate on Senate Resolution 255, with a time limitation of 20 minutes to be equally divided. A vote will occur at 11:30 a.m. That will be a rollcall vote. If Senators wish to begin discussing the resolution, they may do so even now.

The PRESIDING OFFICER. Does the majority leader wish the time to be counted against them if they should start? Is that part of the unanimous-consent agreement?

Mr. BYRD. No. I would simply suggest that the time start running at 11:10 a.m.

The PRESIDING OFFICER. I thank the majority leader.

Mr. BYRD. I thank the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

#### VESSEY MISSION TO VIETNAM

Mr. McCAIN. Mr. President, I thank you, Mr. President, for recognizing me and allowing me to begin, a few minutes early, the discussion of the resolution Senate Resolution 255 which will be before the Senate.

The PRESIDING OFFICER. If the Senator will suspend for a minute, the Senate is on morning business and the Senator may, of course, discuss any subject he wishes but the time will not be counted against the Senator or the time until 11:10 a.m. But the Senator

is recognized for any purpose he wishes.

Mr. McCAIN. I thank the President again. I would also like to express my sincere appreciation to the majority leader for allowing this resolution to come to the floor of the Senate in this very timely fashion.

I am very aware of the dedication of the majority leader to all of our veterans, particularly those of the Vietnam war and his commitment to the resolution of the issues that remain outstanding between ourselves and the Vietnamese Government.

I am also grateful to Senator DOLE, our distinguished Republican leader, Senator NUNN, Senator DeCONCINI, Senator PELL, and others, who have joined in submitting this resolution to this body.

I am also told, Mr. President, that today the other body will also consider this resolution, and I am assured that it will proceed without delay. Consideration of this measure is propitious because General Vessey, the former Chairman of the Joint Chiefs of Staff, will proceed today to Hanoi to begin these very important meetings and negotiations on the MIA's and other issues.

In my discussions with General Vessey about his mission, he told me that the best way Congress could assist him in his efforts would be a resolution which gave the Vietnamese a clear signal that the President, the Congress, and the American people are united and undivided in support of an early resolution to the humanitarian issues that exist between ourselves and Hanoi.

Mr. President, almost 15 years ago, on January 28, 1973, the United States and the Vietnamese concluded an agreement to end hostilities in Vietnam. There were many facets to that agreement. One of them was that all those held captive by both sides would be returned and a full accounting of those listed as missing in action on both sides would be rendered.

Over the past decade and a half, this country's attitudes toward that war and the men who fought in it have changed rather dramatically. Vietnam veterans, once excoriated, reviled, and insulted, and many whom, were ashamed to wear their uniforms or even be recognized for the fact that they served in Vietnam, are now proud of their service. Perhaps the greatest event of the eighties as far as American veterans are concerned is the recognition and appreciation that the American people have expressed to those who fought in that war. Although we may have had severe chasms and disagreements within our society, the American people have concluded that those who fought deserve our appreciation and whatever benefits we can provide them which they so richly deserve as do all veterans who fought in all wars.

For some Americans, however, the war has not ended. The families of over 2,400 Americans missing in action live in limbo, without knowledge of the fate of their husbands, fathers, sons, and brothers.

Mr. President, this issue remains alive. It remains important. Indeed, it remains critical to millions of Americans across this country.

A visit to the Vietnam War Memorial, which I made as recently as last week, will show that this issue still preys on the minds of all Americans. There is no way we can ever close the chapter on that unhappy part of America's history, the Vietnam war, unless we have a full accounting for those who are still listed as missing in action. In the years since the war, a resolution of this issue has been pursued by a number of dedicated Americans. It has also been perceived by some charlatans and deceivers as a money and profitmaking opportunity.

A great deal of misinformation has been conveyed to the American people on this issue. The Vietnamese for their part, in my opinion, have failed to live up to the spirit of the agreement that they signed in Paris in January 1973 that a full accounting would be rendered.

In fact, as far as the remains of Americans who are still missing in action, Mr. President, there has been a tremendously cruel and even cynical attitude in that the Vietnamese have, from time to time, given three or four bodies back to the American authorities. Hanoi knows that we have full knowledge that they have held those remains for many, many, many years.

For several years after the war's end, the belief was that we had left no Americans behind in 1973. This view was corroborated by a number of commissions in the late 1970's.

In fact, in our desire to put the Vietnam war behind us and close this unhappy book, the American people were, I think, too quick to reach the assumption that there were no Americans left in Vietnam.

There has been a change since then. The belief that Americans might still be held captive has been corroborated by such respected individuals as Gen. Eugene Tighe, former head of the Defense Intelligence Agency, and others who say there are legitimate questions about the status of Americans who remain missing in action. In my opinion, Mr. President, we must assume that there are still Americans being held against their will in Southeast Asia until we have evidence to the contrary.

Mr. President, I want to fully and clearly point out that I have no evidence nor do I believe that the DIA or anyone else has firm evidence that there are Americans left alive in Southeast Asia. There are, however sufficient allegations and live sightings reports which have not been resolved to give sufficient doubt regarding this issue. It cannot and will not

lose its highest priority, as President Reagan has stated, until it is resolved.

Mr. President, General Vessey's trip provides the relationship necessary for the level of cooperation on this issue crucial to its resolution.

Other issues to be raised by General Vessey during his trip will include the 30,000 Amerasian children who deserve the opportunity to come to this country if they choose to do so, the thousands of Vietnamese who are held in so-called reeducation camps to this day, and the rejuvenation of emigration procedures for those wishing to leave Vietnam.

I would also suggest that if we could resolve these issues, perhaps there is a much greater opportunity to resolve others.

#### MISSING IN ACTION NEGOTIATIONS

The PRESIDING OFFICER. The Chair will state the control time will now start. The Senator from Arizona is recognized for 10 minutes and will control that time. The Senator from Rhode Island is recognized for 10 minutes and will control that time.

The clerk will report the resolution at this time.

The legislative clerk read as follows:

A resolution (S. Res. 255) expressing the sense of the Senate with regard to the forthcoming negotiations by General John Vessey to resolve the fate of Americans missing in Southeast Asia, and other issues of humanitarian concern to the people of the United States and Vietnam.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Thank you, Mr. President.

General Vessey travels to Vietnam as the Special Presidential Emissary for POW/MIA affairs. The resolution before us expresses the Senate's "full and undivided support for General Vessey in his forthcoming negotiations" regarding the MIA's and other issues of humanitarian concern to both nations.

I might point out here, Mr. President, that the Vietnamese Government has changed. For the first time, there is a change from the old traditional, hard-core Marxist ruling body to what is perceived by many observers as a more pragmatic and forthcoming group of leaders.

It is also very clear that, despite the fact that the Vietnamese won the war, they have lost the peace. They are an international pariah, in desperate need of increased contact with other nations, not only the United States, but its neighbors as well.

This resolution, Mr. President, calls on Vietnam to respond positively, in a humanitarian context, to the concerns of the American people despite the political differences that exist, and probably will continue to exist, between our two countries.

I have asked that this resolution be considered under unanimous consent,

as I mentioned, because it is important that Hanoi know, before General Vessey arrives, that the President, the Congress, and the American people stand united behind our special emissary. Further, as the resolution states, we are united in calling on Vietnam to respond in a positive manner to the humanitarian issues being raised by General Vessey during his trip.

Other humanitarian issues, as I mentioned, remain unresolved. I hope that we could address all of those as time and the ability of the Vietnamese Government permits.

