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The Last Chapter of the Vietnam War: Normalization, Nongovernmental Actors and the Politics of Human Rights, 1975-1995

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THE LAST CHAPTER OF THE VIETNAM WAR:
NORMALIZATION, NONGOVERNMENTAL ACTORS AND THE POLITICS OF
HUMAN RIGHTS, 1975-1995

BY

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DISSERTATION

Submitted to the University of New Hampshire

in Partial Fulfillment of

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LIST OF ABBREVIATIONS

AFSC	American Friends Service Committee
AHA	Amerasian Homecoming Act
AI	Amnesty International
AIA	Amerasian Immigration Act
AIUSA	Amnesty International USA Branch
ARVN	Army of the Republic of Viet Nam
ASEAN	Association of Southeast Asian Nations
CCIR	Citizens Commission on Indochinese Refugees
CPA	Comprehensive Plan of Action
FVPPA	Families of Vietnamese Political Prisoners Association
IAG	Inter-Agency Group on POW/MIA Affairs
IMF	International Monetary Fund
INS	Immigration and Naturalization Service
IRC	International Rescue Committee
MFN	Most Favored Nation
NEZ	New Economic Zone
NCS	National Security Council
NGO	Nongovernmental Organization
ODP	Orderly Departure Program
POC	Prisoner of Conscience
POW/MIA	Prisoner of War/Missing in Action
ROVR	Resettlement Opportunities for Vietnamese Refugees
SRV	Socialist Republic of Vietnam
TEWA	Trading With the Enemy Act
WSAG	Washington Special Actions Group
UNHCR	United Nations High Commissioner for Refugees

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FOR TOM

ABSTRACT

THE LAST CHAPTER OF THE VIETNAM WAR: NORMALIZATION, NONGOVERNMENTAL ACTORS AND THE POLITICS OF HUMAN RIGHTS, 1975-1995

by

Amanda C. Demmer

University of New Hampshire, May 2017

This dissertation dispels two myths about the Vietnam War. The first is that U.S. involvement in Indochina ended abruptly in April 1975 and the second is that the only exception to complete disengagement was the effort to secure a “full accounting” of missing American servicemen. This project demonstrates that the United States remained actively involved in Vietnam and Southeast Asia as a whole, in large part to address refugee issues. I am particularly interested in the policymaking process, and this project is the first to examine U.S. policies regarding missing American soldiers, boat and land people, Amerasians, and reeducation camp detainees in a single study and to place these issues in the context of U.S.-Vietnamese diplomacy. By shifting our focus to the postwar period and to refugee issues, “The Last Chapter of the Vietnam War” challenges the way we understand the Vietnam War and warfare itself.

INTRODUCTION

For a generation of Americans, the photograph of a helicopter evacuating desperate people from a Saigon rooftop on April 30, 1975 is seared into memory. The moment so vividly captured in this iconic image—the chaotic and humiliating American evacuation of Saigon—is often where histories of the Vietnam War end. Because Indochina suddenly disappeared from the nightly news and the United States refused to have official economic or diplomatic relations with the Socialist Republic of Vietnam (SRV) until 1994 and 1995, many Americans assume that U.S.-Vietnamese relations remained frozen for twenty years. The appearance of a two-decade impasse, however, belies a much more complicated reality. The United States remained actively and consistently involved with Vietnam and the rest of Indochina after 1975, thanks, in large part, to refugee concerns.

The Vietnam War has been a topic of prolific scholarly and insatiable public interest. A great deal of the voluminous literature on the topic, however, continues to explore the war's origins and military aspects. The field largely remains preoccupied with the two questions: why Vietnam?—that is, why did the United States commit so much blood and treasure to secure the existence of a non-communist South Vietnam, and how did the United States, the strongest military power in the world, lose to a small Southeast Asian nation? American scholars' fixation on these questions has led to an overwhelming emphasis on the pre-1975 era.

Scholars' focus on the war's beginnings and military history has encouraged and amplified Americans' tendency to treat Vietnam as a war rather than a country after

1975. In some respects, the proclivity to reduce Vietnam to a war is emblematic of larger, universal tendencies. As Viet Than Nguyen remind us, “all wars are fought twice, the first time on the battlefield, the second time in memory.”¹ For this reason, the vast majority of historians that do write about the post-1975 period treat Vietnam as a legacy, “lesson” or memory.² Although “The Last Chapter of the Vietnam War” contributes to the literature on the memory of the Vietnam War, it does so by highlighting the extent to which ongoing U.S.-Vietnamese realities coincided with, contributed to, and contradicted American memory making.

While it is a truism that wars are easy to begin and hard to end, the Vietnam War in particular has the reputation of “the war that will not end.” As the following chapters will illustrate, U.S. presidents, policymakers and pundits pronounced the “end” or “last chapter” of the conflict at least half a dozen times between 1973 and 2000.³ In some

¹ Viet Thanh Nguyen, *Nothing Ever Dies: Vietnam and the Memory of War* (Cambridge, M.A.: Harvard University Press, 2016), 4. See also: Jill Lepore, *The Name of War: King Philip’s War and the Origins of American Identity* (New York: Vintage Books, 1998); David Blight, *Race and Reunion: The Civil War in American Memory* (Harvard University Press, 2001).

² John Hellmann, *American Myth and the Legacy of Vietnam* (New York: Columbia University Press, 1986); Arnold S. Isaacs, *Vietnam Shadows: The War, Its Ghosts, and Its Legacy* (John Hopkins University Press, 1997); Jerry Lembcke, *The Spitting Image: Myth, Memory, and the Legacy of Vietnam* (New York and London: New York University Press, 1998); Patrick Hagopain, *The Vietnam War in American Memory: Veterans, Memorials, and the Politics of Healing* (University of Massachusetts Press, 2009); Christina Schwenkel, *The American War in Contemporary Vietnam: Transnational Remembrance and Representation* (Bloomington: Indiana University Press, 2009); Scott Laderman and Edwin A. Martini, eds., *Four Decades On: Vietnam, the United States and the Legacies of the Second Indochina War* (Durham and London: Duke University Press, 2013); Christian G. Appy, *American Reckoning: The Vietnam War and Our National Identity* (Penguin Books, 2015).

³ Richard Nixon, “Address to the Nation Announcing the Conclusion of an Agreement on Ending the War and Restoring Peace in Vietnam,” January 23, 1983, <http://www.presidency.ucsb.edu/ws/?pid=3808>; Gerald Ford, “208-Address at Tulane University Convocation,” April 23, 1975, The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=4859>; Haley, *Congress and the Fall of South Vietnam and Cambodia*, 149; [nearly ever major American newspaper pounced the “end” of the Vietnam War on April 30, 1975]; Remarks by the President [George H. W. Bush] After Meeting with General Vessey, The White House Office of the Press Secretary, October 23, 1992, Kansteiner, Walter H., Files—Subject Files, Vietnam 1992 [OA/ID CF01770], Bush Presidential Records: Staff and Office Files, George Bush Presidential Library; “Remarks Announcing the Normalization of Diplomatic Relations with Vietnam,” July 11, 1995, Public Papers of the Presidents of the United States, 1995 Book 2 (U.S. Government Publishing Office), 1073; “U.N. Negotiates to Send Vietnamese Home, Quietly, From Asian Camps,”

respects, these repeated pronouncements reflect the nebulous boundaries surrounding not just the Vietnam War but “wartime” in general.⁴ Certainly, an uneasy state somewhere between war and peace persisted between Washington and Hanoi between 1975 and 1995, as it took the two former foes twenty years to formally normalize relations.

“Normalization” is one of those terms that historical actors used constantly while rarely, if ever, stopping to explain its meaning. While much more work needs to be done to uncover the concept’s origins as a tool of American foreign policy, it is clear that “normalization” involved at least three things: formal economic relations, formal diplomatic relations (i.e. the exchange of ambassadors) and the ability to respond to sensitive bilateral and international issues without major incident. Normalization, to be clear, did not imply alliance or even agreement; allies disagreed with one another frequently and still maintained “normal” relations. We tend to think of normalization as a moment—a policy decision to resume formal relations—when it is more accurate to think of normalization as a nebulous process that unfolds differently depending on the context. In the case of U.S.-Vietnamese relations after 1975, official normalization talks remained formally suspended from 1978 to 1991. U.S.-Vietnamese relations thawed considerably during the same period, however, in large part thanks to the personal, institutional and governmental contacts implementation of migration policies required.

Surprisingly few scholars have examined the U.S.-Vietnamese normalization process. The two most important monographs on this topic are Edwin Martini’s *Invisible Enemies: The American War on Vietnam, 1975-2000* and Michael J. Allen’s *Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War*. Through a focus

Steven Erlanger, March 4, 1996, *New York Times*, http://www.nytimes.com/1996/03/04/world/us-negotiates-to-send-vietnamese-home-quietly-from-asian-camps.html?pagewanted=all&_r=0

⁴ Mary L. Dudziak, *Wartime: An Ideal, It’s History and Its Consequences* (Oxford University Press, 2013).

on congressional hearings and cultural productions like *Rambo*, Martini argues that the United States maintained an “aggressively hostile policy under which the nation and people of Vietnam would continue to suffer,” a policy Martini calls the “American war on Vietnam (1975-2000).”⁵

Allen’s *Until the Last Man Comes Home* explores one facet of the ongoing “American war on Vietnam:” the effort to obtain a “full accounting” of missing American servicemen. The fact that a few thousand American soldiers remained unaccounted for at the end of the Vietnam War was not at all unusual. Wars, simply put, are messy, and the combination of cross-oceanic transit, powerful explosives and dense terrain left the U.S. government unable to account for the whereabouts of between 2,800 and 3,300 Americans after World War I; 86,5000 after World War II; and, 8,000 at the end of the Korean War.⁶ In the larger context of modern American warfare, then, what is most shocking about the 2,500 unaccounted for U.S. servicemen from the Vietnam War is that the longest war left the fewest number of Americans missing.⁷

For all the public passion that surrounded the fate of those 2,500 Americans, however, one would never know that their numbers were relatively few. Allen and H. Bruce Franklin document the pervasive influence the MIA lobby, headed by the National League of POW/MIA Families, wielded over U.S. policy.⁸ As Franklin explains, the “POW myth”—the belief that Hanoi continued to hold live American prisoners against

⁵ Edward A Martini, *Invisible Enemies: The American War on Vietnam, 1975-2000* (Amherst, University of Massachusetts Press, 2007) 2.

⁶ Michael J. Allen, *Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War* (Chapel Hill: University of North Carolina Press, 2009),101.

⁷ Allen, *Until the Last Man Comes Home*, 210.

⁸ H. Bruce Franklin, *M.I.A. or Mythmaking in America* (New Brunswick, NJ: Rutgers University Press, 1993). See also: Thomas M. Hawley, *The Remains of War: Bodies, Politics, and the Search for American Soldiers Unaccounted for in Southeast Asia* (Durham: Duke University Press, 2005).

their will and that out of either negligence, incompetence, or subterfuge the U.S. government refused to bring those men home—had “all the intensity of a religion” in post-1975 America.⁹ Public opinion polls taken in April 1993, for example, revealed that 67% of Americans continued to believe that there were Americans “still being held in Southeast Asia.”¹⁰ For good reason, then, the U.S. government’s unprecedented efforts to account for 2,500 American lives have received significant scholarly attention. Despite its many merits, however, the current literature on U.S.-Vietnamese normalization contains a notable flaw: it overlooks refugee issues.

“The Last Chapter of the Vietnam War” thus dispels two myths about the Vietnam War. The first is the general perception that U.S. involvement in Vietnam ended abruptly in April 1975, and the second is the scholarly suggestion there was only one significant exception to complete American disengagement: the effort to secure a full accounting of missing American servicemen. Refugee issues, and their local, national and international manifestations were immediate and consistent features of U.S.-Vietnamese relations after 1975. This study is the first to examine U.S. policies regarding boat and land people, Amerasians—the children of American GIs and Vietnamese women—and reeducation camp prisoners in a single work and to place these issues in the context of ongoing U.S.-Vietnamese diplomacy.¹¹

Although South Vietnam ceased to exist in 1975, Hanoi’s military victory did not erase the relationships the United States established with millions of Vietnamese. The

⁹ Franklin, *M.I.A. or Mythmaking in America*, 7.

¹⁰ Public Opinion Poll, Folder, “April 1993 (#4038),” Box 85, Robert M. Teeter Papers, Gerald R. Ford Library.

¹¹ On the benefits of combining diplomatic history and migration studies see: Meredith Oyen, *The Diplomacy of Migration: Transnational Lives and the Making of U.S.-Chinese Relations During the Cold War* (Cornell University Press, 2015); Donna R Gabaccia, *Foreign Relations: American Immigration in Global Perspective*. (Princeton and Oxford: Princeton University Press, 2012).

longevity and scope of the United States' involvement in Vietnam created a human problem, what American policymakers would call the "refugee question," of staggering proportions. As a State Department memo from mid-April 1975 described, U.S. officials were convinced that when Saigon fell millions would be in danger because of their current or past association with the United States. Such individuals included: "the 17,600 [current] Vietnamese employees of the U.S. Government with their estimated 112,00 to 150,000 dependents," "Senior Vietnamese officials...estimated at 17,200 including immediate families," "past U.S. Government employees (Est. 850,000), immediate family members of naturalized Americans of Vietnamese extraction and permanent residents in the U.S. (Est. 93,000), members of Vietnamese intelligence agencies (more than one million), [and] families of middle or lower level GVN civil and military officials (an unknown number) who might feel their lives would be in danger under a communist government."¹²

The multifaceted problem of whether, and how, to address the plight of their Vietnamese allies vexed U.S. policymakers in April 1975 and for two decades thereafter. That American officials consistently fought to admit their former associates to the United States over a twenty-year period was far from inevitable, however. Indeed, the United States' embrace of such a large Asian migrant population stood in sharp contrast to U.S. policy for the preceding century. Anti-Asian racism had long roots in American culture and law. The Chinese Exclusion Act of 1882, 1924 Quota Act and racially defined naturalization laws prohibited Asians from legally immigrating to the United States or

¹² Memo for Lieutenant General Brent Scowcroft, The White House, from George S. Springsteen, Executive Secretary, Dept of State "Study of Evacuation Planning Issues and Options for Viet-Nam" April 17, 1975, Folder, "Vietnam (19)" National Security Advisor Files, Presidential Country Files for East Asia and the Pacific, 1974-1977, Gerald R. Ford Library.

obtaining American citizenship until the mid twentieth century.¹³ The U.S.-Philippine War, the ferocity of U.S.-Japanese combat during WWII, Japanese American Internment, and wars with Korea and Vietnam all reinforced this deep seated racial animus by dehumanizing Asians as an “others” and “enemies.”¹⁴ The combination of these longstanding trends and Americans’ antipathy toward all things Vietnam after 1975 posed a significant challenge for U.S. policymakers and nongovernmental actors that advocated for the admission of Vietnamese refugees into the United States.

Despite these challenges, however, over one million Vietnamese (and hundreds of thousands of Laotians and Cambodians) arrived in the United States between 1975 and 1995. In addition to the original 130,000 Vietnamese that evacuated South Vietnam alongside American personnel in April 1975, the most well known categories of Vietnamese migrants to enter the United States after 1975 were the “boat people,” or oceanic refugees who fled from Vietnam in small, unseaworthy vessels and faced unpredictable waters and ruthless pirates to reach the shores of first asylum nations. While the “boat people” were widely reported, the oceanic migration was accompanied by an almost equal overland migration. The “land people” chanced dangerous mountain treks, daring river crossings, minefields, and starvation to reach foreign soil, mostly from Cambodia to Thailand.

Collectively, the boat and land people comprised what contemporaries called the

¹³ Lucy Salyer, *Laws Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law* (University of North Carolina Press, 1995); Erika Lee, “The Chinese Exclusion Example: Race, Immigration, and American Gatekeeping, 1882-1924” *Journal of American Ethnic History* 21 (2002): 36-62; Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton University Press, 2014); Erica Lee, *The Making of Asian America: A History* (Simon & Schuster, 2015).

¹⁴ John W. Dower, *War Without Mercy: Race and Power in the Pacific* (New York: Panthenon Books, 1986); Roger Daniels, *Prisoners Without Trial: Japanese Americas in World War II*, revised edition (Hill and Wang, 2004); Heather Marie Stur, *Beyond Combat: Women and Gender in the Vietnam War Era* (Cambridge University Press, 2011): chapter 1; Nick Turse, *Kill Anything that Moves: The Real American War in Vietnam* (New York: Metropolitan Books/Henry Holt and Co., 2013).

“Indochinese refugee crisis.” According to the United Nations High Commissioner for Refugees (UNHCR), 796,310 oceanic migrants and 640,246 overland migrants reached first asylum nations between 1975 and 1995.¹⁵ No one can say with certainty how many perished en route, but estimates run in the hundreds of thousands. Of the 1.3 million refugees that successfully reached the shores of first asylum between 1975 and 1995, the United States accepted 822,977 for resettlement.

U.S. policymakers did not stop there, however. More than 500,000 additional Vietnamese arrived in the United States through a multilateral initiative known as the Orderly Departure Program (ODP). The ODP remained the only legal means through which one could emigrate from Vietnam in the 1980s and 1990s. The 500,000 ODP migrants included individuals who would have otherwise fled as boat people, Amerasians, former reeducation camp detainees and their “close family members.”

It is not possible to quantify the exact number Amerasians and former reeducation camp prisoners that resettled in the United States from 1975 to 1995. Part of the problem has to do with the fact that the complexity of human migration defied the neat categories U.S. policymakers ascribed to these groups. Many Amerasians and especially former reeducation camp prisoners, for example, fled Vietnam as “boat people” and therefore emigrated to the United States well before Washington and Hanoi established special programs earmarked for these groups in the late 1980s. For this reason, any specific figures about emigration through these programs are likely to be vast underestimations. Within these confines, however, the State Department reports that “more than 89,700 Amerasian children and accompany family members have been admitted to the United

¹⁵ “Flight From Indochina” in UNHCR, *State of the World’s Refugees 2000: Fifty Years of Humanitarian Action*, January 1, 2000, e-book: <http://www.unhcr.org/en-us/publications/sowr/4a4c754a9/state-worlds-refugees-2000-fifty-years-humanitarian-action.html>, 98.

States in a special ODP subprogram [that began in 1987], along with some 167,000 former re-education camp detainees and their immediate family members” that emigrated through a program Washington and Hanoi initiated in 1989.¹⁶ Other estimates put the number of Vietnamese traveling through the reeducation camp program at 200,000.¹⁷ Despite these disparities, which likely emanate from the presence of overlapping subprograms, it is clear that the scope and scale of Vietnamese refugee emigration to the United States between 1975 and 1995 was expansive.

When current studies discuss post-1975 Vietnamese refugees, however, they almost exclusively refer to the boat and land people. This is likely due, in large part, to a focus on U.S. refugee policy at the national level. The two best studies of U.S. refugee policy in the post-World War II era are Gil Loescher and John A. Scanlan’s *Calculated Kindness: Refugees and America’s Half Open Door, 1945-Present* and Carl J. Bon Tempo’s *Americans at the Gate: The United States and Refugees During the Cold War*.¹⁸ Both of these works emphasize the important role foreign policy objectives and domestic political considerations played in the construction of the nation’s refugee policy during the Cold War. There are also a small number of scholars who explore the boat and land people migrations from international and Southeast Asian perspectives.¹⁹ While

¹⁶ “Refugee Programs for East Asia,” Bureau of Population, Refugees and Migration, Washington D.C., January 16, 2004, <https://2001-2009.state.gov/g/prm/rls/fs/2004/28212.htm>.

¹⁷ “Refugee Admissions Programs for East Asia,” Bureau of Population, Refugees and Migration, January 16, 2004, U.S. Department of State Archive, <https://2001-2009.state.gov/g/prm/rls/fs/2004/28212.htm>; Letter to President Reagan from Khuc Minh Tho, July 25, 1999, Families of Vietnamese Political Prisoners Association Collection, Box 133 Folder 13, Vietnam Center and Archive, Lubbock, Texas.

¹⁸ Gil Loescher and John A. Scanlan, *Calculated Kindness: Refugees and America’s Half-Open Door, 1945-Present* (New York and London: The Free Press, 1986): chapters 7&8; Carl J. Bon Tempo, *Americans at the Gate: The United States and Refugees during the Cold War* (Princeton University Press, 2008), 148-160.

¹⁹ Judith Kumin, “Orderly Departure from Vietnam: A humanitarian alternative?” (PhD diss., Tufts University Fletcher School of Law and Diplomacy, 1987); Court Robinson, *Terms of Refugee: The Indochinese Exodus & the International Response* (Zed Books, 1998); Valerie O’Connor Sutter, *The*

historians have analyzed the boat and land people from national, regional and international perspectives, then, these works overlook the multilateral initiatives that brought hundreds of thousands of Vietnamese to the United States and the U.S.-Vietnamese bilateral programs for former reeducation camp prisoners and Amerasians.

Like the issue of missing American servicemen, the presence of Amerasian children—the offspring of Asian women and American men—was a feature of twentieth century warfare long before American troops went to Vietnam. Beginning with the U.S.-Philippine War at the turn of the century, the United States had a major military presence in Asia and Amerasian children were concomitant with American military ventures. As Sabrina Thomas explains in her recent dissertation, U.S. actions in the Philippines set the precedent that characterized U.S. policy for the first half of the twentieth century: “to relegate them [Amerasian children] to the racialized and colonial status of their Asian mothers, and ultimately do little to alleviate their suffering,” a policy that conceded “no national responsibility” for children fathered by American servicemen abroad.²⁰ In her *To Save the Children of Korea: The Cold War Origins of International Adoption*, Arissa Oh notes how U.S. policymakers began to make exceptions to this trend in the late 1950s, but the process was neither linear nor universal.²¹

While precise figures are impossible to determine, scholars estimate that when the

Indochinese Refugee Dilemma (Louisiana State University Press, 1990); Sara E. Davies, *Legitimising Rejection: International Refugee Law in Southeast Asia* (Martinus Nijhoff Publishers, 2008); Judith Kumin, “Orderly Departure from Vietnam: Cold War Anomaly or Humanitarian Innovation?” *Refugee Studies Quarterly* 27.1 (2008): 104-117.

²⁰ Sabrina Thomas, “The Value of Dust: Policy, Citizenship, and Vietnam’s Amerasian Children” (PhD diss., Arizona State University, 2015), 10.

²¹ Arissa H. Oh, *To Save the Children of Korea: The Cold War Origins of International Adoption* (Stanford University Press, 2015).

last American helicopters left Saigon, 30,000-50,000 Amerasians remained in Vietnam.²² In many ways, Amerasians presented U.S. officials with an entirely different type of challenge than that posed by the boat and land people. First, many, although not all, Amerasians remained within Vietnamese national territory, as opposed to the oceanic and overland migrants that fled Hanoi's sovereignty. Second, even though the sons and daughters of white and black Americans were often easily identifiable in a relatively homogenous Vietnamese society, Amerasians did not have any legal claim to American citizenship, even though it was widely accepted that they were fathered by Americans. The unique legal and moral questions Vietnamese Amerasians posed has attracted the attention of historians and legal scholars, who have traced the long, contentious process through which Amerasians eventually resettled in the United States.²³ My major contribution to this scholarship is not to revise existing conclusions but to demonstrate the necessity of examining U.S. Amerasian policy alongside broader efforts to address Vietnamese associated with the United States.

The last major category of Vietnamese migrants that entered the United States between 1975 and 1995 are former reeducation camp prisoners and their families. After its military victory, Hanoi ordered the military and civilian officials of the defeated regime, approximately one million in total, to report for "reeducation" that would last ten

²² Thomas, *Value of Dust*, x.

²³ MaryKim DeMonaco, "Disorderly Departure: An Analysis of the United States Policy Toward Amerasian Immigration" *Brooklyn Journal of International Law* (1989) 15(3): 641-709; KieuLinh Caroline Valverde, "From Dust to Gold: The Vietnamese American Experience," in *Racially Mixed People in America*, ed. Maria P. P. Root (Newbury Park, C.A.: Sage Books, 1992); Jana K. Lipman, "'The Face is the Road Map'": Vietnamese Amerasians in U.S. Political and Popular Culture, 1980-1988" *Journal of Asian American Studies* 14(1) 2011; Thomas, "The Value of Dust."

to thirty days.²⁴ While Hanoi released half within three months, the government expanded the original sentence to “until their [detainees’] political loyalty is insured...or for a maximum period of 3 years.”²⁵ The SRV, however, did not release the last detainees until 1992, and former members of the South Vietnamese military comprised the majority of those with the longest sentences. The existence of reeducation camps in post-1975 is widely known, and scholars have been mentioning the camps in passing for decades. Yet, paradoxically, almost nothing has been written about exactly how and why over 167,000 former reeducation camp prisoners and their close family members ended up in the United States.

Part of this void can be attributed to the fact that the nongovernmental advocates most crucial to the United States’ reeducation camp policy were not traditional Washington powerbrokers. “The Last Chapter of the Vietnam War” posits that the two most influential organizations in crafting and providing political cover for the United States’ commitment to reeducation detainees were the Aurora Foundation and Families of Vietnamese Political Prisoners Association (FVPPA). Women headed both organizations, which used powerful transnational networks to provide information that became indispensable to U.S. policy. Ginetta Sagan, the founder of the West Coast branch of Amnesty International’s American section (AIUSA), began her own organization, the Aurora Foundation, in 1982 to advocate on behalf of prisoners outside of AIUSA’s mandate, especially Vietnamese reeducation camp detainees. Although AI’s London

²⁴ The Aurora Foundation, *Report on the Violations of Human Rights in the Socialist Republic of Vietnam, April 1975-December 1988* (Atherton, CA: The Aurora Foundation, 1989): 40.

²⁵ On 500,000: Ginetta Sagan and Stephen Denney, *Violations of Human Rights in the Socialist Republic of Vietnam*, 21. On 3 year terms: July 25, 1977, “The Status of Human Rights in Selected Countries and the U.S. Response” Prepared for the Subcommittee on International Organizations of the Committee on International Relations of Representatives by the Foreign Affairs and National Research Service, Library of Congress.

section and other NGOs investigated Hanoi's reeducation camps, Sagan's Aurora Foundation became *the* American source on the camps throughout the 1980s.

While Sagan documented the human rights conditions in the camps themselves, the Families of Vietnamese Political Prisoners Association provided information about individual detainees. Khuc Minh Tho, a Vietnamese refugee and wife of a reeducation camp detainee, founded FVPPA in 1977 as a support group for wives, mothers, sisters and friends of reeducation camp detainees. A mere ten years later, FVPPA was arguably the most influential Vietnamese American NGO in the country, had established itself as an authority on the reeducation camp issue, and solidified mutually beneficial relationships with American policymakers in the White House, State Department and Congress. Incorporating the voices of Ginetta Sagan and Khuc Minh Tho into the historical narrative changes the story itself by demonstrating the importance of female-led grassroots efforts *and* traditional top-down policymaking.

While scholars have, to varying degrees, documented U.S.-Vietnamese negotiations regarding POW/MIAs, boat people, Amerasians and reeducation camp prisoners, the sum is greater than the total of the parts. To gain a full understanding of post-1975 U.S.-Vietnamese relations, one must study these four issues together. Not only did U.S. policymakers expend considerable time and resources to address POW/MIAs, boat people, Amerasians and reeducation camp prisoners, they linked the issues by framing them as “humanitarian” concerns. It is important to note that this definition of “humanitarian” was not preordained, and U.S. policymakers excluded many issues that could have been included under the umbrella term—like the lasting effects of Agent Orange, to name one possibility—from their definition of “humanitarian.”

It was no accident that the United States framed its interest in POW/MIA and refugee concerns in humanitarian language. As Barbara Keys argues in her *Reclaiming American Virtue: The Human Rights Revolution of the 1970s*, the surge of the American human rights movement in the mid 1970s “became a way to heal the country by taming the legacy of Vietnam.”²⁶ Keys and others have demonstrated that human rights rhetoric appealed to those on both the left and the right—to those that saw “human rights promotion” as “an antidote to shame and guilt” inspired by the Vietnam War and to those “who felt the war had been a just and necessary cause” and needed a new way to “reassert the fundamental immorality of communism” and “revive Cold War priorities.”²⁷

The amount of scholarship devoted to the study of human rights has exploded in the past few decades.²⁸ While scholars note the Vietnam War as an important catalyst—according to Keys, *the* catalyst—that propelled U.S. policymakers to adopted human rights rhetoric, almost nothing has been written about the application of human rights

²⁶ Barbara J. Keys, *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* (Harvard University Press, 2014), 3.

²⁷ Keys, *Reclaiming American Virtue*, 3. Keys devotes a chapter to liberal [ch 4] and conservative [ch45] uses of human rights in her *Reclaiming American Virtue*. For conservative embrace of human rights see also: Carl J. Bon Tempo, “From the Center-Right: Freedom House and Human Rights in the 1970s and 1980s,” in Akira Iriya, Petra Goedde, and William I Hitchcock, eds., *The Human Rights Revolution: an International History*, (Oxford University Press, 2012), 223-244.

²⁸ For a sampling of recent work see: Mark Philip Bradley, *The World Reimagined: Americans and Human Rights in the Twentieth Century* (Cambridge University Press, 2016); Steven L. Jenson, *The Making of International Human Rights: The 1960s, Decolonization and the Reconstruction of Global Values* (Cambridge University Press, 2016); Sarah B. Snyder, *Human Rights Activism and the End of the Cold War: A Transnational History of the Helsinki Network* (Cambridge University Press, 2011); Eric D. Weitz, “From the Vienna to the Paris System: International Politics and the Entangled Histories of Human Rights, Forced Deportations, and Civilizing Missions.” in *American Historical Review*, 113 (2008): 1313-1343; Elizabeth Borgwardt, *A New Deal For the World: America’s Vision For Human Rights* (Cambridge: Harvard University Press, 2005); Kathryn Sikkink, “The Reemergence of Human Rights in U.S. Foreign Policy in the 1970s” in her *Mixed Signals: U.S. Human Rights Policy and Latin America* (Ithaca: Cornell University Press, 2004): 48-76; Kenneth Cmiel, “The Recent History of Human Rights,” *American Historical Review* 109 (2004): 117-135; Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001) Andrew Moravcsik, “The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe,” *International Organization* 54.2 (2000): 217-252.

based policies to Vietnam after 1975. There are legitimate reasons for this void. As human rights scholars have shown, those on the left publicized human rights violations in Latin America while those on the right focused on violations in the Soviet Union. This geographic schism, while not absolute, applied to both American legislators and nongovernmental advocates. Yet, I argue the widespread appeal of human rights rhetoric to those on both the left and right helped forge a consensus on post-1975 U.S. policy toward Vietnam. The usually divergent strains of human rights rationale—that the United States needed to assuage itself of guilt and shame and that the United States needed to reinvigorate the Cold War—came together in unlikely partnerships.

