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Cuban Refugees

THE WHITE HOUSE

WASHINGTON

May 8, 1975

MEMORANDUM FOR: PHIL BUCHEN
FROM: BILL BAROODY *(P)*
SUBJECT: Cuban Refugee Program

It is my understanding that HEW is considering several individuals for the post of Director of the Cuban Refugee Program which is currently vacant. Mrs. Lillian Giberga came to my office today to communicate that some allegations have been made about one of the potential candidates: Ricardo Nunez Portoundo. His father apparently was former Ambassador to the United Nations from Cuba before Castro.

Mrs. Giberga indicates that this gentleman was involved with the formation of GRAMCO, a Nassau-based company which went bankrupt four or five years ago. She indicates that there were questionable circumstances surrounding his affiliation with that company.

I have no other information and no basis on which to form a judgment on the allegations but thought you should be informed.



6/10/75

THE WHITE HOUSE
WASHINGTON

Talked to
Ted Marks &
then advised
A. G. that
we did not believe
matter should be
brought to President
J. W. B.



Office of the Attorney General
Washington, D. C. 20530

Parole of Chilean Refugees
by sent. O. J.
Jay

June 9, 1975

The Honorable Philip Buchen
Counsel to the President
The White House
Washington, D. C.

Re: Parole of Chilean Refugees

Dear Mr. Buchen:

As Mark Wolf of my staff discussed with you last week, the United States has received requests from two international organizations to provide resettlement opportunities for Chilean refugees currently in Peru and detainees in Chile who will be released contingent upon their permanent departure from Chile.

Prior to approaching the Department of Justice, the Department of State discussed the possibility of parole of 400 Chilean refugees and detainees and their families with the Senate and House Judiciary Committees. The House Judiciary Committee favored consideration of the detainees on a case-by-case basis, but did not support parole of refugees in Peru. Senator Kennedy, Chairman of the Senate Judiciary Committee Subcommittee on Refugees and Escapees supported parole for both groups. Senator Eastland, Chairman of the Senate Judiciary Committee and Congressman Hutchinson, the ranking Republican on the House Judiciary Committee, appeared to oppose parole for both the refugees and detainees.

The Department of State has now requested that the Attorney General authorize parole on "an individual case-by-case basis" for up to 400 refugees and detainees and their dependents; a copy of Deputy Secretary Ingersoll's letter making this request, with attachments, is enclosed. In essence, the Department of State has requested that parole be authorized for a class of Chileans. As you know, in considering the parole of a class, the Department of Justice typically seeks policy guidance from the President and consults with the House and Senate Judiciary Committees.

Page 2
Hon. Philip Buchen
June 9, 1975

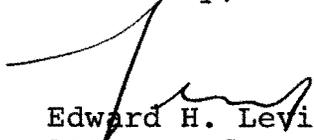
In this case the Department of Justice has suggested to the Department of State that the question of parole for both Chilean refugees and detainees be handled on a case-by-case rather than class basis without any representation as to the numbers who might be admitted. The Department of State has indicated that this is acceptable and I understand that you also agreed last week that this was the proper approach.

It is now apparent, however, that despite the determination to apply standard parole policies to Chilean nationals on a case-by-case basis this matter will be widely perceived by some members of Congress and the press as a parole program for a class of refugees. This perception is reflected in the Washington Post article of June 8, 1975, a copy of which is enclosed, which states that the United Nations High Commissioner for Refugees has requested and the Department of State has approved entry of 400 Chilean families. It is also reflected in the position of the staff of the House Judiciary Committee which requested formal consultation by the Department of Justice when informed of our intention to consider Chilean refugees and detainees on a case-by-case basis.

I understand that you indicated last week that it did not appear necessary to bring this matter to the President's attention. However, in view of the likely public perception of any action as an extraordinary program for parole of a class of refugees, we wonder if it would not be better and more consistent with the position we have taken to be sure that this program of individual paroles -- which may be viewed by some as parole of a class -- fits with the President's program.

In view of the urgency the Department of State attaches to this matter, an early response would be most appreciated.

Sincerely,



Edward H. Levi
Attorney General

THE DEPUTY SECRETARY OF STATE
WASHINGTON

April 23, 1975

CONFIDENTIAL

Dear Mr. Attorney General:

The Department of State has received a request from the United Nations High Commissioner for Refugees (UNHCR) to provide resettlement opportunities in the United States for Chilean refugees currently in transit status in Peru. Additionally, we have received requests from both the Intergovernmental Committee for European Migration (ICEM) and the International Committee of the Red Cross (ICRC) to provide resettlement opportunities in the United States for Chilean detainees who are to be released contingent upon their permanent departure from Chile. We request that you utilize your authority under Section 212(d)(5) of the Immigration and Nationality Act to parole into the United States a limited number of these people on an individual case basis.

We have carefully considered those requests and have decided that it is in the United States national and foreign policy interests to admit a limited number of such refugees/detainees for resettlement in the United States. The best estimates available to us indicate that there are up to some 4,000 ex-Chile refugees in Peru who must depart that country and up to 6,000 detainees in Chile who might be released contingent upon their departure for other countries. Of this, we propose to accept up to four hundred principals plus dependents for resettlement in the United States, at this time.

The Honorable
Edward H. Levi,
Attorney General.

CONFIDENTIAL

GDS KBH 12/29/97

Declassified
Photocopy from Gerald R. Ford Library

RECEIVED
OFFICE OF THE
ATTORNEY GENERAL
APR 23 1975

CONFIDENTIAL

- 2 -

Those refugees in Peru are currently living under uncertain circumstances, frequently without employment and thus forced to live off the charity of the UNHCR and voluntary agencies. As to the detainees in Chile, they face indefinite confinement under less than satisfactory conditions for what are essentially political reasons. Their only hope of reestablishing a normal life is to obtain resettlement outside Chile.