The recent resumption of interviews for those wishing to leave Vietnam is a hopeful sign that humanitarian issues of concern to both nations can be resolved. Hanoi's willingness to receive General Vessey is evidence that they are interested in addressing these issues in a constructive manner.

As General Vessey departs, he takes with him the hopes of the American people that the fate of Americans missing in action, and other humanitarian issues, may soon be resolved.

I want to thank the distinguished majority leader, Senator BYRD, again, and the distinguished Republican leader, Senator DOLE, for allowing this resolution to be brought up today. I know that their concern on this issue extends back many years.

I ask that my colleagues join in a bipartisan, united expression of support for General Vessey, and for the objectives he hopes to attain during his trip to Hanoi.

Mr. President, I obviously have a deep interest in this issue. There are comrades of mine who still remain listed as missing in action.

In closing, we not only have an obligation to the men still listed as missing in action and their families, we also have an obligation to future generations of Americans that, if called upon to sacrifice on behalf of freedom, this Nation will do everything in its power to ascertain their whereabouts and ensure their return should they be missing in action.

I hope that the American people will unite, and I believe that the American people will unite, behind General Vessey in this resolution and the Congress of the United States and the President as we seek to resolve this one last remaining issue of the Vietnam war.

I reserve the balance of my time.

The PRESIDING OFFICER. The Senator reserves the balance of his time.

Who yields time?

The Senator from Rhode Island.

RESOLUTION OF SUPPORT FOR GENERAL VESSEY'S MISSION TO VIETNAM—IT'S TIME FOR ACTION ON MIA'S, REEDUCATION CAMP PRISONERS, AMERASIANS AND THE ORDERLY DEPARTURE PROGRAM

Mr. PELL. Mr. President, I have long been interested in the question of prisoners of war. I can remember in 1940 going to Geneva and seeing the

files of prisoners of war at that time as a delegate of the Red Cross.

Through the years I have seen the sad fate that POW's have suffered. In 1970, I remember working on this subject as a delegate representing the United States to the U.N. General Assembly. At that time, Commander McCain was a prisoner of war himself, and his father, Admiral McCain, was commander in chief of our naval forces in the Pacific (Cincpac). I remember serving with him earlier when he was vice chairman of the U.S. delegation to the U.N. Military Staff Committee.

The suffering of those men was very real to those of us who were charged with POW matters. I remember talking with the wives and children, the dependents of the POW's.

I believe that this resolution is very timely and very useful and very good. We do not know whether there are still missing in action there, but the matter should be settled, if possible, once and for all. I think that this mission of General Vessey's is an excellent one and one that we all support and encourage.

X I have joined with Senator McCAIN, no longer Commander McCain, and others in submitting a resolution stating that General Vessey will have the "full and undivided support" of the Senate in his forthcoming negotiations concerning our missing in action personnel in Southeast Asia and the other humanitarian issues affecting the United States and Vietnam—the release and resettlement of so-called reeducation camp prisoners who have been incarcerated since 1975, the need for improved arrangements for the U.N. High Commissioner for Refugees Orderly Departure Program, and the need to facilitate the departure of the Vietnamese-American children whose resettlement in the United States is of such special concern.

Mr. President, these are all subjects that are long overdue for resolution. The time has come—more than 12 years after the Communist takeover—nearly 15 years since the agreement that ended the conflict—to put these subjects behind us, so that we can get on with the broader issues that continue to divide us.

On April 30 of this year—the anniversary of the United States withdrawal from Vietnam—I joined with Senator HATFIELD and a number of other Senators in submitting Senate Concurrent Resolution 54—urging the President to send a special representative to Vietnam for these purposes, and calling for the establishment of technical resolution offices in both countries. All of us who have worked on this subject in the Senate are heartened that General Vessey's mission will now take place. The leaders of Vietnam with whom he will meet should know that he carries with him the hopes of the American people, as expressed by their elected representatives, for successful negotiations lead-

ing at long last to a satisfactory resolution of the MIA issue, and to substantial progress on the other urgent humanitarian subjects that I have mentioned.

What all these subjects have in common is that with each passing year they become more difficult, not easier, to resolve. Information on our MIA's is perishable, memories fade, and records become harder to retrieve. There are indications that our technical resolution teams that have already visited Vietnam have experienced problems in interpreting information from local people as to the exact location of crash sites and places of burial. Information on such subjects does not improve with age; rather it deteriorates.

There is no sense in prolonging negotiations on MIA's in the hope that over time they will strengthen the hand of one side or the other. Indeed, the MIA issue should be understood by all concerned as a "wasting asset" in terms of any possible usefulness as a "negotiating card." None of the humanitarian issues should be linked to broader political issues. Indeed, the best way to get on with a political relationship is for the two sides to work together to resolve the humanitarian issues.

The same is true for the reeducation camp prisoners, whose continued detention is of particular concern to many people in my own State of Rhode Island, and throughout the United States. These prisoners are Vietnamese men and youths incarcerated without trials or other legal procedures for their alleged opposition to the Communist regime in Vietnam. Some among them were associated with programs and policies of the government of the former Republic of Vietnam, supported by the United States. Many have wives, children, and other close relatives in the United States.

I have worked closely with the Families of Political Prisoners in Vietnam, the Indochina Resource Action Center (IRAC), and other groups who are appealing for the release of these prisoners. From them and others I have received information about the terrible plight of these men, incarcerated in grim conditions for over a dozen years for "crimes" that have no relation to ordinary issues of right and wrong but relate directly to their political views in the now distant past.

Among the reeducation camp prisoners are writers and journalists, religious workers, and priests, many of them outspoken critics of the past governments in South Vietnam which the Communists have replaced. Their crime such as it is, or was, lay in their courage and independence. Courage in the sense that these were the men who stayed at their posts—as military officers and government leaders, as writers and journalists and private citizens—rather than joining the much larger numbers able to flee as refu-

gees. Independence in their willingness to stand up for their own views regardless of the dictates of a political regime.

Speaking as a long-time and outspoken critic of the U.S. role in Vietnam, I hope that General Vessey will tell the Vietnamese leaders with whom he will meet their refusal to release the reeducation camp prisoners after so many years stands as a black mark on the image that Vietnam seeks to present to the rest of the world. That black mark could be removed if Vietnam would now carry out the act of mercy that their leaders promised 5 years ago when they said they would release the reeducation camp prisoners if the United States would accept them.

Since September 1984 the United States has been on record in agreeing to receive the prisoners. The admission numbers and funds to make this possible have been provided for in various congressional authorizations. Any shortfalls in these authorizations would be swiftly remedied. I am certain, if the prisoners were released and enabled to come to the United States and other countries willing to receive them.

American concern about the reeducation camp prisoners was previously memorialized in Senate Resolution 205, introduced by our distinguished colleagues, Senators KENNEDY and DOLE, which I also had the privilege of cosponsoring, which was approved unanimously by the U.S. Senate on May 1, 1987.

That resolution states what I have stated here today: Thousands of these prisoners continue to be detained in Vietnam more than 12 years since the end of the war; Vietnam previously offered to release them to be resettled abroad with their families; their release now is a matter of urgent priority.

An editorial in the Washington Post published the same date this resolution was approved—May 1, 1987—contains this statement from the family group working for release of these men: "We do not think that belonging to a vanquished regime is a crime. But even if our relatives have committed 'crimes' under the new government's law, we think ten years of imprisonment is enough punishment for those who have sinned." If they have sinned.