A family reunification based definition of “humanitarian” formed the glue that held the alliance together. This definition reflected a specific post-1975 American approach to Vietnam but also echoed longstanding precedents. As immigration historian Roger Daniels notes, “family reunification” has been “a cornerstone of American immigration policy since 1921.”²⁹ Family reunification’s place in U.S. migration policy grew dramatically during World War II and the early Cold War, especially with regards to migrants from Asia, thanks to special provisions for military brides and international adoption.³⁰ The 1952 McCarran-Walter Act and the landmark 1965 Hart-Cellar Act codified this trend even further by earmarking family reunification as a preference category that counted outside of national and then hemispheric limits.³¹ While family reunification had long roots as the basis of U.S. immigration policy, in the 1970s these

²⁹ Roger Daniels, *Guarding the Golden Door: American Immigration Policy and Immigrants Since 1882* (New York: Hill and Wang, 2004), 224.

³⁰ Erica Lee, *The Making of Asian America: A History* (New York and London: Simon & Schuster, 2015), 264-270. Arrisa Oh, *To Save the Children of Korea: The Cold War Origins of International Adoption* (Stanford University Press, 2015).

³¹ Lee, *The Making of Asian America*, 270-1, 286; Rogers, *Guarding the Golden Door*, 136.

longstanding trends became intertwined with the nation's diplomacy and the surge in human rights rhetoric and policies.

Different U.S. officials found a family-reunification based “humanitarian” approach to Vietnam after 1975 persuasive for different reasons. For some, efforts to reunite American and Vietnamese families seemed a logical, morally sound way to begin to chart a new American course in Indochina and pursue postwar reconciliation. For others, humanitarian language served as trendy window dressing for policies aimed to serve geopolitical ends. As Yen Le Espiritu and Heather Marie Stur have argued, some U.S. policymakers used refugees both as “evidence of the appropriateness of U.S. actions in Vietnam” and as “part of a larger American effort to rehabilitate its image of itself as a benevolent power.”³² Because U.S. officials in the Department of Defense, Department of State, Department of Justice, the National Security Council and Congress all had a hand in crafting and implementing the United States’ “humanitarian” policies toward Vietnam, however, it is difficult to speak about official intent with precision.

The results, on the other hand, speak for themselves. Negotiating and implementing policies to address POW/MIAs, Indochinese refugees, Amerasians and reeducation camp prisoners required U.S.-Vietnamese cooperation. From the late 1970s to the mid 1990s, American and Vietnamese officials met regularly, both multilaterally and bilaterally, in New York, Geneva, and Hanoi despite the absence of formal ties. These negotiations fostered personal, institutional and governmental links between the two nations, which laid the foundation for “normal” relations. Even as official economic

³² Yen Le Espiritu, *Body Counts: The Vietnam War and Militarized Refuge(es)* (University of California Press, 2014), 2; Heather Marie Stur. “‘Hiding Behind the Humanitarian Label’: Refugees, Repatriates, and the Rebuilding of America’s Benevolent Image after the Vietnam War.” *Diplomatic History* 39:2 (April 2015): 224.

and diplomatic relations began to thaw in the late 1980s, these “humanitarian” issues remained an important engine for U.S.-Vietnamese normalization.

“The Last Chapter of the Vietnam War” provides a chronological examination of the U.S.-Vietnamese normalization process. I devote one chapter to each presidential term from 1975 to 1995. This approach is not intended to minimize or discount the contributions of non-state actors. To the contrary, a chronological approach is necessary to demonstrate how the information and pressure NGOs provided influenced U.S. policy and ongoing U.S.-Vietnamese diplomacy. Because the Ford, Carter, Reagan, Bush and Clinton administrations all approached U.S.-Vietnamese relations in different contexts and with different geopolitical aims in mind, the terrain through which NGOs had to navigate changed drastically with each administration. The strategies non-state actors employed thus only make sense when placed in their proper political context; conversely, administration policies are only fully decipherable after we take NGO advocacy and information into account. Moreover, to make sense of the complicated, contested and inextricably intertwined U.S. policies regarding the four “humanitarian” issues, one must examine the debates, negotiations, and implementation of these measures as they occurred.

Chapter 1 challenges current depictions of what Americans call the fall of Saigon. Although it is widely known that approximately 130,000 Vietnamese joined American personnel during the United States’ evacuation, current studies depict the inclusion of South Vietnamese nationals as last minute, haphazard, and indebted primarily to the efforts of Americans in Vietnam trying to help their friends escape. I revise this narrative by highlighting the Ford administration’s conscious and consistent (though classified)

efforts to include South Vietnamese in U.S. evacuation plans. While on the ground actors mattered, the Ford administration's efforts in Washington saved many more lives.

After April 1975, I argue the loci of policy initiative shifted outside of the White House. Thereafter, non-state actors (and their allies in Congress and the State Department) created the momentum for a generous U.S. response to Indochinese refugees. Chapter 2 charts the Jimmy Carter administration's response to the growing boat people and land people exoduses. I place these efforts in context with ongoing U.S.-Vietnamese normalization talks and the administration's emphasis on a human rights-based foreign policy. In the beginning of his term, Carter tried to separate Indochinese refugees, human rights, and U.S.-Vietnamese normalization; he failed. By the end of Carter's term, all three of these phenomena had become inextricably linked, and would remain so for decades thereafter. While geopolitical forces outside of American control played a large part in cementing these links, the Citizens Commission on Indochinese Refugees, a subgroup within the International Rescue Committee, was the most important force in mobilizing a generous American response to the "boat" and "land" peoples' plight.

While President Ronald Reagan kept some facets of Carter's policy intact, the nation's fortieth president fundamentally altered U.S. policy toward Vietnam in other respects. Late in his first term, Reagan heightened and formally adopted three issues that the Carter administration minimized or overlooked: POW/MIA accounting and the emigration of Amerasian and former reeducation camp prisoners through the ODP. Nongovernmental advocates played a crucial role in mobilizing what human rights scholar Kenneth Cmiel calls the "politics of information" and the "politics of images" to

lay the groundwork for these policy shifts.³³ Reagan's embrace of these issues shifted U.S. concerns to include large groups still (or believed to be still) inside Vietnam. Reagan's willingness, even eagerness, to criticize Hanoi's internal affairs fit within the administration's larger Vietnam War revisionism, captured most famously in Reagan's assertion that the Vietnam War had been a "noble cause."³⁴

In addition to involving populations inside Vietnam and serving Reagan's geopolitical agenda, each of these issues had another feature in common: all required Vietnamese cooperation. Chapter 4 charts the increasing collaboration between Washington and Hanoi on each of the "humanitarian" issues. Increasingly, legislators played an active role. Congressmen, even Republican Congressmen, were willing to step out of line with their Commander in Chief on the issue of U.S.-Vietnamese relations.

Chapter 5 explores U.S.-Vietnamese relations during the George H. W. Bush administration. The fall of the Berlin Wall in November 1989 and a political settlement in Cambodia in October 1991 created an atmosphere of flexibility and opportunity in the international arena that had been absent for decades. Hitherto, scholars have depicted the Bush years as a clash between business interests and the POW/MIA lobby, which became, in Edwin Martini's words, an "access versus leverage" debate.³⁵ While the business interests and POW/MIA accounting were undoubtedly important, other issues remained crucial to U.S.-Vietnamese normalization. After years of negotiations, Washington and Hanoi finally found common ground on the reeducation camp issue and

³³ Kenneth Cmiel, "The Emergence of Human Rights Politics in the United States" *Journal of American History* Dec. 1999: 1232-33.

³⁴ Ronald Reagan, "Peace: Restoring the Margin of Safety," Veterans of Foreign Wars Convention, Chicago, IL, August 18, 1980. Full text available at: <https://reaganlibrary.archives.gov/archives/reference/8.18.80.html>

³⁵ Martini, *Invisible Enemies*, 190.

signed a bilateral agreement in Hanoi in 1989. Moreover, during the Bush years boat people numbers surged so severely that they inspired a second multilateral conference and international policy response, this time called the Comprehensive Plan of Action (CPA). The CPA remained in effect until 1996.

The steps Washington and Hanoi took toward normalization during the Clinton years are the most studied aspects of U.S.-Vietnamese normalization. Scholars have rightly noted the importance of the United States' decisions to: allow international financial institutions to lend to Vietnam, lift the American embargo, settle financial disputes from the Vietnam War, establish formal diplomatic relations, and award Vietnam most favored nation status. Chapter 6 revises current accounts by demonstrating the continued importance of refugee issues throughout Clinton's time in office. More specifically, I argue that the Clinton years were a time of transition, when previous humanitarian policies were winding down—though by no means complete—and came to coexist and even in some cases be eclipsed by human rights driven concerns.

By addressing old questions about power and diplomacy in new ways, this project challenges our understanding of the Vietnam War. For many Vietnamese, the war continued long after 1975. More broadly, the process of postwar reconciliation coexisted uneasily with continued hostilities; efforts to move bilateral relations beyond the war clashed with simultaneous attempts to continue fighting the war in memory. Refugee issues were at the center of these conflicts. A focus on refugees and a shift to the war's aftermath challenges the neat temporal boundaries we affix to the Vietnam War and to warfare itself.

CHAPTER 1

A PROFOUND MORAL OBLIGATION: VIETNAMESE REFUGEES AND THE FALL OF SAIGON

On March 30, 1975, North Vietnamese forces marched virtually unopposed into Da Nang, the second largest city in South Vietnam. In the previous weeks Hanoi captured vast swaths of territory with stunning alacrity, prompting massive desertion among the South Vietnamese army (the ARVN). These events spurred “half a million displaced persons” to flee to Da Nang, leaving the once prosperous port city feeling “like a refugee camp.”¹ Communist forces encircled the overcrowded city and sheer pandemonium ensued; desperate mobs gathered at the airfield and shoreline hoping to find a way out of the crumbling metropolis. Journalist Arnold R. Isaacs suggests that Da Nang “disintegrated in its own terror” more so than it was actually “captured.”² While records indicate that all Americans were able to survive the mad scramble out of the city, many of their Vietnamese employees did not, despite “American promise[s] of evacuation.”³ The little-discussed evacuation of Da Nang served as a shot across the bow for American policymakers in Washington; President Gerald Ford and his administration were determined to prevent a repeat of this failure in Saigon.

After the disaster in Da Nang, the Ford administration accepted that it could not stop the imminent fall of Saigon. National unity, 58,000 American lives, incalculable political and moral capital, billions of dollars—the United States lost all of this and more

¹ Dana Sachs, *The Life We Were Given: Operation Babylift, International Adoption, and the Children of War in Vietnam* (Boston: Beacon Press, 2010), 15; Arnold R. Isaacs, *Without Honor: Defeat in Vietnam and Cambodia* (John Hopkins University Press, 1983), 363, 365; Alan Dawson, *55 Days: The Fall of South Vietnam* (Englewood Cliffs, N.J.: Prentice-Hall, INC., 1977), 153.

² Isaacs, *Without Honor*, 363.

³ Isaacs, *Without Honor*, 367.

in its failed attempt to secure the existence of a non-communist South Vietnam. The only thing left to do was to plan an American evacuation. The Ford administration insisted that all American evacuation plans include as many South Vietnamese as possible, however, which made the process much more contested than it otherwise might have been. In the face of congressional and domestic opposition, administration officials consciously and consistently fought to include Vietnamese allies in the American evacuation of Vietnam. Ford successfully fought an uphill battle so by the time Saigon fell on April 30, 1975, the United States government had already evacuated a large number of South Vietnamese and secured legal approval for over 100,000 to enter the United States. Far more than current accounts acknowledge, South Vietnamese refugees figured prominently in high-level discussions about an American evacuation from Saigon.

Scholars usually depict the decision to include South Vietnamese in the American evacuation as last minute and haphazard. Existing accounts award on the ground decisions made by low-level American personnel and the desperation of would-be-evacuees the most credit when explaining how approximately 130,000 Vietnamese came to the United States in April 1975.⁴ This argument reflects previous scholars' methodological approaches. Many historians have focused on the evacuation planning that took place in the American embassy in Saigon, led by Ambassador Graham Martin. Martin lost his only son in Vietnam and refused to admit that the country his son died to defend was falling until the bitter end. The embassy's evacuation planning, or relative lack thereof, reflected this reluctance. The other major source past scholars have utilized

⁴ For a representation of the enduring popular belief in this narrative see: *Last Days in Vietnam*, Directed by Rory Kennedy (2014, American Experience Films), which premiered on PBS television on April 28, 1975. An exception is, Valerie O'Connor Sutter, *The Indochinese Refugee Dilemma* (Baton Rouge and London: Louisiana State University Press, 1990), 167.

are congressional records. Many in Congress, however, opposed a generous refugee program throughout the Ford administration.⁵ Previously overlooked records from the White House, State Department, and Immigration and Naturalization Service (INS), reveal quite a different picture of the American evacuation of Saigon. Although local actors in Vietnam certainly mattered, the Ford administration's efforts in Washington were far more effective and consequential.

While what Americans call the "fall of Saigon" is widely regarded as a pivotal moment in the second half of the twentieth century, the months surrounding that fateful April day have received surprisingly little attention in their own right. Studies that focus on the military phase of the Vietnam War usually only mention the fall of Saigon briefly in epilogues that present the moment as the final humiliation in a series of American strategic failures.⁶ Similarly, the few scholars who focus on the post-1975 normalization process use the events of April 1975 as a launching point and spend very little time on evacuation planning or post-April 1975 refugee concerns.⁷

There are, however, three groups that award primary importance to refugee issues. The first, unsurprisingly, is refugee studies scholars. The consensus among this group is that during the Cold War foreign policy imperatives dominated American refugee

⁵ Edward Haley, *Congress and the Fall of South Vietnam and Cambodia* (London and Toronto, Associated University Press, 1982).

⁶ The scholarship on the Vietnam War is colossal. For a small sampling see: James S. Olson and Randy Roberts, *Where the Domino Fell: America and Vietnam, 1945 to 1990* (New York: St. Martin's Press, 1991); Robert A. Schulzinger, *A Time for War: The United States, and Vietnam, 1941-1975* (Oxford University Press, 1997); Mark Atwood Lawrence, *The Vietnam War: A Concise International History* (Oxford University Press, 2008); George Herring, *America's Longest War: The United States and Vietnam, 1950-1975*; Ninth Edition (McGraw-Hill Higher Education, 2013).

⁷ Michael J. Allen, *Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War* (Chapel Hill: University of North Carolina Press, 2009); Edward A. Martini, *Invisible Enemies: The American War on Vietnam, 1975-2000* (Amherst, University of Massachusetts Press, 2007); Robert A. Schulzinger, *A Time for Peace: The Legacy of the Vietnam War* (New York: Oxford University Press, 2006).

policymaking as, prior the Refugee Act of 1980, the United States legally defined a “refugee” as one fleeing communism. Gil Loescher and John A. Scanlan’s 1986 *Calculated Kindness* remains the most complete and persuasive coverage of the importance of refugee issues to the American evacuation of Saigon, and this chapter builds on their treatment by incorporating the documents declassified in the past thirty years.⁸

Ethnic studies scholars have also highlighted the importance of refugee issues. In her *Body Counts: The Vietnam War and Militarized Refuge(es)*, Yen Le Espiritu criticizes the tendency of “U.S. scholarship” to separate “war studies and refugee studies into different fields,” an act that she argues “obscures the formative role that U.S. wars play in structuring the displacements, dispersions, and migrations of refugees to the United States and elsewhere.”⁹ While Espiritu and others analyze the Vietnam War and U.S. refugee policies as “active producers of meaning” and “an important and historical discursive site of Vietnamese subject formation,” I excavate the lines of influence, information and power in the policymaking process.¹⁰

Tellingly, the final collection of works that demonstrates the importance of South Vietnamese to American evacuation planning is the memoirs and autobiographies of key

⁸ Gil Loescher and John A. Scanlan. *Calculated Kindness: Refugees and America's Half-Open Door, 1945 to the Present* (New York: Free Press, 1986). See also: Carl J. Bon Tempo, *Americans at the Gate: The United States and Refugees During the Late Cold War* (Princeton University Press, 2009), 145-148 Roger Daniels, *Guarding the Golden Door: American Immigration Policy and Immigrants Since 1882* (New York: Hill and Wang, 2004); Sara E. Davies, *Legitimising Rejection: International Refugee Law in Southeast Asia* (Brill/ Nijhoff, 2007); O’Connor Sutter, *The Indochinese Refugee Dilemma*.

⁹ Yen Le Espiritu, *Body Counts: The Vietnam War and Militarized Refuge(es)* (University of California Press, 2014), 17. See also: “Globalized Humanitarianism: U.S. Imperial Formation in Asia and the Pacific Through the Indochinese Refugee Problem” (PhD diss., University of California, San Diego, 2012); Viet Thanh Nguyen, *Nothing Ever Dies: Vietnam and the Memory of War* (Cambridge, M.A.: Harvard University Press, 2016).

¹⁰ Espiritu, *Body Counts*, 8, 16.

administration officials.¹¹ This chapter aspires to combine the insights of these existing studies with more recently available primary source material in order to demonstrate the centrality of refugee issues before, during, and after the evacuation of Saigon. In so doing, I revise our current understanding of the American response to the fall of South Vietnam.

New President, Old War

On Friday August 9, 1974, surrounded by family and friends in the White House's East Room, Vice President Gerald R. Ford took the presidential oath of office. Referencing the events that led to former President Richard Nixon's resignation, Ford famously declared, "our long national nightmare is over."¹² While the Watergate break-in and Nixon's concomitant indiscretions certainly felt like a bad dream, the conflict that had truly been a long national nightmare—the Vietnam War—continued.

The Paris Peace Accords purported to end the conflict in 1973. The Accords, however, never provided a plan for permanent peace.¹³ The agreement did end direct American military involvement in Vietnam, thus providing a face saving means through which President Nixon could claim he delivered his campaign promise to provide "peace with honor." While American military participation in the conflict ceased, the U.S. still gave its former ally copious amounts of economic aid and military supplies, and pledged

¹¹ Gerald R. Ford, *A Time to Heal: The Autobiography of Gerald R. Ford*. (New York: Harper & Row, 1979); Jussi Hanhimaki, *The Flawed Architect: Henry Kissinger and American Foreign Policy* (Oxford University Press, 2004); Henry Kissinger, *Ending the Vietnam War: A History of America's Involvement in and Extrication From the Vietnam War* (New York: Simon & Schuster, 2003); Ron Nessen, *It Sure Looks Different from the Inside* (Chicago: Playboy Press, 1978).

¹² Ford, *A Time to Heal*, 40.

¹³ For the most recent work that persuasively demonstrates Nixon administration pursued a "decent interval" strategy from the start see: Ken Hughes, *Fatal Politics: The Nixon Tapes, the Vietnam War, and the Casualties of Reelection* (University of Virginia Press, 2015).

continued American support.

If Vietnam did not top Ford's priority list in August 1974, it quickly rose on the presidential agenda. Although the war had never truly ended, in December Hanoi transitioned from a regrouping and preparation stage to taking the offensive. As a State Department press release explained, the renewed attacks "brought the level of casualties and destruction back up to what it was before the [Paris] Agreement" and "appear to reflect a decision by Hanoi to seek once again to impose a military solution in Vietnam."¹⁴ South Vietnam would fall only months later.

On January 28, 1975, President Ford, National Security Advisor Henry Kissinger and other administration officials met with Congressional leaders. Republicans had lost forty seats in the House and four in the Senate the previous November, setting the stage for a showdown between the President and the new Congress. In the meeting, the White House painted a vivid picture of the dire circumstances in Vietnam and emphasized the need for additional American support. In response, Representative Al Ullman (D-OR) observed, "we see the divisiveness on the streets of Saigon. We are putting money in a place that is doomed to fail."¹⁵ Ford still asked Congress for \$300 million for South Vietnam that afternoon, but he could not have been optimistic, as legislators continued to send clear signals that they would not approve additional military and economic aid to South Vietnam.¹⁶

Throughout January and February 1975 it became increasingly difficult to deny

¹⁴ Press Release, January 13, 1975 Department of State Press, No. 12, "Diplomatic Note on the Viet-Nam Situation" January 13, 1975, Folder, "South Vietnam" Box 13, Ron Nessen Papers, Gerald R. Ford Library.

¹⁵ Hanhimaki, *The Flawed Architect*, 388.

¹⁶ Letter, Members of Congress for Peace Through Law, letter to the President, CC Secretary of State, February 6, 1975, Folder, "Indochina - General" Box 12, Ron Nessen Papers, Gerald R. Ford Library. See also: Kissinger, *Ending the Vietnam War*, 495, 500, 510-513; Keys, *Reclaiming American Virtue*, 138; Haley, *Congress and the Fall of South Vietnam and Cambodia*, 94.

that South Vietnam's days were numbered. By the end of March, it was impossible. The North Vietnamese army captured Phuoc Long province in early March, the strategic city of Buon Ma Thuot (in the central highlands) on the 10th, and the old imperial capital and symbolically important city of Hue on the 25th.¹⁷ In response, South Vietnamese President Thieu ordered the ARVN to retreat and "abandon northern and central provinces in order to focus on the defense of Saigon," a decision that caught the United States off guard and unprepared.¹⁸ As a secret NSC memorandum put it in mid March: "South Vietnam is in deep trouble."¹⁹ And everyone knew it.

The United States began evacuating Da Nang on March 26th, only four days before North Vietnamese soldiers marched victoriously through the city's streets. The city's regular population of 458,000 had more than doubled in previous weeks thanks to the large influx of refugees fleeing the communist offensive.²⁰ Ford authorized the use of Boeing 727s, 747 cargo planes, Navy ships and contract vessels to move "as many passengers as possible...out to sea."²¹ The evacuation, Ford recalls in his memoirs, was supposed to include "all U.S. personnel" and "thousands of Vietnamese refugees."²² Although the term "evacuation" often invokes an orderly process, the evacuation of Da Nang was, by all accounts, sheer bedlam. An NSC "urgent action" memo to Kissinger dated March 31, 1975 observes, for example, "charity compels me not to comment on the

¹⁷ For a military history of these events see: Anthony James Joes, *The War for South Vietnam 1954-1975*, Revised Edition (Westport, CT and London: Praeger, 2001): 137-147; Isaacs, *Without Honor*, 342-379.

¹⁸ Hanhimaki, *The Flawed Architect*, 390; Lawrence, *The Vietnam War*, 166; Marilyn Young, *The Vietnam Wars 1945-1990* (Harper Perennial, 1991): 292.

¹⁹ NSC Secret Memo, to General Scowcroft from William L. Stearman, NSC, "Saigon CIA Station Chief's Assessment of the Current Military Situation in South Vietnam", March 17, 1975, Folder "Vietnam (9)," Box 19, The National Security Adviser. Presidential Country Files for East Asia and the Pacific, 1974-77. Gerald Ford Library

²⁰ Dawson, *55 Days*, 153.

²¹ Ford, *A Time to Heal*, 245. See Sachs, *The Life We Were Given*, 17-18.

²² Ford, *A Time to Heal*, 245.

U.S. Navy's effort to help move the refugees, but I know nobody who is impressed."²³ Most were horrified. As immigration scholars Gil Loescher and John A. Scanlan explain, "in the panicky rush to escape, people were pushed off overcrowded barges and drowned. [South Vietnamese] soldiers fought civilians for scarce Air America seats. The weak or helpless did not escape or survive the evacuation from Da Nang."²⁴

This news made international headlines and also made its way to the Americans still stationed in South Vietnam, often through first person accounts brought by the thousands of refugees streamed south after Da Nang collapsed.²⁵ LTC Stuart A. Herrington reports that personal accounts of the catastrophe in Da Nang triggered ripples of fear amongst the South Vietnamese that worked beside him. "Ugly stories about Americans fleeing Danang and Nha Trang," Herrington recalled, "without regard for the fate of their employees were circulating in the corridors of the DAO [Defense Attaché Office]." "Since our Vietnamese secretaries and interpreters were known to our Communists adversaries," he recalled, "it was not surprising that they were frightened of such a fate."²⁶

Fears of communist reprisals exacerbated concerns about American negligence. As early as March 7, refugees fleeing the communist offensive reported to State Department officials that North Vietnamese soldiers were executing South Vietnamese

²³ Secret Memo, for Secretary Kissinger from W. R. Smyser, NSC, "Next Steps on Vietnam," March 31, 1975, Folder "Vietnam (6)," Box 19, The National Security Adviser. Presidential Country Files for East Asia and the Pacific, 1974-77. Gerald Ford Library.

²⁴ Gil Loescher and John A. Scanlan, *Calculated Kindness*, 105. See also Schulzinger, *A Time for War*, 321. See Sachs, *The Life We Were Given*, chapter 1; Haley, *Congress and the Fall of South Vietnam and Cambodia*, 86; On Ed Daly's "last flight" out of Da Nang see Sachs, *The Life We Were Given*, 27-31, Isaacs, *Without Honor*, 368-371; Frank Snepp, *Decent Interval: An Insider's Account of Saigon's Indecent End Told by the CIA's Chief Strategy Analyst in Vietnam* (New York: Vintage Books, 1977): 245-261.

²⁵ Sachs, *The Life We Were Given*, 65; Joes, *The War for South Vietnam*, 141.

²⁶ Herrington, *Peace With Honor?*, 158.

civilian and military officials.²⁷ The “ugly stories” about American disregard for their Vietnamese employees—combined with gruesome reports of the fate of former American allies in conquered areas—provided a hard lesson. Many Americans in Vietnam and in Washington vowed in the following weeks to prevent a repeat of these failures.²⁸

President Ford gave the media ample ammunition to make images of the human tragedy unfolding in Vietnam even starker. He received the news of Da Nang’s fall aboard Air Force One en route to Palm Springs for the Easter holiday. Unfortunately for Ford, all of the major media outlets juxtaposed the heartbreaking images of refugees pouring south from Da Nang with footage of the American president playing golf in sunny California. When the media confronted him on the course to ask about Indochina, the President literally ran away from the reporters to avoid having to answer. As his press secretary Ron Nessen recalled with dismay, “the picture of him sprinting ahead of a pack of reporters was on TV and front pages all over the country.”²⁹ When Nessen stepped to the podium the next day, reporters predictably focused their questions on Ford’s “odd behavior.” After Nessen tried to suggest that the President did not actually run, one of the reporters quipped, “he ran almost as fast as the South Vietnamese Army,” which ignited a roar of laughter.³⁰ The headlines basically wrote themselves.

Evacuation Planning

On April 2, 1975, a formative meeting of the Washington Special Actions Group (WSAG) convened. Kissinger chaired the WSAG, which also included high-ranking

²⁷ Telegram, Department of State: “Communist Rule Comes to Phuoc Long” March 7, 1975, Folder, “Indochina-Refugees: Report 3/15/76,” Box 13, Ron Nessen Papers, Gerald R. Ford Library.

²⁸ Gil Loescher and John A. Scalan, *Calculated Kindness*, 106.

²⁹ Nessen, *It Sure Looks Different from the Inside*, 96.

³⁰ Nessen, *It Sure Looks Different from the Inside*, 97.

officials from the State Department, Department of Defense, Joint Chiefs of Staff, CIA, and NSC. Those assembled agreed that South Vietnam would fall imminently. The Secretary of Defense, James Schlesinger, gave a very bleak and accurate report of the situation in South Vietnam when he observed “we should be prepared for collapse within three weeks. I wouldn’t count on any more than 45 more days.”³¹ This prediction quickly prompted the WSAG to turn its attention to refugees; in Schlesinger’s words, the consensus was “we don’t want any recurrence of the Danang fiasco.”³² An exchange between Secretary Kissinger and Philip Habib, the Assistant Secretary of State for East Asian and Pacific Affairs, on the topic is especially revealing:

Secretary Kissinger: We have [not] spent millions of dollars over the past ten years so that the North Vietnamese could tear up South Vietnam. I think we owe—it’s our duty—to get the people who believed in us out. Do we have a list of those South Vietnamese that we want to get out?

Mr. Habib: There is one, but it’s limited.

Secretary Kissinger: Tell [Ambassador] Graham Martin to give us a list of those South Vietnamese we need to get out of the country. Tell Graham that we must have the list by tomorrow (April 3, 1975).

Mr. Habib: The problem is that you have different categories of people. You have relatives of Americans, tens of thousands of people (Vietnamese) who worked for us . . . One thing I would recommend is that the Embassy destroy all personnel records when they leave.

Secretary Kissinger: The Communists will know who they are anyway. Let’s get a look at the different categories of people who need to get out. There may be upwards of 10,000 people.

Mr. Habib: There are 93,000 already on the list.

Secretary Kissinger: Well, get that list. We’ll try for as many as we can.

³¹ “Minutes of Washington Special Actions Group Meeting” Washington, April 2, 1975, FOREIGN RELATIONS OF THE UNITED STATES, 1969–1976 VOLUME X, VIETNAM, JANUARY 1973–JULY 1975, DOCUMENT 202. <https://history.state.gov/historicaldocuments/frus1969-76v10/d202>.

³² Ibid.

Mr. Stearman [NSC]: It could reach a million people.³³

The fact that the “limited” list included 93,000 South Vietnamese reveals the colossal moral and logistical challenges that U.S. policymakers faced in early April 1975. From the very beginning of earnest evacuation planning, the administration knew of and vowed to “try for” the removal of a significant number of South Vietnamese. Yet, as disparity between evacuating “upwards of 10,000” people and “a million people” suggests, in early April the administration remained wholly unprepared for the challenge.

The immediate and unquestioned commitment of the WSAG meeting members to the South Vietnamese is striking. The underlying rationale for this position, as explained by a State Department memo from mid-March, was that U.S. policymakers “should become involved in an evacuation of Vietnamese” to uphold the nation’s “moral obligation” to “those Vietnamese who have worked for the U.S. Government and American companies,” and also to those that served “in the army and government of South Viet-Nam.”³⁴ In other words, the United States played a large role in creating the tragedy unfolding in Southeast Asia, and unless American policymakers intervened, their allies were going to pay the price. Awareness of a watchful international audience also motivated U.S. officials. As the State Department cautioned, “other nations will see in our handling of this issue how the U.S. deals with the people of a country which has long been involved with us.”³⁵ Ethnic studies scholar Ayoko Sahara thus suggests that after

³³ Ibid.

³⁴ Memo for Lieutenant General Brent Scowcroft, The White House, from George S. Springsteen, Executive Secretary, Dept of State “Study of Evacuation Planning Issues and Options for Viet-Nam” April 17, 1975, Folder, “Vietnam (19)” National Security Advisor Files, Presidential Country Files for East Asia and the Pacific, 1974-1977, Gerald R. Ford Library.

³⁵ Ibid.

