

MEMORANDUM

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NATIONAL SECURITY COUNCIL

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URGENT ACTION

December 10, 1976

MEMORANDUM FOR BRENT SCOWCROFT

FROM: WILLIAM GLEYSTEN

SUBJECT: Recommended Phone Call to INS Commissioner Chapman re Indochina Refugee "Boat Cases"

Your intercession is needed with General Chapman, Commissioner of the Immigration and Naturalization Service, to insure that he approves a State Department request to admit an additional 100 Indochina "boat case" refugees a month beginning this December. These refugees are in an extremely precarious situation because governments in the region often refuse to allow them to land and force them back out to sea. U.S. willingness to accept some of them may cause these countries to allow the refugees to land temporarily, thus removing them from danger.

Background

We still have one outstanding problem regarding Indochina refugees which requires immediate government action. Since the end of our evacuation program, over 4200 people have successfully escaped from Vietnam by sea (the so-called "boat cases") and made it to various ports in Southeast Asia. Approximately 2200 remain unsettled and approximately 500 more are fleeing each month. The refugees have to save gasoline and money for months in order to try to escape. They often have no navigational aids other than a map from a tourist brochure. If they make it past Communist patrols (and the estimates are that well over half do not), they then must face the dangers on the high seas. Most often their engines break down and they run out of food and water. Some have sailed too close to Cambodia where they have been arrested and summarily executed.

For the small percentage that survive all of these difficulties, their problems are only beginning because non-Communist states in the region have been unwilling to accept them on a permanent basis and often refuse

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to allow them to stay even temporarily. In some cases refugees traveling in small ill-equipped fishing craft have literally been pushed back into the sea to find refuge elsewhere. Others who have been picked up by commercial vessels find they are not allowed to disembark, which results in the ship being detained while immigration officials try to resolve the matter. As a result, ship captains now are often passing up the refugee small boats, even when they are disabled. The news accounts at Tabs G and H provide details on some of these cases, including the following:

-- "22 Vietnamese refugees were plucked from their sinking craft ... only after they had been passed up by five ships.

-- "Fifty-seven refugees picked up by a Japanese tanker were turned away by both Bangkok and Singapore before they were finally given temporary shelter in Japan.

-- "Thirty-one refugees are still believed on board a Panamanian freighter after Singapore refused them entry.

-- "Indonesian authorities pushed a small boat containing women and small children back out to sea. It soon began breaking up, and the people were rescued only through the efforts of an Australian captain who seeing their plight followed them from the Indonesian port."

Other boats are known to have sunk at sea with all aboard perishing.

The State Department and the United Nations High Commissioner for Refugees (UNHCR) initially had some success in getting these countries to allow refugees to land temporarily, but only by assuring them that permanent resettlement sites would be found for the refugees in other countries. The U. S. was able to accept 500 of these "boat case" people within the 11,000 spaces available in our Expanded Parole Program. Unfortunately, all of the other numbers were used up in assisting refugees already in camps in Thailand and so we have no ability to "parole" them. As a result, the countries are once again closing their doors. Singapore, for example, may be preparing to force a party of 20, including 4 women and 4 small children back out to sea (Tab I).

To try to assist these unfortunate people, State proposed (Tab B) that INS make available 100 spaces per month within its Conditional Entry Program under which INS admits 10,200 refugees fleeing Communism



into the U. S. each year. General Chapman agreed in principle (Tab C) to the State program but only on the condition that the U. S. contribution be part of a genuine international effort in which a number of other countries take "boat case" refugees as well.

A significant international program now exists. Sadruddin Khan, the UNHCR, wrote to Secretary Kissinger November 26 (Tab D) assuring him that many other countries are now contributing to this resettlement program. Sadruddin indicated that since July 1 of this year 11 countries have accepted, 912 "boat" people of which 523 were taken by countries other than the U. S. The UNHCR also wrote that he understands "informally" that France will continue to assist approximately 1000 people per month and that Switzerland and Australia have also pledged to accept specific numbers of refugees, including "boat people." Canada, the FRG, the Netherlands, Norway, and Belgium have also taken some "boat case" people since June 30. Prior to that date, over 1500 "boat people" were accepted by countries other than the U. S. (See summary at Tab E.)

Based on Sadruddin's letter, Jim Wilson, the President's Coordinator for Human Rights and Humanitarian Affairs, wrote to Chapman December 10 (Tab F) urging him to immediately make available the 100 conditional entry numbers per month so that we can assist these "boat case" "refugees."

Necessary Actions

The "boat case" refugees represent the last major problem within President Ford's program to assist refugees from Indochina. After all of our earlier efforts, it would seem highly appropriate that we now take the steps necessary to resolve this final problem and allow the President to leave office with this humanitarian endeavor fully accomplished.

We are concerned that Chapman may balk at the State Department request and therefore I urge you to phone him on Monday, December 13, and stress your strong support for the State Department request. Wilson sent his letter to Chapman on Friday, December 10, and we would expect that Chapman would make his decision sometime on the 13th. Therefore, it is important that your call reach him prior to his making any final determination.



Talking points for your use in calling Chapman are at Tab A.

RECOMMENDATION:

That you call General Leonard Chapman, INS Commissioner, on Monday, December 13.

APPROVE _____ DISAPPROVE _____

*General Chapman (BS)
Attorney requested
to give separate
consultation
FEM
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