We are not proposing to accept either communists or terrorists under this program. Any refugee/detainee accepted for resettlement in the United States would have to establish eligibility under the security provisions of the Immigration and Nationality Act (INA). Additionally, support under Section 212(a)(15) of the INA would be provided by voluntary agencies. Individual cases would be referred to us for consideration -- on the basis of their desire to resettle in the United States -- by UNHCR, ICEM, ICRC, and national refugee committees.

In order to implement the program, we would propose sending to Peru and Chile -- the latter if feasible, dependent upon the pace of the release program -- an officer from our Office of Refugee and Migration Affairs to assure that the refugees/detainees are refugees bonafide. We would hope that you would be able to send an Immigration and Naturalization Service Officer at the same time in order to establish eligibility under the INA and to carry out parole. Our consular officers in Santiago and Lima would assist in obtaining the security clearances for the refugees/detainees and in preparing the necessary documentation.

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- 3 -

We have consulted with both the House Subcommittee on Immigration, Citizenship, and International Law and the Senate Subcommittee on Immigration and Naturalization. Considerable time has been spent in these consultations -- a period of several months -- and thus it is imperative that we act expeditiously to implement this program. The conditions under which the refugees/detainees are living continue to deteriorate.

I am enclosing a copy of a letter from Chairman Eilberg of the House Subcommittee agreeing to a parole program and setting forth the conditions under which the program should function. The House Subcommittee has indicated support for parole of refugees physically in Chile, but declined to indicate support for those in Peru. Chairman Kennedy of the Senate Subcommittee enthusiastically supports a program of parole for both groups. Chairman Eastland in the Senate and the Honorable Edward Hutchinson, the ranking Republican on the House Judiciary Committee appear to be opposed to a parole program for those refugees in Chile or those in Peru.

We feel that in undertaking this parole program the United States will only be doing its fair share in the international effort to resettle Chilean refugees/detainees. To date, our performance has been poor. We have accepted only nineteen foreign refugees from Chile. Hundreds have been accepted by many other countries. In addition, the program will also greatly contribute to our foreign policy. It will demonstrate that United States concern for refugees extends to all persons in need, irrespective of the nature of the

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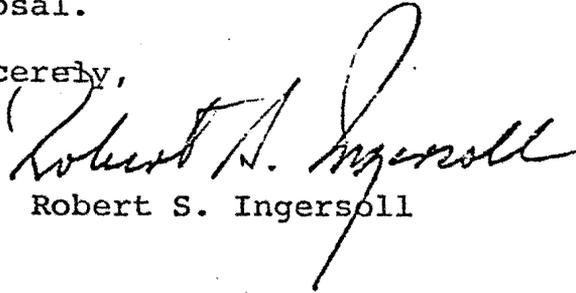
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- 4 -

government from which they are fleeing, and it will assist in reducing tensions in the area. Additionally, it will help to improve the United States image with respect to the Chilean situation.

I hope that you will give early and favorable consideration to this proposal.

Sincerely,



Robert S. Ingersoll

Enclosure:

As stated

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Committee on the Judiciary
 U.S. House of Representatives
 Washington, D.C. 20515

GARNER J. CLINE, COUNSEL
 ARTHUR P. ENOCHS, JR., COUNSEL
 ALEXANDER D. COOK, ASSOCIATE COUNSEL
 FRANCES P. CHRISTY, LEGISLATIVE ANALYST

JOSUUA LILBENG, PA., CHAIRMAN
 PAUL S. SARBANES, MD., HAMILTON FISH, JR., N.Y.
 FLEETMAN HOLTZMAN, N.Y. WILLIAM S. COHEN, MAINE
 CHRISTOPHER J. DODD, CONN.
 MARTIN A. RUSSO, ILL.

March 25, 1975

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ACTION
 is assigned to

S/R

Honorable Henry A. Kissinger
 Secretary
 Department of State
 Washington, D.C. 20520

Dear Mr. Secretary:

In accordance with your request, I have consulted with the Chairman of the House Committee on the Judiciary as well as the Ranking Minority Members of both the Full Committee and the Subcommittee and I submit our views on the proposal to parole into the United States certain refugees from Chile in Peru and certain detainees in Chile.

It is the majority opinion, recognizing the humanitarian considerations and in view of the allegations of violations of human rights in Chile, that no objection would be imposed to the exercise of parole for 400 persons presently incarcerated in Chile for alleged political offenses and their spouses and dependents in Chile.

It is expected that parole will be utilized on a case-by-case basis under the following conditions:

1. Only natives and citizens of Chile will be considered for parole;
2. Potential parolees will be inspected in Chile by officers of the Immigration and Naturalization Service;
3. All provisions under Section 212 of the Immigration and Nationality Act, as amended, with the exception of 212(a)(14), will be applicable;
4. Voluntary agencies will provide assurances that the potential parolees will not become public charges;
5. All costs pertaining to the parolees will be borne by the voluntary agencies without cost to the federal government; and
6. The Committee will be supplied with interim status reports as well as a detailed and complete final report on the exercise of parole in this matter.

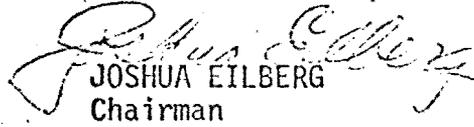
hale

March 25, 1975

I certainly appreciate the fact that you have consulted with this Committee in accordance with our understanding regarding the use of parole for groups or classes of refugees.