“peace with honor” failed, Ford tried to achieve an “honorable withdrawal.”³⁶ Even after military defeat, concern about U.S. credibility abroad continued to motivate U.S. strategy in Vietnam.³⁷

Over the next few weeks, government officials faced the unenviable task of prioritizing refugees and deciding whom to admit into the United States. Many confounding factors exacerbated this formidable challenge. Timing remained a consistent problem. As a later Department of State memo noted, because “the Saigon Government cannot consider a major evacuation of its people without admitting its days are numbered” the “timing of the implementation” of an American evacuation “is critical” as “action taken either too soon or too late could lead to a repeat on a larger scale of what happened in Danang.”³⁸ In other words, if the administration began an earnest evacuation too soon, it could undermine its own efforts to include as many South Vietnamese as possible by fomenting panic. On the other hand, if the United States waited too long and the military situation made a large evacuation impossible, erring on the side of caution could also lead to failure. Thus, while the Ford administration privately acknowledged that South Vietnam would fall, it went to great lengths to create the public perception that the United States government believed that South Vietnam could last. By April that idea amounted to pure fiction, but it helped buy the administration the time it needed to pursue its evacuation goals.

³⁶ Sahara, “Globalized Humanitarianism,” chapter 1.

³⁷ On the importance of credibility to U.S. involvement in Vietnam see: Fredrik Logevall, *Choosing War: The Lost Chance for Peace and the Escalation of War in Vietnam* (Berkeley: University of California Press, 2001).

³⁸ Memo for Lieutenant General Brent Scowcroft, The White House, from George S. Springsteen, Executive Secretary, Dept of State “Study of Evacuation Planning Issues and Options for Viet-Nam” April 17, 1975, Folder, “Vietnam (19)” National Security Advisor Files, Presidential Country Files for East Asia and the Pacific, 1974-1977, Gerald R. Ford Library.

On April 3, the President addressed the nation from San Diego. He devoted his entire speech to discussing the “great human tragedy” unfolding “as untold numbers of Vietnamese flee the North Vietnamese onslaught.”³⁹ “The United States has been doing and will continue to do its utmost to assist these people,” Ford promised. He then announced a new initiative, Operation Babylift.⁴⁰ “I have directed that money from a \$2 million special foreign aid children’s fund be made available to fly 2,000 Vietnamese orphans to the United States as soon as possible,” he explained, noting that he expected the flights to land “within the next 36 to 48 hours” and that all of the children would be “adopted by American families.”⁴¹

Numerous foreign adoption agencies had been operating in Vietnam throughout the 1970s.⁴² The fall of Da Nang and Ford’s announcement, however, shifted the nature of the enterprise in at least two crucial respects. First, as Dana Sachs explains in her *The Life We Were Given: Operation Babylift, International Adoption, and the Children of War in Vietnam*, Operation Babylift changed the previous emigration of one or two children at a time to an en masse enterprise, which spurred “competition among the seven adoption-sponsoring agencies for space on airplanes.”⁴³ Secondly, as Yen Le Espiritu reminds us, despite the humanitarian headlines, Operation Babylift was a military

³⁹ Gerald Ford, “166—The President’s News Conference,” April 3, 1975, The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=4812>.

⁴⁰ Sach’s *The Life We Were Given: Operation Babylift, International Adoption, and the Children of War in Vietnam* is the best account of this initiative. See also Yen Le Espiritu, *Body Counts: The Vietnam War and Militarized Refuge(es)* (University of California Press, 2014), 40-43; Sahara, “Globalized Humanitarianism,” 56-62; Isaacs, *Without Honor*, 395-397; Snepp, *Decent Interval*, 301-2, 304-5.

⁴¹ Ford, “166-President’s News Conference.” On the question of whether the children were truly “orphans” and on the disastrous crash of the first plane see: Schultzing, *A Time for War*, 320. On the link between American military involvement in Cold War Asia and the phenomenon of international adoption see: Arrisa Oh, *To Save the Children of Korea: The Cold War Origins of International Adoption* (Stanford University Press, 2015).

⁴² Sachs, *The Life We Were Given*, 8, 37.

⁴³ Sachs, *The Life We Were Given*, 8, 64.

operation.

The first United States government sponsored flight, for example, took place aboard a C-5A jet, which unloaded a cargo hold full of military supplies the same day it was to transport Vietnamese children to the United States.⁴⁴ As Espiritu explains, “the C-5 was performing two seemingly opposing missions—warring and rescuing—back to back, and yet seemingly without contradictions.”⁴⁵ Approximately fifteen minutes after the C-5 took off, an explosion sent the plane hurling back towards the earth, killing almost everyone on board, including over 200 Vietnamese children and forty-three of forty-four American women the Defense Attaché Office snuck onto the plane.⁴⁶ “The disaster was almost too unbearable to believe,” Isaacs recalled, “it was laden with a sense that Americans were somehow cursed in Vietnam, fated to bring only tragedy even when trying to do good.”⁴⁷ Between two and three thousand children did eventually arrive in the United States, and twenty-percent of them were Amerasians.⁴⁸ More fundamentally, however, the tensions Operation Babylift highlighted—between high-minded humanitarian impulses and imperfect military methods, between quietly evacuating and pretending South Vietnam could survive, and between wanting to wash American hands of Vietnam and feeling obligated to stay and assist former allies—characterized the remainder of the U.S. evacuation from Vietnam.

President Ford had ended his speech announcing Operation Babylift by arguing,

⁴⁴ Sachs, *The Life We Were Given*, 64.

⁴⁵ Espiritu, *Body Counts*, 41.

⁴⁶ Sachs, *The Life We Were Given*, 73-79; Snepp, *Decent Interval*, 302-304; Espiritu, *Body Counts*, 41-42.

⁴⁷ Isaacs, *Without Honor*, 396. See Snepp, *Decent Interval*, 304-5.

⁴⁸ Sachs, *The Life We Were Given*, 65.

“this is the least we can do” and pledging, “we will do much, much more.”⁴⁹ To a far greater extent than has been traditionally acknowledged, the U.S. did do “much, much more.” If current accounts of the fall of Saigon mention Operation Babylift at all, South Vietnamese refugees usually disappear from the historical narrative until the final American evacuation in late April. The evacuation of South Vietnamese remained a top American priority during those agonizing weeks, however.

On April 5, while still in California, Ford and Kissinger met with members of a delegation Ford had personally sent to Vietnam. These included Army Chief of Staff General Frederick C. Weyand and David Kennerly, the straight-talking photographer that had earned a Pulitzer Prize for his work in Vietnam. Weyand’s formal report suggested that South Vietnam was “on the brink of total military defeat” and explained that the ARVN needed \$722 million “worth of supplies, primarily ammunition” not to “recapture the ground they lost” but to “establish a strong defense perimeter around Saigon.”⁵⁰ Weyand also wrote extensively about the importance of creating at least an illusion of American confidence. “The essential and immediate requirement is Vietnamese perception of US support,” he argued.⁵¹ Doing what was necessary “to give South Vietnam a morale lift, and, if possible, to induce Hanoi to pause,” he continued, would be extraordinary valuable even if it “buys nothing but time,” because “at this moment that

⁴⁹ Press Release, Office of the White House Press Secretary (San Diego, California), “Statement by the President,” April 3, 1975, Folder “Refugees—Indochina: Status Reports” Box 58, Philip W. Buchen Files, Gerald R. Ford Library.

⁵⁰ “Vietnam Assessment,” 4 April 1975, Memorandum for the President from Fred C. Weyand, General, United States Army Chief of Staff, NSC, April 9, 1975, Meeting Files, 1973-1976, NSC East Asian and Pacific Affairs Staff: Files, 1969-1977, National Security Adviser, Gerald R. Ford Library, Clements National Security Papers; Ford, *A Time to Heal*, 246.

⁵¹ “Report to the President of the United States on the Situation in South Vietnam,” Fred C. Weyand, General, United States Army Chief of Staff, NSC, April 9, 1975, Meeting Files, 1973-1976, NSC East Asian and Pacific Affairs Staff: Files, 1969-1977, National Security Adviser, Gerald R. Ford Library, Clements National Security Papers, 11. Handwritten underline in original.

time is vitally needed.”⁵² Kennerly also reported directly to Ford and did not mince words: “they’re bullshitting you if they say that Vietnam has got more than three or four weeks left” he declared, “there’s no question about it. It’s just not gonna last.”⁵³ In his autobiography Ford recalls that after his briefing with Weyand and Kennerly he “decided to step up our efforts to get the refugees out.”⁵⁴

Others came to the same conclusion. The same day another member of the Weyand-Kennerly delegation, Kenneth Quinn, sent Kissinger a memo of his findings. “As the only Vietnamese speaker on the ground and the officer with the longest consecutive service in Vietnam (5 ½ years), I feel obligated to provide you my personal assessment of the political situation,” Quinn explained. “If given the choice,” he declared, “probably 1/3 to ½ the total population of Vietnam would leave the country rather than live under Communist rule.”⁵⁵ As historians Loescher and Scanlan explain, there was widespread fear about a “bloodbath” because “for twenty years South Vietnamese citizens had been taught by their leaders that the Communists would massacre them should the North prevail.”⁵⁶ Quinn conceded, “this is a problem of staggering proportions” but argued firmly “the USG has some type of responsibility for the position these people now find themselves in, since most of the above people would never have become so involved with the GVN or the USG had they known we would not continue to

⁵² Ibid. Ford put an “x” next to this paragraph and put brackets around the phrase “and, if possible, to induce Hanoi to pause”

⁵³ Ford, *A Time to Heal*, 246.

⁵⁴ Ford, *A Time to Heal*, 246.

⁵⁵ Memo, for Secretary Kissinger to Kenneth M. Quinn, April 5, 1975, “Weyand Mission to South Vietnam and Assessment of the Situation There” Folder “Vietnam (15),” Box 19, The National Security Adviser. Presidential Country Files for East Asia and the Pacific, 1974-77. Gerald Ford Library.

⁵⁶ Scanlan and Loescher, *Calculated Kindness*, 107. For the long roots of the “bloodbath” myth see: Scott Landerman, *Tours of Vietnam: War, Travel Guides and Memory* (Durham, NC: Duke University Press, 2009): 87-122.

protect them.”⁵⁷

It is possible that Quinn, who was married to a Vietnamese woman and thus had an intimate personal connection to the issue, gave a hyperbolic analysis in order to implore the sluggish American bureaucracy into action. Nevertheless, Quinn also provided a detailed list of those to whom he believed the United States “has some type of responsibility.”⁵⁸ It is worthwhile to enumerate Quinn’s list, as it presciently describes categories of people that would ultimately resettle in the United States, though some not for decades:

high ranking GVN officials and their families—to include Ministers, Deputy Ministers, [and] senior civil servants[;] the National Police and their families—at least 600,000 people[;] direct employees of the USG and their families[;] relatives of Vietnamese married to Americans[;] children fathered by Americans[;] previous employees of the USG[;] indirect employees of U.S. citizens such as maids, cooks, etc. In addition, there are hundreds of thousands of teachers, nurses, health workers, and other GVN employees who fear some type of retribution.⁵⁹

On its own, of course, Quinn’s memo means little. History is filled with examples of unheeded warnings of impending catastrophe. What makes Quinn’s memo worth mentioning is that the powers that be not only paid attention to the issue but also made it an administration priority. Indeed, the wheels were already in motion, as the April 2nd WSAG meeting reveals.⁶⁰

Legal obstacles exacerbated the formidable logistical challenges Quinn described.

⁵⁷ Memo, for Secretary Kissinger to Kenneth M. Quinn, April 5, 1975, “Weyand Mission to South Vietnam and Assessment of the Situation There” Folder “Vietnam (15),” Box 19, The National Security Adviser. Presidential Country Files for East Asia and the Pacific, 1974-77. Gerald Ford Library.

⁵⁸ Snepp, *Decent Interval*, 296.

⁵⁹ *Ibid.*

⁶⁰ Kissinger also publically stated this view on April 5, 1975: Press Release, Office of the White House Secretary, Palm Springs, CA, Press Conference of Henry A. Kissinger, Secretary of State, April 5, 1975, Folder, “Vietnam and Cambodia (1),” Box 26, Vernon C. Loen and Charles Leppert Files, Gerald R. Ford Library

The Immigration and Nationality Act of 1965 imposed strict caps on the numbers of immigrants that were allowed in the country, and the law limited the annual ceiling for refugees at a paltry 10,200. If the Ford administration wanted to save even a fraction of the categories of people that Quinn listed in his memo, the U.S. would need to accept many times the annually allotted limit, and it would need to do so quickly. While the law provided strict numerical ceilings, there was one possible loophole: the “parole power.”⁶¹ As immigration scholar Carl Bon Tempo explains, the parole power emanated from “a little-known codicil in the Immigration and Nationality Act that permitted the attorney general to admit (or ‘parole’) an alien into the United States on an emergency basis if the admission served the public interest.”⁶² Because of the omnipresence of Cold War objectives, previous administrations had successfully used the parole power to admit large numbers of Hungarian and Cuban refugees in the 1950s and 1960s respectively.⁶³ But after Vietnam and Watergate shattered the Cold War consensus, could the administration successfully use parole to admit Indochinese refugees?

Building a Consensus

On April 5, 1975—the same day as Ford’s meeting with Weyand and Kennerly—Robert J. Ingersoll, the Acting Secretary of State, wrote a classified “urgent action” memo to Attorney General Edward Levi regarding the parole of South Vietnamese and Cambodians with close ties to the United States. Cambodia, like Vietnam, was teetering on the edge of communist victory, and Phnom Penh would fall only twelve days after

⁶¹ Ford mentioned the parole power during a Q and A with reporters after his April 3, 1975 press conference: <http://www.presidency.ucsb.edu/ws/index.php?pid=4812>.

⁶² Carl Bon Tempo, *Americans at the Gate*, 70.

⁶³ Scalan and Loescher, *Calculated Kindness*, 108;

Ingersoll's memo, on April 17, 1975. The Secretary of State explained that the Cambodians and South Vietnamese "associated with the present governments of those countries and with the United States... will face death or persecution from the communist elements if they remain" and thus "will look to the United States for resettlement." "I believe we have an obligation to receive them," he argued.⁶⁴

Ingersoll requested that Levi exercise the parole authority for three groups of people. The first two involved Vietnamese and Cambodians abroad. Ingersoll argued Vietnamese in both the United States (category 1) and in "third countries" (category 2) who "have a well-founded fear of persecution if they were to return to their countries of nationality... should be paroled into the U.S." The third category was the most inclusive. In Ingersoll's words, it included "South Vietnamese and Cambodians who face death or persecution by communist elements because of their association with the United States Government or their own governments and must leave their countries of nationality. We estimate there are conservatively 200,000 to whom the United States Government has an obligation and the number may run to many times that number."⁶⁵ Thus, echoing Quinn's memo, the Secretary of State argued that South Vietnamese should be included in evacuation planning and that the United States should take a broad view of those to whom it had an "obligation" to receive.

The 1965 Act awards the power of parole solely to the Attorney General. In practice, however, presidential support and the cooperation of many branches of the government are needed to make the parole of large numbers of refugees a reality. As a

⁶⁴ Classified Letter, from Robert S. Ingersoll, Acting Secretary, to Edward H. Levi, Attorney General, April 5, 1975, Folder "Indochinese Refugees—Parole Authority (1)" Box 10, Theodore C. Marris Files, Gerald R. Ford Library.

⁶⁵ Ibid.

later memo explained, “even though the Attorney General can exercise parole authority without the concurrence of Congress, as a practical matter such concurrence is initially desirable as failure to obtain the same might result in Congressional hesitation to appropriate sufficient funds to care for those persons who are paroled and who in fact need financial assistance.”⁶⁶ Thus, rather than present a simple yes or no question, Ingersoll’s letter ignited a series of discussions and debates throughout the various departments and branches of the U.S. government.

The Immigration and Naturalization Service (INS) immediately joined the conversation. Two days after Ingersoll’s letter, INS Commissioner L.F. Chapman Jr. wrote to Levi to share the INS’ view. The first two categories, Chapman suggested, could be dealt with rather easily. To address the first group, Chapman noted that he personally instructed “no action shall be taken to require the departure” of South Vietnamese or Cambodian nationals in the U.S. that have a “well-founded fear of persecution.”⁶⁷ While not a permanent solution, this measure provided a temporary fix to allow the Attorney General, and by extension, the rest of the government, to focus on those in more immediate peril. Similarly, Chapman suggested that the one-two punch of the “UN Convention Relating to the Status of Refugees (TIAS 6577)” and some diplomatic pressure should be enough to ensure that foreign governments would not force South Vietnamese and Cambodians to return to their homelands.⁶⁸ If the first two groups could

⁶⁶ Secret Memo, to Theodore Marris, the White House, from Leonard F. Walentyowicz, “Expanding the Parole Authority” April 16, 1975, Folder “Indochinese Refugees—Parole Authority (1)” Box 10, Theodore C. Marris Files, Gerald R. Ford Library.

⁶⁷ Memo, to Edward H. Levi, Attorney General, Department of Justice from L. F. Chapman, Jr., Commissioner, Immigration and Naturalization, “Refugees from South Vietnam and Cambodia,” April 7, 1975, Folder “Refugees—Indochina: General (1),” Box 58, Philip W. Buchen Files, Gerald R. Ford Library.

⁶⁸ Ibid.

be addressed without significant stress, the third category presented an entirely different challenge. Here, the INS Commissioner adopted a much more cautious tone and argued that the problem should “be considered at the highest level of Government and in consultation with the appropriate Committees of both Houses of Congress.”⁶⁹ This is exactly what happened.

A handful of well-positioned Congressmen expressed deep reservations about the President’s plans. Because many of the legislators that were lukewarm about a massive influx of Vietnamese refugees chaired powerful committees in the House and Senate, this oppositional group was able to exert influence beyond its numbers. It is worth noting, however, that, inevitably, the 535 members of Congress held a wide range of views on the issue. On April 9, for example, Ford received a letter from twenty Senators imploring him to assist “refugees who are trapped in the Saigon vicinity” and to avoid a repetition of “the most regrettable...reported abandonment of Vietnamese civilians who had worked for the American government” in Da Nang.⁷⁰ Among the nineteen Democrats and one Republican that authored this letter were Walter Mondale, future Vice President, Hubert Humphrey, former Vice President, and two individuals that would come to play a strong role in advocating for generous Indochinese admissions under Carter: Dick Clark (D-IA) and Claiborne Pell (D-RI). These Senators and their colleagues went on to implore Ford to use the parole authority “to aid not just orphans, but all Vietnamese who may face reprisals for their association with the United States.” “Plans should be formulated,” they continued, “without any delay to permit the swift and orderly evacuation of those who are now endangered or might be threatened in the days and

⁶⁹ Ibid.

⁷⁰ Letter from 20 Senators to the President, April 9, 1975, Folder “Refugees—Indochina: General (2),” Box 58, Philip W. Buchen Files, Gerald R. Ford Library.

weeks head.”⁷¹ “We can assure you,” the Senators concluded, “that the Congress will cooperate fully in the task of preventing the needless suffering among the victims of this tragic war.”⁷²

Congress did ultimately come around to support the President’s evacuation plans, but it would take far more convincing and pressure than this optimistic letter implied. The same day that Ford received this message, the President and sixteen members of his staff met with leaders of congressional committees on Foreign Affairs, Armed Services and Appropriations to discuss the unraveling situation in Indochina. An agenda of the meeting specified that Ford and Kissinger would talk at length about the refugee program. Although high-level discussions about the parole power had just gotten underway, Ford informed congressional leaders that the Administration planned to evacuate “Vietnamese Nationals falling into three categories: (a) leaders and their families associated with the United States Government that will cause them persecution, (b) individuals and their families associated with the United States private interests that will lead to their persecution, [and] (c) general category refugees, the criteria yet to be established.”⁷³ Immediately following this description, the agenda encouraged Ford to ask the legislators “what course exists other than the one you have outlined and would they not do what you are seeking to do?”⁷⁴

The next day, Ford gave a public, televised address on the nation’s foreign policy.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Memo, for the President from Jack Marsh, “Background for joint bi-partisan leadership meeting,” April 9, 1975, Box 3, Folder, “Bipartisan Leadership Meetings, April-June 1975” Max L. Friedersdorft Files, Gerald Ford Library.

⁷⁴ Ibid. While some Congressmen championed a generous parole program (see: Letter from 20 Senators to the President, April 9, 1975, Folder “Refugees—Indochina: General (2),” Box 58, Philip W. Buchen Files, Gerald R. Ford Library), most remained lukewarm at best.

With respect to South Vietnam and Cambodia he noted, “the options before us are few and the time is very short.”⁷⁵ Ford’s speech is best known for his request for \$722 million “in very specific military supplies from the United States” based on Weyand’s report and “\$250 million for economic and humanitarian aid for South Vietnam.”⁷⁶ Given the consistent signs of congressional unwillingness to send any more economic or military aid and the fact that South Vietnam’s total collapse was only weeks away, both contemporaries and scholars have criticized Ford’s request as being ill-conceived and unrealistic. Kissinger biographer Jussi Hanhimaki notes, however, that both Ford and Kissinger were “fully aware that it had no chance of being approved.”⁷⁷ NSC meeting minutes from April 9, for example, reveals a high-level consensus around the notion that asking for “no military aid” would be in line with “the predominant mood in Congress” but would also “trigger an immediate collapse in Saigon” which would “imperil 6,000 Americans, and it would make it impossible to evacuate the Vietnamese.”⁷⁸

The request, therefore, was much more about creating the perception of American confidence in South Vietnam’s viability and buying the administration direly needed time. As Kissinger confessed in his memoirs: “we needed time to synchronize the evacuations of both Americans and Vietnamese to whom we had incurred a moral obligation. Maintaining the request for aid was the only way to preserve the morale of

⁷⁵ President Gerald Ford, Address on Foreign Policy, April 10, 1975, Full transcript available at: <http://millercenter.org/president/ford/speeches/speech-5500>

⁷⁶ Ibid.

⁷⁷ Hanhimaki, *The Flawed Architect*, 393. See also Haley, *Congress the Fall of South Vietnam and Cambodia*, 95, 98-99. Kissinger admits that the request for aid was “on one level...preposterous,” Kissinger, *Ending the Vietnam War*, 538. Lawrence, also notes that Ford “saw no hope of rescuing the country” when making the request, *The Vietnam War*, 166.

⁷⁸ Minutes of the National Security Council Meeting on “Indochina,” Wednesday April 9, 1975, April 9, 1975, Indochina (3), Meeting Files, 1973-1976, NSC East Asian and Pacific Affairs Staff: Files, 1969-1977, National Security Adviser, Gerald R. Ford Library, Clements National Security Papers. <http://www.clementspapers.org/clementsns/2213>.

those Vietnamese still prepared to fight for a decent outcome—now unhappily to be defined in terms of people rescued.”⁷⁹

While Ford’s April 10, 1975 speech is best known for his request for military aid, then, the entire speech laid the public foundation for the refugee program. Ford explained to the Congressmen sitting before him and millions of Americans watching, “I must, of course, as I think each of you would, consider the safety of nearly 6,000 Americans who remain in South Vietnam and tens of thousands of South Vietnamese employees of the United States Government, of news agencies, of contractors and businesses for many years whose lives, with their dependents, are in very grave peril.”⁸⁰ Thus, without saying so directly, Ford described the first two categories of Vietnamese—those that worked for the government and private American companies—that he included in his meeting with bipartisan congressional leaders.

The final category proved more problematic. In the speech, Ford described the final category simply by saying, “there are tens of thousands of other South Vietnamese ... to whom we have a profound moral obligation.”⁸¹ Ford’s assertion of a “profound moral obligation” represented far more than a throwaway line. Future policymakers, nongovernmental organizations, and Vietnamese American activists would all claim that the United States had a “moral obligation” to assist Vietnamese refugees. For the more immediate future, however, Ford’s quantification of the problem painted a very misleading picture of what the administration hoped to accomplish. Because, as Ford confessed to the congressional leaders the previous afternoon, the administration, State

⁷⁹ Kissinger, *Ending the Vietnam War*, 535.

⁸⁰ President Gerald Ford, Address on Foreign Policy, April 10, 1975, Full transcript available at: <http://millercenter.org/president/ford/speeches/speech-5500>

⁸¹ Ibid.

Department, and INS were still trying to determine how to describe the final category of refugees, the President needed to be vague. Yet, the President's suggestion that the final category would include "tens of thousands" did not at all reflect the scope of evacuation planning then underway throughout the U.S. government. Ford knew the State Department had been requesting the parole of *hundreds*—not tens—of thousands of refugees. In fact, at an NSC meeting the day before Ford gave his speech, Kissinger told the President "the maximum" tabulation of his "list of potential evacuees" included 1.7 million people.⁸² Ford's underestimation helped soften the blow to those that remained opposed to any admissions, but also clearly misrepresented the administration's plans.

Ford, however, left no doubt about the fact that his evacuation plan included both Americans and South Vietnamese. Because the War Powers Act of 1973 required congressional authorization for the use of any military force in Vietnam, however, the president could not put this vision into action on his own. He therefore closed the section of his speech on Vietnam by asking Congress to "clarify immediately its restrictions on the use of U.S. military forces in Southeast Asia for the limited purposes of protecting American lives by ensuring their evacuation, if this should be necessary. And I also ask prompt revision of the law to cover those Vietnamese to whom we have a very special obligation and whose lives may be endangered should the worst come to pass."⁸³ He asked Congress to fulfill all of these directives, including the appropriation of funds, "no

⁸² Minutes of the National Security Council Meeting on "Indochina," Wednesday April 9, 1975, April 9, 1975, Indochina (3), Meeting Files, 1973-1976, NSC East Asian and Pacific Affairs Staff: Files, 1969-1977, National Security Adviser, Gerald R. Ford Library, Clements National Security Papers. <http://www.clementspapers.org/clementsns/2213>.

⁸³ President Gerald Ford, Address on Foreign Policy, April 10, 1975, Full transcript available at: <http://millercenter.org/president/ford/speeches/speech-5500>

later than April 19.”⁸⁴

A few days later, Attorney General Levi replied to the Secretary of State. As INS Commissioner Chapman suggested, Levi noted that there were relatively easy solutions for Vietnamese and Cambodian nationals in the United States and in third countries. Those “in danger of death or persecution,” however, posed a challenge of a different magnitude. “While you indicated that there may be 200,000 people in this category,” Levi explained, “other estimates of the people to whom the United States may be deemed to have an obligation have ranged as high as 865,000.”⁸⁵ Given the disparity between the many that had a claim to American assistance and the few that the United States would be able to parole, Levi stated that he would only be willing to act following “consultation with the appropriate committees of Congress” and “the approval of the President.”⁸⁶

While Ford remained eager to get as many refugees out as possible, an April 14th meeting with Congressional leaders revealed that it would be an uphill battle. After his speech on the 10th, the Senate Foreign Relations Committee requested a meeting with the president, something it had not done since WWI. Ford described the meeting as “very tense” and noted the message from the Senators “was clear: get out, *fast*.”⁸⁷ Ford received the same message from the Department of Defense. Secretary Schlesinger asked Ford to start evacuating Saigon immediately in early April and “repeated his request almost daily.” When Ford refused, Schlesinger ordered empty planes fly in and out of Saigon to demonstrate for posterity that the evacuation—especially if it went sour—could

⁸⁴ Ibid.

⁸⁵ Letter, April 11, 1975, to Robert S. Ingersoll, Deputy Assistant Secretary of State, State Department, from Edward H. Levi, Attorney General, April 11, 1975, Folder “Indochinese Refugees—Parole Authority (1)” Box 10, Theodore C. Marris Files, Gerald R. Ford Library.

⁸⁶ Ibid.

⁸⁷ Ford, *A Time To Heal*, 248. Italics in the original. See also Haley, *Congress and the Fall of South Vietnam and Cambodia*, 102-3.

have been completed much earlier.⁸⁸

Ford's memoirs suggest that the Senators were unequivocal. During the closed meeting on the 14th, Ford explains, the Senators echoed earlier statements that they would not provide "one nickel for military aid" and added reservations about including Vietnamese refugees in official evacuation planning.⁸⁹ As Senator Joseph Biden (D-DE) put it: "I will vote for any amount for getting Americans out," but, "I don't want it mixed with getting the Vietnamese out."⁹⁰ Scholar P. Edward Haley suggests that the Senators' "main purpose was to obtain a promise from Mr. Ford that he would swiftly withdraw the Americans remaining in Vietnam" and that "once they were certain that this was being done...they would be willing to provide the president humanitarian aid."⁹¹ While Haley's analysis slightly amends Ford's recollections, the difference is one of degree, not kind. Clearly, at least in terms of congressional opinion, the path of least resistance would have been to evacuate all of the remaining Americans in mid-April and be done with it. The Ford administration refused to take this path.

In fact, Ford took conscious steps to link evacuation of American and Vietnamese to one another. In many ways, the administration benefited from events it could not control. Some of the Americans still in Vietnam, for example, refused to leave without their Vietnamese dependents, forcing Congress to approve a "very limited parole program" to "eliminate one of the reasons why some Americans refuse to leave Viet-

⁸⁸ Ford, *A Time To Heal*, 246. Both Ford and Kissinger recall that to prove his point that if Americans died it wasn't the Department of Defense's fault, Schlesinger had empty planes fly out of Saigon daily, Kissinger, *Ending the Vietnam War*, 540. Haley notes that Schlesinger was "a man not on good terms with Kissinger," which might have given the Secretary of Defense greater incentive to buck the administration's policy, Haley, *Congress and the Fall of South Vietnam and Cambodia*, 92.

⁸⁹ Hanhimaki, *The Flawed Architect*, 394; Ford, *A Time to Heal*, 248.

⁹⁰ Ford, *A Time To Heal*, 248.

⁹¹ Haley, *Congress and the Fall of South Vietnam and Cambodia*, 103.

Nam.”⁹² Other Americans tied U.S. policymakers’ hands by sneaking out their families, friends and employees on secret flights to the Philippines.⁹³ While the Ford Administration worked to get the slow moving American bureaucracy in motion, “middle-grade movers in the State Department and USIA” worked simultaneously and independently, assuming, especially after Da Nang, that if they wanted to save their friends’ lives they would have to do it themselves.⁹⁴

The fact that Americans were still on the ground to make these decisions, however, was also a conscious part of the administration’s strategy. Once the last Americans left Vietnam on April 30, 1975, the administration endured a great deal of criticism for leaving Americans there for so long in the first place. As Kissinger explains in his memoirs, however, rather than an oversight, leaving a minimal yet significant number of Americans in Vietnam served a larger purpose.⁹⁵ In Kissinger’s words: “we would not be able to evacuate any South Vietnamese friends unless we prolonged the withdrawal of Americans, for Congress would surely cut off all funds with the departure of the last American.”⁹⁶ Like its request for military aid, then, Ford’s decision to leave Americans in South Vietnam constituted part of an intentional effort to provide as much time and justification for the evacuation of as many South Vietnamese allies as

⁹² Secret Telegram, to Theodore C. Marris from Assistants, “E & E And Alien Dependents of U.S. Citizens,” April 13, 1975, Folder “Indochinese Refugees—Parole Authority (1)” Box 10, Theodore C. Marris Files, Gerald R. Ford Library. For additional support see: Secret Memo, to Mr. Philip Buchen, The White House, from Philip Habib, Assistant Secretary, Bureau of East Asian Affairs, Department of State, “Need to Parole Refugee[s] from Indochina,” April, 15, 1975, Folder “Indochinese Refugees—Parole Authority (1)” Box 10, Theodore C. Marris Files, Gerald R. Ford Library. For Ingersoll’s willingness to parole this group: Letter, April 11, 1975, to Robert S. Ingersoll, Deputy Assistant Secretary of State, State Department, from Edward H. Levi, Attorney General, April 11, 1975, Folder “Indochinese Refugees—Parole Authority (1)” Box 10, Theodore C. Marris Files, Gerald R. Ford Library.