There is no political ambition in such a statement, no defiance of Vietnam's leadership, not even the reasonable insistence that many of the men incarcerated in the "reeducation centers" themselves disagreed with previous governments of Vietnam—the very governments that the Communists have replaced. What is being asked for is simply an act of mercy, overdue perhaps, but an act still timely if it would be carried out soon.

The Government of the Socialist Republic of Vietnam has started a period of renewal and policy review in 1987,

following the well-publicized party conference in Hanoi last December. Those who follow Vietnamese affairs have been led to expect that the new, more youthful leadership of Vietnam would seek to bring Vietnam into closer relations with other countries throughout the world, including the United States. I can think of no more appropriate way for Vietnam to signal such new directions than to act quickly and unconditionally to release the reeducation camp prisoners and allow them to resettle abroad with their families.

The same is true for the Orderly Departure Program in general, and for the special cases of the Vietnamese-American children about whom there is such keen interest in our country. These are all humanitarian issues left over from the war that should be resolved now.

In the case of the Amerasians, even the youngest are now grown teenagers; the older ones are in their twenties, in many cases continuing to experience the discrimination and prejudice to which they have been subjected since childhood as the "mixed-blood" children of American fathers and Vietnamese mothers.

Mr. President, I ask unanimous consent that the texts of Senate Concurrent Resolution 54 and Senate Resolution 205 be printed in the RECORD at this time, with the text of the Washington Post editorial of May 1, 1987, to which I have referred. I also ask to have printed the text of a letter that Senator KENNEDY and I sent to General Vessey yesterday expressing our personal support of his mission, with particular attention to the plight of the reeducation camp prisoners.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. RES. 205

Whereas twelve years have passed since the end of the Vietnam war, yet thousands of Vietnamese remain held as political prisoners and many thousands more divided from their families in the United States and other countries;

Whereas the Government of the Socialist Republic of Vietnam has a responsibility to observe international standards of human rights;

Whereas the Government of the Socialist Republic of Vietnam has committed itself to releasing political prisoners to be resettled abroad; and

Whereas the Government of the Socialist Republic of Vietnam signed an agreement with the United Nations High Commissioner for Refugees to assist in the reunification of families: Now, therefore, be it

*Resolved by the Senate*, That the Government of the Socialist Republic of Vietnam should immediately release all political prisoners held as a result of their previous association with the Government of South Vietnam prior to 1975;

That the Government of the Socialist Republic of Vietnam should fulfill its commitment to negotiate their humane resettlement abroad or to rejoin family members outside of Vietnam; and

That the Government of the Socialist Republic of Vietnam should immediately

resume processing of family reunification cases under the United Nations High Commissioner for Refugees' Orderly Departure Program.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

S. CON. RES. 54

Whereas twelve years have passed since the end of the Vietnam War, and it is in the best interests of the United States to put the War behind the Nation;

Whereas the United States is deeply committed to the resolution of the many pending humanitarian issues which are a legacy of the Vietnam War and which cannot be quickly and finally resolved without increased cooperation and open channels of communication between the United States and Vietnam; and

Whereas unresolved humanitarian issues affect people in both countries and range widely, including the fullest possible accounting of American MIAs and POW's; the release of political prisoners in Vietnamese re-education camps; the rejuvenation of the emigration procedures for Vietnamese through the Orderly Departure Program; the resettlement of Amerasians still in Vietnam; and the health and safety of Indochinese refugees living in camps throughout Southeast Asia, particularly along the troubled Thai-Cambodian border: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of the Congress that the President should designate and send to Vietnam at the earliest practicable date a special Presidential representative to negotiate with the Government of Vietnam for—

(1) an agreement for the speedy resolution of all the aforementioned outstanding humanitarian issues between the two countries; and

(2) an agreement for the establishment of technical resolution offices in the capitals of both countries for the purpose of implementing the agreement described in paragraph (1).

SEC. 2. The Secretary of the Senate shall transmit a copy of this concurrent resolution to the President.

[From the Washington Post, May 1, 1987]

HANOI'S BROKEN PROMISE

Just three years ago the communist government of Vietnam promised to release to the United States all the Vietnamese still incarcerated in "reeducation camps" as a result of their service in the South Vietnamese regime associated with the Americans. Three years later, not a single one of these unfortunate people has been released and allowed to leave the country with their dependents under the amnesty pledged at that time.

These several thousand Vietnamese are the senior people remaining from a larger group caught up after the fall of Saigon in 1975. They were not accused of committing war crimes in the usual sense. They had simply held official positions in civilian and military branches under the old order. They are political prisoners, and they have endured an unimaginable ordeal in the camps. Says Khuc Minh Tho, the leader of a support group of their kin in the United States: "We do not think that belonging to a vanquished regime is a crime. But even if our relatives have committed 'crimes' under the new government's law we think 10 years of imprisonment is enough punishment for those who have sinned."

Soon after then premier Pham Van Dong promised to free the prisoners, reports started being heard of Hanoi's provocative

demand that the United States put a political leash on the prospective new arrivals to keep them from somehow acting against Vietnam. But it is extremely farfetched to imagine that these people could, even if they would, add any discernible weight to the political scales—scales on which the Vietnamese presence in the United States rests very lightly in any event. More recently, Hanoi has simply refused to address the question of the prisoners, and it altogether stopped permitting the emigration even of non-prisoners in January 1986.

In December 1986, Hanoi started a process of leadership renewal and policy review whose significance for matters like this one remains to be demonstrated. Still, if there is any inclination in Vietnam to signal that things are changing, the authorities should consider that nothing would come through to Americans more clearly—along with a resolution of the MIA issue and an end to the occupation of Cambodia—than the prompt release of political prisoners. Hanoi's current policy stands as a glaring example of Vietnamese bad faith.

U.S. SENATE,

Washington, DC, July 27, 1987.

Gen. John W. Vessey,  
U.S. Army (Ret.), the Pentagon,  
Washington, DC.

DEAR GENERAL VESSEY: We are pleased to learn you are leaving tomorrow to meet with representatives of the Government of Vietnam, and they have agreed to discuss with you, the issue of our missing-in-action personnel as well as other humanitarian issues that remain in the aftermath of the Vietnam war.

We hope your mission will be a success, not only in obtaining a further accounting of our MIA's, but in laying the basis for progress on other humanitarian problems. Although these other issues are not, and should not, be connected to the MIA issue, we obviously believe, as you and others in the Administration do, that progress in one humanitarian area may contribute to progress in others.

In particular, we are concerned over the continuing plight of the so-called "re-education camp" political prisoners who continue to be detained in Vietnam some 13 years after the war ended. Many of the prisoners, as you know, are held because of their past association with programs and policies of the former government of the Republic of Vietnam supported by the U.S. government. Their number is now estimated at 8,000, the remainder of much larger numbers originally detained.

Between 1982 and 1984 the Vietnamese government repeatedly offered to release these prisoners if the United States would take them. In September 1984 the Secretary of State in testimony to the Congress gave such a commitment. We understand that remains our policy and we are confident it continues to have Congressional support.

Some of us recently introduced legislation in the Senate (S. Con. Res. 54) that called on the President to send a special presidential representative to resolve these humanitarian issues with Vietnam, and we welcome your designation for this important mission. In addition, the Senate on May 1 unanimously approved a resolution (S. Res. 205) calling particular attention to the plight of the "re-education camp" political prisoners and urging that they be released and permitted to be resettled abroad with their family members. Copies of both resolutions and the accompanying discussion are enclosed for your information.