With kindest personal regards,

Sincerely,


JOSHUA EILBERG
Chairman

JE:cs

A-4

Page

The Washington Post

6/8/75

Date

10 Months After U.N. Request

U.S. Lags on Chilean Refugees

By Lewis H. Diuguid

Washington Post Staff Writer

Ten months after the U.N. high commissioner for refugees urgently requested ad-

acceptance of the 400 families, as proposed by the State Department, would influence other nations to receive Chile-

leaders say the number would top 2,000.

Sen. Edward M. Kennedy (D-Mass.), quizzing Immigration Service Commissioner Le-

STATE - A.I.D. - USIA
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6-12

*Per filing
in "Refugees"*

| TO: | Name or Title | Orgam. Symbol | Room No. | Bldg. | Initials | Date |
|-----|---------------|---------------|--------------------|-------|----------|------|
| 1. | Dr. Ted Marrs | | Room 103 | | | |
| 2. | | | Exec. Office Bldg. | | | |
| 3. | | | | | | |
| 4. | | | | | | |
| 5. | | | | | | |

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| Approval | For Your Information | Note and Return |
| As Requested | Initial for Clearance | Per Conversation |
| Comment | Investigate | Prepare Reply |
| File | Justify | See Me |
| For Correction | Necessary Action | Signature |

REMARKS OR ADDITIONAL ROUTING

Please call me on this.

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|------------------------------|------------------|-----------|
| FROM: (Name and Org. Symbol) | ROOM NO. & BLDG. | PHONE NO. |
| G. Lister <i>V</i> | 6263 | 28369 |



Mr. Chairman, I welcome the opportunity to appear before this Committee to speak on the subject of Chilean refugees. My staff and I have been working hard for many months to obtain approval of a plan to parole into the United States a limited number of Chilean refugees and detainees from Chile and Peru, plus spouses and dependents. So when this hearing was suddenly called I simply tore up my schedule for today and came on up.

First let me review briefly the history of the Chilean refugee problem. There have been three distinct resettlement programs for refugees in and from Chile. The first, immediately after the September, 1973 overthrow of the Allende Government, involved the resettling of almost 3,600 non-Chilean refugees and their dependents in 41 different countries. The major participating countries were Argentina, France, Sweden, Switzerland and the Federal Republic of Germany. The West Germans took over 2,300 of these people. Nineteen were paroled into the United States.

The second program involved Chilean refugees in Peru. We estimate that up to 4,000 Chileans fled to Peru following the coup. The Peruvian Government admitted them in transit only and asked the United Nations High Commissioner to conduct a resettlement program. In 1974 over 1,500 were resettled in some 15 countries, principally Canada, New Zealand, Australia, Luxemburg, Hungary and Romania. The United States has not accepted any. There are still about 1,200 in Peru. Only last week the United Nations High Commissioner for Refugees called in Ambassadors from a number of countries represented in Peru, asking for a renewed effort to resettle these people.

The third refugee program involves detainees in Chile. Our best information indicated there are approximately 4,000 to 5,000 Chileans currently in detention in Chile. They include members of a number of political parties. Most of them have been sentenced by military, not civilian courts. Some have been held without charge for as long as 21 months. The Chilean Government acknowledges having detained over 41,000 Chileans at one time or another since the coup. Of the 36,000 released, 9,000 have been required to leave the country. In a speech last September, Chilean Chief of State Pinochet offered to release and exile detainees who could be resettled in other countries. Recently the Chilean Government broadened the criteria to include those Chileans who have been convicted of political crimes. A Chilean commission has been established to rule whether sentences can be commuted to enable deportation



of these people. Some have been released and will be resettled in Canada and in Mexico. The United States has not offered to resettle any of them.

Now let me spell out the reasons why I have been working so hard to obtain authorization to permit the resettlement of Chilean detainees and refugees, and their families, in the United States.

First and foremost, there is a humanitarian need for such action. The number we have in mind is extremely small. I might point out that about 130,000 refugees are being allowed to enter the U.S. from Vietnam and Cambodia.

Secondly, there is strong religious support in Chile for such a U.S. program. For example, both Father Poblete, adviser to Cardinal Silva of Chile, and Bishop Frenz, Lutheran leader of Chile, have repeatedly urged us to take this action. We arranged for both of them to meet with Staff Counsel for the Senate and House Committees.

Third, we have been asking the U.N. High Commissioner of Refugees to get other countries to take in Vietnamese refugees. It is inconsistent to seek cooperation from international organizations and other countries on the Vietnamese refugee problem if we refuse to lift a finger to help the Chileans. Recently the Intergovernmental Committee for European Migration expressed to our Santiago Embassy its hope for rapid authorization of the entry of Chileans into the U.S.

Fourth, our acceptance of Chileans will demonstrate that our concern for refugees extends to all persons in need, regardless of the nature and political coloration of the government from which they are fleeing. Such action will also help to improve the U.S. image in the eyes of millions of people in Chile and many other countries.

Fifth, the security risk to us is minimal. All Chileans will be carefully screened, on an individual basis. It is not proposed to bring in Communists, terrorists or economic distress cases. In the course of our consultation with Congress we have been told repeatedly that it is undesirable to bring in Communists. All I can do is say once again that we do not, repeat not, intend to bring in Communists.

Sixth, so far as I can discern, implementation of this program will in no way help the Communist Party. On the contrary, I am convinced that refusal to accept Chilean



detainees and refugees would serve Communist propaganda purposes.

Seventh, there is great domestic interest in this program. We have been receiving daily calls from representatives of many organizations and groups including, for example, the U.S. Catholic Conference, Amnesty International, the American Friends Service Committee, the National Council of Churches, and the Latin American Studies Association. They ask why, after all these months, we do not move ahead with this program. One reason why I thought it would have been better to have this hearing open, rather than closed, was because of the intense interest of these organizations.