⁹³ Herrington, *Peace With Honor*, 159-160; *Calculated Kindness*, 106; Isaacs, *Without Honor*, 398-401.

⁹⁴ Snapp, *Decent Interval*, 295.

⁹⁵ For the method for calculating the exact number of Americans that could be evacuated safely in a one day helicopter lift see: Kissinger, *Ending the Vietnam War*, 541.

⁹⁶ Kissinger, *Ending the Vietnam War*, 535.

possible.⁹⁷

The battle between the State Department and the INS over how to categorize and prioritize imminently incoming Vietnamese refugees peaked in mid-April. The tension between fulfilling the nation's "special obligation" and "limiting public controversy to the extent possible" led to significant disagreements between the two institutions.⁹⁸ As Carl Bon Tempo explains, a combination of "nativism, racism, and disgust with the Vietnam War" combined with "a sluggish economy marked by unemployment problems consistently fueled anti-refugee sentiment."⁹⁹ These concerns not only prompted resistance from some in Congress but also informed INS opposition. As a classified memo explained, "the State and Justice Departments are agreed on the principle of parole for Vietnamese ...but differ sharply as to numbers...The Justice Department would limit the use of parole to a maximum of 50,000, or 40% of the total number of refugees, whichever is less, because of domestic impact."¹⁰⁰ The State Department proposed a much more expansive policy, arguing that the U.S. should "take our fair share," including "as many as 200,000," or even "under certain circumstances" a "much larger" number.¹⁰¹ Despite significant disagreements about numbers, both groups operated under the assumption that the United States had an obligation to a significant number of refugees and that the South Vietnamese should be part of official evacuation planning.

⁹⁷ Senator Alan Cranston (D-NY) censured the administration for doing precisely that: *Congressional Record*, April 22, 1975, S6046.

⁹⁸ April 16, 1975, Memo, for Mr. Philip Buchen, The White House, from Philip Habib, Assistant Secretary, Bureau of East Asian Affairs, Department of State, "Need to Parole Refugees from Indochina," April 16, 1975, Folder "Refugees—Indochina: General (2)," Box 58, Philip W. Buchen Files, Gerald R. Ford Library.

⁹⁹ Bon Tempo. *Americans at the Gate*, 163.

¹⁰⁰ *Ibid.*

¹⁰¹ April 16, 1975, Memo, for Mr. Philip Buchen, The White House, from Philip Habib, Assistant Secretary, Bureau of East Asian Affairs, Department of State, "Need to Parole Refugees from Indochina," April 16, 1975, Folder "Refugees—Indochina: General (2)," Box 58, Philip W. Buchen Files, Gerald R. Ford Library.

The State Department sent the White House a “Study of Evacuation Planning Issues and Options for Viet-Nam” on April 17, 1975. Because by April 16 there were only 1,250 Americans left in Vietnam, the memo suggested that the evacuation of remaining Americans did “not present an impossible problem, unless the circumstances are critical.”¹⁰² “The key question,” the State Department argued, was “the movement of the Vietnamese.”¹⁰³ The memo suggested that “100,000 [perhaps] upwards of 1,000,000,” might attempt to flee, depending on “both the severity of the political crisis at the time and the rumors from Danang about what is happening to their former compatriots.”¹⁰⁴ “For planning purposes,” the State Department used 200,000 as an estimate, but U.S. officials remained keenly aware that the number could be much larger.¹⁰⁵

Because “the magnitude of potential evacuees presents organizational and logistical problems of gigantic proportions,” the State Department discussed potential refugees not as a single mass cohort but as discernable groups.¹⁰⁶ “The category of evacuees which has caused most concern,” the memo explained, “is the 17,600 [current] Vietnamese employees of the U.S. Government with their estimated 112,00 to 150,000 dependents.” The second cohort included “Senior Vietnamese officials whose lives might be in danger, estimated at 17,200 including immediate families.”¹⁰⁷ Both of these groups appeared on separate evacuation lists prepared by the State Department and U.S. embassy

¹⁰² Memo for Lieutenant General Brent Scowcroft, The White House, from George S. Springsteen, Executive Secretary, Dept of State “Study of Evacuation Planning Issues and Options for Viet-Nam” April 17, 1975, Folder, “Vietnam (19)” National Security Advisor Files, Presidential Country Files for East Asia and the Pacific, 1974-1977, Gerald R. Ford Library.

¹⁰³ Ibid.

¹⁰⁴ Ibid

¹⁰⁵ Ibid

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

in Saigon. American policymakers, both in Washington and Saigon, were determined to avoid a repeat of Da Nang.

The State Department's list of potential evacuees, however, far eclipsed the numbers included in the U.S. Saigon Embassy's draft. The State Department also included: "past U.S. Government employees (Est. 850,000), immediate family members of naturalized Americans of Vietnamese extraction and permanent residents in the U.S. (Est. 93,000), members of Vietnamese intelligence agencies (more than one million), [and] families of middle or lower level GVN civil and military officials (an unknown number) who might feel their lives would be in danger under a communist government."¹⁰⁸ While only a fraction of those on the list evacuated with American personnel in 1975, over one million resettled in the United States by the early 1990s. By focusing on the evacuation planning that took place in the American Embassy in Saigon, scholars have overlooked the much more comprehensive and inclusive nature of evacuation planning in Washington. While it is unlikely that any official sincerely believed that *all* of the aforementioned Vietnamese could be safely evacuated in April of 1975, it is clear that the State Department refused to ignore or minimize the substantial number to whom the United States had an obligation.

In fact, the State Department's much more expansive vision was shared and developed by the powers that be at WSAG meetings that took place on April 17th and 19th.¹⁰⁹ As had been the case on April 2nd, President Ford did not personally attend either of these meetings, but the underlying impetus for the entire discussion stemmed from the

¹⁰⁸ Ibid

¹⁰⁹ See: WASG, April 17, 1975 and WSAG, April 19, 1975 (1-3), Meeting Files, 1973-1976, NSC East Asian and Pacific Affairs Staff: Files, 1969-1977, National Security Adviser, Gerald R. Ford Library, Clements National Security Papers. <http://www.clementspapers.org/clementsns/2213>.

fact that “the President wants to get all the Americans out and the Vietnamese for whom we have a responsibility, which means perhaps 200,000.”¹¹⁰ Throughout mid-April, top-level officials debated the logistics of making the President’s vision a reality. The WSAG discussed many issues at length, including: the nuts and bolts of physically how the evacuation would be conducted, where people would go, what types of transportation would bring them, what locales might serve as temporary holding centers, where to bring the people when they arrived in the U.S., how to feed everyone, etc.

At the same time, however, these officials operated under the assumption they could not put any major programs into place without fomenting panic and, ultimately, collapse in Saigon. Therefore, all of the WSAG’s deliberations were based on hypothetical situations ranging from best case to worst-case scenarios and an unknown timeline. Although all of those involved agreed South Vietnam would fall, they did not know when and therefore could not make the types of precise plans that one would want to for planning such a large scale operation. Reading the WSAG records from mid and late April, one gets a sense of men (and the participants were exclusively male) trying to build on quicksand.

To help with the colossal organizational and logistical challenges bringing even part of this vision into fruition would require, President Ford created an Interagency Task Force on April 18th. The purpose of this Task Force was “to coordinate for the President all U.S. Government activities concerning the evacuation of United States citizens, Vietnamese citizens, and third country nationals from Vietnam, as well as humanitarian

¹¹⁰ NSC Memorandum for Secretary Kissinger “WSAG Meeting on Evacuation,” April 18, 1975, WSAG, April 19, 1975, Evacuation (1), Meeting Files, 1973-1976, NSC East Asian and Pacific Affairs Staff: Files, 1969-1977, National Security Adviser, Gerald R. Ford Library, Clements National Security Papers. <http://www.clementspapers.org/clementsns/2213>.

assistance to Vietnam and refugees and resettlement problems relating to the Vietnam conflict.”¹¹¹ While the WSAG and Task Force accomplished vast feats of coordination and organization in a short period of time, it was obvious that the evacuation itself would be, at best, semi-controlled chaos. Minutes from subsequent WSAG meetings on the 21st and 22nd only add to this picture of a fluctuating, uncontrollable situation careening toward South Vietnam’s fall.¹¹² Events were moving rapidly, and the administration clearly recognized it was running out of time.

Although not privy to the classified intelligence briefings shared at the WSAG meetings, legislators were not blind to the unfolding situation in Vietnam and Congress eventually supported the administration’s approach. On April 24th legislators passed S1484. In response to the President’s April 10 request, the new law gave Ford “limited authority to use American troops in the evacuation of Americans and South Vietnamese from South Vietnam.”¹¹³ The law also provided a “contingency fund” of \$100 million for “humanitarian and evacuation purposes” and an additional “\$150 million fund for humanitarian relief through international agencies.”¹¹⁴ Revealingly, the Senate rejected

¹¹¹ Memo, from White House to the Secretary of the Treasury, Secretary of Defense, Attorney General, Secretary of Labor, Secretary of Health, Education and Welfare, the Secretary of Housing and Urban Development, The Secretary of Transportation, Director, Office of Budget Management, The Deputy Secretary of State, the Administrator of the Agency for International Development, the Director of Central Intelligence, The Director of Immigration and Naturalization, CC: The Chairman, JCS, April 18, 1975, Folder “Vietnam (20),” Box 20, The National Security Adviser. Presidential Country Files for East Asia and the Pacific, 1974-77. Gerald Ford Library

¹¹² “Vietnam Evacuation,” Washington Special Actions Group Meeting, WSAG, April 21, 1975, Evacuation, Meeting Files, 1973-1976, NSC East Asian and Pacific Affairs Staff: Files, 1969-1977, National Security Adviser, Gerald R. Ford Library, Clements National Security Papers. <http://www.clementspapers.org/clementsns/2213>; April 22, 1975 “Minutes of the Washington Special Actions Group meeting, held April 22, 1975,” NSC Memorandum to Secretary Kissinger, WSAG April 22, 1975, Evacuation, Meeting Files, 1973-1976, NSC East Asian and Pacific Affairs Staff: Files, 1969-1977, National Security Adviser, Gerald R. Ford Library, Clements National Security Papers. <http://www.clementspapers.org/clementsns/2213>.

¹¹³ Memo, The White House, “S1484 Summary of provisions,” April 24, 1975, Folder “Vietnam (2),” Box 5, William T. Kendall Files, Gerald R. Ford Library

¹¹⁴ Ibid

an amendment that would have stricken section 4, “dealing with withdrawal of foreign nationals along with American citizens,” by a 12-80 vote.¹¹⁵ By April 24, then, American policymakers not only regarded the imminent American evacuation of Saigon as a given (it had been so for weeks) but Congress codified its concurrence with the position Ford outlined on his April 10 address—the American evacuation would include South Vietnamese nationals.

The Congress, Department of Justice, Department of State, and President Ford all agreed to the parole of three categories of Vietnamese refugees. The first category included “Vietnamese nationals who are immediate relatives of American citizens or permanent resident aliens, estimated to number between 10,000 and 75,000.”¹¹⁶ In keeping with longstanding trends in American immigration law, then, this first preference category facilitated family reunification. Because the nation had yet to establish a separate canon of refugee law, this precedent had important implications for the future. The second category that U.S. policymakers approved for parole in April 1975 included “Vietnamese already at Clark Air Force base” in the Philippines.¹¹⁷ The final category provide parole slots for “up to 50,000 ‘high risk’ Vietnamese refugees and their families” including “past and present U.S. government employees, Vietnamese officials whose co-operation is necessary for the evacuation of American citizens, individuals with knowledge of sensitive U.S. government intelligence operations, vulnerable political or intellectual figures and former Communist defectors.”¹¹⁸ The April 1975 approvals thus

¹¹⁵ Ibid. Haley, *Congress and the Fall of South Vietnam and Cambodia*, 135-137

¹¹⁶ Letter to the Honorable James O. Eastland, Chairman, Senate Committee on the Judiciary from Edward H. Levi, Attorney General, Folder “Refugees—Indochina: General (1),” Box 58, Philip W. Buchen Files, Gerald R. Ford Library.

¹¹⁷ Ibid.

¹¹⁸ Ibid

provided for the parole of 125,000 persons, in addition to those already at Clark Air Force Base. Though inadequate to address all of those to whom the United States owed a “special obligation,” these numbers represented a triumph for those who labored for a generous refugee program. The figures far exceed the 50,000-person cap that the INS attempted to place on refugees.

The Vietnam War “is Finished”

On April 24, the same day as the S1848 vote, Ford gave a defining speech at Tulane University. As Americans and South Vietnamese were evacuating South Vietnam, Ford pleaded for national unity. “Today, America can regain a sense of pride that existed before Vietnam. But it cannot be achieved by refighting a war that is finished as far as America is concerned—.”¹¹⁹ Here, the students interrupted him with a long and thunderous applause. As Ford’s press secretary recalls, “the speech was a milestone in contemporary American history. Ford did something no American president had been able to do for thirty years: He spoke of the Indochina war in the past tense.”¹²⁰ Ford read the public’s mood correctly; many wanted to relegate the Vietnam War to history, a reality that did not bode well for refugees.

Despite the President’s announcement, however, the war continued. The same day as Ford’s speech “488 Americans and more than 3,000 Vietnamese” departed from Tan Son Nhut (Tan Son Airport).¹²¹ As Ford recalls, “the final siege of Saigon began on April 25. Kissinger was on the telephone to U.S. Ambassador Graham Martin several

¹¹⁹ Gerald Ford, “208-Address at Tulane University Convocation,” April 23, 1975, The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=4859>.

¹²⁰ Nessen, *It Sure Looks Different From the Inside*, 108. For this announcement as a break with Kissinger’s on how to use foreign policy in domestic politics see: Hanhimaki, *The Flawed Architect*, 395.

¹²¹ Isaacs, *Without Honor*, 435.

times a day, and his reports convinced me that the country was going to collapse momentarily.”¹²² On April 28, the evacuation that had been underway came to a halt when Tan Son Nhut came under heavy artillery fire, and two U.S. marines were killed in the attack.¹²³ In his autobiography Ford reports that he had hoped to reconvene evacuation flights once the firing stopped, but “a new problem to solve” replaced the issue of North Vietnamese attacks: “refugees were streaming out onto the airport’s runways, and our planes couldn’t land. The situation there was clearly out of control.”¹²⁴ Accordingly, late in the evening on April 28 (EST), Ford announced the beginning of “Operation Frequent Wind,” or the final phase of evacuation planning—evacuation by helicopter.¹²⁵ The international news media broadcast the harrowing scenes from the final hours of the evacuation around the world, including the obvious reality that many of the South Vietnamese that wished to escape would not be able to do so.

Immediately following—indeed, even as the evacuation remained in progress—the press largely depicted the evacuation as a humiliating failure, the perfect if tragic way to end the Vietnam War. Reporters were not privy to the administration’s frantic and consistent, though classified, efforts to try to save as many South Vietnamese lives as possible, and administration officials’ remarks during and after the evacuation did little correct the rampant misconceptions. One of the sources of confusion over the true nature of evacuation planning is an oft-cited exclamation by Kissinger.¹²⁶ At 9:00 A.M. on April 29, the WSAG met to discuss the ongoing evacuation. The meeting minutes contain the

¹²² Ford *A Time to Heal*, 249.

¹²³ Ford, *A Time to Heal*, 249.

¹²⁴ Ford, *A Time to Heal*, 249.

¹²⁵ Nessen, *It Sure Looks Different From the Inside*, 109; Hanhimaki, *The Flawed Architect*, 396; Ford, *A Time to Heal*, 249.

¹²⁶ For a recent example see Sahara, “Globalized Humanitarianism,” 76.

following exchange:

Mr. Habib: Is the helicopter evacuation finished?

Gen. Brown: With a lot of luck it should be over shortly—by 12:00 noon our time. The number of people to be evacuated keeps going up though, and the weather is bad. It's rainy and foggy. It's slowing us down.

Secretary Kissinger: Where are all these extra people coming from?

Gen. Brown: Over the wall and through the gates. I don't know where they are all coming from.

Secretary Kissinger: Can someone explain to me what the hell is going on! The orders are that only Americans are to be evacuated. Now, what the hell is going on?¹²⁷

Why Kissinger made this remark is somewhat of a mystery. Perhaps the anxiety of the evacuation, especially concern that all the Americans would *not* get out—coupled with the knowledge of the empty flights that the Secretary of Defense ordered to fly in and out of Saigon for the preceding weeks—culminated in Kissinger's snap at General Brown. Nevertheless, Kissinger's remark is wholly inconsistent with the administration's long-term strategy and President Ford's and Press Secretary Nessen's descriptions of Operation Frequent Wind.¹²⁸ It is also at odds with Kissinger's own description of the evacuation order. At 11:00 PM the previous night, less than twenty-four hours before, Kissinger personally called Graham and instructed him to “pull the plug: All Americans must come out together with as many Vietnamese as could be loaded on the helicopters.”¹²⁹

¹²⁷ Document 273 Minutes of Washington Special Actions Group Meeting, Washington, April 29, 1975, 9:04–9:20 a.m., FOREIGN RELATIONS OF THE UNITED STATES, 1969–1976 VOLUME X, VIETNAM, JANUARY 1973–JULY 1975, <https://history.state.gov/historicaldocuments/frus1969-76v10/d273>. Cited in: Hanhimaki, *The Flawed Architect*, 396;

¹²⁸ Nessen, *It Sure Looks Different From the Inside*, 109; Hanhimaki, *The Flawed Architect*, 396; Ford, *A Time to Heal*, 249.

¹²⁹ Kissinger, *Ending the Vietnam War*, 547.

Interviews given by administration officials in the evacuation's immediate aftermath added to the myth that the inclusion of South Vietnamese was an accidental, on the ground decision. For example, on May 1, 1975 Press Secretary Nessen faced multiple questions about the legality of Ford's decision to include South Vietnamese refugees. "I was in no mood to explain patiently the legal justification," Nessen admitted in his memoirs, "and I snapped back at the questioners."¹³⁰ Instead of explaining that the President, State Department, INS, NSC and Congress had all discussed and supported the use of the parole power, Nessen reported, "the president decided that to leave those people there would endanger their lives... The president is proud that he took them out."¹³¹ When pushed to respond directly to the question of whether or not Ford felt like he broke the law Nessen responded, "he did it because the people would have been killed otherwise;" when the reporter asked him to cite a legal rationale, Nessen replied "I am citing a morale rationale."¹³²

Conflicting and misleading figures also added to the general perception that the administration failed to account for South Vietnamese refugees in advance. Nearly every published source reports (correctly) that the American evacuation of Saigon included the exit of approximately 1,000 Americans and 6,000 Vietnamese. What the majority of sources fail to note, however, is that these figures are the numbers for Operation Frequent Wind, or the two-day helicopter evacuation, not the entire evacuation itself. These numbers omit the 40,000 Vietnamese the United States evacuated before Tan Son Nhut closed on April 28 and also the 45,700 Vietnamese that the United States evacuated by

¹³⁰ Nessen, *It Sure Looks Different From the Inside*, 113.

¹³¹ Nessen, *It Sure Looks Different From the Inside*, 113.

¹³² Nessen, *It Sure Looks Different From the Inside*, 114.

sea as Operation Frequent Wind continued.¹³³ Without a doubt, the last few days of April 1975 were a chaotic, panic-ridden time for those in South Vietnam and for American policymakers watching helplessly from Washington. Yet, by focusing on the transfixing drama of the “end” to the Vietnam War (the war, already by April 30, 1975, had many ends), current accounts gloss over the multi-week evacuation effort and the high-level determination to include Vietnamese refugees. These discussions set a precedent that would help drive U.S. refugee policy for the next twenty years.

The “Vietnamese Problem”

The day after the last U.S. helicopters left Saigon L. Dean Brown, head of the Interagency Task Force, wrote to Kissinger about a “grave political problem” confronting the administration. The crux of the issue was that, just as the administration predicted, “with Americans safely out of Saigon, Congress is starting to cool off on the Vietnamese problem,” as did the INS and public opinion.¹³⁴ This “cooling off” amounted to a “grave political problem” because the original parole, including allocations for the first, second, and especially third (“high risk”) categories were not sufficient to cover the number that had escaped. In many ways, the administration was a victim of its own success and its decision to downplay refugee numbers.

The discrepancy emanated from those refugees that had escaped by sea rather than by air. In a May 1 memo Brown reported that in addition to the well-known helicopter phase of Operation Frequent Wind, U.S. ships evacuated 45,700 people and that there were an additional 30,000 Vietnamese on Vietnamese ships in the South China

¹³³ Memo, Department of State, Ambassador L. Dean Brown’s testimony, May 5, 1975, Folder, “Indochina – Refugees: General (3)” Box 13, Ron Nessen Papers, Gerald R. Ford Library.

¹³⁴ Memo for The Secretary from L. Dean Brown, “Evacuation” May 1, 1975, Folder, “Indochina—U.S. Involvement, May 1975,” Box 13, Max L. Friedersdorf Files, Gerald Ford Library.

Sea.¹³⁵ The “gut issue,” Brown noted, was that “any Vietnamese who reaches Guam is ‘ours;’ that is to say, when someone reaches our soil, we cannot throw him out.”¹³⁶ The principle of nonrefoulement codified in Article 33 of the 1951 Convention and Protocol on the Status of Refugees, Brown continued “states ‘Contracting States shall not expel a refugee lawfully in their territory save on grounds of national security or public order.’”¹³⁷ In short, while the approved parole covered those evacuated on U.S. ships, the 30,000 Vietnamese that escaped on their own exceeded the total parole number.

While U.S. policymakers had anticipated this problem, it did not make the clash between the human stakes and increasing apathy in the United States any easier to handle.¹³⁸ The INS recommended that the U.S. draw a “clear line” on the issue and only assist those that the United States evacuated, and argued therefore “that the previous limit of 50,000 for high risk refugees...not be increased.”¹³⁹ Brown flatly rejected this logic. As he explained in his memo, “what [INS Commissioner] Chapman recommends...would mean that we force the Vietnamese Navy to return to the high seas with easily foreseen results: a sort of Flying Dutchman status.”¹⁴⁰ “You can imagine the consequences of this a year from now,” Brown cautioned, an obvious warning about the 1976 presidential election. To avoid rendering 30,000 former American allies to a stateless fate, Brown argued, “we’ll need further parole authority,” which would be

¹³⁵ Ibid

¹³⁶ Ibid.

¹³⁷ Ibid

¹³⁸ For an earlier memo on the issue see: “Evacuation or Rescue of Vietnamese,” April 22, 1975, Folder, “Vietnam (21) Box 20, National Security adviser. Presidential Subject File, 1974-1977. Gerald R. Ford Library.

¹³⁹ Memo, Immigration and Naturalization Service, May 1, 1975, Folder, “Indochina—U.S. Involvement, May 1975,” Box 13, Max L. Friedersdorft Files, Gerald Ford Library.

¹⁴⁰ Memo for The Secretary from L. Dean Brown, “Evacuation” May 1, 1975, Folder, “Indochina—U.S. Involvement, May 1975,” Box 13, Max L. Friedersdorft Files, Gerald Ford Library.

difficult given the “cool, possibly even hostile” reaction Brown anticipated from Congress and already had from the INS.¹⁴¹

The administration agreed with Brown. Ford and Kissinger requested that Attorney General Levi expand the original parole numbers to “150,000...with the understanding that we would attempt to resettle at least 20,00 of this number abroad.”¹⁴² The Attorney General responded favorably, explaining that he did “not share the view pressed by” the INS, although he conceded, “it should be recognized that the INS view is probably concurred in by many members of the Congress.”¹⁴³ Given this reality, Levi encouraged the White House to make a public appeal on behalf of the refugees and meet personally with as many members of Congress as possible to “influence their views and obtain their advice before large additional numbers of refugees are accepted in United States territory.”¹⁴⁴

Financial problems exacerbated the already extensive challenges confronting the administration. On May 1 the House of Representatives voted down HR 6069, which would have provided significant funds toward the evacuation and resettlement of Indochinese refugees.¹⁴⁵ The move caused Ford to exclaim, “God Damn it, I just don’t

¹⁴¹ Ibid

¹⁴² Memo, from Henry A. Kissinger to the President, “Parole of Additional Numbers of Vietnamese into the U.S.” May 2, 1975, Folder, “Refugees—Indochina (1),” Box 17, National Security adviser. Presidential Subject File, 1974-1977. Gerald R. Ford Library. See also: Memo, for the Attorney General, “Parole of Additional Numbers of Vietnamese into the U.S.” [no date but with May 1975 docs], Folder, “Refugees—Indochina (1),” Box 17, National Security adviser. Presidential Subject File, 1974-1977. Gerald R. Ford Library.

¹⁴³ Letter, to Philip Buchen, Counsel to the President, from Mark L. Wolf, Special Assistant to the Attorney General, letter on Attorney General’s “Views on the admission to the United States of Vietnamese refugees for whom parole has not already been authorized” May 2, 1975, Folder, “Indochina—U.S. Involvement, May 1975,” Box 13, Max L. Friedersdorft Files, Gerald Ford Library.

¹⁴⁴ Memo for The Secretary from L. Dean Brown, “Evacuation” May 1, 1975, Folder, “Indochina—U.S. Involvement, May 1975,” Box 13, Max L. Friedersdorft Files, Gerald Ford Library.

¹⁴⁵ Nessen, *It Sure Looks Different from the Inside*, 114; Ford, *A Time to Heal*, 250. Haley, *Congress and the Fall of South Vietnam and Cambodia*, 147.

understand it” and drew a televised lecture from Nessen on the president’s behalf.¹⁴⁶ At least part of the problem stemmed from the fact that HR 6069, which had been making its way through committee for weeks prior to the fall of Saigon, contained sections on evacuation and humanitarian assistance, and the House refused to approve the bill, which authorized Ford to use military force to accomplish the evacuation, after April 30th. This decision put the entire program into jeopardy because, as a May 5th memo explained, “without additional funds, the U.S. Government will be able to continue resettlement efforts only one more week.”¹⁴⁷

Throughout the remainder of May 1975, the administration went on the offensive to garner public and congressional support for increased parole numbers. On the 19th, Ford created the President’s Advisory Committee on Refugees to complement the Interagency Task Force on Refugees.¹⁴⁸ The administration also received encouraging signs from powerful domestic organizations like the American Civil Liberties Union and the AFL-CIO, which wrote letters to the White House and publically proclaimed their support for Ford’s resettlement program.¹⁴⁹ Ford continued to emphasize his belief that “we have a moral obligation to help these refugees resettle and begin new lives in the

¹⁴⁶ Nessen, *It Sure Looks Different From the Inside*, 114; Press Release, Office of the White House Press Secretary “Statement by the President,” May 1, 1975, Folder “Indochina Refugees—Clippings and Press Releases,” Box 9, Theodore C. Marris Files, Gerald R. Ford Library.

¹⁴⁷ Memo, for president from Max L. Friedersdorft, “Migration and Refugee Assistance Act of 1975,” May 5, 1975, Folder “Indochina—Refugees” Box 13, Max L. Friedersdorft Files, Gerald Ford Library.

¹⁴⁸ See: Press Release, Office of the White House Press Secretary, “The White House” May 19, 1975, Folder “Indochina Refugees—Clippings and Press Releases,” Box 9, Theodore C. Marris Files, Gerald R. Ford Library; Press Release, Office of the White House Press Secretary, “Remarks of the President to the Advisory Committee on Refugees” May 19, 1975, Folder “Indochina Refugees—Clippings and Press Releases,” Box 9, Theodore C. Marris Files, Gerald R. Ford Library. Charter, signed by Dr. Theodore Marris, Special Assistant to the President, “Charter: President’s Advisory Committee on Refugees” May 22, 1975, Folder “President’s Advisory Committee: General (1)” Box 11, Theodore C. Marris Files, Gerald R. Ford Library

¹⁴⁹ Letter to President Ford from Aryeh Neir, Executive Director, American Civil Liberties Union, May 8, 1975, Folder, “Indochina – Refugees: General (3)” Box 13, Ron Nessen Papers, Gerald R. Ford Library

United States. They fled from South Vietnam for two reasons: They feared that they would be killed if they stayed and they did not want to live under a Communist system of government.”¹⁵⁰ In his press conferences and cabinet meetings Ford also argued that although “Americans want to forget the Vietnam War... we must not take out our frustration and anger on the innocent victims of the war. To do so would dishonor the sacrifices America has made in good faith.”¹⁵¹

Ford’s campaign succeeded. Congress passed the Indochina Migration and Refugee Assistance Act of 1975 (Public Law 94-23), which the President signed into law on May 24, 1975.¹⁵² Congress also appropriated \$405 million for refugee resettlement in addition to the \$98 million in economic assistance funds already spent by the Task Force.¹⁵³ Haley argues, “with the approval of the aid for the refugees the United States reached the end of its long, bitter involvement in the Vietnam War.”¹⁵⁴ While the United States’ “long, bitter involvement in the Vietnam War” was far from over, the influx of funds permitted the U.S. government, along with the help of voluntary agencies, to open and maintain four reception centers in the United States: Camp Pendleton, California (opened on April 29), Ft. Chaffee, Arkansas (May 2), Eglin Air Force Base, Florida (May 4) and Ft. Indiantown Gap, Pennsylvania (May 28). By the end of December “some 130,000 refugees” had been successfully resettled in the United States, with the last of the

¹⁵⁰ Memo, for the President from Ron Nessen, “Talking Points for your news conference and Cabinet Meeting on refugee aid,” May 6, 1975, Folder, “Indochina – Refugees: General (3)” Box 13, Ron Nessen Papers, Gerald R. Ford Library.

¹⁵¹ Ibid.

¹⁵² Haley, *Congress and the Fall of South Vietnam and Cambodia*, 149.

¹⁵³ Information Packet, Interagency Task Force on Indochina Refugees, “Background” Folder “Refugees—Indochinese (1),” Box 5, John G. Carlson Files, Gerald R. Ford Library. See also, Espiritu, *Body Counts*, 9.

¹⁵⁴ Haley, *Congress and the Fall of South Vietnam and Cambodia*, 149.

reception center closing on December 20th.¹⁵⁵

As had been the case with Operation Babylift, Operation Frequent Wind was a military operation. As Espiritu argues, in their journey from Vietnam to the United States, refugees moved “from one U.S. military base to another,” encountering “the reach of the U.S. empire in the Asia-Pacific region” firsthand.¹⁵⁶ “The material and ideological conversion of U.S. military bases into place of *refuge*—places that were meant to *resolve* the refugee crisis,” Espiritu argues, “discursively transformed the United States from violent aggressor in Vietnam to benevolent rescuer of its people.”¹⁵⁷ Espiritu makes a compelling point, as it is indeed impossible to untangle the presence of 130,000 Vietnamese refugees in the United States from the United States’ role as a “violent aggressor” in the Vietnam War.