We are also concerned over the need to sustain progress that has been achieved re-

cently in getting the Orderly Departure Agreement resumed—which contributes immeasurably in assisting the reunification of Vietnamese families divided for many years. Again, while this is not the focus of your current mission, we believe the Vietnamese should be encouraged and supported in the new initiatives they have been willing to undertake in this area, and to build upon them.

Again, we wish you well in your humanitarian mission and simply wanted to let you know of the strong, bipartisan support that exists in the Senate in addressing these issues—as reflected in the passage and co-sponsorship of the enclosed resolutions.

With best wishes,

Sincerely,

CLAIBORNE PELL,

*Chairman, Committee on Foreign Relations.*

EDWARD M. KENNEDY,

*Chairman, Subcommittee on Immigration and Refugee Affairs, Committee on the Judiciary.*

Mr. PELL. Mr. President, I urge that the Senate act swiftly this morning to approve the resolution before us to assure General Vessey of our support for his humanitarian mission to Vietnam.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Does the Senator from Arizona yield time?

Mr. McCAIN. Mr. President, I yield 2 minutes to the distinguished Senator from Minnesota [Mr. BOSCHWITZ].

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 minutes.

Mr. BOSCHWITZ. Mr. President, General Vessey came and met with me as he so often does when he comes to Washington. He is a fellow Minnesotan and we got to know each other quite well over the years. He described the journey he is undertaking to Vietnam for the purpose of finding those American prisoners of war missing in action who still are unaccounted for.

Mr. President, today we are expressing our collective support for Gen. John Vessey, who is about to meet with officials in Hanoi to discuss humanitarian issues important to the people of both the United States and Vietnam. Of utmost concern is the continuing effort to provide a full accounting of those Americans still missing in Southeast Asia.

Most of the 2,413 Americans missing were last seen in Cambodia, Laos, and China before we withdrew our Forces in 1975. I strongly agree with the President that the return of these Americans is an issue of highest national priority and am also in full support of his pledge for decisive action to ensure their release. The President's decision to appoint General Vessey as a special envoy for MIA/POW affairs is a welcome step in furthering our efforts to determine the fate of those still missing and secure the release and return of recoverable remains.

In his remarks at the Memorial Day ceremony honoring the Vietnam Unknown Soldier, President Reagan stated that "An end to America's involvement in Vietnam cannot come before we've achieved the fullest possi-

ble accounting of those missing in action." Working for the fullest accounting of those still missing is the least we can do. Unfortunately, since the end of the Vietnam war 12 years ago, we have found that this task is not an easy one.

Our relationship with Vietnam is by no means easy to predict and of course much of our effort on the MIA/POW issue requires the assistance of the Vietnamese Government. We have had a difficult "on again/off again" relationship with Vietnam, which makes consistent progress very difficult. Before Vietnam decided to address the MIA/POW issue separately as a humanitarian effort, apart from unrelated political matters, we saw little progress. Since then, much to our benefit, we have seen the level of cooperation between our governments increase.

The announcement earlier this month that General Vessey would be permitted to meet with Vietnamese leaders in an effort to resolve this difficult issue is a sign that Vietnam's earlier hesitation and unwillingness to help has been set aside. We can only hope that Vietnam will see the humanitarian benefits, which includes compassion for the missing servicemen and their families, of continued cooperation.

Mr. President, I am especially pleased that Gen. John Vessey, former Chairman of the Joint Chiefs of Staff and a fellow Minnesotan, will head the U.S. delegation to Hanoi. Upon retiring last year from a successful military career, General Vessey returned to his home along Lake Mille Lacs in northern Minnesota. Just last week I spoke to him about his brief respite back home and the responsibilities and challenge of his new position.

In an effort to ensure that our Government does all in its power to resolve this important issue of POW's and MIA's in Southeast Asia, I rise in strong support of today's resolution unifying our support behind General Vessey in his upcoming negotiations.

The PRESIDING OFFICER. Who yields time?

Mr. DOLE. Mr. President, I want to join my colleague from Arizona in supporting this resolution. No one in this Chamber lends more credibility to the POW/MIA issue than JOHN McCAIN. I am sure he knew many of these missing Americans—and I want him to know how special it is for me to see him, here on the Senate floor, highlighting the administration's efforts to obtain the fullest possible accounting of our MIA's.

VESSEY LEAVING

This full accounting has been, as President Reagan has said many times, "A matter of the highest national priority." It is clear that this President has retained that resolve and Jack Vessey's mission to Hanoi today is a continuation of the administration's total commitment to determine the fates of these American heroes once and for all. A grateful

nation owes its continued concern to the memories of these men who sacrificed so much—and to their courageous families as well.

THE VIETNAMESE

We have never deviated from that concern—yet the Vietnamese seem to run hot and cold on their seriousness to further this humanitarian issue. Their lack of cooperation since last fall has all but vitiated their 1985 commitment to resolve the POW/MIA issue within 2 years. We know, and they do as well, that this single humanitarian issue could be solved relatively quickly with good faith and cooperation on both sides. Every time this issue has been linked to strategic or political matters, it has suffered as a result. Yet, it is plain that resolution of the fates of our missing men could position the Vietnamese for future improvement of relations.

MISSION TODAY

The United States is ready, the families are ready, and clearly Jack Vessey is ready to see the POW/MIA issue to its successful conclusion. Much effort has proceeded this mission leaving today; more hard work will be necessary. We, the Senate, should clearly go on record today as being 100 percent behind Jack Vessey and his mission to Hanoi. We should join with our Arizona colleague, who suffered tremendously as a result of service to his country, in calling on the Vietnamese Government to cooperate fully with the Vessey mission.

Mr. DECONCINI. Mr. President, I commend my colleague from Arizona, Senator McCAIN, for introducing this resolution expressing the body's full and undivided support for General Vessey's mission to Vietnam to discuss the POW/MIA issue and other issues of humanitarian concern dividing our two governments.

Mr. President, no Member of this body has a more personal stake in the final resolution of the POW/MIA issue than Senator McCAIN who spent more than 6 years as a prisoner of war in Hanoi. While he will deny it, I believe all of his colleagues consider Senator McCAIN a hero for the courage he exhibited during those many months of torture and deprivation. That courage is the most eloquent testimony possible of the importance of finding a resolution to the POW issue which continues to cause so much pain and anguish for thousands of American families.

In January, 1986, I had the privilege of traveling to Vietnam with Senator MURKOWSKI and Congressmen BOB McEWEN and MIKE BILIRAKIS. The MURKOWSKI CODEL was the first bipartisan delegation to travel to Vietnam since the cessation of hostilities. Our purpose was to underscore the importance that the Congress and the American public placed on the resolution of the prisoner of war issue. Our trip was followed by a series of nine hearings that Senator MURKOWSKI

held as chairman of the Senate Committee on Veterans' affairs. During the hearing process, I spent literally hundreds of hours meeting with individuals, family members, a wide array of interest groups, and U.S. Government officials, both past and present, to get a realistic historical perspective on what actions had been taken by our Government since the end of the war and what actions seemed most appropriate to take 12 years later.

From the voluminous testimony which was presented to the committee, I think there is little room for argument that the POW/MIA issue was put on the back burner of our national agenda for many years. At best, our actions can be described as apathetic and that attitude pervaded the Government bureaucracy. Quite simply, I believe we wanted the dark and divisive days of the Vietnam war behind us. As a result of Government inaction, the families of our POW's felt abandoned, frustrated, and devoid of confidence that our Government had either the desire or the resolve to confront this issue.