Now, in conclusion, let me review briefly the steps we have taken in obtaining approval for our plan. Following the Secretary's decision, last November, to request the Attorney General to exercise his parole authority on behalf of Chilean refugees and detainees, we began our consultations with Congress. Both Committees were informed of the proposal in writing on December 16 and were asked for comments. We had two meetings with the House Judiciary Committee, the latest in February. In a letter dated March 25 the Committee recognized the humanitarian considerations involved and said it did not object to a parole program for Chilean detainees on a case by case basis. We also requested consultation with the Senate Judiciary Committee. We met with Mr. Loughran of your staff earlier this year.

On April 23, Deputy Secretary Ingersoll wrote to the Attorney General urging that he utilize his authority under Section 212 (d) (5) of the Immigration and Nationality Act to parole into the United States a limited number of these people on an individual case basis.

On May 29 the Deputy Secretary met with the Attorney General and General Chapman. Mr. Levi showed us his proposed reply to our letter, assuring us that the Immigration and Naturalization Service would carefully consider for parole each individual case favorably recommended by the State Department. We have since worked out with the Immigration and Naturalization Service the procedures and guidance for our Embassies in Santiago and Lima for implementing this program. We are satisfied those plans are sound and realistic, and we are ready and eager to move ahead.

Thank you.



THE WHITE HOUSE
WASHINGTON

*Justice
Chile*

October 12, 1976

MEMORANDUM FOR

THE ATTORNEY GENERAL

This memorandum is to confirm a conversation on September 28 between Mark Wolf, a Special Assistant on your staff, and Bobbie Kilberg, Associate Counsel on my staff, in regard to an additional parole program, pursuant to the Attorney General's parole authority, to admit up to 200 refugees and their families into the United States from Chile and Argentina. If after review and consultation with the appropriate Congressional Committees you make a determination to authorize the entry into the United States of up to 200 refugees and their families presently in Chile and Argentina, this decision would not be inconsistent with the President's program. It is my understanding that this authorization of 200 families would apply as a total to Chile and Argentina, to be distributed as need dictates.

P.W.B.

Philip W. Buchen
Counsel to the President



THE WHITE HOUSE
WASHINGTON

For Bob.

October 12, 1976

MEMO FOR: PHIL BUCHEN
FROM: BOBBIE KILBERG

Mark Wolf, Special Assistant to the Attorney General, talked with me yesterday and said they would now like in writing our opinion in regard to an additional parole program for refugees from Chile and Argentina. A memorandum for your signature is attached.

As you have indicated, I think we should set up a meeting to discuss the general procedural problem we face in each of these parole programs. The participants probably should be you, the Attorney General, Scowcroft, Mark Wolf, and myself as well as perhaps someone from State. I would prefer to do this before rather than after the election, but I defer to your judgment. If before, perhaps Eva could set something up for next week.

Attachments





Office of the Attorney General
Washington, D. C. 20530

September 27, 1976

*file
Kuchen
copy*

Honorable Philip Buchen
Counsel to the President
The White House
Washington, D. C.

Dear Mr. Buchen:

As you may recall, last year I exercised the parole authority vested in the Attorney General to authorize the entry into the United States of 400 Chilean refugees, detainees in Chile and their families. The program was limited to 400 families at the urging of some of the members of Congress we were required to consult who expressed serious reservations regarding any program for Chileans. The Immigration and Naturalization Service has worked closely with the Department of State in implementing this program, which is now substantially complete.

The Department of State advises us that there remain a small number of people in Chile who fear political persecution and who would be eligible for parole if the program were expanded. Accordingly, they request that parole be authorized for about 100 more Chilean families. The details of this request are contained in the letters of July 21, 1976, September 3, 1976, and September 14, 1976 which are attached at Tab A.

The Department of State also advises us that the United Nations High Commissioner for Refugees has made an international appeal for the resettlement of Chilean, Uruguayan and Bolivian refugees who are in jeopardy in Argentina. The Department of State requests that parole be authorized for about 100 such refugees and their families. The background of this request is also reflected in the letters at Tab A.

As stated in Commissioner Chapman's memorandum of September 21, 1976, attached at Tab B, the Immigration and Naturalization Service does not recommend that the Chilean detainee program be expanded. This view is based on the difficulty INS experienced in finding compelling cases in the last months of the earlier program. It is also undoubtedly influenced by the difficulty experienced in obtaining the acquiescence of some key members of Congress in establishing the program last year. INS is prepared, as always, to



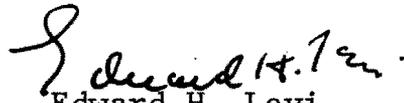
consider particularly compelling cases for parole on humanitarian grounds, but does not believe that a class program for Chilean detainees is required.

INS does agree that a limited program for bona fide political refugees subject to persecution in Argentina would be appropriate. Such a program has also been called for by Senator Kennedy and Congressmen Fraser and Koch, among others. A House International Relations Subcommittee has scheduled a hearing on this matter this week. At the same time, we would anticipate opposition to a program for refugees in Argentina from those members of the Senate and House Judiciary Committees who resisted the Chilean parole program.

As you know, we typically seek policy guidance from the President before consulting the Congressional Committees and deciding whether to establish a parole program. If the requested parole program would not be inconsistent with the President's program, I propose to authorize consultation with the appropriate Committees and defer any decision until that process is complete.

I would appreciate your advice as to the compatibility of the Department of State proposal and the President's program.

Sincerely,


Edward H. Levi
Attorney General



A

THE SECRETARY OF STATE
WASHINGTON

RECEIVED
OFFICE OF THE
ATTORNEY GENERAL

JUL 28 1976

July 21, 1976

Dear Ed:

The Department of State has received an urgent appeal from the United Nations High Commissioner for Refugees (UNHCR) to join thirty-three other countries in providing resettlement opportunities for some 1,000 refugees in Argentina who are part of the estimated 15,000 Chilean, Uruguayan and Bolivian refugees in that country. The Government of Argentina has also formally requested the United States and several other countries to assist in the resettlement of refugees in its territory.