At least during the Ford administration, however, U.S. officials framed the “profound moral obligation” the United States owed Vietnamese refugees as stemming directly from U.S. military involvement. The mantra of “never leaving a man behind,” so prominent in U.S. military ethos, certainly helped the administration make this argument without relinquishing claims to moral authority. For the time being, in other words, the United States admitted Vietnamese refugees *and* implicitly and explicitly accepted culpability for the refugees’ existence. While U.S. officials certainly emphasized what Hanoi would likely do those associated with the United States, American policymakers talked just as openly about the “moral obligation” stemming from the individuals’ association with the United States.

¹⁵⁵ Press Release, Office of the White House Press Secretary (Vali, Colorado), “Status Report: Refugees from Indochina” December 24, 1975, Folder “7.321 Refugees (3),” Box 23, Charles H. McCall Files, Gerald R. Ford Library.

¹⁵⁶ Espiritu, *Body Counts*, 25.

¹⁵⁷ Espiritu, *Body Counts*, 35.

The powers that be were willing to buy these arguments in spring 1975. Recalling the rapid improvement in Congressional opinion and successful resettlement, Nessen argued “largely because of the president’s efforts, congressional and public opinion was turned around and the refugees were assisted in finding a place in American society. It was probably Ford’s finest effort at moral leadership.”¹⁵⁸ While the administration certainly deserved more credit for the refugee resettlement than it is usually awarded—indeed, more than it usually claimed—the closing of the reception center at Fort Chaffee, Arkansas on December 20, 1975 did not end the “refugee problem,” nor did it permit U.S. policymakers to ignore events in Vietnam.

The Unfinished War

The increasing inevitability of what Americans call the fall of Saigon in April 1975 forced U.S. policymakers not only to urgently plan an American evacuation, but also to confront the new geopolitical realities in Indochina. “Far from receding into isolation,” historian Edwin Martini explains, “the United States after 1975 remained in a position to shape the direction and contour of events in Vietnam and in Southeast Asia as a whole. The war on Vietnam continued; only the weaponry had changed.”¹⁵⁹ In his path-breaking book, Martini demonstrates that after 1975 the U.S. imposed a series of hostile policies that in many ways perpetuated the war.¹⁶⁰ These included extending the economic embargo that it had previously placed on North Vietnam to the entire country and preventing the new united country, the Socialist Republic of Vietnam (SRV), from joining the United Nations. These moves, Martini contends, amounted to the beginnings

¹⁵⁸ Nessen, *It Sure Looks Different from the Inside*, 116.

¹⁵⁹ Martini, *Invisible Enemies*, 14. See also Sahara, “Globalized Humanitarianism,” 39.

¹⁶⁰ Martini, *Invisible Enemies*, 17.

of an “American war on Vietnam” that lasted until 2000.¹⁶¹

The Vietnam War remained unfinished in other ways, despite Hanoi’s unequivocal military victory. As H. Bruce Franklin and Michael Allen have shown, the issue of American servicemen listed as missing in action/prisoner of war (POW/MIA), though powerful during the military phase of the Vietnam War, became a national obsession after 1975. This shift was neither immediate nor inevitable, however. As Allen explains, Ford regarded the POW/MIA issue as one of the “divisive residues he was anxious to leave behind.”¹⁶² Throughout most of his presidency, therefore, Ford gave the National League of POW/MIA Families, the mouthpiece for the issue, only a lukewarm response. He consistently refused to create a Presidential Task Force devoted to POW/MIA affairs, as the League requested he do for over a year.¹⁶³ When Congress acquiesced to creating the Committee on Missing Persons in Southeast Asia, chaired by G.V. “Sonny” Montgomery, in September 1975, the House helped elevate the issue in the corridors of power. In December, however, the Montgomery Committee’s final report gave POW/MIA families little to cheer about when it concluded that “no Americans are still being held as prisoners in Indochina” and “a total accounting...is not now, and never will be, possible.”¹⁶⁴

Once Ronald Reagan emerged to challenge Ford for the presidential nomination, however, Ford hardened his POW/MIA rhetoric. In a gesture clearly aimed more toward

¹⁶¹ Martini, *Invisible Enemies*, 2. For discussion of a “lost opportunity” in US-Vietnamese relations during the Ford administration see: T. Christopher Jespersen, “The Bitter End and the Lost Chance in Vietnam: Congress, the Ford Administration, and the Battle Over Vietnam, 1975-76” *Diplomatic History* 24:2 (2000): 265-293.

¹⁶² Allen, *Until the Last Man Comes Home*, 155.

¹⁶³ On Ford’s unwillingness to create a task force see: Allen, *Until the Last Man Comes Home*, 161-2; Jespersen, “The Bitter End and the Lost Chance in Vietnam,” 269-272.

¹⁶⁴ Allen, *Until the Last Man Comes Home*, 166.

domestic politics than foreign policy, in March of 1976 Kissinger declared “full accounting” of American POW/MIAs to be “the absolute minimum precondition without which we cannot consider the normalization of relations.”¹⁶⁵ Despite a brief hiatus during the Carter administration, U.S. policymakers maintained this position until the mid 1990s.¹⁶⁶ The U.S. approach to U.S.-Vietnamese relations, American domestic politics, and U.S. refugee policy were all deeply intertwined after 1975.

Thanks to the insightful scholarship of Martini, Allen, and others, the hostile American response to the SRV and the rising importance of the POW/MIA issue to both U.S.-Vietnamese relations and American domestic politics is well known. What current accounts fail to mention, however, is that Vietnamese refugees continued to be a defining issue after April 1975.¹⁶⁷ In October, for example, James M. Wilson represented the United States at a meeting of the UN High Commissioner for Refugees in Geneva. Wilson, the newly appointed Coordinator for Humanitarian Affairs in the Department of State, explained that in light of “this year’s dramatic exodus,” the Ford administration initiated a number of changes within the Department of State. While the Office of Refugee and Migration Affairs had existed previously, the decision to “bring into sharper focus the Department’s traditional interest in human rights and humanitarian affairs in the conduct of our relations with other nations” led to the establishment of the Office for Human Rights and Humanitarian Affairs.¹⁶⁸ The new department had three primary

¹⁶⁵ Allen, *Until the Last Man Comes Home*, 174.

¹⁶⁶ For the extent to which the “domestic electoral process” figured into this process see Jespersen, “The Bitter End,” 289.

¹⁶⁷ For an exception that focuses solely on the Ford administration see: Heather Marie Stur, “‘Hiding Behind the Humanitarian Label’: Refugees, Repatriates, and the Building of America’s Benevolent Image After the Vietnam War” *Diplomatic History* 39:2 (April 2015): 223-244.

¹⁶⁸ Daft, Wilson’s remarks at UNHCR Geneva Session, Folder, “1975/10 - United Nation High Commission on Refugees Executive Committee UNHC on Refugees Executive Committee” Box 5, James

functions: (1) a reorganization of the pre-existing Office of Refugee and Migration Affairs, (2) the creation of an office for handling the POW/MIA issue, and (3), the creation of an Office of Human Rights.¹⁶⁹

These changes are worth noting for three reasons. First, they occurred in October of 1975 under the Ford administration, not under President Carter, who is usually associated with an emphasis on human rights in American foreign affairs. Second, the Department of State's grouping of refugee questions and the POW/MIA issue under the umbrella of "humanitarian affairs" laid the groundwork for future U.S. policy.¹⁷⁰ Throughout the 1980s, U.S. officials used this same, very specific definition of "humanitarian" when meeting with their Vietnamese counterparts.

Finally, Wilson's remarks are important because they describe what he called a "new phase" of the Indochinese exodus. "We are, I believe," Wilson stated pointedly, "in danger of both singly and collectively failing in our responsibilities and obligations [to Indochinese refugees]." ¹⁷¹ "There are now two critical aspects of the problem to consider," Wilson went on, "the first is the matter of over 70,000 Indochinese refugees in Thailand." ¹⁷² "More compelling is the second problem," Wilson continued, "involving the hundreds of refugees who manage to flee Indochina each month in small unworthy

M. Wilson Papers, Gerald R. Ford Library. For the history of this office see: "Carter and Human Rights, 1977-1981," Department of State Office of the Historian, <https://history.state.gov/milestones/1977-1980/human-rights>.

¹⁶⁹ Ibid.

¹⁷⁰ As early as 1974 U.S. officials expressed their hope that Hanoi would "separate the military and political issues from this humanitarian cause," i.e. POW/MIA accounting: Congressional Testimony, Statement of Dr. Roger E. Shields, Deputy Assistant Secretary of Defense (International Economic Affairs) before the Armed Services Committee, Subcommittee Number Two House of Representatives, November 19, 1974, Folder "Missing in Action—Congressional Testimony" Box 16, Theodore C. Marris Files, Gerald R. Ford Library

¹⁷¹ Transcript, Wilson's remarks at UNHCR Geneva Session, Folder, "10/4/76 UN High Commissioner on Refugees Executive Committee" Box 5, James M. Wilson Papers, Gerald R. Ford Library.

¹⁷² Ibid

sea vessels.”¹⁷³ Although the “boat people” crisis did not reach its apex until 1979, the problem had already begun in October 1975. Foreshadowing the human tragedy the world would witness on an unfathomable scale in just a few years, Wilson argued “the problem of the Indochinese refugees who, under great peril, manage to flee by boat in the South China sea is without question the most dramatic and tragic situation this Committee will discuss at this session.”¹⁷⁴

Throughout 1975 and 1976, U.S. policymakers clashed over whether or not the U.S. should accept some of the tens of thousands of refugees languishing in Thailand. By December, the total had risen to 80,000 with “with well over 150 new arrivals per week from across the frontiers.”¹⁷⁵ As Acting Secretary of State Ingersoll explained to Attorney General Levi, among those in Thailand were many “individuals to whom the U.S. Government has both a special connection and obligation. Under the original general parole program they would have clearly fallen within our priority categories I, II, or III.”¹⁷⁶ Ingersoll suggested Levi should issue parole for those in the first two categories, which numbered about only 1,000, but what about the rest? “The qualified Category III (High Risk) refugees,” he argued, fit within a “clearly established” obligation and therefore should be paroled into the United States.¹⁷⁷ Once again, however, the contentious nature of the issue prompted U.S. policymakers to ask Congress for a limited parole program that could not address the full scope of the problem.

¹⁷³ Ibid

¹⁷⁴ Ibid On the international response to the early boat people exodus see: Sara E. Davies, *Legitimising Rejection: International Refugee Law in Southeast Asia* (Lieden and Boston: Martinus Nijhoff Publishers, 2008), 88-94.

¹⁷⁵ Letter, to Edward H. Levi, Attorney General, from Robert S. Ingersoll, Acting Secretary, December 10, 1975, Folder, “Refugees—Indochina (3),” Box 18, National Security adviser. Presidential Subject File, 1974-1977. Gerald R. Ford Library; Scalan and Loescher, *Calculated Kindness*, 119.

¹⁷⁶ Ibid.

¹⁷⁷ Ibid.

In February 1976 the State Department, INS, and Department of Justice contacted Congressmen to ask for the parole of an “additional 11,000” that included approximately 1,000 refugees from Category I and II and 10,000 that fell under the original “high risk” category. “We have a real obligation to these high risk refugees,” the joint letter argued, and “aside from our obligation, we also have the humanitarian motive of alleviating the sufferings of these individuals, most of whom are living under deplorable camp conditions in Thailand.”¹⁷⁸ While the necessary committees of Congress were willing to support an additional parole “to reunify families,” (i.e. those in Category I), they were very reluctant to approve any more “high risk” cases.¹⁷⁹ It took two additional months of tough lobbying until on May 5 Congress approved the 11,000-person parole, which, of course, was not sufficient to fully address the 80,000 and growing number of refugees in Thailand.¹⁸⁰

The proliferation of “boat people” worsened throughout Ford’s tenure as president. By September 1976, Wilson explained to INS Commissioner Chapman, “we are facing a plainly calamitous situation with respect to the Indochinese refugee boat cases. As more and more of these boats flee Vietnam, they are meeting with an increasingly hostile reception in the countries of first asylum in the area. Many are being turned back to sea in unseaworthy vessels, with untrained crews and in the typhoon

¹⁷⁸ Letter, from Les to Max, February 24, 1976, Folder “Indochina—Refugees” Box 13, Max L. Friedersdorft Files, Gerald Ford Library.

¹⁷⁹ Memo, to Brent Scowcroft, from Thomas J. Barnes, “Parole for Additional 11,000 Indochina Refugees,” March 6, 1976, Folder, “Refugees—Indochina (4),” Box 18, National Security adviser. Presidential Subject File, 1974-1977. Gerald R. Ford Library.

¹⁸⁰ Department of State Briefing Memo, to the Secretary from D/HA J.M. Wilson Jr., “Welcome Home: developments in Your Absence,” May 6, 1976, Folder “Refugees—Indochina” Box 2, James M. Wilson Papers, Gerald R. Ford Library.

season.”¹⁸¹ Wilson’s tone was desperate. He repeated that “the urgent problem” needed an “immediate answer,” yet “in view of the assurances which we have given The Congress, further class parole must be ruled out,” and “special legislation would be too time consuming.”¹⁸² He suggested that at the very least, the United States “make available 100 conditional entry spaces per month for the use of refugees escaping by boat.”¹⁸³

By December, the NSC threw its weight behind Wilson’s proposal. “The president is deeply concerned with this entire problem,” an NSC memo explained, adding: “we should act now to make sure this problem is resolved and our program is operating prior to the President’s leaving office.”¹⁸⁴ The issue, simply put, did not “get resolved.” The boat people continued to pour out of Vietnam and in the late 1970s and 1980s, reaching proportions that made the “calamitous situation” in 1976 look paltry. While it is worth asking if it is possible for *any* refugee crisis to “get resolved,” certainly, U.S. policymakers in 1975-1976 fell well short of that goal.

Conclusion

That 130,000 Vietnamese evacuated alongside U.S. personnel in April 1975 was neither haphazard nor unanticipated; the Ford administration fought vigorously for precisely this outcome. While one can certainly lament that the administration did not

¹⁸¹ September 2, 1976, letter to INS Commissioner Leonard F. Chapman from J. M. Wilson, Jr., Coordinator for Humanitarian Affairs, Department of State Folder, “Refugees—Indochina (5),” Box 18, National Security adviser. Presidential Subject File, 1974-1977. Gerald R. Ford Library.

¹⁸² Ibid.

¹⁸³ Memo for Brent Scowcroft, From William Gleysteen, “Recommended Phone Call to INS Commission Chapman re Indochina Refugee ‘boat cases’” December 10, 1976, Folder, “Refugees—Indochina (5),” Box 18, National Security adviser. Presidential Subject File, 1974-1977. Gerald R. Ford Library

¹⁸⁴ Ibid.

begin earnest evacuation planning at an earlier date, the sheer horror of the fall of Da Nang, which capped a stunning series of North Vietnamese military victories, shook U.S. officials out of their complacency and forced them to confront the reality of South Vietnam's imminent collapse. As the WSAG meeting on April 2, 1975 makes clear, U.S. policymakers were determined to prevent a "recurrence of the Danang fiasco" and made an immediate commitment to evacuating South Vietnamese whose lives would be at risk because of their association with the United States.

The success of the Ford administration's campaign to include South Vietnamese in the American evacuation was far from inevitable. The administration fought a deeply divided Congress, public and, at times, INS to ensure that it had the authority to use the U.S. military to evacuate South Vietnamese nationals and the legal approvals necessary to resettle those individuals in the United States. Like the fall of Da Nang, however, the evacuation of Saigon proved to be both embarrassing and tragic, though this time the outcome proved far less disastrous than it otherwise might have been; 130,000 Vietnamese refugees evacuated alongside the United States, many of them before U.S. military helicopters carried the last Americans out of Vietnam on April 28-30 1975.

While Hanoi's capture of Saigon ended the military phase of the Vietnam War, scholars argue the conflict continued through other means. Incorporating refugee issues enriches our understanding of this process. For many Vietnamese, the war remained ongoing long after April 1975. Although Americans vacated the U.S. embassy in Saigon—soon to be renamed Ho Chi Minh City—the relationships that hundreds of thousands of Vietnamese had with the United States remained. While the administration mobilized less of a response over time, the United States government remained conscious

of the fact that the “refugee problem” did not end on April 30, 1975, nor did it end when the last American refugee reception center closed on December 20, 1975.

The outpouring of boat people began immediately after communist victory, a fact that adds heartbreaking context to our larger understanding of post-1975 Indochinese refugees. When scholars discuss immigration in general and Vietnamese migration in particular, they often suggest that refugees arrived in “waves.” The “first wave” of refugees, the usual narrative suggests, arrived in April of 1975 and the “second wave” did not bring new refugees to American shores until the late 1970s. While this model reflects broad trends in refugee admissions, it obscures the true nature of the refugee crisis and American efforts to resettle refugees: both were constant.

The Ford administration remained acutely aware of the boat people exodus and secured an additional 11,000-person parole for these individuals. The administration’s records, however, also reflect a complete lack of awareness regarding Hanoi’s treatment of Amerasians and detention of over one million individuals in reeducation camps. President Carter inherited all of these issues, as would Presidents Reagan, Bush and Clinton after him. With tragic consistency, humanitarian crises defined U.S.-SRV relations from 1975 to 1995.

CHAPTER 2

A HUMAN RIGHTS OBLIGATION: CARTER, U.S.-VIETNAMESE RELATIONS AND THE INDOCHINESE REFUGEE CRISIS, 1977-1980

In the spring of 1979, the Assistant Secretary of State for East Asian and Pacific Affairs, Richard Holbrooke, explained in testimony before Congress that the world was witnessing a “human tragedy on a scale unprecedented to date” in Southeast Asia.¹ Broadly speaking, the “massive human tragedy” had two dimensions. The first was the “boat people,” or the oceanic migrants that fled from Vietnam’s coast in small, unseaworthy vessels and faced unpredictable waters and ruthless pirates to reach the shores of first asylum nations. A second major flow of refugees was known as “land people,” or those that chanced dangerous mountain treks, daring river crossings, minefields, and starvation to reach foreign soil. When American Vice President Walter Mondale stepped to the podium at a meeting of the United Nations High Commissioner of Refugees (UNHCR) a few months later, he made no mistake about the stakes facing the world community: without immediate international action, the refugees would suffer the same fate as the “doomed Jews of Nazi Germany.”²

From 1976 to 1979, the number of boat and land people pouring out of Indochina increased a stunning 500%: from one hundred per month to over fifty thousand per month. In the same period, I argue, American policy also transformed dramatically, undergoing three major changes. The first two changes involved shifts from Gerald Ford’s administration to that of Jimmy Carter, while the last transformation occurred

¹ Indochinese Refugees, “Hearings before the Subcommittee on Asian and Pacific Affairs of the Committee on Foreign Affairs of the House of Representatives, 96th Congress, 1st Session, April 5, 35; May 22; and June 13, 1979. US Government Printing Office, Washington: 1979, Folder: “Refugees, 1/79-6/79,” Box 51, Zbigniew Brzezinski Material - Subject Files (NSA 7), Jimmy Carter Library.

² Ibid.

within Carter's presidential term. Under both Ford and Carter, those in favor of a generous American response argued the United States had a "profound moral obligation" to Indochinese refugees. During Ford's presidency, as chapter one documents, the administration argued that this obligation stemmed from America's long involvement in Indochina and alliance with the South Vietnamese people. Throughout Carter's term, this underlying rationale changed. As Leo Cherne, co-chairman of the Citizens Commission on Indochinese Refugees (CCIR) argued in March 1978, "former US involvement in Vietnam[,] while an important source of the special obligation we have, is dwarfed by the remorseless requirements of our own humanity...and our recently official enlargement of our concern for human rights."³ The first major transformation, then, is that human rights obligations gradually surpassed U.S. involvement in Indochina as the primary rationale for expansive Indochinese refugee admissions.

Given the centrality of human rights to Jimmy Carter's campaign and foreign policy, it is easy to imagine Cherne's comments invoking a sense of pride or camaraderie in the nation's thirty-ninth president. Cherne's statement and the avalanche of similar characterizations that preceded and followed it, however, were a thorn in the president's side. While President Ford spent a great deal of time and political capital to ensure that 130,000 Vietnamese refugees evacuated alongside American personnel in April 1975, Vietnamese refugees were not among Carter's top priorities when he entered office, or, arguably, at any point during his presidency. The second major change, therefore, involves the source of policy initiative. During Carter's administration, momentum for

³ Statement by the Honorable Le Cherne" Co-Chairman of the Citizens' Commission on Indochinese Refugees, organized by the International Rescue Committee to the House Subcommittee on Immigration, Citizenship and International Law, March 1, 1978, International Rescue Committee Records, Box 1698, Hoover Institution Archives.

generous admissions stemmed from *outside* the White House.

Finally, Carter completely reversed the way he framed the connections (or lack thereof) between various aspects of his Indochina policy during his time in office. Early in his term, the administration tried to separate official efforts to normalize relations with Vietnam, address the Indochinese refugee crisis, and promote human rights abroad. Thanks in large part to the CCIR, however, Carter's early efforts failed and the three issues became deeply intertwined.⁴ By 1979, Carter championed the position that he once opposed: that the massive boat people and land people migrations *were* human rights concerns, and that these concerns should play a central role in informing U.S. policy toward Vietnam in particular and Indochina and Southeast Asia in general.⁵

The historical scholarship devoted to the study of human rights in American history has exploded in the last decade.⁶ Although the United States signed the Universal Declaration of Human Rights in 1948, as Barbara Keys' aptly titled *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* demonstrates, human rights did not become a major feature of American foreign policy until the 1970s.⁷ Because Carter legitimized human rights rhetoric as a language of international relations, much scholarly

⁴ The best sources on the CCIR subcommittee of the IRC are: Aaron Levenstein, *Escape to Freedom: The Story of the International Rescue Committee* (Westport, CT: Greenwood Press, 1983); Andrew F. Smith, *Rescuing the World: The Life and Times of Leo Cherne* (Albany, NY: State University of New York Press, 2002).

⁵ While Valerie O'Connor Sutter has a much larger geopolitical focus and spends very little time on Carter specifically, her *The Indochinese Refugee Dilemma* (Louisiana State University Press, 1990) remains the work that best demonstrates the links I argue developed throughout Carter's administration.

⁶ Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1998): 1-38; Kenneth Cmiel, "The Emergence of Human Rights Politics in the United States" *Journal of American History* Dec. 1999: 1231-50 and "The Recent History of Human Rights" *American Historical Review* 109 (2004): 117-135; Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001); Elizabeth Borgwardt, *A New Deal For the World: America's Vision For Human Rights* (Cambridge: Harvard University Press, 2005).

⁷ Barbara Keys, *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* (Harvard University Press, 2014).

ink has been spilt debating the character, efficiency, and (often uneven) application of the administration's human rights policy.⁸ Curiously, though—especially given Mondale's comments at Geneva—existing studies of Carter's human rights policy have a blind spot when it comes to Vietnam. There is not a single book-length project on the subject, and only one such work devoted to U.S. human rights policies toward Cambodia.⁹

The number of scholars who explore U.S. Indochinese refugee policy during the Carter administration also remains small. Gil Loescher and John A. Scanlan's 1986 *Calculated Kindness: Refugees and America's Half-Open Door, 1945 to the Present* contains two chapters on the Indochinese refugee crises during the Carter administration, and they remain the best source on the subject, thirty years later.¹⁰ Furthermore, because the Carter administration's attempts to normalize relations with Vietnam failed, these efforts are usually only briefly mentioned in studies that highlight U.S.-Chinese normalization or that rush to explore the more successful U.S.-Vietnamese normalization process in the late 1980s and early 1990s.¹¹ Steven Hurst's 1996 *The Carter*

⁸ For a sampling see: Joshua Murachik, *The Uncertain Crusade: Jimmy Carter and the Dilemmas of Human Rights Policy* (New York: Hamilton Press, 1986); Kathryn Sikkink, *Mixed Signals: U.S. Human Rights Policy and Latin America* (Ithaca: Cornell University Press, 2004): 48-76; David F. Schmitz and Vanessa Walker, "Jimmy Carter and the Foreign Policy of Human Rights: The Development of a Post-Cold War Foreign Policy," *Diplomatic History* 28.1 (January 2004): 113-43; Bradley R. Simpson, "Denying the First Right": The United States, Indonesia and the Ranking of Human Rights by the Carter Administration," *International History Review* 31.4 (December 2009): 798-826.

⁹ Sheldon Neuringer, *The Carter Administration, Human Rights, and the Agony of Cambodia* (Lewiston: The Edwin Mellen Press, 1993). See also: Kenton Clymer, "Jimmy Carter, human rights, and Cambodia" in his *The United States and Cambodia, 1969-2000* (London and New York: Routledge Curzon, 2004).

¹⁰ Gil Loescher, and John A. Scanlan's *Calculated Kindness: Refugees and America's Half-Open Door, 1945 to the Present* (New York: Free Press, 1986): see chapters 7 & 8. See also: Bon Tempo, Carl J. *Americans at the Gate: The United States and Refugees During the Cold War*. (Princeton: Princeton University Press, 2008): 148-179; Roger Daniels-*Guarding the Golden Door: American Immigration Policy and Immigrants Since 1882* (New York: Hill and Wang, 2004): 202-203. For those that examine the issue from an international and Southeast Asian perspectives see: Valerie O'Connor Sutter, *The Indochinese Refugee Dilemma* (Baton Rouge and London: Louisiana State University Press, 1990); Sara E. Davies, *Legitimising Rejection: International Refugee Law in Southeast Asia* (Brill/ Nijhoff, 2007).

¹¹ Lewis M. Stern, *Defense Relations Between the United States and Vietnam: The Process of Normalization, 1977-2003* (Jefferson, NC: McFarland & Company, Inc., Publishers, 2005); Edward A

Administration and Vietnam is the only monograph entirely devoted to U.S.-Vietnamese relations in the Carter years, though Cecile Menetrey-Monchau devotes most of her book to Carter in her *American-Vietnamese Relations, 1975-1979*.¹² Both works mention refugees, but neither provides an expansive exploration of the issue nor connects the refugee question to the broader issues of human rights and regional and international security. Indeed, Hurst forcefully argues that “human rights...appeared to play no significant role” in Carter’s policy toward Vietnam.¹³ In part, Hurst is right. The Carter administration *tried* to keep human rights out of its normalization policies, at least at first. This chapter’s use of newly available materials from the Carter Presidential Library and nongovernmental archives demonstrates, however, that Carter eventually adopted the very position he once opposed, arguing that human rights violations precipitated the refugee crisis, and that this reality should have a direct bearing on U.S.-Vietnamese relations.

This chapter provides a chronological examination of the Carter administration’s attempts to normalize relations with Vietnam and address the growing refugee crisis in Indochina. While my main focus is U.S. policy toward Vietnam, I also frequently discuss Indochina—or Vietnam, Laos and Cambodia. The reasons for this are twofold. First, during the Vietnam War the American military did not confine its operations within the borders of Vietnam. The U.S. government waged “secret wars” in Cambodia and Laos,

Martini, *Invisible Enemies: The American War on Vietnam, 1975-2000* (Amherst, University of Massachusetts Press, 2007); Michael J. Allen does briefly mention refugees in his, *Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War* (Chapel Hill: University of North Carolina Press, 2009): 199, 199.

¹² Steven Hurst, *The Carter Administration and Vietnam*. (Houndmills, Basingstoke, Hampshire: Macmillan, 1996). Cecile Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War* (Jefferson, N.C.: McFarland & Company, Inc., 2006).

¹³ Hurst, *The Carter Administration and Vietnam*, 125.

employing local actors in each who became targets for communist regimes after 1975. The 397,943 land people that successfully reached first asylum nations between 1975 and 1979, for instance, included 171,933 Cambodians, 211,344 Laotians and 14,666 Vietnamese.¹⁴ Secondly, throughout Carter's term Hanoi expanded its control, invading neighboring Cambodia twice and installing a puppet regime in Phnom Penh in 1979. For these reasons, the historical actors involved usually discussed "Indochinese refugees" rather than "Vietnamese refugees," (even though Vietnamese comprised the overwhelming majority of the boat people) and I have adopted their usage.

An Auspicious Beginning

On January 20, 1977, Jimmy Carter became the thirty-ninth president of the United States. "This inauguration ceremony marks a new beginning, a new dedication within our Government, and a new spirit among us all... The world itself is now dominated by a new spirit," Carter explained, where "peoples... are craving, and now demanding... basic human rights."¹⁵ These ideas—a new beginning, where a human rights based morality would dictate American policy—were especially attractive in the wake of Vietnam, Watergate and Ford's pardon of President Nixon, and helped bring the relatively unknown Georgian to the White House.¹⁶

One of the ways Carter sought a new beginning was to pursue normalization of

¹⁴ "Flight From Indochina" in UNHCR, *State of the World's Refugees 2000: Fifty Years of Humanitarian Action*, January 1, 2000, e-book: <http://www.unhcr.org/en-us/publications/sowr/4a4c754a9/state-worlds-refugees-2000-fifty-years-humanitarian-action.html>, 98.

¹⁵ Jimmy Carter, Inaugural Address, January 20, 1977, The American Presidency Project: <http://www.presidency.ucsb.edu/ws/?pid=6575>

¹⁶ For Carter's "late" and "serendipitous" embrace of human rights rhetoric, see Keys, *Reclaiming American Virtue*, chapter 9.

relations with the Socialist Republic of Vietnam (SRV).¹⁷ Barely two weeks after the inauguration, a memorandum for National Security Advisor Zbigniew Brzezinski from Mike Armcost, an East Asian and Chinese specialist on the National Security Council (NSC), supported Carter's initiative, concluding, "obviously, we must seek to normalize relations with Vietnam."¹⁸ "Normalization could serve a variety of U.S. interests," Armcost explained: "It might enable us to limit Soviet influence in Indochina, inhibit Vietnamese adventurism toward its neighbors"—in short, help secure stability in Southeast Asia—not to mention "open up commercial and economic opportunities for American businessmen."¹⁹ While noting that they will be "sensitive to our style in pursuing" normalization, Armcost reported "most Asian Governments...hope to see us overcome our differences with the Vietnamese."²⁰

After Carter made various goodwill gestures to Vietnam in January and February, Hanoi expressed interest in receiving an American delegation.²¹ Because of the potential of the National League of POW/MIA Families to fan the flames of domestic opposition if the administration appeared to forget the POW/MIA cause, the official purpose of this first delegation was to "obtain the best possible accounting for MIAs and the return of the remains of our dead."²² Yet, unlike his successors, Carter refused to champion POW/MIA accounting as the primary objective of U.S. policy. The administration

¹⁷ See Jimmy Carter, *White House Diary*. (New York: Farrar, Straus and Giroux, 2010): 27.