Fortunately, President Reagan, to his credit, raised this issue to one of our highest national priorities. His selection of General Vessey, the former Chairman of the Joint Chiefs of Staff, to act as his personal envoy to Vietnam to negotiate on the issue of our POW/MIA's underscores the importance that he personally places on this issue and that commitment will not go unnoticed by Vietnamese officials. I commend the President for choosing someone of General Vessey's stature to act as his emissary. Foreign Minister Thach is a tough negotiator, but I believe he will meet his match in General Vessey. I have great faith in General Vessey's negotiating abilities. If anyone can move the Vietnamese off the dime on the prisoner of war issue, I believe it is General Vessey. In addition, I hope that he will be able to move the Vietnamese forward on a number of other humanitarian issues which continue to divide our nations: resumption of the interviewing processes under the U.N. High Commissioner on Refugees' Orderly Departure Program, the resettlement of Amerasian children, the release of political prisoners from Vietnamese reeducation camps, and the repatriation of American remains.

Along with my colleagues, I wish General Vessey every success. I know that he will give this mission his every effort. If the administration and the Congress continue to work in concert on these issues, I am confident that we will meet with ultimate success.

Again, I commend Senator McCAIN for taking the initiative in introducing this resolution to show the Senate's full and undivided support for the mission of General Vessey.

Mr. CRANSTON. Mr. President, I am delighted to express my strong support for Senate Resolution 255, a resolution introduced last Friday by

my friend from Arizona [Mr. McCAIN] and others to express the full and undivided support of the Senate for the mission of Gen. John Vessey to Vietnam. General Vessey, the former Chairman of the Joint Chiefs of Staff, leaves on his mission today with a goal of entering into negotiations with the Government of Vietnam in an attempt to resolve the fate of Americans missing in Southeast Asia and other humanitarian issues. I know I speak for all of my colleagues and constituents when I wish him great success in his endeavors. As do all Americans, I have the greatest sympathy for those families who to this day cannot be certain about what has happened to their brothers, sons, or fathers.

Mr. President, I agree completely with the view of the Senator from Arizona [Mr. McCAIN] that it is vital that the Government of Vietnam understand that the American people, as well as the various branches of our Government, are in complete accord on the need to resolve the very difficult, very emotional issues surrounding the fate of our missing in action as quickly as possible and that we also are in full agreement that a fair resolution of these issues, on a humanitarian basis, is critical before there can be any consideration of moving forward in any other areas involving the relationship of our two countries. The Government of Vietnam must not be in the slightest confused in this regard. We, as a nation, are resolute on these points.

As chairman of the Veterans' Affairs Committee, chairman of the Subcommittee on East Asian and Pacific Affairs of the Foreign Relations Committee, and as a member of the Intelligence Committee, I am keenly aware of the many efforts that have been undertaken and that are underway at present to try to resolve the MIA issue.

In the last Congress, the Veterans' Affairs Committee held a series of hearings on this subject. These hearings dealt specifically with the issue of live sightings of American POW's in Southeast Asia. Although those hearings helped shed more light on this very troubling issue, they did not yield any concrete information about POW's in Southeast Asia on which action could be taken.

Mr. President, although this lack of information was very disappointing, I have not abandoned my efforts in this area. I am in regular contact with the Department of Defense to follow the actions our Government is taking in response to the reports of live sightings of Americans in Laos and Vietnam. I view Vessey's mission as a vital initiative in our ongoing efforts, and was privileged to meet with him this past Friday to discuss his plans for the effort.

It is very important to bring to light all possible information about the issue of whether any U.S. service personnel remain in Southeast Asia, and

to take all appropriate steps to obtain a full accounting for each and every one of our MIA's.

Mr. President, I urge my colleagues to give their unanimous support to Senate Resolution 255 and thereby send an unmistakable signal to the Government of Vietnam regarding the unyielding unanimity of the American people on this issue.

Mr. KENNEDY. Mr. President, I join in strong support of this resolution and to commend our distinguished colleague from Arizona [Mr. McCAIN] for offering it this morning.

Certainly no other Senator in the body understands or feels the issue of our missing-in-action in Vietnam more than Senator McCAIN. As one who served our country in Vietnam, and who suffered as a prisoner-of-war for many years, he knows the special anguish that families of those Americans still missing in Vietnam feel each day.

No other issue in the aftermath of the war remains higher on our Nation's agenda than receiving a full accounting of our MIA's. It is a goal we have supported for many years, and which I have personally raised with Vietnamese officials, both in correspondence and in delegations I have sent to Vietnam.

This is a humanitarian issue, not a political question, and hopefully the time has come when Vietnamese officials understand that. There are many humanitarian issues that continue to touch the lives of both our peoples, and if we finally approach them with greater mutual understanding of how they affect both our countries, perhaps we will finally see some greater progress in dealing with them.

We know that is the spirit of the mission that the President has asked General Vessey to undertake today.

Yesterday, as Senator PELL has mentioned, he and I sent a letter to General Vessey offering our support for the mission he begins today, to deal at the highest levels of the Vietnamese Government on the issue of a full accounting of our missing-in-action personnel. As this resolution before us this morning states, we all wish him well and that he succeeds in his mission.

Resolving this and other humanitarian issues will be a longer-term process, but this is an important beginning. And we all hope, Mr. President, that the improved climate and higher diplomatic priority that General Vessey's mission represents will help stimulate progress not only on the MIA question, but on other compelling humanitarian issues as well.

As Senator PELL and I wrote yesterday, while these other issues are not the thrust of General Vessey's mission today, and should not be connected to the MIA issue, we nonetheless believe that progress in one humanitarian area may contribute to progress in others.

One of those problems are the so-called reeducation camp prisoners who

remain detained in Vietnam 13 years after the war has ended. Certainly, few humanitarian issues are more compelling than their plight.

Some 6,000 political prisoners are still being held because of their past association with the former Government of South Vietnam, or because of their association with the United States. Five years ago senior officials of Vietnam offered to release these political prisoners if the United States would accept them. In 1984, before our Subcommittee on Immigration and Refugee Affairs, during our annual consultation on refugee admissions, Secretary of State Shultz did just that: he accepted on behalf of the United States the offer Vietnam had made. Since then there has been silence and no progress.

Many of these political prisoners have family members in the United States, many of whom are now U.S. citizens. So the resolution of this issue is one of concern to American citizens and to the American people.

Finally, we need to sustain the progress that has recently been achieved in resuming the orderly departure agreement, which is necessary to assist families who have relatives in the United States and elsewhere to leave Vietnam safely and in an orderly fashion. The Vietnamese should be encouraged to continue the good faith efforts that have been made on both sides for more progress in this area.

I hope General Vessey's high-level mission will signal the deep importance we attach to achieving progress in resolving all these humanitarian issues.

Mr. President, I am pleased to join in support of the resolution offered by Senator McCARN, and to commend him for bringing this important issue to the Senate this morning.

And we all hope that General Vessey will succeed in obtaining further information on Americans still missing in action, and set the stage for resolving this issue once and for all.

Mr. MURKOWSKI. Mr. President, today I rise in enthusiastic support of Senate Resolution 255. This resolution expresses the full and undivided support of the American people for Gen. John Vessey's trip to Vietnam as the special Presidential emissary for POW/MIA affairs. This issue has been one of great importance to myself and to the many families of those servicemen who have yet to come home from Vietnam. The fate of those American servicemen still unaccounted for in Southeast Asia is of the highest priority to President Reagan. I applaud his initiative in sending an individual of General Vessey's stature to discuss this matter with the Vietnamese. Now is the time to resolve this issue and the many other humanitarian issues that exist between our two countries.

