

104TH CONGRESS  
2D SESSION

# H. RES. 493

Urging that certain actions be taken with respect to Vietnamese asylum seekers.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 1996

Mr. DORNAN submitted the following resolution; which was referred to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## RESOLUTION

Urging that certain actions be taken with respect to  
Vietnamese asylum seekers.

Whereas after the United Nations Comprehensive Plan of Action program in Asia for Vietnamese refugees ended on June 30, 1996, there are no fewer than 20,000 Vietnamese asylum seekers who remain in the refugee camps in Hong Kong, the Philippines, Indonesia, and Thailand, half of whom are from South Vietnam, and some of these apparently qualify for resettlement to the United States under United States laws relating to immigration and refugees;

Whereas on July 25, 1996, an interim report to the Congress by the General Accounting Office relating to its investiga-

tion of the United Nations Comprehensive Plan of Action program describes inconsistencies in the implementation of the United Nations program throughout Southeast Asia and within individual countries, that excluded Vietnamese asylum seekers who would otherwise be classified as refugees under international and United States law, including section 599D(b)(2)(C) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (referred to as the “Lautenberg Criteria”);

Whereas the General Accounting Office has found that Vietnamese asylum seekers who remain in the refugee camps and face forced repatriation to Vietnam include former special forces and other soldiers employed by the United States Government during the Vietnam War, Amerasian children, spouses and children of Vietnamese-American citizens and permanent resident aliens, members of the clergy, prodemocracy dissidents, and former political prisoners;

Whereas there has been an increase in violence and intimidation by refugee camp officials and paramilitary forces in Thailand, Hong Kong, and Indonesia, including numerous eyewitness reports of United Nations officials being present but not intervening during incidents of brutality against men, women, and children in the camps;

Whereas, in addition, the United Nations has provided funds for forced repatriation operations, such as the June 29, 1996, incident in Sikiew Camp in Thailand which resulted in 2 deaths and numerous injuries;

Whereas information from Vietnam through repatriated asylum seekers and official Vietnamese Communist media indicates that some repatriated refugees, whether they re-

turned to Vietnam voluntarily or by force, have been subjected to imprisonment or harassment by Communist officials because of their religious or political beliefs;

Whereas the Resettlement Opportunities for Vietnamese Returnees program, initiated by the Department of State in 1995, has excluded a substantial number of Vietnamese asylum seekers who have a relationship with the United States;

Whereas in Vietnam, repatriated refugees lack information on registration for the Resettlement Opportunities for Vietnamese Returnees program, and those who registered for the program prior to repatriation have not been interviewed by United States officials for resettlement in the United States; and

Whereas some repatriated Vietnamese asylum seekers who are applicants for the Resettlement Opportunities for Vietnamese Returnees program have been subjected to intimidation by Vietnamese Communist officials, and United States officials have told asylum seekers that the program cannot protect them from the Vietnamese Communist government: Now, therefore, be it

1       *Resolved*, That—

2               (1)(A) the United States should demand that  
3       forced repatriation and the inhumane treatment of  
4       Vietnamese asylum seekers should cease and that  
5       the United Nations should not be involved in or pro-  
6       vide funds for such activities; and

7               (B) Vietnamese asylum seekers who, on appeal  
8       to the United Nations High Commissioner for Refu-

1       gees, have been designated as refugees should be  
2       protected from repatriation and interviewed imme-  
3       diately by the United States for resettlement in the  
4       United States;

5           (2) Vietnamese asylum seekers in the refugee  
6       camps in Hong Kong, the Philippines, Indonesia,  
7       and Thailand, who have a relationship with the  
8       United States, such as Amerasians and people who  
9       apparently qualify as refugees under the Lautenberg  
10      Criteria, including former military and political em-  
11      ployees of the United States Government, members  
12      of the clergy, and spouses and children of United  
13      States citizens and permanent resident aliens, should  
14      be given access to United States immigration offi-  
15      cials for resettlement interviews;

16           (3) those Vietnamese asylum seekers who are  
17      accepted for resettlement in the United States  
18      should be admitted under the fiscal year 1997 immi-  
19      gration ceiling for Vietnamese nationals; and

20           (4)(A) those Vietnamese asylum seekers pre-  
21      viously repatriated to Vietnam who have volunteered  
22      for the Resettlement Opportunities for Vietnamese  
23      Returnees program of the Department of State  
24      should be immediately interviewed for resettlement  
25      in the United States under the Lautenberg Criteria;

1           (B) the United States should assure the protec-  
2           tion of all applicants to the Resettlement Opportuni-  
3           ties for Vietnamese Returnees program from incar-  
4           ceration or harassment from Vietnamese officials;  
5           and

6           (C) asylum seekers repatriated to Vietnam be-  
7           fore having an opportunity to sign up for the Reset-  
8           tlement Opportunities for Vietnamese Returnees  
9           program should be provided with the regulations and  
10          application forms for the program.

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