¹⁸ Memorandum for Zbigniew Brzezinski from Mike Armcost, "U.S. Policy Toward Vietnam: Some Wider Aspects of the Problem" February 4, 1977, Folder, "Vietnam, 1/77-12/78" Box 85, Zbigniew Brzezinski Material – Country Files (NSA 6), Office of the National Security Advisor, Jimmy Carter Presidential Library.

¹⁹ Ibid.

²⁰ Ibid. Underline in the original.

²¹ Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War*, 90; Hurst, *The Carter Administration and Vietnam*, 32.

²² Allen, *Until the Last Man Comes Home*, 184.

explicitly rejected the League's request to send a member of their own organization with the delegation, for example, and as Carter recorded in his diary: "If they [the Vietnamese] don't insist on reparations and don't castigate us publically, I think we can accept some reasonable accounting for the MIAs."²³

This initial delegation allowed Carter to test the waters in an informal, relatively low stakes manner. Because of Carter's willingness to accept "reasonable" rather than demand "full" accounting, the question of economic aid remained the biggest potential obstacle to U.S.-Vietnamese normalization.²⁴ In 1973, President Richard Nixon had secretly promised Hanoi billions of dollars in a classified letter, and Hanoi used this letter to insist that Washington remained legally obliged to pay reparations.²⁵ Carter rejected this argument and insisted that normalization must occur "without preconditions." Only thereafter would Washington be willing to provide aid "as a humanitarian gesture rather than a legal obligation."²⁶ By the end of the delegation's visit, Vietnam agreed to "dropping the term 'precondition' in favor of 'interrelated'" and further acquiesced to framing American aid as "humanitarian" rather than reparations.²⁷ Both sides left the meeting feeling confident enough to pursue normalization, and policymakers scheduled the first official normalization talks for only two months later, on May 3, 1977 in Paris.

While the optimism that accompanied this delegation proved unfounded, the

²³ Carter, *White House Diary*, 33. On rejection of including a League member on the delegation see: Memorandum for Zbigniew Brzezinski from Michel Oskenberg, "Composition of Delegation on the President's Mission to Hanoi," February 23, 1977, Folder: "Vietnam, 1977," Box 56, Zbigniew Brzezinski Material - Office County and Subject Chron Files (NSA 15), Jimmy Carter Presidential Library

²⁴ As Hurst explains, the point was "to neutralize the MIA issue before it could become domestic political football," Hurst, *The Carter Administration and Vietnam*, 32.

²⁵ For a copy of the letter see: Message, from the President of the United States to the Prime Minister of the Democratic Republic of Vietnam, February 1, 1973, Folder "Vietnam (1)," Box 18, The National Security Adviser. Presidential Country Files for East Asia and the Pacific, 1974-77. Gerald Ford Library.

²⁶ Hurst, *The Carter Administration and Vietnam*, 33.

²⁷ Hurst, *The Carter Administration and Vietnam*, 34.

meeting is noteworthy in other respects. That U.S. officials traveled directly to Hanoi to meet with their Vietnamese counterparts and expressed willingness to meet with Vietnamese officials in other countries abroad, even in the absence of formal relations, was a harbinger of things to come. U.S. officials did not anticipate this reality in 1977, however, and continued to operate on the assumption that official normalization would be imminently forthcoming.

In 1977, the NSC and State Department easily reached a consensus on the American approach to U.S.-Vietnamese normalization. Both bodies agreed that Richard Holbrooke, the thirty-six year old Assistant Secretary of State for East Asian and Pacific Affairs, would serve as the lead U.S. negotiator and that Holbrooke would seek normalization without preconditions (i.e. aid).²⁸ Holbrooke, who served seven years in Vietnam as a Foreign Service Officer and had served as the “youngest member of the American delegation to the Paris Peace Talks” during the Nixon administration, brought years of experience in U.S.-Vietnamese relations to his post.²⁹

U.S. officials also decided that human rights concerns amounted to one of many bilateral issues to be discussed after normalization rather than as a standard Vietnam would have to meet prior to recognition. As Holbrooke suggested, normalization would help “facilitate discussion and eventual resolution of more difficult, time-consuming

²⁸ For Brzezinski’s support of Vance’s memo to Carter see: Memorandum to the President from Zbigniew Brzezinski, “U.S.-Vietnamese Talks in Paris,” April 28, 1977, Folder, “Vietnam, 1/77-12/78” Box 85, Zbigniew Brzezinski Material – Country Files (NSA 6), Office of the National Security Advisor, Jimmy Carter Presidential Library. Memorandum for Zbigniew Brzezinski from Mike Armacost, “U.S.-S.R.V. Negotiations in Paris,” April 12, 1977, Folder, “Vietnam, 1/77-12/78” Box 85, Zbigniew Brzezinski Material – Country Files (NSA 6), Office of the National Security Advisor, Jimmy Carter Presidential Library.

²⁹ Derek Chollet and Samantha Powers, eds., *The Unquiet American: Richard Holbrooke in the World* (New York: Public Affairs, 2011), 92.

bilateral issues,” including human rights.³⁰ “We do not plan to raise this issue formally in our initial presentation,” Holbrooke explained, “but we do intend to comment on it if it comes up . . . We would note the Administration’s position on human rights . . . and state that this will have to be taken into account as our relations proceed.”³¹

The Paris talks began auspiciously but quickly crumbled. Despite Holbrooke’s offer that the two sides “go outside and jointly declare to the press that we have decided to normalize relations,” Vietnam refused to concede on the aid question.³² The magnitude of the devastation wrought by the Vietnam War made foreign investment, especially that promised by the defeated Americans, financially and symbolically imperative to Vietnamese leaders.³³ Thus, while Hanoi was willing to call aid “humanitarian” rather than “reparations,” the Vietnamese insisted that the United States provide economic aid prior to normalization. When Holbrooke refused to compromise and the talks ended, the Vietnamese negotiator read the contents of the still-classified Nixon letter to the press, creating a major firestorm. Congress responded by passing a series of resolutions prohibiting the United States from giving Hanoi any aid whatsoever.³⁴ Although Carter kept his word not to veto Hanoi’s admission to the United Nations, throughout the rest of the year both sides remained equally unwilling to budge on the aid question.³⁵

As normalization talks were dissolving in Paris, high-level discussions about how

³⁰ Memorandum to the Secretary from Richard Holbrooke, “U.S.-SRV Negotiations,” April 25, 1977, Folder, “Vietnam, 1/77-12/78” Box 85, Zbigniew Brzezinski Material – Country Files (NSA 6), Office of the National Security Advisor, Jimmy Carter Presidential Library.

³¹ Ibid.

³² Quoted in Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War*, 113.

³³ For statistics on the devastation see Martini, *Invisible Enemies*, 40-41.

³⁴ Hurst, *The Carter Administration and Vietnam*, 36-40; Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War* 115-130.

³⁵ Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War*, 136-138; Sutter, *The Indochinese Refugee Dilemma*, 83.

to address a growing refugee problem mounted in Washington. In a June 23, 1977 memo, Secretary of State Vance explained to Carter that “many Indochinese refugees who are escaping by sea are drowning because, with no guarantee that they will be accepted by any country, masters of passing ships refuse to pick them up.”³⁶ “The crux of the problem,” he continued, “is to break the logjam on resettlement of refugees so that Asian countries will grant temporary asylum to those who reach their shores” not only by sea but also by land.³⁷

The lack of a comprehensive refugee law continued to plague American policymakers. Because of the strict hemispheric limits set by the Immigration and Nationality Act of 1965, the “parole power” continued to be the only means through which U.S. officials could admit refugees into the United States. Given these limited options, Vance urged Carter to concur in a 15,000-person parole with 7,000 slots earmarked for boat people and the remaining numbers devoted to overland migrants. This request, if granted, would constitute the fifth parole for Indochinese refugees since April 1975.³⁸ Vance acknowledged that the Ford administration had promised Congress that the previous Indochinese parole would be the last but explained, “that statement was based on calculations which subsequently have proved to be serious underestimations...the situation is again urgent.”³⁹ “In my view,” Vance implored, “both the past American role in Indochina and this Administration’s deep commitment to human rights requires that

³⁶ Memorandum for the President from Cyrus Vance, “Indochinese Refugees,” June 23, 1977, Jimmy Carter Presidential Library, RAC Project Number NLC-7-51-7-7-4. See also Barry Wain, *The Refused: The Agony of the Indochina Refugees* (New York: Simon & Schuster, 1981).

³⁷ Ibid.

³⁸ Loescher and Scanlan, *Calculated Kindness*, 127.

³⁹ Memorandum for the President from Cyrus Vance, “Indochinese Refugees,” June 23, 1977, Jimmy Carter Presidential Library, RAC Project Number NLC-7-51-7-7-4.

we take immediate action.”⁴⁰

Although Congress and the Office of Budget Management challenged Vance’s recommendations, the State Department and NSC quickly rallied to support his request. The galvanized, relatively united response in summer 1977 stemmed from two key factors. First, even though past officials had underestimated the continued magnitude of the refugee outflow, the numbers were low enough that, in Vance’s words, “the refugees would go relatively unnoticed.”⁴¹ Second, as refugee scholars argue, U.S. officials still viewed Indochinese refugee admissions in the summer of 1977 as a “cleanup process connected to the 1975 admissions.”⁴² In other words, U.S. officials did not anticipate the overwhelming magnitude the migration would soon reach, and instead conceptualized the issue as assisting individuals that the U.S. would have liked to assist in 1975 but failed to do so. In this context, President Ford’s original argument about a “profound moral obligation” to former American allies remained persuasive enough to prompt action in the summer of 1977, and Carter’s human rights rhetoric made forthcoming American assistance seem even more obvious.⁴³

Mounting Signs of Trouble

In August 1977, at Carter’s request, Attorney General Anthony Bell approved the parole of 15,000 additional Indochinese refugees into the United States. While most

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Carl Bon Tempo, *Americans at the Gate*, 148; Loescher and Scanlan, *Calculated Kindness*, 128. See, for example: Memorandum, from Bo to Rick Hutchenson, “Comments on Secretary Vance’s Memorandum to the President re Indochinese Refugees” July 5, 1977, Folder “7/15/77 [3],” Box 31, Office of the Staff Secretary, Presidential Files, Jimmy Carter Library.

⁴³ See: Secret Memorandum, from Zbigniew Brzezinski to President Carter, “State Proposal to Admit 15,000 Indochinese Refugees in the U.S.,” July 15, 1977 Folder “7/15/77 [3],” Box 31, Office of the Staff Secretary, Presidential Files, Jimmy Carter Library.

supported the move, signs of future discontent were enough to convince Carter to “instruct State to chair an inter-agency task force with OMB, Labor, Justice, HEW, NSC, and the Domestic Council to develop a longer-term program for dealing with the Indochinese refugee problem.”⁴⁴ The Interagency Task Force’s Final Report recommended that the United States make a long-term commitment to Vietnamese refugees.⁴⁵ As a memorandum from Warren Christopher summarized to President Carter, the Task Force’s “major recommendations...are that the US should: (1) continue to admit Indochinese refugees who are either boat cases with no chance to resettle elsewhere or non-boat cases who meet established criteria for admittance; and (2) make a substantial contribution through the...UNHCR to an internationally supported resettlement program in Thailand for refugees who inevitably will remain there.”⁴⁶ The Final Report suggested that 25-30,000 refugees would arrive in the United States by the end of 1980 and the total costs for both the first and second recommendations would be between \$120 and \$138 million.⁴⁷

Carter rejected these recommendations. Partially, he feared political fallout. Poll numbers indicated that 57% of respondents opposed the 15,000-person parole in August, and the possibility of increased job competition did not bode well for Democratic Party constituents.⁴⁸ Longstanding cultural and legal obstacles to Asian immigration and Americans’ antipathy toward all things “Vietnam” after 1975 also fomented public disapproval. As historian Edwin Martini reminds us, repeated requests for generosity

⁴⁴ Ibid.

⁴⁵ “Interagency Task Force on Indochinese Refugees: Final Report,” Jimmy Carter Presidential Library, RAC Project Number NLC-7-51-7-13-7. See also: Loescher and Scanlan, *Calculated Kindness*, 128.

⁴⁶ Memorandum for the President from Warren Christopher, “Long Term Program for Indochinese Refugees,” Sept 30, 1977, Jimmy Carter Presidential Library, RAC Project Number NLC-7-51-7-14-6.

⁴⁷ Ibid.

⁴⁸ Loescher and Scanlan, *Calculated Kindness*, 129.

toward Indochinese refugees throughout Carter's term occurred at the same time films like *Coming Home*, *The Deer Hunter* and *Apocalypse Now* facilitated a "dehumanizing of the Vietnamese" in popular perception.⁴⁹

In rejecting the Interagency Task Force's recommendations, Carter not only bowed to popular pressure, but also followed the National Security Council's advice. "We recommend the President not concur in making any such commitments at this time," NSC members argued, because "the report was based on refugee escape rates that have doubled and possibly quadrupled since it was written. Thus, the costs to the U.S. of such programs are extremely uncertain and would probably be much higher."⁵⁰ "Since the report was written," the memo continued, "authorization and appropriations legislation to fund the current refugee program [the 15,000 parole] encountered considerable opposition in Congress" due to lack of "broad international support" for refugee resettlement and because "we have not been able to establish any limits on future U.S. commitments."⁵¹

How is it that refugee escapee rates "doubled and possibly quadrupled" so quickly that the best informed officials in Washington—arguably, some of the best informed officials in the world—could not keep up with the numbers? Two changes in Vietnam at least begin to explain the surge. First, it became readily apparent that Hanoi's reeducation camp policy—originally framed as a ten to thirty day period of reeducation for South Vietnam's former leaders in a larger effort to pursue postwar reconciliation—was not as

⁴⁹ Martini, *Invisible Enemies*, 42, 48.

⁵⁰ Memorandum for Zginiew Brzezinski from Jessica Tuchman, Les Denend, "Indochinese Refugees," November 2, 1977, Jimmy Carter Presidential Library, RAC Project Number NLC-7-51-7-12-8. Underline in the original. See also: Confidential Memorandum, to President Carter from Cyrus Vance, "Emergency Parole for Indochinese Refugees," December 6, 1977, Folder "12/20/77 [1]," Box 55, Office of Staff Secretary, Presidential Files, Jimmy Carter Library.

⁵¹ Ibid.

advertised. By 1977, those that had fought for the losing side realized that reeducation included indefinite detention, lasting social stigmatization and discrimination against the detainees and their families. Second, Hanoi began implementing “a full-fledged socialist economic system that included the collectivization of agriculture and the abolition of private business” in the South.⁵² This process included “forced assignments to new economic zones.”⁵³ “New Economic Zones” (NEZs) were rural areas in the Vietnamese interior, where self-sufficiency was near impossible thanks to infertile land and lack of access to basic necessities. Many of those “lucky” enough to have only brief stays in reeducation camps were among those forcibly relocated to NEZs. While the two categories were by no means mutually exclusive, former reeducation detainees and those banished to NEZs had, in 1977, more incentive to flee than they had in April of 1975, when there was still guarded optimism about what a unified Vietnam might look like.

From late 1977 throughout the rest of Carter’s tenure as president, Congress remained deeply divided on Indochinese refugee issues.⁵⁴ Congressman Joshua Eilberg (D-PA), for example, who vociferously opposed the 1976 paroles during the Ford administration, continued to object to the practice of using the parole power to bring in large numbers of refugees. Eilberg’s position stemmed not from a pure anti-refugee stance but from the belief that Ford and now Carter were using the parole authority inappropriately and perhaps illegally. To make matters even more complicated, Attorney General Bell agreed with Eilberg and became increasingly reluctant to implement

⁵² Sutter, *The Indochinese Refugee Dilemma*, 64.

⁵³ *Ibid.*

⁵⁴ Notes of Conversations, Department of Justice, March 6, 1978, Folder: “Refugees—Indochinese, 1/78-12/78, Box 37, Ellen Goldstein’s Subject Files, Records of the Domestic Policy Staff, Jimmy Carter Presidential Library.

paroles, even at Carter's request.⁵⁵ While some Congressmen suggested that Carter was doing too much, others argued the President was doing far too little. Senators Bob Dole (R-KA) and Claiborne Pell (D-RI) and Congressmen Stephen Solarz (D-NY), for example, urged the administration to speak out against the genocidal Khmer Rouge and to create a special (additional) parole program for Cambodian refugees.⁵⁶ While these initiatives did not bear fruit in 1977, Congressmen would continue to play a leading role in advocating for an American response to the crisis in Cambodia.⁵⁷

Carter's refusal to approve the Interagency Task Force's recommendations proved problematic for those that supported generous admissions. Due to increased refugee numbers, the 15,000-person parole slots were already depleted by December 1977. This meant that as the crisis worsened, there was not a single American resettlement slot available. These conditions prompted Vance to call for "an additional 7,000 parole of boat people."⁵⁸ Brzezinski recommended Carter increase the number to 10,000 to buy more time, adding that refugees were now fleeing "at a rate of roughly 1,500 per month—three times the rate estimated as recently as September."⁵⁹ Others within the administration agreed, adding, "to fail to respond to the boat cases would be

⁵⁵ Sutter, *The Indochinese Refugee Dilemma*, 168.

⁵⁶ November 4, 1977, "Dole Resolution Would Denounce Democratic Kampuchea of Cambodia: Urge Carter to Protest Human Rights Violations" Box 21, Folder 7, Robert J. Dole Senate Papers-Press Related Materials, 1969-1996, Subseries 6, Press Releases, 1961-1996, Robert J. Dole Archive and Special Collection, University of Kansas; Letter to President, from Dole and Claiborne Pell, no date, Folder 1977 Box 259, Folder 30, Robert J. Dole Senate Papers-Constituent Relations, 1969-1996, Subseries 4, Issue Mail, 1967-1996, Robert J. Dole Archive and Special Collection, University of Kansas; Stephen J. Solarz, *Journeys to War and Peace: A Congressional Memoir* (Waltham, MA: Brandeis University Press, 2011), see chapter 5 "Indochina."

⁵⁷ Samantha Powers, *A Problem from Hell: America and the Age of Genocide* (Basic Books, 2013), 127; Martini, *Invisible Enemies*, 82;

⁵⁸ Confidential Memorandum, to President Carter from Cyrus Vance, "Emergency Parole for Indochinese Refugees," December 6, 1977, Folder "12/20/77 [1]," Box 55, Office of Staff Secretary, Presidential Files, Jimmy Carter Library

⁵⁹ Ibid.

inconsistent...with our current human rights policies.”⁶⁰ Even the OMB conceded, “this parole is unavoidable” although they clamored for the administration to cease taking “temporary actions without settling our long-range position.”⁶¹ Carter went with the smaller number, approving a 7,000 parole and writing, “expedite firm policy” in the margin of the decision memorandum.⁶² While Carter proved responsive to pressure, then, mobilizing a major American response to the growing Indochinese refugee crisis was not an executive priority in 1977. Carter threw his time and energy into other issues, especially work on energy legislation and the Panama Canal treaties. Non-state actors filled this vacuum and mounted a national and international campaign to make the issue an administration priority.

Blurring the Lines Between Refugees & Human Rights Rhetoric

“By the end of 1977,” Leo Cherne later recalled, “the federal government was literally at a dead end, unable or unwilling to risk promulgating a bold, consistent and coherent long-range Indochinese refugee policy” even as “the human tragedy continued to mount.”⁶³ Some refused to accept this status quo. Loescher and Scanlan argue that throughout the Carter administration “a group of junior Foreign Service officers” who

⁶⁰ Memorandum, to President Carter from Stu Eizenstat and Frank Raines, “Emergency Parole for Indochinese Refugees” December 19, 1977, Folder “12/20/77 [1],” Box 55, Office of Staff Secretary, Presidential Files, Jimmy Carter Library.

⁶¹ Memorandum, to President Carter from Rick Hutcheson, “Staff Comments on Brzezinski Memo,” December 6, 1977, Folder “12/20/77 [1],” Box 55, Office of Staff Secretary, Presidential Files, Jimmy Carter Library. Underline in the original.

⁶² Confidential Memorandum, to President Carter from Cyrus Vance, “Emergency Parole for Indochinese Refugees,” December 6, 1977, Folder “12/20/77 [1],” Box 55, Office of Staff Secretary, Presidential Files, Jimmy Carter Library.

⁶³ Draft letter to the Ford Foundation, September 22, 1978, from Cherne to McGeorge Bundy, President, Ford Foundation, International Rescue Committee Records, Box 1698, Hoover Institution Archives. On the “ambivalence in the administration about what our refugee policy should be” see: Chollet and Powers, *The Unquiet American*, 118.

had “previously served in Vietnam and had personal and emotional attachments to the country” served as the core advocates for a generous refugee program.⁶⁴ These “Saigon cowboys” included Sheppard Lowman, Hank Cushing, and Lionel Rosenblatt, who found receptive ears in more senior State Department officials like Philip Habib, Frank Wisner Jr., David Newsom and Richard Holbrooke.⁶⁵

With the government unwilling to respond to the human tragedy unfolding in Indochina, Lowman called Cherne, head of the International Rescue Committee (IRC). By the late 1970s, Cherne and the IRC had a long history of involvement with Vietnam. In September 1954, for example, Cherne traveled to Saigon at the IRC’s behest to explore how the organization might help with the massive displacement the Geneva Accords prompted within Vietnam (900,000 had fled from North to South while 125,000 Vietnamese simultaneously traveled in the opposite direction).⁶⁶ During his trip, Cherne personally met South Vietnamese President Ngo Dinh Diem and thereafter persuaded the IRC to establish formal programs in South Vietnam to help with the refugee flow.⁶⁷ Given Cherne’s personal notoriety and the long institutional history of the IRC, which had exhibited decades’ of commitment to refugee resettlement, it is not surprising that when at wit’s ends over the U.S. government’s inability to respond adequately to the massive and growing Indochinese refugee crisis, Shep Lowman decided to call Leo Cherne.⁶⁸ A week after their conversation, Cherne phoned Lowman to inform him that he established the Citizens Commission on Indochinese Refugees (CCIR) as a subcommittee

⁶⁴ Loescher and Scanlan, *Calculated Kindness*, 123.

⁶⁵ Loescher and Scanlan, *Calculated Kindness*, 123-4; Smith, *Rescuing the World*, 117; For Holbrooke’s commitment to refugees see: Chollet and Powers, *The Unquiet American*, 32, 117-119.

⁶⁶ Smith, *Rescuing the World*, 90. Levenstein, *Escape to Freedom*, 204.

⁶⁷ Smith, *Rescuing the World*, 95.

⁶⁸ Loescher and Scanlan, *Calculated Kindness*, 129; Smith, *Rescuing the World*, 118.

within the IRC to gather information and launch a public relations campaign to convince the public, Congress, and the president to support a long-term program for Indochinese refugees.⁶⁹

The CCIR's membership read like a list of who's who among powerful political brokers in the United States. Cherne convinced his longtime friend, former chairman of the Securities and Exchange Commission and future head of the CIA, William Casey, to co-chair the commission.⁷⁰ The commission also included "other luminaries" such as Bayard Rustin, the civil rights activist that had organized Dr. Martin Luther King Jr's 1963 march on Washington; "Rabbi Marc Tanenbaum, a distinguished Jewish theologian; Albert Shanker, the president of the American Federation of Teachers... John Richardson, the former Assistant Secretary of state for Education and Cultural affairs... Monsignor John Ahern, director of social development of the Catholic Archdiocese of New York; Father Robert Charlebois, director of Catholic Relief Services; and Elie Wiesel, who headed the U.S. President's Commission on the Holocaust."⁷¹

The CCIR's list of notable members did not end there. The Commission also included: Thelma Richardson, the civil rights activist; Cecil B. Lyon, a former diplomat; Stephen Young, member of the New York Bar Association's Commission on International Human Rights and future dean of Harvard Law School; and Louis Wiesner and Robert De Vecchi, both former foreign service officers.⁷² From its inception, then, the CCIR had many advantages: close government contacts, decades' of experience

⁶⁹ Smith, *Rescuing the World*, 118. This was not the first time during the Cold War that powerful non-state actors created a "Citizens Commission" to swing public opinion in favor of refugees. See Bon Tempo, *Americans at the Gate*, chapter 3 on Hungarian refugees.

⁷⁰ Smith, *Rescuing the World*, 118. Levenstein, *Escape to Freedom*, 263.

⁷¹ Smith, *Rescuing the World*, 118.

⁷² Levenstein, *Escape to Freedom*, 263-264.

working with and pressuring Washington, the ability to raise funds quickly, and vast networks among diverse segments of the American population. The CCIR utilized each of these strengths to prompt major and long-lasting changes in U.S. policy.

The Commission's first major task was to try to gain a comprehensive picture of the situation on the ground in Southeast Asia. As human rights scholar Kenneth Cmiel has observed, one of the major roles of human rights organizations is to "collect accurate accounts of some of the vilest behavior on earth" and thus become key players in an international "politics of information."⁷³ The Citizens Commission did exactly that, immediately leaving on a fact-finding mission throughout Indochina and the ASEAN states (Singapore, Philippines, Indonesia, Thailand, and Malaysia) to conclude with "a press conference in Bangkok" where the CCIR would report its findings.⁷⁴ The CCIR pursued these initiatives with Brzezinski's and Vance's blessing.⁷⁵

The CCIR's February press conference garnered national and international attention. In all, Cherne announced seven recommendations. The first was an unequivocal call for U.S. action: "The US must adopt a coherent and generous policy for the admission of Indochinese refugees over the long range, replacing the practice of reacting belatedly to successive refugee crises since the spring of 1975."⁷⁶ The Commission also called on the U.S. to provide "generous financial, technical, and other assistance" to those nations in the area willing to permanently resettle some of the refugees.

⁷³ Cmiel, "The Emergence of Human Rights Politics in the United States:" 1232-33.

⁷⁴ January 31, 1978 letter from Leo Cherne to Zbigniew Brzezinski, International Rescue Committee Records, Box 1698, Hoover Institution Archives

⁷⁵ December 27, 1977, letter from Brzezinski to Leo Cherne, International Rescue Committee Records, Box 1698, Hoover Institution Archives; February 1, 1978 letter from Cyrus Vance, Sec of State, to Cherne, International Rescue Committee Records, Box 1698, Hoover Institution Archives.

⁷⁶ Bangkok News Release, February 18, 1978, Citizens' Commission IRC, President Hotel, Bangkok, International Rescue Committee Records, Box 1698, Hoover Institution Archives.

The CCIR implored American policymakers to “moderate anxieties among Southeast Asian countries...granting temporary asylum.”⁷⁷ First asylum countries worried that those to whom they granted temporary asylum would become permanent burdens. To make matters worse, the United States pressured its ASEAN allies to act generously even as American policymakers implemented small, inadequate paroles. The gap between American rhetoric and action gave first asylum countries little incentive to receive refugees or to treat those already there humanely. American inaction also discouraged captains from picking up imperiled boat people and, in many cases, first asylum countries refused to let ships with large numbers of refugees land in their ports. While it is impossible to know with certainty, estimates regularly suggested that 50% of the boat people died at sea.⁷⁸ Without a sufficient American response, the CCIR suggested, these practices, with further endangered refugees’ lives, would continue and likely increase exponentially.

The Citizens’ Commission also lamented what it saw as inappropriately strict U.S. admissions criteria. The exigent humanitarian crisis, they argued, should override procedural formalities. For example, U.S. policymakers widely acknowledged that the Hmong were faithful American allies during the Vietnam War, and that same loyalty made them targets of Lao and Cambodian extermination campaigns. Despite widespread acknowledgement of these two facts, however, the Hmong did not qualify for admission to the United States in early 1978 because, given the secret nature of the war, “adequate

⁷⁷ Ibid. For secondary accounts on first asylum countries see: Sutter, *The Indochinese Refugee Crisis*, chapters III and IV.

⁷⁸ AFL-CIO Statements, Feb & March 1978, International Rescue Committee Records, Box 1698, Hoover Institution Archives; March 6, 1979 “Opening Statement by the Honorable Elizabeth Holtzman” International Rescue Committee Records, Box 1700, Hoover Institution Archives

proof [i.e. documentation] such as is required by our authorities simply does not exist.”⁷⁹

Such technicalities infuriated the CCIR, which argued, “our Government should make clear its firm intention that permanent resettlement for these refugees will in all instances be assured.”⁸⁰

The Citizens’ Commission continued to be the primary force driving for change when they returned to the United States. Members of the Commission met with Brzezinski and Vance, testified before powerful Congressional subcommittees, and even hosted a luncheon for the new United Nations High Commissioner for Refugees in Washington D.C.⁸¹ Thanks to the IRC’s long tenure in American refugee policy and the networks the Citizens’ Commission members wielded, the CCIR’s campaign to “change the climate of public opinion,” succeeded brilliantly, though not uniformly.⁸²

Those who had challenged a generous Indochinese refugee policy in 1977 continued to express grave doubts. The Office of Management and Budget, Domestic Policy Staff, Department of Justice and Department of the Treasury all voiced strong reservations about the political and financial wisdom of pledging to “accept all Indochinese boat cases with no opportunities elsewhere and other refugees with previous close ties to the U.S.”⁸³ As the Ford Administration’s unenviable task of deciding whom

⁷⁹ Bangkok News Release, February 18, 1978, Citizens’ Commission IRC, President Hotel, Bangkok, International Rescue Committee Records, Box 1698, Hoover Institution Archives.

⁸⁰ Ibid.

⁸¹ “Statement by the Honorable Le Cherne” Co-Chairman of the Citizens’ Commission on Indochinese Refugees, organized by the International Rescue Committee to the House Subcommittee on Immigration, Citizenship and International Law, March 1, 1978, International Rescue Committee Records, Box 1698, Hoover Institution Archives. Also see Loescher and Scanlan, *Calculated Kindness*, 133.

⁸² Loescher and Scanlan, *Calculated Kindness*, 133. Also see Bon Tempo, *Americans at the Gate*, 152.

⁸³ Memorandum for Zbigniew Brzezinski from Jessica Tuchman and Les Dened, “Next Steps Toward a Long Term Refugee Policy,” February 18, 1978, Jimmy Carter Presidential Library, RAC Project Number NLC-7-51-8-1-9. See also: Confidential Memorandum, to President Carter from Zbigniew Brzezinski, “Vance Memo Re: Indochinese Refugees,” February 1978, Folder, “2/28/78,” Box 65, Collection: Office of Staff Secretary, Presidential Files, Jimmy Carter Library.

to prioritize in April 1975 demonstrated, the number of those who had a reasonable claim to American assistance far outpaced the resources U.S. policymakers were willing to devote to the task. Adding “all Indochinese boat cases with no [resettlement] opportunities elsewhere” to the already huge numbers that could document close ties to the United States threatened to further expand American commitments, which would directly counter the OMB’s efforts balance the budget.