We have carefully considered the UNHCR's appeal and, while we would look to other countries to make a significant contribution to the resettlement of refugees in Argentina (as they have in the past with respect to those in Chile), we believe it would be in the best American tradition and consistent with our international commitments on human rights and humanitarian issues to admit a modest number of these refugees who are found eligible in the context of Section 212 of the Immigration and Naturalization Act.

The refugees in Argentina are in a particularly grave situation. Many of the group we wish to assist have been victims of kidnapping, torture, and murder. The Argentine government and its security forces have been unable to cope with the violent and chaotic situation in that country, and the refugees include a substantial number of persons who fear for their lives because of their political opinions or background.

In Chile, there remain a small number of detainees who face indefinite confinement under conditions that range from harsh to appalling, as well as former detainees who remain in fear of persecution for their political views. To abruptly halt our present program would leave us in light of present law without a continuing capability to assist in the humanitarian situation in Chile and would leave these persons with little possibility of relief.

The Honorable
Edward H. Levi,
Attorney General.



Accordingly, we propose that the present Chile parole program be expanded to enable us to accept, from Argentina and from Chile, up to two hundred additional refugees plus their dependents for resettlement in the United States. We would anticipate that about half of these would be from the threatened community of Chilean, Uruguayan, and Bolivian refugees in Argentina, and the remaining half would be detainees and former detainees in Chile. We do not, of course, propose that we accept any persons who are communists, terrorists, or otherwise ineligible under the law or who may be seeking relief from economic distress rather than political persecution. Individual cases would be referred, as in the past, by the appropriate international agencies -- Intergovernmental Committee for European Migration (ICEM) in Chile and UNHCR in Argentina.

We believe that the proposal to use the parole authority in these circumstances is important to the foreign policy interests of the United States. I hope that you will give it early and favorable consideration.

Warm regards,


Henry A. Kissinger



Rec. Sept 8

DEPARTMENT OF STATE
WASHINGTON

September 3, 1976

Dear Mr. Attorney General:

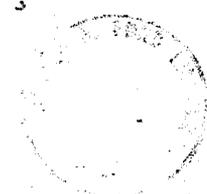
In response to your letter of August 9 to Secretary Kissinger, set forth below are the answers to the questions you have raised. We hope that further requests of this kind will not prove necessary and, indeed, that we shall eventually have new legislation covering the broad range of refugee problems.

In Chile, we believe that our request for parole of 100 more principals will meet current needs. We do not consider this number a "goal" or a "quota". While the situation for refugees in Chile could improve, as the government develops more confidence and as there are smaller numbers of Chileans who desire to leave, we can give no assurances in this regard.

In Argentina the situation for political exiles has deteriorated since our July 21 letter. Because of the large number of exiles there (15,000) and the intense pressure on them stemming from terrorism of the right and left, we cannot determine now whether or not there will be an additional appeal from the United Nations High Commissioner for Refugees (UNHCR). For now it is important for the United States to respond favorably to the present appeal from the UNHCR.

Other nations are continuing to carry the main burden for taking the refugees in Chile and Argentina. According to figures compiled by the National Council of Churches, thirty-six countries have accepted a total of over 23,000 refugees from Chile, including Canada which has taken 4,000, France which has accepted

The Honorable
Edward H. Levi,
Attorney General.



3,000 to 4,000, and Romania which has taken 1,500. Several governments have now responded positively to the UNHCR appeal, among them Canada which has expressed willingness to accept 1,000 persons from Argentina. We believe that other countries will continue to offer resettlement to these refugees and that many nations have been more forthcoming in this regard than we have. Indeed, it is this very record of other countries in the Chile program that gives us hope that our request for the parole of 100 principal applicants from Argentina may prove adequate.

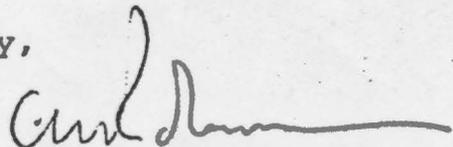
Whatever initial misgivings there may have been, our experience in Chile with the Intergovernmental Committee for European Migration (ICEM) has proven more than satisfactory. We have had no difficulty working through our Embassy to locate and identify cases with strong United States interest. We would expect that in Argentina we could work effectively through the UNHCR and our Embassy; the Argentine Government supports resettlement. We have been including in the parole program Chileans who had not yet received exit permits from their government, and in some of the cases the permits have been issued subsequently.

I am sure you are aware of the widespread violence in Argentina perpetrated by factions on both the right and left. There seems no question that large numbers of exiles from Chile, Uruguay and Bolivia are in serious danger and they know it. This was the reason for the urgent appeal from the UNHCR.

We believe that the use of the parole authority to assist a limited number of these persons is in the foreign policy interests of the United States. As you know, there is considerable Congressional interest in urging that we help these refugees.

I hope that we can now move ahead to consult with the appropriate committees of Congress and begin the program as soon as possible.

Sincerely,



Charles W. Robinson
Acting Secretary





DEPARTMENT OF STATE

Washington, D.C. 20520

September 14, 1976

Dear Mr. Attorney General:

I am responding to your letter of September 10, addressed to the Acting Secretary, requesting additional information regarding refugees from Bolivia and Uruguay now in Argentina.