General Vessey travels to Vietnam at an important juncture in United States-Vietnamese relations. Earlier this month the Vietnamese Govern-

ment called for the reopening of the Orderly Departure Program. The recent resumption of interviews for those wishing to leave Vietnam is a promising sign that the broad range of issues confronting our countries can be resolved. By giving full support to General Vessey, we express our views of the importance of continued communication and cooperation between the United States and Vietnam that will be needed to improve these relations.

Twelve years ago the war in Vietnam ended, and most of our men returned home to continue their roles as husbands, fathers, sons, or brothers. It was a welcome sight to have these men back with their families, but this was not the case for all. Many of our men did not return home. Over 2,400 Americans did not return from Vietnam—over 2,400 are missing in action or unaccounted for. For this reason, the war in Vietnam has not ended for many Americans. Many of the families of those missing live with the hope that their loved ones may still be alive. These families continue to feel the impact of the Vietnam war 12 years after the guns fell silent.

In January of 1986, I traveled to Southeast Asia, along with Senator DeCONCINI, as part of a bipartisan congressional delegation to meet with governmental officials in Vietnam, Laos, and Thailand to discuss a broad range of issues confronting our respective countries. As a result of this trip, my interest and knowledge of the POW/MIA issue increased significantly. While in Hanoi, I was able to meet with Vietnamese officials to discuss the issue of live sightings and MIA accountability as well as crash-site excavations. Senator DeCONCINI and myself, as well as other members of the delegation, had the opportunity to tour a B-52 crash site on the outskirts of Hanoi which had been recently excavated by a joint United States-Vietnamese team. To myself and other members of the delegation this was a positive sign that increased cooperative efforts between our two countries would be possible in the future.

Mr. President, my journey to Southeast Asia was a sign of progress between our countries in resolving the POW/MIA issue, and I believe that General Vessey's trip could very well be an extension of that progress. Our prayers for a successful journey are with him.

For these reasons, I join with my distinguished colleagues, Senators PELL and McCARN, and urge adoption of this resolution.

Mr. HATFIELD. Mr. President, the Vietnam war ended more than 12 years ago, but its human ghosts continue to haunt us. Hundreds of brave families in this country—whose husbands and fathers, whose sons and brothers remain unaccounted for—live every day in the nightmare of the unknown. For the hundreds of thousands of brave men, women and children in

Vietnamese reeducation camps and in refugee camps throughout Southeast Asia, the nightmare is not the unknown but the known—the violence, the desperation and the hopelessness. And so it is also for the Americans and others who were caught between two sides in a war they did not wage but cannot forget.

As Gen. John Vessey leaves for Hanoi, he carries with him the hope of these people—many of whose names and faces we will never know but who came together to remind us that our responsibility and our suffering did not end when American combat troops withdrew from Southeast Asia. I have a great deal of personal respect for General Vessey, and I know him to be worthy of the trust we have placed in him.

But General Vessey's appointment last February as Special Presidential Emissary for POW/MIA Affairs and his trip to Hanoi are only a beginning. They are the beginning of a journey down a long road. How far we go down that road—how far we go toward resolving the complicated humanitarian problems which remain as haunting and cruel reminders of the Vietnam war—will depend on our political will.

Whether we are talking about MIA's and POW's, political prisoners in reeducation camps, Amerasians, those who have applied to leave through the Orderly Departure Program, refugees in the camps throughout the region or even the horrors of Cambodia, improved United States relations with Vietnam continues to be the only real key. That means diplomacy, creative and energetic diplomacy. And it means political will.

Three months ago, I introduced a resolution urging the President to send a special representative to Vietnam to resolve pending humanitarian issues and to establish technical resolution offices in both countries. I urge everyone who votes for this resolution to consider carefully my resolution. As General Vessey leaves for Hanoi, I urge all of my colleagues to look beyond his trip to the next step.

I hope and pray that the general's trip brings the dawn of a new era in United States relations with Vietnam. If it does, one day soon we may exorcise the ghosts of the war and put them behind us once and for all.

Mr. DURENBERGER. Mr. President, I rise today in strong support of Senate Resolution 255 supporting the efforts of the Reagan administration to get the full truth about those Americans missing in action in Southeast Asia.

In the 14 years since the last American combat troops left Southeast Asia, no issue has been more emotionally charged, more vexing, and more fraught with tragedy than accounting for the Americans still listed as missing in action. When President Reagan came into office, he promised that accounting for these cases was "a matter

of the highest national priority." Since that time, he has worked through a number of public and private channels to achieve a resolution of the MIA issue. I know just how seriously this administration took its commitment to resolving the MIA issue from my years on the Senate Select Committee on Intelligence. And this commitment has been reaffirmed many times in public by President Reagan and other officials.

Many Americans have been frustrated by the lack of progress in accounting for the 2,413 MIA's over the past 14 years. But we must all realize that any resolution must involve the Government of the Socialist Republic of Vietnam. It is an unfortunate fact that the United States alone cannot resolve the fate of the American MIA's by itself; Vietnam must cooperate with us in the search for answers.

But while we have sought to keep "humanitarian issues" separate from other policy questions, the Vietnamese until recently insisted on including such issues as the normalization of relations in any discussions on the MIA question. The United States Government has maintained, rightly, that questions such as the resolution of MIA's, release of political prisoners in Vietnam, and the rejuvenation of emigration under the Orderly Departure Program must be adequately addressed before there could be any discussion of normalizing relations.

U.S. persistence and commitment has finally paid off; retired Army Gen. John Vessey, former Chairman of the Joint Chiefs of Staff and a fellow Minnesotan, was appointed last February to be the Special Presidential Envoy for POW/MIA Affairs. After patient work, including a high-level advance delegation that recently returned from Hanoi, Vietnam has agreed to receive General Vessey for discussion limited to humanitarian issues, including the priority concern of resolving the MIA cases.

The appointment of General Vessey reflects the deep commitment of the Reagan administration on this issue. He is, to my knowledge, the highest ranking official to ever be directly involved in the MIA issue. But his appointment means something special to this Senator—as a fellow Minnesotan, General Vessey is particularly sensitive to the 45 unresolved cases of servicemen from our State. I met with General Vessey last week to discuss his upcoming trip to Hanoi. And I reminded him that among the larger issues he will deal with on his visit, he should remember that there are 45 individuals that are very important to this Senator. For me, the 45 Minnesotans who remain unaccounted for are what I think of when the words "missing in action" are mentioned. For the families of these men, each and every day since they were lost in Southeast Asia has been filled with uncertainty and profound sadness.

I share in the suffering of the families and friends of the Minnesota MIA's. The fate of these men has been unresolved far too long. It is my sincere hope that pending visit by General Vessey to the Socialist Republic of Vietnam will bring the answers to relatives and friends that have been waiting for so long. And as this body expresses its support for the Vessey mission, I want to remind my colleagues of the personal side of this issue—we must not forget that what the Vessey mission is all about is people.

Mr. President, at this point I would like to read the names of the 45 Minnesotans still listed as missing in action into the record:

Harold L. Algaard, John E. Bailey, Charles J. Bebus, Paul V. Carlson, Keith A. Christopherson, William R. Cook, Benjamin F. Danielson, David W. Erickson, Allen E. Fellows, Lawrence D. Gosen, Eugene A. Handrahan, Stephen J. Harber, Richard A. Knutson, Melvin T. Krech, Ronnie G. Lindstrom, Allen R. Lloyd, Lyle E. Mackedanz, Marlow E. Madsen, William E. Mickelson, Jr.