To help counter reluctance to accept refugees, the CCIR mobilized influential domestic constituents. The administration received letters of support from the AFL-CIO, American Immigration and Citizenship Conference, a coalition of African American leaders, Freedom House, and the Coalition for a Democratic Majority.⁸⁴ Other voluntary agencies involved in refugee resettlement like the American Council of Voluntary Agencies and Church World Services also clamored for greater Indochinese admissions.⁸⁵

In addition to voicing support for a greater commitment to refugees, the avalanche of letters that inundated the White House used Carter’s human rights rhetoric against him. As the American Council of Voluntary Agencies suggested, “the present emergency

⁸⁴ March 16, letter to the President from AFL-CIO, International Rescue Committee Records, Box 1698, Hoover Institution Archives; March 13, 1978 letter to the President from Edward J. Ennis, Chairman, American Immigration and Citizenship Conference, International Rescue Committee Records, Box 1698, Hoover Institution Archives; March 15, 1978, “Attached telegram from AICC” to President from Edward J. Ennis, Chairman, Board of Directors, American Immigration and Citizenship Conference, International Rescue Committee Records, Box 1698, Hoover Institution Archives; “Black Americans urge admission of the Indochinese refugees,” March 19, 1979 International Rescue Committee Records, Box 1698, Hoover Institution Archives; March 15, 1978, letter to Carter & others from John Richardson, Jr., President, Freedom House, International Rescue Committee Records, Box 1698, Hoover Institution Archives; March 17, 1978, letter to Jimmy Carter from Coalition for a Democratic Majority, International Rescue Committee Records, Box 1698, Hoover Institution Archives.

⁸⁵ March 16, 1978, telegram to Jimmy Carter from multiple VOLAGs, International Rescue Committee Records, Box 1698, Hoover Institution Archives; March 17, 1978 letter from Church World Services to the President, International Rescue Committee Records, Box 1698, Hoover Institution Archives; Press Release, “135 Leading Americans Appeal for U.S. Aid to Indochinese Refugees” Social Democrats, USA, March 31, 1978, International Rescue Committee Records, Box 1698, Hoover Institution Archives.

represents the most pressing human-rights problem facing the United States today... We believe that with compassionate leadership from the President, our nation can meet this responsibility.”⁸⁶ As Freedom House put it: “one clear test of America’s concrete support of human rights would be our national commitment to deal humanely and speedily with the thousands of refugees from Vietnam, Laos and Cambodia now awaiting resettlement.”⁸⁷ The Coalition for a Democratic Majority went as far as to cite Carter’s campaign promises and observe incredulously that the “failure to adopt a generous refugee admissions policy will undermine the moral authority of your administration’s stance on the issue of international human rights. Can we present ourselves to the world as the champions of human rights and at the same time deny refuge to victims of massive, extreme human rights violations?”⁸⁸

This framing made it especially difficult for the Carter administration to maintain indifference to Indochinese refugees without appearing hypocritical. In March 1978, Carter announced the United States would create an additional 25,000 parole slots and would pursue legislation to help secure a long-term American commitment to refugees.⁸⁹ While the largest parole since the fall of Saigon amounted to a success, the appearance of a quick victory belied the major battles ahead. Attorney General Bell, for example made it clear that the 25,000-person parole would be his last, and due to budgetary concerns, he

⁸⁶ “Indochinese Refugee Program: Considerations and Policy Recommendations” March 3, 1978, to John McCarthy, Chairman, Committee on Refugee and Migration Affairs from American Council of Voluntary Agencies for Foreign Service, INC, International Rescue Committee Records, Box 1698, Hoover Institution Archives.

⁸⁷ March 15, 1978, letter to Carter & others from John Richardson, Jr., President, Freedom House, International Rescue Committee Records, Box 1698, Hoover Institution Archives.

⁸⁸ March 17, 1978, letter to Jimmy Carter from Coalition for a Democratic Majority, International Rescue Committee Records, Box 1698, Hoover Institution Archives.

⁸⁹ Loescher and Scanlan, *Calculated Kindness*, 134.

dragged his feet in formally approving the measure.⁹⁰ Moreover, announcing the administration would pursue permanent refugee legislation and actually securing that legislation are two different things entirely. Already in March, 1978, the same month Carter issued the announcement, Congressmen Eilberg lamented “we have been waiting for months now for the Administration’s proposal.”⁹¹ It took the administration another year to submit draft legislation to Congress.

Refugees Exacerbate Southeast Asian Geopolitical Tensions

In December of 1977, as the CCIR began its fact-finding mission, Vietnam briefly invaded neighboring Cambodia.⁹² Although Hanoi quickly withdrew its troops in January 1978, Hanoi’s offensive precipitated an increase in the refugee flow in two important ways. First, as China took measures to defend its ally Cambodia against Vietnam, relations between Hanoi and Beijing deteriorated and the two engaged in border clashes throughout March and April. In response, Hanoi retaliated against its ethnic Chinese population, the Hoa, who lived predominantly in the Cholon (near Ho Chi Minh City) and numbered approximately 1.2 million.⁹³ Hanoi shut down Hoa businesses and forced them to make citizenship pledges, and huge numbers began to flee.⁹⁴ Loescher and Scanlan suggest “over 160,000 Hoa made the overland trip to China between March and

⁹⁰ July 12, 1978, Update Letter to Members of IRC CCIR, International Rescue Committee Records, Box 1698, Hoover Institution Archives

⁹¹ “Opening Statement of Joshua Eilberg (D-PA) and Testimony of Colby” March 1, 1978, International Rescue Committee Records, Box 1698, Hoover Institution Archives

⁹² Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War*, 198.

⁹³ Hurst, *The Carter Administration and Vietnam*, 65; Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War*, 154-156. On the long-seated and late 1970s disputes between Vietnam and Cambodia and Vietnam and China, see Hurst, *The Carter Administration and Vietnam*, 47-60.

⁹⁴ Hurst, *The Carter Administration and Vietnam*, 66-7; Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War*, 154-156; Davies, *Legitimising Rejection*, 98.

July of 1978, when China closed its border with Vietnam.”⁹⁵ In addition to closing the border, Beijing, which had given financial support to Vietnam before, during, and after the Vietnam War, terminated all aid to Hanoi and redirected the funds to help resettle Hoa in China.

The second way the brief Vietnamese invasion of Cambodia added to the “refugee problem” was by exposing the horrors occurring in Cambodia. As Samantha Power’s Pulitzer Prize winning book on the history of genocide notes, although “inaccessibility is a feature of most genocide, Cambodia was perhaps the most extreme case. The Khmer Rouge may well have run the most secretive regime of the twentieth century.”⁹⁶ Hanoi’s incursion pulled back the Khmer curtain to allow refugees, and with them stories of Khmer atrocities, to escape. All in all, from mid-1975 to late 1978, the Khmer Rouge killed “between 1 million and 3 million Cambodians—one-seventh to nearly one-half of the nation’s entire population.”⁹⁷ As Cambodia scholar Kenton Clymer notes, the powerful combination of the CCIR and select members of Congress “pushed for stronger action” and helped galvanize an American response.⁹⁸ Dole, Solarz, and Pell encouraged action through a series of hearings, press releases, and resolutions,⁹⁹ and major television networks also began running specials on the issue, fanning the flames of public

⁹⁵ Loescher and Scanlan, *Calculated Kindness*, 136; Sutter, *The Indochinese Refugee Dilemma*, 66.

⁹⁶ Powers, *The Problem From Hell*, 109.

⁹⁷ Loescher and Scanlan, *Calculated Kindness*, 148; Powers, *A Problem from Hell*, 90.

⁹⁸ Clymer, *The United States and Cambodia*, 117, 148.

⁹⁹ January 11, 1978 letter to Cyrus R. Vance, Secretary of State Box 223, Folder 11, Robert J. Dole Senate Papers—Legislative Relations, 1969-1996, 01/003, Subseries 6: Legislative Assistants, 1963-1996, Dole Archives, KU; Wednesday March 22, 1978, Congressional Record, Vol. 124, no. 42, 95th Congress “Cambodian Carnage: An Administration Oversight?” Box 223, Folder 11, Robert J. Dole Senate Papers—Legislative Relations, 1969-1996, 01/003, Subseries 6: Legislative Assistants, 1963-1996, Dole Archives, KU; May 8, 1978, Congressional Record, 95th Congress, Vol. 124, no. 66 “Cambodian Holocaust Can No Longer Be Ignored” Box 223, Folder 11, Robert J. Dole Senate Papers—Legislative Relations, 1969-1996, 01/003, Subseries 6: Legislative Assistants, 1963-1996, Dole Archives, KU.

opinion.¹⁰⁰

As many Americans came to grips with the “Auschwitz of Asia” for the first time, not a single victim of the Khmer Rouge was eligible for parole into the United States. As Cherne explained in a letter to Carter, even after the Attorney General finally implemented the 25,000-person parole, there would still be a significant problem because the wording of the parole precluded any Cambodian refugees from using the new slots. In May 1978, many in Congress and the CCIR called for “a special parole for the 15,000 refugees now concentrated in camps next to the Cambodian border where they are in constant danger of Khmer Rouge killings, kidnappings, and other depredations.”¹⁰¹ It took U.S. officials until December to respond. This lag, although the result of many factors, was primarily a result of the administration’s indecision over what course to chart in Southeast Asia as a whole.

Throughout the summer of 1978 inaction plagued Carter’s Indochina policy, with devastating effects for both refugee and normalization policy. Although Carter had announced the 25,000-person parole in March, by late May Attorney General Bell still refused to implement the measure due to budgetary concerns and congressional reservations. On June 1st, Congressmen Eilberg, McClory and Fish wrote to Bell to say that they would acquiesce to funding the parole, although they took the opportunity to chastise Carter, lamenting “the lack of coordination in the Executive Branch in the development of policies and procedures for admitting and resettling Indochinese

¹⁰⁰ July 12, 1978, Update Letter to Members of IRC CCIR, International Rescue Committee Records, Box 1698, Hoover Institution Archives; Loescher and Scanlan, *Calculated Kindness*, 151.

¹⁰¹ May 5, 1978 to the President, International Rescue Committee Records, Box 1698, Hoover Institution Archives.

refugees.”¹⁰² Though still unsatisfied with the administration, the Congressmen finally relented due to the dire need for parole spots.

The belated parole in no way filled the void left by lack of American leadership. As CCIR members explained to Congress in June, first asylum countries “will continue to provide temporary refuge only as long as they feel assured that other countries will take most of them off their hands in due course.”¹⁰³ Because of the United States’ long involvement in Indochina, expansive human rights rhetoric, and self-proclaimed position as moral leader of the West, first asylum countries—most of whom were close American allies—looked to the United States to accept large numbers of refugees and prompt others to do the same. Failure to act, the CCIR suggested, would be equal to the United States’ failure on the eve of World War II. As the CCIR put it: “it is clear that, three years after the evacuation of Saigon, ‘our long national nightmare’ is not over. Indeed it has assumed a new dimension, requiring swift and generous response. The alternative would be to repress the nightmare. This we did as a nation in the 1930s. The Holocaust has not released its grip on our national conscience to this day, some 40 years later. We must not and we need not repeat this tragedy.”¹⁰⁴

It was no accident that the CCIR and other actors frequently compared the situation in Indochina to the Holocaust. As Mark Philip Bradley reports, Americans

¹⁰² June 2, 1978, Eilberg Press Release, “Eilberg, McClory and Fish Approve Indochinese Refugee Request, but Criticize Administration” International Rescue Committee Records, Box 1698, Hoover Institution Archives.

¹⁰³ “Statement of William J. Casey, Co-Chairman of the Citizens Commission on Indochina Refugees” Before the Asian & Pacific Affairs Subcommittee of the House of Representatives Committee on Foreign Relations, June 8, 1978, International Rescue Committee Records, Box 1698, Hoover Institution Archives.

¹⁰⁴ “Citizens’ Commission on Indochinese Refugees” Statement Submitted to House International Relations Committee Sub-Committee on Asian and Pacific Affairs, June 8, 1978, , International Rescue Committee Records, Box 1698, Hoover Institution Archives.

became increasingly concerned with “Holocaust memory” as the 1970s progressed.¹⁰⁵ “The embrace of moral witness and the authenticity of individual testimony in wake of the Eichmann trial,” Bradley observes, “came to shape the growing presence of the Holocaust in 1970s America as it did more globally.”¹⁰⁶ Interest in Holocaust memory and respect for first-person testimony characterized not only ordinary American citizens but also those elected to the highest offices in the land. On November 1, 1978, for example, President Carter established the President’s Commission on the Holocaust. CCIR member Elie Wiesel chaired the Commission and Bayard Rustin, another CCIR member, also served on the committee.¹⁰⁷ In the coming months, both the CCIR and government officials would dramatically invoke the Holocaust to justify a generous American and worldwide response to Indochinese refugees, to great effect.

The Holocaust Commission also included legislators that became some of the strongest voices in favor of a generous response to Indochinese refugees in Carter’s term and thereafter: Rudy Boschwitz (R-MN), Stephen Solarz and Claiborne Pell.¹⁰⁸ During Carter’s term, Boschwitz was the only refugee serving in the U.S. Senate. His family fled Nazi Germany when he was a young child, and the Senator from Minnesota advocated on behalf of generous Indochinese refugee admissions throughout his tenure in Congress.¹⁰⁹ Solarz, a third-generation American, was also Jewish and his stepmother was a refugee from Nazi Germany. The New York Congressmen took over the influential Subcommittee on Asian and Pacific Affairs in 1980 and in his memoirs, Solarz explains

¹⁰⁵ Bradley, *The World Reimagined*, 163. See also Powers, *A Problem From Hell*, 128.

¹⁰⁶ Bradley, *The World Reimagined*, 163.

¹⁰⁷ Elie Wiesel, Chairman, “Report to the President: President’s Commission on the Holocaust,” September 27, 1979, <https://www.ushmm.org/m/pdfs/20050707-presidents-commission-holocaust.pdf>

¹⁰⁸ Ibid.

¹⁰⁹ “Biographical Note,” Rudy Boschwitz: Inventory of His Papers at the Minnesota Historical Society, <http://www2.mnhs.org/library/findaids/00013.xml>.

that he advocated so tirelessly on behalf of Indochinese refugees because of “US failure to do more to rescue European Jewry from the growing Nazi threat in the 1930s and the counterproductive consequences of our military involvement in Vietnam in the 1960s.”¹¹⁰ Finally, Pell had served as Vice President of the International Rescue Committee in the 1950s and played a large role in advocating on behalf of Hungarian Refugees. This experience, as well as his position in the Holocaust Commission, prompted him to support Indochinese refugee admissions throughout his long tenure in Congress.¹¹¹

The CCIR, with strong support from these Congressmen and many in the State Department, consciously strove to fill the void left by lack of administration leadership. In September 1978, for example, the CCIR hosted a day of consultations among the major governmental players in refugee policy and resettlement in Washington, D.C. Those on the guest list included: Senators Kennedy, Dole, Pell, Moynihan, Javits, and Church; Congressmen Eliberg, Wolff, and Solarz; and major players in the State Department, Justice Department, and NSC.¹¹² It is a testament the CCIR’s influence that it could command such an impressive list of attendees. The meeting helped create dialogue between the various departments, ease the tension between them, and improve the working relationships that would be crucial in the months ahead.¹¹³ While these developments would pay dividends over the following year, they did not address the need for American leadership on the international stage.

¹¹⁰ Solarz, *Journeys to War and Peace*, 90.

¹¹¹ Register to the Senatorial Papers of Claiborne Pell, University of Rhode Island Library, <http://webarchives.apps.uri.edu/Pell%20XML%20Files/pell/Mss.%20Gr.%2071b.html>.

¹¹² August 23, 1978 “Commission Meeting September 26-27” International Rescue Committee Records, Box 1699, Hoover Institution Archives ; October 2, 1978 “Citizen’s Commission Consultations in Washington” Notes on September 26 meetings, International Rescue Committee Records, Box 1699, Hoover Institution Archives.

¹¹³ See: October 2, 1978 “Citizen’s Commission Consultations in Washington” Notes on September 26 meetings, International Rescue Committee Records, Box 1699, Hoover Institution Archives.

The administration's lack of movement on Indochinese refugee issues was mirrored in normalization policy. After the Chinese cut off aid in response to Hanoi's invasion of Cambodia and expelling of the Hoa, Vietnam's once significant need for aid grew desperate. Throughout spring and summer 1978, Hanoi made it clear that it was willing to normalize on Washington's terms, and, if these statements were not enough, made repeated goodwill gestures to cultivate Washington's favor.¹¹⁴ When Carter failed to respond, Hanoi joined COMECON (the USSR led Council for Mutual Economic Assistance) in June, but throughout July and August continued to publicize their willingness to normalize relations with the United States without preconditions.

The Carter administration did not respond to Vietnam's overtures until September. As Steven Hurst observes, the explanation for the American delay rests with the fact that "by Spring 1978, the Carter administration was openly divided over the future course of policy toward Vietnam."¹¹⁵ On the one hand, Brzezinski and the National Security Council suggested that the Vietnamese—especially after joining COMECON—were a "Soviet proxy" that needed to be counterbalanced with increasingly strong U.S.-Chinese ties. Not only did Washington need to cultivate ties with China to check Soviet expansionism, Brzezinski also argued that the deterioration of relations between Beijing and Hanoi made simultaneous normalization impossible. In Brzezinski's formulation the United States needed to pick a side, and the choice was obvious: China. Moreover, in keeping with previous practice, Brzezinski refused to include the U.S. desire to see an

¹¹⁴ Hurst, *The Carter Administration and Vietnam*, 70-72; Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War*, 161-165; Report of the Committee on Southeast Asia" House of Representatives, 95th Congress, 2nd Session, September 7, 1978, Folder "Far East: 9/78-979," Box 22, Zbigniew Brzezinski Material – Country Files (NSA 6), Office of the National Security Advisor, Jimmy Carter Presidential Library.

¹¹⁵ Hurst, *The Carter Administration and Vietnam*, 72.

improvement of Cambodian human rights violations in normalization discussions China, Cambodia's close ally.¹¹⁶

Many State Department officials disagreed. Vance and his colleagues rejected Brzezinski's Cold War framing and argued that Vietnam's willingness to normalize relations without aid would enable the United States to contribute more efficiently to stability in Southeast Asia.¹¹⁷ As late as August 31, 1978 Carter confided to his diary: "I think we ought to move on Vietnam normalization. Ham [Hamilton Jordan, Carter's Chief of Staff] feels that it might be a serious political problem, but I believe the country is ready to accept it now that they've dropped their demands for reparations or payments."¹¹⁸ When the Vietnamese formally made the offer during September negotiations, however, Carter said normalization would have to wait until after the midterm elections in November.¹¹⁹

In the interim, Brzezinski's global Cold War vision won the day. In a meeting on October 11, Carter decided to postpone talks with Vietnam until after the United States and China normalized relations, "provided they [the Chinese] didn't deliberately delay."¹²⁰ As Carter recalled to news anchor Brian Williams in 2006, while he had emphasized U.S.-Vietnamese normalization in 1977, by late 1978 his priorities clearly

¹¹⁶ Clymer, *The United States and Cambodia*, 118.

¹¹⁷ On personal rivalries that exacerbated bureaucratic tensions: Chollet and Powers, *The Unquiet American*, 127-128.

¹¹⁸ Carter, *White House Diary*, 215.

¹¹⁹ Memorandum for Zbigniew Brzezinski from Michel Oskenberg, "Dick Holbrooke's Conversation with the Vietnamese," September 22, 1978, Folder, "Vietnam, 1/77-12/78" Box 85, Zbigniew Brzezinski Material – Country Files (NSA 6), Office of the National Security Advisor, Jimmy Carter Presidential Library; Hurst, *The Carter Administration and Vietnam*, 96; Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War* 199-200.

¹²⁰ Carter, *White House Diary*, 260; Also see: Hurst, *The Carter Administration and Vietnam*, 72-90, for "postpone" and not halt see pg 99; Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War*, 165-175; Martini, *Invisible Enemies*, 88; Stern, *Defense Relations Between the United States and Vietnam*, 12-13; Allen, *Until the Last Man Comes Home*, 190; Sutter, *The Indochinese Refugee Dilemma*, 83.

laid elsewhere: “It [U.S.-Vietnamese normalization] was complicated, to some degree, by the fact that in the same year, 1978, was when I was involved in intense and personal negotiations to normalize diplomatic relations with the People’s Republic of China. So compared to China, and compared to this Camp David talk between Israel and Egypt, I would have to say that the Vietnam normalization was not the top priority on my list.”¹²¹

Entanglement of Human Rights, Refugees & U.S.-Vietnamese Relations

Carter’s prioritization of China over Vietnam explains why the United States did not pursue normalization in fall 1978. The “China card,” however, fails to sufficiently explain why U.S.-Vietnamese normalization continued to stall, even after U.S. and Beijing announced normalization on December 15, 1978. Refugee issues and concerns for the human rights of those in Vietnam played a central role in Carter’s decision to postpone normalization talks indefinitely. This shift in the administration’s approach occurred at the same time that a rapid series of events altered the status quo in Indochina. As Edwin Martini explains, “between December 1978 and February 1979, the entire landscape of Southeast Asia was rapidly transformed.”¹²² Geopolitically and demographically, major changes were afoot.

The refugee crisis worsened considerably. Nearly 3,000 boat people reached the shores of first asylum countries in August, and the number jumped to 8,558 by the end of September and 12,540 in October—each month set a record for the largest exodus to

¹²¹ “Vietnam and the Presidency” Conference Hosted by the Kennedy Library, March 11, 2006, Brian Williams interview of Jimmy Carter, pg 9.
http://www.lbjlib.utexas.edu/johnson/press.hom/Vietnam_Presidency/Transcripts/IntroductionbyCarolineKennedyandVietnamInterviewwi.pdf

¹²² Martini, *Invisible Enemies*, 92.

date.¹²³ In response, on November 2, 1978 Thailand announced that it would not accept any additional refugees, and Malaysia threatened to follow suit.¹²⁴ To make matters worse, regional and global leaders were beginning to realize the SRV's complicity in the exodus. As O'Connor Sutter explains, the world was realizing that "not only that refugees escaped from Vietnam but that many were pushed out in 1978 with the knowledge and even the assistance of the Vietnamese government...in essence, the massive exodus...has been the result of the expulsion of the ethnic Chinese population."¹²⁵

On the same day that Thailand closed its borders, Hanoi and Moscow signed the Soviet-Vietnamese Treaty of Friendship and Cooperation.¹²⁶ The promise of massive Soviet military aid emboldened Vietnam to begin a full-scale invasion of Cambodia on Christmas day 1978, and the Vietnamese successfully captured Phnom Penh, the Cambodian capital, on January 7. As Davies notes, "the Vietnamese invasion of Cambodia...not only increased the flow of refugees from Cambodia into Thailand in particular, but it also led to even higher numbers of Vietnamese seeking refuge from the fighting on the two borders."¹²⁷ Furthermore, after the United States and China announced that the two nations agreed to normalization of relations, China, with tacit American approval, launched a two-week invasion into northern Vietnam on February 17 to teach the Vietnamese a "lesson," which added to the growing numbers fleeing the

¹²³ Loescher and Scanlan, *Calculated Kindness*, 136.

¹²⁴ Loescher and Scanlan, *Calculated Kindness*, 136; Davies, *Legitimising Rejection*, 102.

¹²⁵ Sutter, *The Indochinese Refugee Dilemma*, 64-65. See also: Loescher and Scanlan, *Calculated Kindness*, 136; Menetrey-Monchau, *American-Vietnamese Relations in the Wake of War*, 209; Barry Wain, *The Refused: The Agony of the Indochinese Refugees* (New York: Simon and Schuster, 1981), 9;

¹²⁶ Hurst, *The Carter Administration and Vietnam*, 99.

¹²⁷ Davies, *Legitimising Rejection*, 102.

fighting.¹²⁸

In the midst of all of this chaos, the administration could not let the thirtieth anniversary of the Universal Declaration of Human Rights on December 10, 1978 pass without mention. Indeed, it is on this occasion that Carter famously declared, “human rights is the soul of our foreign policy.”¹²⁹ As departures from Indochina surged, the president also commented specifically on refugees. “Refugees are the living, homeless casualties of our world’s failure to live by the principles of peace and human rights. To help them is a simple human duty,” the President argued, “As Americans—as a people made up largely of the descendants of refugees—I feel that duty with special keenness.”¹³⁰ “Our country will do its utmost to ease the plight of stranded refugees from Indochina and from Lebanon and of released political prisoners from Cuba and from elsewhere,” Carter continued, “I hope that we will always stand ready to welcome more than our fair share of those who flee their homelands because of racial, religious, or political oppression.”¹³¹ Although the administration powerfully articulated why the United States should “welcome more than our fair share” of Indochinese refugees, Carter’s team had yet to back these words with action.

Once again, the CCIR filled the void. As outpouring refugee numbers, U.S.-Chinese normalization, the SRV-Soviet Treaty and clashes between Hanoi and Beijing altered the geopolitical terrain of Southeast Asia, the Citizens Commission was completing its second fact-finding mission throughout the region. On January 10, 1979,

¹²⁸ Martini, *Invisible Enemies*, 93-93; for these major changes also see Sutter, *The Indochinese Refugee Dilemma*, 67, 84-85.

¹²⁹ Jimmy Carter, “Universal Declaration of Human Rights Remarks at a White House Meeting Commemorating the 30th anniversary of the Declaration’s Signing,” December 7, 1978, The American Presidency Project. <http://www.presidency.ucsb.edu/ws/?pid=30264>

¹³⁰ Ibid.

¹³¹ Ibid.

CCIR members held another consequential press conference. Given that the rate of boat people departures from Vietnam increased by “more than tenfold...during the last 11 months” and the number of those fleeing from Cambodia and Laos had more than doubled, the CCIR called international—and especially American—leaders to action.¹³² The Commission declared the United States should accept “100,000 for the year 1979;” argued “more countries will have to accept a fair share of the Indochinese refugee population;” implored its listeners to “immediately” and dramatically increase UNHCR funding; and suggested that the world community create “transit centers” to help take the burden off of financially drained first asylum nations.¹³³

The Commission addressed their last recommendation directly to President Carter.¹³⁴ While the CCIR conceded that “the time is an awkward and difficult one” given financial difficulties and unemployment at home, the Citizens’ Commission nevertheless argued that because “this is a refugee crises of such compelling humanitarian urgency, a matter of life-or-death for so many thousands of Indochinese, and a human rights issue of such overriding importance” the administration must act.¹³⁵ The CCIR surely spoke for many in Washington when it proclaimed before an international television audience: “we urge the President of the United States to take the lead...to respond quickly and generously to this fundamental human rights emergency...lest the dismal history of the 1930s repeat itself.”¹³⁶ While Holocaust comparisons were

¹³² January 10, 1979, “Recommendations of the Citizens Commission on Indochinese Refugees,” International Rescue Committee Records, Box 1699, Hoover Institution Archives

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Ibid.

¹³⁶ Ibid.

common before 1979, they became ubiquitous thereafter.¹³⁷

The combined efforts of the CCIR and shows of support from key members of Congress again prompted the administration to act.¹³⁸ In February 1979, Carter created the Office of U.S. Coordinator for Refugee Affairs and appointed “former Senator Dick Clark as the first coordinator to bring order and continuity to the handling of refugees and to help shepherd a new refugee bill through Congress.”¹³⁹ The administration finally introduced the refugee legislation it had been promising to provide for over a year in March 1979. When he introduced the legislation to the Senate Judiciary Committee, Clark emphasized to Congress that the “refugee programs are an important element in our foreign policy” and argued “in offering assistance [to refugees], we can ease the pressures on friendly governments in Southeast Asia created by the arrival of refugees from Vietnam, Laos and Cambodia.”¹⁴⁰ Clearly, the administration had changed its tune: it now explicitly advocated the position that refugees, human rights, and U.S. foreign policy were inextricably linked.

The bill, Clark argued, would fundamentally improve U.S. refugee policy. To

¹³⁷ Powers, *A Problem From Hell*, 117-121, 128-130, 33. For reference, The President’s Commission on the Holocaust published their Final Report on September 27, 1979.

¹³⁸ See: “Citizens Commission on Indochinese Refugees Meets with Secretary of State Vance” for Immediate Release, January 17, 1979?, International Rescue Committee Records, Box 1699, Hoover Institution Archives; January 24, 1979, letter from Cherne to Lester L. Wolff, Chairman, House Subcommittee on Asian and Pacific Affairs, International Rescue Committee Records, Box 1700, Hoover Institution Archives. Congressional Record January 23, 1979, International Rescue Committee Records, Box 1699, Hoover Institution Archives; January 24, 1979, letter from Cherne to Lester L. Wolff, Chairman, House Subcommittee on Asian and Pacific Affairs, International Rescue Committee Records, Box 1700, Hoover Institution Archives; Congressional Record January 31, 1979, International Rescue Committee Records, Box 1699, Hoover Institution Archives; February 20, 1979, letters to McGovern and Pell, International Rescue Committee Records, Box 1699, Hoover Institution Archives; March 6, 1979 “Opening Statement by the Honorable Elizabeth Holtzman” International Rescue Committee Records, Box 1700, Hoover Institution Archives.

¹³⁹ Loescher and Scanlan, *Calculated Kindness*, 154.

¹⁴⁰ Legislative Referral Memorandum, “Testimony of Dick Before the Senate Judiciary Committee, March 14, 1979,” Folder, “Refugees—Indochinese, 1/79-7/79,” Box 37, Ellen Goldstein’s Subject Files, Records of the Domestic Policy Staff, Jimmy Carter Presidential Library.

hammer home to his audience just how much of a change the bill would bring, Clark explained, “if the proposed Act had been in effect since 1975, the emergency group admission provisions would have been employed only” in April 1975.¹⁴¹ In other words, all of the 1976-78 “emergencies” would have been handled under the proposed new “normal flow” ceiling of 50,000 refugees, without the need for repeated ad hoc consultations with Congress in a crisis atmosphere. In addition to sending draft refugee legislation to Congress, in March 1979, Carter approved increasing U.S. admissions to 7,000 a month with a projected total of 120,000 Indochinese for fiscal year 1980 and 1981.¹⁴²

Throughout the spring of 1979, then, the administration slowly began to change its position.¹⁴³ The extent and limits of this change are reflected in testimony Richard Holbrooke gave before Congress. Holbrooke, who personally advocated consistently for greater admissions, tried to paint the administration’s belated actions as best as he could, suggesting that the Carter administration had been “very forthcoming in terms of its willingness to respond to the crisis,” and argued “our policy, unfortunately through no fault of our own, has been overwhelmed by other events.”¹⁴⁴ Certainly, it would be foolhardy to blame the Carter administration for not anticipating the extraordinary magnitude that the refugee crisis assumed in early 1979. On the other hand, had the administration asserted ownership of the issue and made it a national priority earlier,

¹⁴¹ Ibid

¹⁴² Memorandum to the President from Stu Eizenstat and Ellen Goldstein, “Refugee Admissions for FY 1980” March 30, 1979, Folder, “Refugees—Indochinese, 1/79-7/79,” Box 37, Ellen Goldstein’s Subject Files, Records of the Domestic Policy Staff, Jimmy Carter Presidential Library.