We believe there are perhaps five hundred Bolivian political exiles living in Argentina, primarily in the Greater Buenos Aires area. There are also thousands of other Bolivians in Argentina for economic reasons or pursuing an education. These, of course, are not included in our parole proposal. The political group comprises a number of former politicians, civilian officials and army officers associated with prior Bolivian Governments, most notably the regimes of the MNR party (1952-64) and those of Presidents Ovando (1969-70) and Torres (1970-71). As you may be aware, ex-President Torres was assassinated in Argentina during June 1976, an event which contributed to heightened fears among the Bolivian exile community.

As in the case of the Bolivians, there are thousands of Uruguayans resident in Argentina, but of these probably only several hundred are political exiles. These have been the targets of Argentine right-wing terrorists. In May, two prominent Uruguayan ex-parliamentarians were kidnapped and murdered. In July, about twenty-four Uruguayans were kidnapped and have not been heard from. Dozens of other Uruguayans have disappeared.

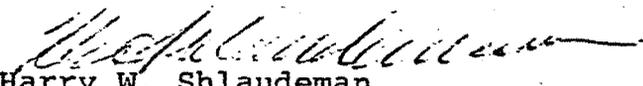
The Honorable
Edward H. Levi,
Attorney General.



The situation for refugees in Argentina has not improved since the Secretary's letter to you of July 21. In a new requirement, the Argentine Government announced on September 2 that all foreigners without proper documents would have 60 days in which to report to immigration authorities. Our Embassy in Buenos Aires has reported that this regulation has further alarmed those who are in Argentina illegally for political reasons. The Embassy comments that the Argentine Government in the past has not cooperated by providing Argentine documents to refugees. The prospects for their stable resettlement in Argentina under present circumstances, which you raise in your letter, are therefore highly unlikely. The establishment of the limited parole program that we suggest should enhance the possibility of stable resettlement in Argentina of many refugees by eliminating the present pressure on the Argentine Government to absorb them all.

I am enclosing a copy of the appeal by the United Nations High Commissioner for Refugees explaining the desperate plight of the refugees and urging swift action on their behalf.

Sincerely,


Harry W. Shlaudeman
Assistant Secretary for
Inter-American Affairs

Enclosure:

As stated.

GENEVA QUOTE

I have the honour to bring to Your Excellency's attention the problem of refugees under my mandate in Argentina, mainly of Chilean origin but also of other nationalities, especially Bolivian and Uruguayan, who are seeking durable resettlement opportunities outside that country. Since the events in Chile of September 1973, I have appealed to Governments on various occasions requesting the acceptance of refugees who, as a result of these events, were either living in Chile or who had left for countries of temporary asylum. I have been keeping the United States Government informed of developments and have deeply appreciated the generous financial contributions made by your government towards our programmes on behalf of these groups of refugees. To date, some twelve thousand who were living in Argentina, Chile and Peru have been resettled in over forty countries under UNHCR auspices with the cooperation of governments of countries of resettlement and with the technical assistance of the Intergovernmental Committee for European Migration. Half of them came directly from Chile, including Chilean dependants who joined refugee heads of family abroad. It is known that larger numbers were resettled without the assistance of international organizations.

In Argentina, the situation of a number of refugees has considerably deteriorated and recent events known to Your Excellency are cause for the gravest concern. On June 9, lists and files concerning two thousand refugees were stolen from one of the main voluntary agencies dealing with refugees of Latin American origin in Argentina, and on 11 June twenty-four refugees were abducted from their hotels by forty armed men and subjected to severe torture before subsequently being released. Prior to these events, there had been a number of widely publicized abductions and subsequent murders. I have maintained close contact with the Argentine Government throughout these tragic events and have stressed the imperative necessity for measures to protect the refugee centres.

While progress has been achieved in this respect, a number of refugees has been enabled to settle in Argentina on a durable basis, resettlement elsewhere remains a solution of the most pressing urgency. Since late 1973, some 14,000 refugees have been registered with voluntary agencies working with UNHCR in Argentina. Of these, 4,000 have been resettled in other countries. Of the remaining 10,000 some 2,000 have received permanent residence and work permits in Argentina. Another 2,000 are able to live without outside assistance, while some



6,000 subsist on daily allowances or other forms of care and maintenance provided by voluntary agencies, mainly with funds from UNHCR and, to a certain extent, from international voluntary agencies. Another few thousand refugees have never registered and subsist without systematic international assistance. Resettlement opportunities for a minimum of 1,000 refugees are required in the immediate future, while resettlement is considered as the only feasible solution for larger numbers in the foreseeable longer term.

In view of the urgency described above, I wish to appeal to your government to consider receiving as large a number as possible of these refugees. In these circumstances, I should be deeply grateful if your government could give this matter its earliest attention. At the same time, I am approaching 33 other governments, in the Americas, Western and Eastern Europe, and Oceania, many of which have already responded generously to my former appeals.

A copy of this cable is being sent to the Permanent Representative of the United States of America to the United Nations in Geneva. Accept, Sir, the assurance of my highest consideration.

Sadruddin Aga Khan

United Nations High Commissioner for Refugees



B



UNITED STATES GOVERNMENT

Memorandum

CO 212.28c-P

TO : Mark L. Wolf
Special Assistant to
the Attorney General

DATE: SEP 21 1976

FROM : Leonard F. Chapman, Jr.
Commissioner, I&NS

SUBJECT: Parole For Chileans and Refugees in Argentina

The Service is opposed to any further parole program for Chileans in Chile. In our earlier program, 400 principals plus their families were approved for parole. We had considerable difficulty, in a program lasting over ten months, in finding the last several eligible cases. I seriously doubt there are any more worthy cases in Chile. If any individual case in Chile should be brought to our attention, however, consideration will be given to the granting of a humanitarian parole.