Richard E. Mishuk, Patrick P. Murray, Clinton A. Musil, Sr., Barry A. Olson, Delbert R. Peterson, Trent R. Powers, Michael E. Quinn, Gary L. Rehn, Lavern G. Reilly, Thomas E. Reitmann, John L. Ryder, Richard J. Schell, John R. Schumann, Francis L. Setterquist, Orval H. Skarman, Darrell J. Spinler, Daniel A. Sulander, Roger W. Swanson, William E. Swanson, Dennis L. Toms, Richard A. Walsh III, Richard D. Wiehr, Kurt M. Wilbrecht, and Ronald L. Zempel.

Mr. McCAIN. Mr. President, may I ask how much time I have remaining?

The PRESIDING OFFICER. The Senator has 4 minutes 52 seconds remaining.

Mr. McCAIN. Mr. President, I would like to again express my appreciation to the majority leader and the minority leader for bringing this resolution to the Senate in such a timely fashion.

Mr. President, I ask unanimous consent that the following Senators be added as cosponsors to Senate Resolution 255: Senators DOLE, PELL, HELMS, CRANSTON, MURKOWSKI, BOREN, HATFIELD, DeCONCINI, BOSCHWITZ, RIEGLE, SYMMS, SHELBY, HECHT, DASCHLE, GRAHAM, WILSON, SANFORD, GRASSLEY, EXON, MOYNIHAN, HEFLIN, BYRD, DIXON, MITCHELL, THURMOND, and KENNEDY.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. Mr. President, again I would like to express my special appreciation to the distinguished chairman of the Foreign Relations Committee, Senator PELL, whose involvement in this issue dates back for well over 20 years. His commitment to not only an adequate resolution of those missing in action but other humanitarian issues include that of the tragic reeducation camp situation. I think it is known to all of us and deeply appreciated.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator yields back 2 minutes 45 seconds.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I yield 2 minutes to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 2 minutes.

Mr. SANFORD. Mr. President, I ask unanimous consent that my name be added to Senate Resolution 255 as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANFORD. Mr. President, the question of the POW/MIA puzzle has certainly bothered a great many people in North Carolina where we have four very important military installations. This has long been a matter of a great deal of concern to me.

I am delighted now to see that so much progress has been made in bringing closer to solution the nagging questions of our valiant military personnel who are missing in action or who might remain in captivity as prisoners of war in Southern Asia.

We have new hope that the mission of Gen. John Vessey will provide the breakthrough we have been seeking for a number of years.

I join in enthusiastic support and express the hope that this mission goes forward now with great success.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 4 minutes 2 seconds.

Mr. PELL. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question occurs on the resolution.

The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from New Mexico [Mr. BINGAMAN], the Senator from New Jersey [Mr. BRADLEY], the Senator from Florida [Mr. CHILES], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KERRY], the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from Illinois [Mr. SIMON], are necessarily absent.

I also announce that the Senator from Alabama [Mr. SHELBY] is absent because of illness in family.

I further announce that, if present and voting, the Senator from New Mexico [Mr. BINGAMAN], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KERRY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Ala-

bama [Mr. SHELBY], the Senator from Illinois [Mr. SIMON], would each vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 0, as follows:

(Rollcall Vote No. 213 Leg.)

**YEAS—92**

Adams	Glenn	Murkowski
Armstrong	Graham	Nickles
Baucus	Gramm	Nunn
Bentsen	Grassley	Packwood
Biden	Harkin	Pell
Bond	Hatch	Presler
Boren	Hatfield	Proxmire
Boschwitz	Hecht	Pryor
Breaux	Heflin	Quayle
Bumpers	Heinz	Reid
Burdick	Helms	Riegle
Byrd	Hollings	Rockefeller
Chafee	Humphrey	Roth
Cochran	Inouye	Rudman
Cohen	Johnston	Sanford
Conrad	Karnes	Sarbanes
Cranston	Kassebaum	Sasser
D'Amato	Kasten	Simpson
Danforth	Kennedy	Specter
Daschle	Leahy	Stafford
DeConcini	Levin	Stennis
Dixon	Lugar	Stevens
Dodd	Mikulski	Symms
Dole	Moynihan	Thurmond
Domenici		Trible
Durenberger		Wallop
Evans		Warner
Exon		Weicker
Ford		Wilson
Fowler		Wirth
Garn		

**NOT VOTING—0**

Bingaman	Gore	Shelby
Bradley	Kerry	Simon
Chiles	Lautenberg	

So the resolution (S. Res. 255) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

**S. Res. 255**

Whereas fourteen years have passed since the last American combat troops left Southeast Asia, and twelve years have passed since the end of the war in Vietnam;

Whereas two thousand four hundred and thirteen Americans missing in action during our involvement in Southeast Asia remain unaccounted for;

Whereas President Reagan has repeatedly stated that the fullest possible accounting of those Americans missing in action in Southeast Asia is "a matter of the highest national priority";

Whereas the President, the Congress and the American people stand united in supporting continued efforts to account for Americans still missing in action in Southeast Asia;

Whereas other humanitarian issues affecting the people of the United States and Vietnam remain unresolved, including the resettlement of Amerasians still in Vietnam, the release of political prisoners in Vietnamese reeducation camps, the rejuvenation of emigration procedures for Vietnamese who wish to leave their country through the orderly departure program;

Whereas the aforementioned humanitarian issues have caused great hardship to the peoples of both the United States and Vietnam, and it is in the interest of both countries that they be fully and quickly resolved;

Whereas in February, 1987, President Reagan appointed retired General John Vessey, former Chairman of the Joint Chiefs of Staff, as Special Presidential emissary for POW/MIA affairs; and

Whereas General Vessey will, in the near future, travel to Hanoi to discuss with officials of Vietnam humanitarian issues of concern to both countries; Now, therefore, be it Resolved, That the Senate—

(1) expresses its full and undivided support for General Vessey in his forthcoming negotiations to determine the fate of those Americans missing in action in Southeast Asia, to facilitate the return of the recoverable remains of those missing in action, and to discuss the remaining humanitarian issues affecting both Nations.

(2) calls on Vietnam to respond positively to the aforementioned concerns of the American people in a humanitarian context.

The preamble was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. HELMS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

**MORNING BUSINESS**

Mr. BYRD. Mr. President, I ask unanimous consent that there be a period for morning business to extend until 12:15 p.m. today, that Senators are permitted to speak therein for up to 5 minutes each, and that at 12:15 p.m. the Senate stand in recess until the hour of 2 p.m. today to accommodate the two party conferences.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMMS. Mr. President, I thank the majority leader for making this time available.

**A LOSS TO THE CAUSE OF THE FREE MARKET: THE DEATH OF COMMERCE SECRETARY MALCOLM BALDRIGE**

Mr. SYMMS. Mr. President, I rise today with sadness in my heart. It was a real shock to all of us that on Saturday Malcolm Baldrige, our distinguished Secretary of Commerce, was injured and lost his life. He was an American in the first degree.

Mac was born in Omaha, NE, educated in the East, and spent most of his working life in jobs in the East. However, he retained a great affinity for the West and the accident that ended his life attests to that.

Mac was as ardent a supporter of the free market as there ever has been. I saw eye to eye with him on the function of the marketplace. He adamantly opposed subsidies for foreign imports while promoting fair trade practices as the way to achieve a truly competitive marketplace.