I concur in your opinion that the September 3, 1976 letter from Charles Robinson, Acting Secretary of State, does not adequately describe the situation of the Chileans and other refugees in Argentina. If the Department of State can demonstrate that the Chileans, Uruguayans and Bolivians in Argentina are bona fide political refugees who were subject to persecution in their home countries, are being persecuted in Argentina, and are not inadmissible to the United States under the excluding provisions of the Immigration and Nationality Act, I recommend approval of the proposed program and will, if the Attorney General agrees, consult with the Judiciary Committees to propose the parole of 100 refugees and their families from Argentina. We should obtain assurances from the Department of State that no additional program request would be forthcoming in behalf of such refugees.

I have now been invited to appear on September 29, 1976 before the Subcommittee on International Organizations of the House International Relations Committee on the same subject. Given the fact that we would want to consult with the Judiciary Committees and that the Congress will adjourn on October 2, 1976, I suggest that the Department of State be requested to expedite its description of the refugee situation in Argentina in order that necessary consultations, if appropriate, may be had with the Judiciary Committees before September 29, 1976.

Chapman



5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

THE WHITE HOUSE

WASHINGTON

December 30, 1976

Justice

MEMORANDUM FOR

THE ATTORNEY GENERAL

In your letter to me of December 28, you requested our advice on whether to exercise the Attorney General's parole authority to permit the entry into the United States of the following categories of refugees:

- (1) approximately 4,000 Soviet refugees, the vast majority of which are Jewish, who will have left the Soviet Union before January 1, 1977, and are in Italy to seek admission to the United States; and
- (2) approximately 350 former Soviet refugees in Italy who had resettled in Israel and are now ineligible for admission as refugees because they are deemed to be emigrating from Israel.

The establishment of a parole program for the Soviet refugees who are in Italy to seek admission to the United States would be compatible with the President's program. Provided there is State Department approval, the establishment of a parole program for the former Soviet refugees in Italy who had resettled in Israel would be compatible with the President's program.

Philip W. Buchen
Philip W. Buchen
Counsel to the President





Office of the Attorney General

Washington, D. C. 20530

December 28, 1976

Honorable Philip Buchen
Counsel to the President
The White House
Washington, D. C.

Dear Mr. Buchen:

The Secretary of State has requested that I exercise the parole authority vested in the Attorney General to permit the entry into the United States of approximately 4,000 Soviet refugees, the vast majority of whom are Jewish, who will have left the Soviet Union before January 1, 1977, and are in Italy to seek admission to the United States. As discussed in Secretary Kissinger's letter of December 17, 1976, a copy of which is attached, these refugees appear to be eligible for admission to the United States, but visa numbers are not now available to permit their entry. Congressman Joshua Eilberg, Chairman of the House Committee on the Judiciary Subcommittee on Immigration, Citizenship and International Law has also requested a parole program for these refugees.

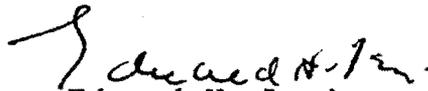
The Immigration and Naturalization Service supports the Department of State request. INS does, however, have several observations concerning it. The Department of State proposal would not accommodate approximately 350 former Soviet refugees in Italy who had resettled in Israel and are now ineligible for admission as refugees because they are deemed to be emigrating from Israel, rather than fleeing the Soviet Union. INS suggests that these now homeless individuals be included in the program, although it is recognized that there may be foreign policy considerations which would make this undesirable. We intend to discuss this question further with the Department of State. INS also points out that by operation of law the parolees will become eligible for adjustment of status in two years and their adjustment would then require utilization of visa numbers which would otherwise be available to permit the entry of other refugees. This adverse effect could be overcome by special legislation authorizing their adjustment



of status as has been proposed for the Indochina parolees. INS also suggests that if the current rate of Soviet refugees seeking admission to the United States continues, the backlog which the proposed program would eliminate is likely to develop again. It is the view of INS that these points should be considered and addressed, but should not prevent authorization of the proposed program.

As you know, we typically seek policy guidance from the President before consulting the appropriate Congressional Committees and deciding whether to establish a parole program. Thus, I would appreciate being advised of whether the program as requested by the Department of State, and with the addition suggested by INS if it is ultimately decided to be desirable, would be compatible with the President's program. If it would be compatible, I will initiate consultation with the appropriate Congressional Committees with a view to deciding this matter as soon as possible.

Sincerely,


Edward H. Levi
Attorney General



THE SECRETARY OF STATE

WASHINGTON

RECEIVED
OFFICE OF THE
ATTORNEY GENERAL

Dec 20 1976
December 17, 1976

Dear Ed:

I wish to bring to your attention the problem of the build-up of Soviet refugees in Italy, most of whom are seeking immigration to the United States. There are some 3,000 such refugees, mainly Jews, in Italy now and the number is expected to exceed 4,000 by the end of the current year. This accumulation has resulted in part from the increased drop-out rate in Vienna from the flow of Soviet refugees to Israel and the decreased rate of processing for U.S. immigration, the latter being due to the lack of non-preference visa numbers and the limited availability of numbers under the provisions of Section 203(a)(7) of the Immigration and Nationality Act.

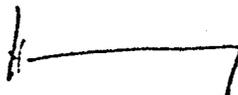
The accumulation of ever-increasing numbers of Soviet refugees in an asylum area such as Italy could become an embarrassment to that government and might affect its bilateral relations with the Soviet Union. Sizeable numbers of these people waiting for entry into the United States could also adversely affect Soviet exit procedures. Moreover, extended delays in immigration processing frequently cause difficulties for the persons involved and result in high care and maintenance costs to the United States Refugee Program (USRP) and the Voluntary Agencies.

For these various reasons I should like to recommend that in order to overcome this backlog of cases in Italy you exercise your parole authority under Section 212(d)(5) of the Immigration and Nationality Act to permit entry into the United States of Jews and others from the Soviet Union who prior to January 1, 1977 have left the USSR with exit visas for the U.S., or used exit permits for Israel as a means of leaving the Soviet Union in order to get to the United States and otherwise meet standard criteria for admission to the United States, either with immigrant visas or for conditional entry.

The Honorable
Edward H. Levi,
Attorney General.

I believe that the judicious use of parole is fully consistent with Congressional intent for assistance to Soviet refugees and parallels the use of the parole authority by the then Attorney General during the period August, 1973 - May, 1974 to clear the backlog of a similar group of refugees.

Warm regards,

A handwritten signature consisting of a vertical line on the left, a horizontal line extending to the right, and a short vertical line on the right side, forming a stylized 'H' shape.

Henry A. Kissinger



Mr Schmitts
took care
of this



THE WHITE HOUSE

WASHINGTON

January 6, 1977

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

PHIL BUCHEN

FROM:

JIM CONNOR *JEC*

SUBJECT:

Parole Authority for Soviet Jewish
Refugees

The President reviewed Brent Scowcroft's memorandum of January 3 on the above subject and made the following notation:

"Indicate to Attorney General my approval for action."

Please follow up with appropriate action.

The original file is being returned to Brent Scowcroft with a copy of this memorandum.

cc: Dick Cheney
Brent Scowcroft



ADMINISTRATIVELY
~~CONFIDENTIAL~~INFORMATION
January 3, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: Brent Scowcroft *BS*

SUBJECT: Parole Authority for Soviet Jewish Refugees

On December 7, Max Fisher gave you the memorandum at Tab A calling to your attention the case of some 3000 Soviet Jews awaiting conditional entry permits to the United States. In his memorandum he states that both the State Department and the Immigration and Naturalization Service (INS) have exhausted their yearly number of permits and that it will be necessary for the Attorney General to exercise his parole authority if these people are to enter the United States. He adds that such parole authority has been exercised in the past, but the Attorney General has awaited an initial request from the Department of State prior to taking action. Mr. Fisher calls this issue to your attention, stating his strong belief that it would be appropriate for the Administration to act to admit the Soviet Jews in Rome currently awaiting entry permits.

Subsequent to Max Fisher's memorandum, both Congressman Eilberg and Senator Kennedy have written the Attorney General requesting him to exercise his parole authority. On December 17, Secretary of State Kissinger wrote the Attorney General recommending that he exercise his parole authority. I concur with Secretary Kissinger's recommendation. The matter is now with the Attorney General for decision.

ADMINISTRATIVELY
~~CONFIDENTIAL~~

THE WHITE HOUSE

WASHINGTON

THE PRESIDENT HAS SAID

December 7, 1976

MEMORANDUM FOR: THE PRESIDENT
FROM: MAX FISHER
SUBJECT: USE OF THE PAROLE AUTHORITY FOR
SOVIET JEWISH REFUGEES

Some of the Jews leaving the Soviet Union choose to settle in the United States. A limited number each month qualify under U.S. immigration laws for "third country processing" visas issued to them by the U.S. Embassy in Moscow. Others receive Israeli visas and then "drop out" along the way. For both groups Rome is the intermediate stop before entry into the United States.

In Rome the refugees are supported by voluntary agencies which, in turn, are funded by the U.S. government. Refugees have traditionally been processed into the United States in the following manner. The heads of households receive conditional entry permits which are allocated by the Department of State. The remaining members of a family enter under non-preference visas which are allocated by the Immigration and Naturalization Service.

Both State and INS have exhausted their yearly maximum number of permits under these two categories. (They are used worldwide and not just for Soviet Jews.) As a result, close to 3,000 Soviet Jews are now stuck in Rome until new numbers become available next year. The total may grow to 3,500 by the end of this month. Those who wish to come to the United States (about 75-80%) will all eventually get processed in, but it will take many months. In the meantime they are a financial burden on the U.S. and their growing numbers are of concern to the Italians. They also have increased difficulty in readjusting because they can neither work nor get permanently settled during the months they are in Rome.

Once before a similar situation developed and Attorney General Mitchell exercised his parole authority to bring in to the U.S. a group of Soviet Jews. I believe the parole authority should again be exercised.

In January the law provides for some increase in the number of slots which will be available each year to INS and State and if the current backlog is cleared a similar one would not again develop for several months. If, as we hope, the rate of emigration increases, we would in any event have to cope with that new situation.

I have talked with Brent Scowcroft and Larry Eagleburger about this situation. The Attorney General could simply invoke the parole authority on his own, but the pattern in the past has apparently been to have an initial request from the State Department. I believe the State Department will make such a request in this instance. There should also be Congressional consultation. On the House side, Cong. Eilberg is the key figure and he would be entirely for the use of the parole authority. On the Senate side, Senator Eastland has typically been somewhat reluctant to see the parole authority used, but I understand he may have ceded some of his committee jurisdiction over this matter to Senator Kennedy who would probably be supportive.

I wanted you to be aware of this problem. I feel quite strongly that it is appropriate for your Administration to act now. It is the right thing to do on both humanitarian and financial grounds.

6408
JIM CONNOR
NEW

THE WHITE HOUSE
WASHINGTON

December 9, 1976

ADMINISTRATIVELY ~~CONFIDENTIAL~~

MEMORANDUM FOR: BRENT SCOWCROFT
FROM: JIM CONNOR JEF
SUBJECT: Use of the Parole Authority for
Soviet Jewish Refugees

The attached memorandum was returned in the President's outbox with the following notation:

"Max Fisher talked with me and gave me the attached.

What is status and your recommendations?"

Please follow up with appropriate action.

cc: Dick Cheney

Attachment:

Memo from Max Fisher to President on above subject
dated 12/7/76