His efforts to stop Japan from dumping semiconductors on the American market was typical of his economic philosophy. Mac was one of the driving forces, if not the driving force, behind the semiconductor agreement which addressed and is trying to address unfair trading practices by the Japanese.

Mac believed that only through a competitive marketplace free of foreign subsidies and barriers can Ameri-

can trade prosper. While semiconductor sanctions sought to pry open a closed market, Mac also understood the need to recognize good faith efforts to solve differences. Even now, his Department is involved in negotiations to lift sanctions imposed on Japan for failing to keep the semiconductor agreement.

Despite Mac's dedicated service in Government, he still found time to keep things in perspective by competing in rodeos.

I might add, Mr. President, the former rodeo champion was installed in the Cowboy Hall of Fame in 1984 and will be remembered always not only for his accomplishments in the Reagan administration but also for his skill as a cowboy.

Secretary Baldrige fought unfair trade practices with the same determination and aggressiveness that he roped calves. Even when other Cabinet members were leaving Washington for higher paying jobs, Mac remained loyal to the administration. He was one of the three remaining original Reagan Cabinet Secretaries.

Serving longer than any Commerce Secretary in history, Secretary Baldrige's efforts to steer the American economy away from a protectionist course and toward one of free trade will benefit this country for years to come.

Mr. President, I extend my deepest sympathy to the Secretary's family and friends one and all. We will miss him enormously in this administration and in the efforts that he made for his country. We hope that he enjoys the happiness of big green pastures with lots of calves to rope wherever he is today.

I yield the floor.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

**RECESS UNTIL 2 P.M.**

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2 p.m.

Thereupon, the Senate, at 12:15 p.m., recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. DODD).

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

CONGRESSIONAL RECORD — HOUSE

section (b) to the United States as immigrants (1).

(A) they are admissible (except as otherwise provided in paragraph (2)) as immigrants, and

(B) they are issued an immigrant visa and depart from Vietnam during the 3-year period beginning 90 days after the date of the enactment of this Act.

(2) The provisions of paragraphs (1A), (1B), (3A), (3B), (3C), and (3D) of section 212(a) of the Immigration and Nationality Act shall not be applicable to any alien seeking admission to the United States under this section, and the Attorney General on the recommendation of a consular officer may waive any other provision of such section (other than paragraph (2A), (2B), or (2C)) and other than so much of paragraph (2D) as relates to trafficking in narcotics) with respect to such an alien for humanitarian purposes, to secure family unity, or when it is otherwise in the public interest. Any such waiver by the Attorney General shall be in writing and shall be granted only on an individual basis following an investigation by a consular officer.

(3) Notwithstanding section 221(c) of the Immigration and Nationality Act, immigrant visas issued to aliens under this section shall be valid for a period of 1 month.

(b)(1) An alien described in this section is an alien who, as of the date of the enactment of this Act, is residing in Vietnam and who establishes to the satisfaction of a consular officer or an officer of the Immigration and Naturalization Service after a face-to-face interview, that the alien—

(A)(i) was born in Vietnam after January 1, 1962, and before January 1, 1976, and (ii) was fathered by a citizen of the United States (such an alien in this section referred to as a "principal alien");

(B) is the spouse or child of a principal alien and is accompanying, or following to join, the principal alien; or

(C) subject to paragraph (2), either (i) is the principal alien's natural mother (or is the spouse or child of such mother), or (ii) has acted in effect as the principal alien's mother, father, or next-of-kin (or is the spouse or child of such an alien), and is accompanying, or following to join, the principal alien.

(2) An immigrant visa may not be issued to an alien under paragraph (1)(C) unless the principal alien involved is unmarried and the officer referred to in paragraph (1) has determined, in the officer's discretion, that (A) such an alien has a bona fide relationship with the principal alien similar to that which exists between close family members and (B) the admission of such an alien is necessary for humanitarian purposes or to secure family unity. If an alien described in paragraph (1)(C)(i) is admitted to the United States, the natural mother of the principal alien involved shall not, thereafter, be accorded any right, privilege, or status under the Immigration and Nationality Act by virtue of such parentage.

(3) For purposes of this section, the term "child" has the meaning given such term in section 101(b)(1) (A), (B), (C), (D), and (E) of the Immigration and Nationality Act.

(c) Any alien admitted for awaiting admission to the United States under this section shall be eligible for benefits under chapter 2 of Title IV of the Immigration and Nationality Act to the same extent as individuals admitted for awaiting admission to the United States under section 207 of such Act are eligible for benefits under such chapter.

(d) The Attorney General, in cooperation with the Secretary of State, shall report to Congress 1 year, 2 years, and 3 years, after the date of the enactment of this Act on the

implementation of this section. Each such report shall include the number of aliens who are issued immigrant visas and who are admitted to the United States under this section and number of waivers granted under subsection (a)(2) and the reasons for granting such waivers.

(e) Except as otherwise specifically provided in this section, the definitions contained in the Immigration and Nationality Act shall apply in the administration of this section and nothing contained in this section shall be held to repeal, amend, alter, modify, effect, or restrict the powers, duties, functions, or authority of the Attorney General in the administration and enforcement of such Act or any other law relating to immigration, nationality, or naturalization. The fact that an alien may be eligible to be granted the status of having been lawfully admitted for permanent residence under this section shall not preclude the alien from seeking such status under any other provision of law for which the alien may be eligible.

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That not less than \$15,000,000 of the funds appropriated under this heading shall be available for narcotics interdiction and control programs for Bolivia: Provided further, That in addition to amounts made available pursuant to the previous provision, not less than \$7,000,000 of the funds appropriated under this heading shall be available for Latin America regional programs.

AVIATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions to the Intergovernmental Committee for Migration and the United Nations High Commissioner for Refugees; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1950; allowances as authorized by sections 5521 through 5525 of Title 5, United States Code; hire of passenger motor vehicles; and services as authorized by section 2109 of Title 5, United States Code: \$26,450,000: Provided, That not less than \$25,000,000 shall be available for Soviet, Eastern European and other refugees resettling in Israel: Provided further, That not less than \$1,500,000 shall be available for the construction of educational facilities for North African Jewish refugees in France: Provided further, That not less than \$14,547,000 shall be available for the refugee admissions program, including AIDS screening: Provided further, That not less than \$1,500,000 shall be available for education programs of refugee camps in Thailand: Provided further, That funds appropriated under this heading shall be administered in a manner that ensures equity in the treatment of all refugees receiving Federal assistance: Provided further, That no funds herein appropriated shall be used to assist directly in the migration to any nation in the Western Hemisphere of any person not having a security clearance based on reasonable standards to ensure against Communist infiltration in the Western Hemisphere: Provided further, That of the funds appropriated under this heading \$5,000,000 shall be available only for costs of the expeditious resettlement of Vietnamese Americans eligible for refugee benefits, or, to the extent that any of such funds are not required for this purpose, they may be applied to admissions expenditures for Vietnamese Americans and their family members and other related Orderly Departure Program expenses: Provided further, That not more than \$1,000,000 of the funds appropriated under this heading shall be available for the administrative expenses of the Office of Refugee Programs of the Department of State: Provided further, That funds appropriated under this heading for refugees resettling in Israel and for educational facilities for North African Jewish refugees shall be made available notwithstanding any other provision of law: Provided further, That H.R. 3778, as introduced in the House of Representatives on December 15, 1987, is hereby enacted into law; section 102 of H.J. Res. 395 shall not apply with respect to provisions enacted by this provision.