¹⁴³ See: Loescher and Scanlan, *Calculated Kindness*, 141.

¹⁴⁴ Indochinese Refugees, “Hearings before the Subcommittee on Asian and Pacific Affairs of the Committee on Foreign Affairs of the House of Representatives, 96th Congress, 1st Session, April 5, 35; May 22; and June 13, 1979. US Government Printing Office, Washington: 1979, Folder: “Refugees, 1/79-6/79,” Box 51, Zbigniew Brzezinski Material - Subject Files (NSA 7), Jimmy Carter Library.

there is no telling how many lives could have been saved.

Although Carter was evolving toward a much more proactive and assertive policy, these changes came far too slowly for advocates, especially given the fact the situation in Indochina—against all hope—continued to deteriorate. In May a CCIR member testified before Congress “the decisions which U.S. officials in Washington have to make are almost like a medical triage in military field hospitals—determining who can be saved and who will die.”¹⁴⁵ The staggering refugee numbers only continued to climb with 13,423 successfully reaching the shores of first asylum countries in March, 26,602 in April, 51,139 in May and 56,941 in June, each month setting new records for the highest number of arrivals.¹⁴⁶

The massive migration of spring 1979 pushed many first asylum nations to their breaking point. Malaysian authorities began systematically pushing refugees back out to sea, with 400,000 denied the right to first asylum by mid-1979.¹⁴⁷ On June 30, 1979, the ASEAN nations, which were not signatories to accords governing international refugee law in this period, “issued a joint communiqué stating that its member states would not accept new arrivals.”¹⁴⁸ These tragic conditions prompted U.S. officials to skew available parole slots “toward the boat people.”¹⁴⁹ This policy, however, had the unintended consequence of encouraging other nations to adopt draconian measures to get American

¹⁴⁵ May 1979, “Statement on Cambodian Refugees to the House Judiciary Subcommittee on Immigration, Refugees and International Law” by Louis A. Wiesner, International Rescue Committee Records, Box 1700, Hoover Institution Archives.

¹⁴⁶ June 21, 1979 “The Indochinese Refugee Crisis Proposed Recommendations” Robert P. DeVecchi, International Rescue Committee Records, Box 1699, Hoover Institution Archives; Loescher and Scanlan, *Calculated Kindness*, 140; Davies, *Legitimising Rejection*, 104.

¹⁴⁷ Loescher and Scanlan, *Calculated Kindness*, 140-141.

¹⁴⁸ Davies, *Legitimising Rejection*, 107.

¹⁴⁹ May 1979, “Statement on Cambodian Refugees to the House Judiciary Subcommittee on Immigration, Refugees and International Law” by Louis A. Wiesner, International Rescue Committee Records, Box 1700, Hoover Institution Archives.

attention. Davies persuasively argues, for example, that Thai leaders “decided that if this [denying the right to first asylum] is what is necessary to get U.S. attention, they can be just as harsh as other countries.”¹⁵⁰

Given the long history of American involvement in Indochina, Carter’s human rights rhetoric, and the significant American financial contribution to the UNHCR, a major international effort to resettle refugees required American leadership. Without an American led effort, first asylum countries would continue responding punitively to the overwhelming refugee numbers. These trends strained American relations with their allies in Southeast Asia. As a CIA memo explained, “the refugee influx has created friction in US-ASEAN and intra-ASEAN relations.”¹⁵¹ ASEAN nations, the memo continued, became increasingly “annoyed by American criticism of their refusal to accept more refugees. Some believe that it was Washington’s Indochina policy that created the conditions responsible for the refugee exodus, and all believe the United States should accept the major burden of resettling all the refugees.”¹⁵² While for the refugees the stakes were life and death, the CCIR also suggested that the geopolitical stakes were high for Carter. “If the U.S. government does not act dramatically and forcefully to save the tens of thousands who will be cast out to sea or forcibly returned to Indochina and to certain death,” a June 1979 press release warned, “American credibility will suffer a blow from which it may take decades to recover.”¹⁵³

ASEAN nations also continued to display their impatience with what they viewed

¹⁵⁰ Ibid; Davies, *Legitimising Rejection*, 106.

¹⁵¹ Memorandum from CIA National Foreign Assessment Center, “Hanoi’s View of the Indochina Refugee Problem,” June 19, 1979, Jimmy Carter Presidential Library, RAC Project Number NLC-133-83-8-4-0.

¹⁵² “Indochina Refugee Situation: An Intelligence Assessment,” 13 July, 1979, Jimmy Carter Presidential Library, RAC Project Number NLC-133-143-8-1-6

¹⁵³ June 25, 1979, “The United States Government Must Act Now,” International Rescue Committee Records, Box 1699, Hoover Institution Archives.

as Vietnamese warfare and American indifference.¹⁵⁴ In addition to pushing boats back to sea and closing their borders to land people, ASEAN nations amped up their criticism of Vietnam, most notably in a speech given by S. Rajaratnam, the Minister of Foreign Affairs of Singapore at the 12th ASEAN Ministerial Meeting. Rajaratnam suggested that the Indochinese exodus amounted to “a military exercise;” an invasion intended to destabilize Southeast Asia to help further Vietnamese “ambitions” for “hegemony in Southeast Asia.”¹⁵⁵ The Minister told his ASEAN allies that the issues was not “a humanitarian problem” but “political warfare.”¹⁵⁶ Rajaratnam ended his speech with a reference to the Holocaust, noting that Hanoi’s “deliberate policy” is more efficient “than gas chambers—the Vietnamese push them out into the open sea. It costs them nothing” and Hanoi gets “money for the boats” by extracting bribes before permitting departure.¹⁵⁷

Rajaratnam’s speech upped the ante for the Carter administration. In addition to nongovernmental humanitarian groups, foreign leaders—American allies, no less—were characterizing the refugee crisis as a deliberate forced expulsion policy and making explicit comparisons to the Holocaust on the international stage. Failure to act now amounted not only to a humanitarian failure, but a geopolitical liability as well. To add to the CCIR’s and ASEAN’s rhetoric, inaction started to have political consequences for Carter at home. As Senator Ted Kennedy rose as a challenger for the Democratic nomination, refugee policy became one of the many means through which Kennedy—a

¹⁵⁴ Mondale notes in his memoirs “by June we were under pressure from several Southeast Asian countries, including Indonesia and Malaysia, to organize a permanent resettlement solution, Walter F. Mondale with David Hage Mondale, *The Good Fight: A Life in Liberal Politics* (New York: Scribner & Co., 2019), 212.

¹⁵⁵ July 17 Memorandum, “Statement of Mr. S. Rajaratnam” 28 June 1979, International Rescue Committee Records, Box 1700, Hoover Institution Archives.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

longtime supporter of generous Indochinese admissions—criticized Carter’s leadership (or lack thereof).¹⁵⁸ The combination of these factors finally forced Carter to address the boat and land people crises in June and July 1979. To the administration’s credit, once it decided to take ownership of the issue, the American bureaucracy and international community responded with remarkable alacrity.

The Carter Administration Takes a Leadership Role: June-July 1979

The administration’s first major step was to use a pre-scheduled Tokyo Economic Summit to make an international appeal. A confidential memorandum that Dick Clark prepared for Carter prior to his departure read as though it had been written by the CCIR. Clark argued, “the exodus of refugees from Indochina has reached such staggering dimensions as to pose major political and security problems for Southeast Asia as well as a refugee problem of proportions not matched since Nazi Germany in the 1930’s.”¹⁵⁹ Clark advocated that the administration declare American leadership and pursue action on three fronts: “(1) ensure the extension of temporary asylum; (2) to increase permanent resettlement; and (3) to meet the large costs involved.”¹⁶⁰ “After the Tokyo Summit,” Clark suggested that Carter lead an effort to condemn Vietnam through the UN and also convince the UNHCR to host a conference “aimed at agreement on a program of practical steps to increase temporary asylum, permanent resettlement and financial support.”¹⁶¹ As another aide explained to Carter, “in moral terms, this is an opportunity for leadership

¹⁵⁸ Sutter, *The Indochinese Refugee Dilemma*, 167.

¹⁵⁹ Confidential Memorandum, from Dick Clark to President Carter, June 20, 1979, “Indochinese Refugees: Tokyo and Beyond,” Folder, “6/21/79 [3],” Box 122, Office of the Staff Secretary, Presidential Files, Jimmy Carter Library

¹⁶⁰ Ibid.

¹⁶¹ Ibid.

that we should not let slip.”¹⁶²

At Tokyo, Carter launched all of these initiatives. Hitherto, American pressure on Japan to resettle refugees had been unsuccessful, as the Japanese remained unwilling to bring large numbers of outsiders into their homogeneous culture. At Tokyo, however, Carter secured the next best thing: a Japanese promise to double its already substantial contribution to the UNHCR Indochinese refugee program.¹⁶³ The same day Carter announced that the United States would double its current admissions to 14,000 per month and make additional admission and financial pledges at the forthcoming UNHCR conference.¹⁶⁴

It is worthwhile to pause here to recall that as late as September 1977, the most knowledgeable officials in Washington informed Carter that the United States should expect to admit approximately 25-30,000 Indochinese refugees by the end of 1980.¹⁶⁵ By June of 1979, American officials supported the entry of 14,000 refugees *per month*. While in both September 1977 and June 1979 the massive human migration unfolding in Indochina far outpaced U.S. admissions quotas, the commitments Carter made in Tokyo absolutely dwarfed what even the most hopeful American officials anticipated at the

¹⁶² Confidential Memorandum, from Henry Owen to President Carter, June 21, 1979, “Indochinese Refugees: The Tokyo Summit (U),” Folder, “6/21/79 [3],” Box 122, Office of the Staff Secretary, Presidential Files, Jimmy Carter Library.

¹⁶³ Loescher and Scanlan, *Calculated Kindness*, 144.

¹⁶⁴ Loescher and Scanlan, *Calculated Kindness*, 144. This announcement surpassed Vance’s initial recommendation that Carter announce a 10,000 paroles per month initiative: Secret Memorandum, from Cy Vance to President Carter, June 20, 1979, Folder, “6/21/79 [3],” Box 122, Office of the Staff Secretary, Presidential Files, Jimmy Carter Library. For a congressional resolution calling for the meeting at Geneva see: Resolution introduced by Wolf “Expressing the sense of the House of Representatives that the President should call upon the Secretary General of the United Nations to convene immediately an emergency session of the General Assembly, or should use other appropriate for a, to deal with the refugee crisis in Southeast Asia,” Ginetta Sagan Papers, Box 5, Hoover Institution Archives; Chollet and Powers, *The Unquiet American*, 130.

¹⁶⁵ Memorandum for the President from Warren Christopher, “Long Term Program for Indochinese Refugees,” Sept 30, 1977, Jimmy Carter Presidential Library, RAC Project Number NLC-7-51-7-14-6.

beginning of Carter's presidency. In retrospect, it is easy to depict this colossal transformation in U.S. admissions as inevitable. The United States' long involvement in the Vietnam War, Carter's human rights rhetoric and the tendency of Cold War officials to use refugee admissions to achieve foreign policy objectives all seemed to explain and indeed, preordain, the position that the Carter administration took by 1979. As the CCIR's hard fought efforts from 1977 to 1979 reveal, however, on their own, these conditions would likely not have been enough to spur a long-term, generous American response. Without the CCIR's vigilance, strategic appropriation of information, and unrelenting pressure on the administration, it is hard to imagine such a dramatic turnaround.

While the Tokyo summit gave concerned observers cause for optimism, Carter returned to a frustrating domestic scene. With the UNHCR Geneva Conference scheduled for July 21-22, Carter convened "his domestic Camp David conference," which spurred his infamous crisis of confidence speech on July 15.¹⁶⁶ Two days later, Carter "asked for the resignation of all his cabinet members, accepting five of them."¹⁶⁷ While some White House aids suspected Mondale would replace Carter in Geneva as early as July 12, Mondale and his staff did not receive confirmation that they would be going to Geneva in Carter's place until the day before the conference began.¹⁶⁸

Mondale's team did more than just fill in for Carter. As Marty Kaplan, Mondale's twenty-nine year old speech writer recalled years later, "the problem for me...was that

¹⁶⁶ Betty Glad, *An Outsider in the White House: Jimmy Carter, His Advisors, and the Making of American Foreign Policy* (Cornell University Press, 2009), 189.

¹⁶⁷ Ibid.

¹⁶⁸ Memorandum for Nicholas Platt from Denis Clift "Refugee Meeting—Geneva," July 12, 1979, Folder, "Refugees, 7/79-6/80," Box 51, Zbigniew Brzezinski Material - Subject Files (NSA 7), Jimmy Carter Library. Mondale, *The Good Fight*, 214.

there was no Carter speech that he could simply give, only a sheaf of memos and briefings that had languished while the President was holed up at Camp David.”¹⁶⁹ As Mondale explains in his memoirs, “in Marty’s sheaf of briefing papers was a fascinating historical precedent that Holbrooke had stumbled upon. Forty years earlier, just down the road from Geneva at Evian, France, Western nations had met to discuss the refugee crisis facing Europe in the face of Hitler and the Nazis. The West had failed to act on that occasion—with horrific consequences for Europe’s Jews—and Marty worked in that reference with tremendous rhetorical power.”¹⁷⁰

“At stake at Evian,” Mondale explained to those sitting before him in Geneva, “were both human lives—and the decency and self-respect of the civilized world. If each nation at Evian had agreed on that day to take in 17,000 Jews at once, every Jew in the Reich could have been saved... Let us not re-enact their error. Let us not be heirs to their shame.”¹⁷¹ While Mondale’s words still resonate decades later, it is likely that some in the audience had living memory of World War II. Moreover, everyone in the room lived in a world where, by the late 1970s, information about the scope and gravity of the Holocaust was becoming increasingly commonplace. After outlining the stakes—which Mondale saw to be nothing less than “history’s test”—the Vice President proceeded to “outline seven areas where action is needed.”

The first place action was required, according to Mondale, was in Hanoi. “The fundamental responsibility,” for the current crisis, he argued, “must rest with the

¹⁶⁹ Marty Kaplan, “The Best Speech I Ever Wrote,” August 30, 2009, *Huffington Post Politics Blog*: http://www.huffingtonpost.com/marty-kaplan/the-best-speech-i-ever-wr_b_247918.html.

¹⁷⁰ Mondale, *The Good Fight*, 214-5; Loescher and Scanlan, *Calculated Kindness*, 145.

¹⁷¹ Office of the Vice President’s Press Secretary, July 21, 1979, Text of Speech Prepared for Delivery by Vice President Walter F. Mondale to the U.N. Conference on Indochinese Refugees, <http://nakbaeducation.com/wp-content/uploads/UNSpeech19MONDALE.pdf>.

authorities of Indochina, particularly the government of the Socialist Republic of Vietnam. That government is failing to ensure the human rights of its people. Its callous and irresponsible policies are compelling countless citizens to forsake everything they treasure, to risk their lives, and to flee into the unknown.”¹⁷² Not only had the administration reversed its initial position to link refugee issues, human rights, and U.S. policy toward Vietnam, but it proclaimed the link on an international stage.¹⁷³ In this statement the administration broke from the UNHCR’s refusal “to condemn Vietnam’s policy of encouraging flight” in its attempt to respect body’s “non-political mandate.”¹⁷⁴ In other words, while Mondale blasted Hanoi for its complicity in the flight, the UNHCR refused to comment on the “roots” of the problem and instead focused on the treatment of migrants once they fled Indochina.

While Mondale’s censure of Vietnam displeased UNHCR officials, the rest of the Vice President’s speech told the UNHCR and ASEAN nations what they had long been waiting to hear. Mondale urged “the countries of first asylum to continue to provide temporary safe haven to all refugees” (point 2) and added “the rest of us must provide assurances to first-asylum countries that the refugees will find new homes within a reasonable amount of time” (point 3).¹⁷⁵ Mondale did not undersell the severity of the problem, and he argued to the world leaders sitting before him that “we must all be

¹⁷² Condemning Vietnam pushed the boundaries of UN Secretary General Weidheim, who wanted the conference to focus on “humanitarian” issues only. See: Department of State Briefing Paper, “Pressures on the SRV,” Jimmy Carter Presidential Library, RAC Project Number NLC-133-144-1-25-6, See also: Department of State Briefing Paper, “Bilateral Paper,” July 18, 1979, Jimmy Carter Presidential Library, RAC Project Number NLC-133-144-1-3-0, Sutter, *The Indochinese Refugee Dilemma*, 197.

¹⁷³ Sutter, *The Indochinese Refugee Dilemma*, 87.

¹⁷⁴ Davies, *Legitimising Rejection*, 110.

¹⁷⁵ Office of the Vice President’s Press Secretary, July 21, 1979, Text of Speech Prepared for Delivery by Vice President Walter F. Mondale to the U.N. Conference on Indochinese Refugees, <http://nakbaeducation.com/wp-content/uploads/UNSpeech19MONDALE.pdf>.

prepared to commit ourselves to multi-year resettlement programs—for the problem will not be solved quickly.” “The United States government is now seeking that authority,” he added, a reference to the forthcoming refugee legislation.

Mondale promised the international community that the United States would back up its rhetoric with generous financial support. Mondale’s fourth point called for “each of us to make a greater contribution” to assist the UNHCR’s efforts, and he announced that the United States would provide “\$105 million...more than double our current effort.”¹⁷⁶ The Vice President then called on the international community to “relieve pressure on existing camps and create a network of new transit centers” and pledged \$20 million American dollars for that effort. “Sixth” Mondale argued, “we must extend refugee resettlement to nations who are ready to receive them—but who do not have the resources to do so,” like those in Latin America, and announced the “creation of an international Refugee Resettlement Fund” to which the United States would deposit \$20 million.

Finally, Mondale called for the world to help stop the unnecessary death of boat people on the high seas. He challenged the world community to “protect the lives of those who seek safety,” noting that Carter had “dramatically strengthened his orders to the Navy...to help the drowning and the desperate,” and that very day ordered four additional ships and “long-range Navy aircraft to fly patrols to locate and seek help for refugee boats in distress.”¹⁷⁷ Mondale ended his speech the way he began, by invoking the Holocaust and the weight of history: “history will not forgive us if we fail. History will

¹⁷⁶ Ibid.

¹⁷⁷ Ibid. On Carter’s communicating this policy to activist Joan Baez before the Geneva conference see: *San Francisco Examiner* article, July 22, 1979 “Joan Baez’s winning battle to make Carter notice boat people” by Jim Wood, Ginetta Sagan Papers, Box 14, Hoover Institution Archives.

not forget us if we succeed.”¹⁷⁸ As Mondale recalled with satisfaction “the best we expected was a polite applause and some nodding of heads. But the response was electric and when I finished people leaped to their feet for a sustained ovation.”¹⁷⁹

The international community also responded with action. The sixty-five nations in attendance pledged a total of \$160 million and increased the “total number of pledged commitments from 125,000 to 260,000.”¹⁸⁰ The number of offered admissions spots almost doubled, financial contributions skyrocketed, and after July 1979, the number of Vietnamese boat people declined precipitously. “From a high point of 56,941 boat people in June,” Loescher and Scanlan note, “the numbers tumbled to 17,839 in July, 9,734 in August, 9,455 in September, 2,854 in October, 2,209 in November and 2,745 in December.”¹⁸¹ These drastically reduced numbers combined with higher resettlement rates helped ease, though by no means remove, the burdens on first asylum countries. The drastic reduction in new arrivals also seemed to confirm Hanoi’s complicity in the exodus, as only an abrupt change in government policy could explain such a momentous and instantaneous shift.

Shortly thereafter a 50,000-person refugee transit center opened in the Philippines and conference members “pledged international cooperation in effecting sea rescues.”¹⁸² While the agreements hashed out at Geneva should rightly be regarded as a major moment of international cooperation, Yen Le Espiritu reminds us that the agreements

¹⁷⁸ Office of the Vice President’s Press Release, July 21, 1979, <http://nakbaeducation.com/wp-content/uploads/UNSpeech19MONDALE.pdf>.

¹⁷⁹ Mondale, *The Good Fight*, 214. Holbrooke called the speech “without question the emotional highpoint of the conference, a moving experience for all Americans who were present,” in Secret Telegram from Geneva, “Refugee Conference, Geneva,” July 1979, Jimmy Carter Presidential Library, RAC Project Number NLC-133-144-6-2-6

¹⁸⁰ Loescher and Scanlan, *Calculated Kindness*, 145; Davies, *Legitimising Rejection*, 108.

¹⁸¹ Loescher and Scanlan, *Calculated Kindness*, 146.

¹⁸² *Ibid.*

reflected the asymmetrical power relations among the meetings' participants. "By locating refugee sorting and processing centers *only* in Southeast Asia," she argues, "this international arrangement granted resettlement countries—but not first asylum nations, the right to manage the admission of refugees—that is, the right to control their borders from afar by denying admission of the unwanted."¹⁸³ While geography undoubtedly had as much to do with this arrangement as power politics, Espiritu's larger point remains intact: while resettlement countries had the privilege of screening refugees and resettling only those that met nationally determined standards, first asylum nations did not enjoy this luxury, and this asymmetric division caused major tensions in the late 1980s and early 1990s, as chapters five and six document.

The Vietnamese were among the sixty-five nations present at Geneva, and Holbrooke met privately with the SRV delegation. As would become commonplace thereafter, even though the United States suspended official normalization talks, Washington and Hanoi met regularly in face-to-face meetings to address humanitarian issues. Also foreshadowing future trends, Holbrooke explained to the Vietnamese delegation that refugee concerns had direct bearing on official U.S.-Vietnamese relations. For example, Holbrooke began the meeting by remarking, "today we are not discussing normalization, because of the enormous problems which have occurred. This is a matter of regret to our government. The reasons for this... which causes us to stop any progress... are: 1) refugees, 2) Cambodia 3) USSR[']s] role in Southeast Asia."¹⁸⁴ While the refugee exodus and human rights issues were insufficient to stop normalization talks in 1977, they constituted one of the major reasons talks ceased in 1979.

¹⁸³ Espiritu, *Body Counts*, 53.

¹⁸⁴ Secret Telegram from Geneva, "Refugee Conference, Geneva," July 1979, Jimmy Carter Presidential Library, RAC Project Number NLC-133-144-6-2-6

Other precedents established at Geneva would come to define multilateral and bilateral Indochinese refugee resettlement for over a decade. “Instead of condemning Vietnam,” Davies explains, the UNHCR Deputy High Commissioner met with Vietnam “to discuss a potential ‘orderly movement’ of people from Vietnam.”¹⁸⁵ This conversation led to the creation of the Orderly Departure Program (ODP), a multilateral initiative aimed to provide people in Vietnam with a safe and legal alternative to clandestine flight. This policy mattered little in 1979 in terms of the human crisis facing those at the Geneva Conference. The ODP, however, quickly became a substantive, global initiative; the program served as the only legal means through which emigrants could leave Vietnam until the mid 1990s. During the 1979 Geneva Conference, Holbrooke told his Vietnamese counterparts that to facilitate the ODP the United States would be willing “to place in Ho Chi Minh City, Hanoi or elsewhere, consular officers, under the auspices of the UNHCR—not as diplomats—to assist in the normal processing of emigrants.”¹⁸⁶ Although it took a few years, this is precisely what happened—the U.S. government put American officials on the ground in Hanoi, even in the absence of formal relations.

Throughout the rest of 1979, three important developments took place in terms of U.S.-Indochina policy. First, as early as August, Commission members observed “signs of a backlash” which “could jeopardize the U.S. resettlement program as well as efforts for continued financial support.”¹⁸⁷ As Carl Bon Tempo observes, an August 1979 poll reflected that “only 32 percent of Americans surveyed wanted to see immigration laws

¹⁸⁵ Davies, *Legitimising Rejection*, 110.

¹⁸⁶ Secret Telegram from Geneva, “Refugee Conference, Geneva,” July 1979, Jimmy Carter Presidential Library, RAC Project Number NLC-133-144-6-2-6

¹⁸⁷ August 6, 1979, “Citizens Commission,” International Rescue Committee Records, Box 1699, Hoover Institution Archives.

relaxed to ease the admission of the boat people, compared to 57 percent who opposed such measures.”¹⁸⁸ In addition to nativism, economic woes and compassion fatigue, race also likely played a role. As Brezinski put it: “if the refugees were white Europeans they [Americans] would be much more concerned than they are with yellow people half-way round the world.”¹⁸⁹ While the backlash did not drastically alter the American commitment, it did frame the funding debates that took place over the next two years and, of course, directly informed the daily lives of Indochinese in the United States.

Additionally, throughout the early fall both the CCIR and the Carter administration focused their attention on “the Cambodian tragedy,” as the massive efforts at Geneva did not adequately address (nor did they lessen) the flow of Cambodian refugees.¹⁹⁰ In October Carter pledged \$69 million to assist Cambodian refugees, which, through the strong support of Congressman Stephen Solarz, Senator Ted Kennedy, and the personal interest of First Lady Rosalyn Carter, grew to a \$106 million commitment.¹⁹¹

While Americans amplified their commitment to Cambodian refugees, the U.S.

¹⁸⁸ Bon Tempo. *Americans at the Gate*, 163.

¹⁸⁹ October 2, 1978 “Citizen’s Commission Consultations in Washington” Notes on September 26 meetings, International Rescue Committee Records, Box 1699, Hoover Institution Archives.

¹⁹⁰ Limited Official Use Memorandum, From Cyrus Vance to President Carter, October 8, 1979, “Initial American Commitment to Kapuchean Humanitarian Relief,” Folder “10/10/79 [2],” Box 134, Office of Staff Secretary, Presidential Files, Jimmy Carter Library; Memorandum, From Henry Owen to President Carter, October 8, 1979, “Initial American Commitment to Kapuchean Humanitarian Relief,” Folder “10/10/79 [2],” Box 134, Office of Staff Secretary, Presidential Files, Jimmy Carter Library; October 18, 1979, “Summary of Developments” to Members from Cherne, International Rescue Committee Records, Box 1700, Hoover Institution Archives; Memorandum, from Frank Moore and Zbigniew Brzezinski, “Cambodian Refugees—Senator Danforth’s Trip,” October 18, 1979, Folder, “10/18/79,” Box 135, Office of Staff Secretary, Presidential Files, Jimmy Carter Library; “Consultation on Famine in Cambodia[Sic]” Folder, “10/24/79 [2],” Box 136, Office of Staff Secretary, Presidential Files, Jimmy Carter Library.; December 18, 1979, “Statement to the Congressional Breakfast Hosted by Senator Danforth” by Cherne, International Rescue Committee Records, Box 1700, Hoover Institution Archives.

¹⁹¹ Meeting Memo, from Henry Owen, “Cambodian Relief,” November 12, 1979, Folder, “11/13/79 [2]” Box 139, Office of Staff Secretary, Presidential Files, Jimmy Carter Library; Memorandum for the President, “Enrolled Bill H.r. 4995,” November 13, 1979, Folder, “Refugees—Indochinese, 8/79-7/79,” Box 37, Ellen Goldstein’s Subject Files, Records of the Domestic Policy Staff, Jimmy Carter Presidential Library; Loescher and Scanlan, 163.

government simultaneously had to decide whom to support for Cambodia's UN seat. As Martini explains, U.S. policymakers faced a choice between seating Hanoi's puppet government and therefore supporting "the nation it had spurned, ignored and punished over the past several years" or seating the Khmer Rouge's leaders-in-exile, thereby legitimizing the same regime Carter dubbed "the worst violator of human rights in the world today."¹⁹² Given these options, the Carter administration—begrudgingly, according to State Department officials—voted to seat the Khmer Rouge regime. Moreover, the Carter administration maintained that Hanoi's occupation of Cambodia precluded the possibility of official U.S.-Vietnamese normalization and stipulated that withdrawal of Hanoi's troops from Phnom Penh was the absolute minimum condition to resume talks. This stance put formal U.S.-Vietnamese normalization talks on ice until the late 1980s.

Codifying the Link Between Refugees and Human Rights

The administration worked hard to fulfill one of Mondale's promises at Geneva; "seeking the authority" for a "multi-year resettlement program."¹⁹³ The Indochinese refugee crisis prompted the administration to introduce legislation that would become the Refugee Act of 1980 in March 1979, but the bill moved slowly through committees as Congressmen continued to witness the massive refugee problems in Southeast Asia and other parts of the world. Furthermore, all other issues, including refugee legislation, took a back seat beginning in November 1979 when the Iranian Hostage Crisis became the administration's top priority.

Carter finally signed S. 643, the Refugee Act of 1980, on March 17, 1980. The

¹⁹² Matini, *Invisible Enemies*, 98. See also: Powers, *A Problem From Hell*, 146.

¹⁹³ Office of the Vice President's Press Release, July 21, 1979, <http://nakbaeducation.com/wp-content/uploads/UNSpeech19MONDALE.pdf>

bill marked the nation's "first comprehensive, coordinated, and consolidated refugee policy program."¹⁹⁴ As immigration scholars widely note, one of the bill's most revolutionary provisions inspired little debate in 1979/1980: the law provided "a new definition of refugee."¹⁹⁵ Prior to 1980, American law required a refugee to be one fleeing "from any Communist or Communist-dominated country." The new act brought U.S. law in line with the United Nations' definition and the nation's new commitment to human rights. After 1980, "any person who is outside any country of his nationality" who has "a well-founded fear of persecution" now qualified for "refugee" status under American law.¹⁹⁶ While U.S. officials widely accepted this new definition during the Carter administration, in the 1980s the universal definition of "refugee" inspired many disagreements as U.S. policymakers struggled to employ the new law on a global scale with finite resources. The Refugee Act of 1980 thus fundamentally altered the legal and linguistic boundaries of debates about refugee admissions in the 1980s, a legacy which continues to inform current day debates about refugee admissions.

The bill also codified U.S. policymakers' assumption that refugees would be permanent fixtures in world affairs. By raising the annual "normal flow" of refugees to 50,000, in other words, the bill tacitly acknowledged that "refugee crises"—usually depicted as temporary aberrations—were going to be a lasting challenge to which U.S. policymakers needed the ability to respond. Given this assumption, the Refugee Act of 1980 permitted the President, after required annual consultations with Congress, to award 50,000 refugee slots to various regions annually without any sort of special appeals.

¹⁹⁴ Memorandum, to President Carter from Stu Eizenstat, Frank White and Ellen Goldstein, "Enrolled Bill 2.643—Refugee Act of 1980," March 17, 1980, Folder, "3/17/80, Office of Staff Secretary, Presidential Files, Jimmy Carter Library.

¹⁹⁵ Ibid.

¹⁹⁶ Loescher and Scanlan, *Calculated Kindness*, 155; Bon Tempo, *Americans at the Gate*, 173.

Moreover the Bill also gave the president the authority “after consultations with the Congress, to increase the number depending on the international situation.”¹⁹⁷

Although U.S.-Vietnamese normalization failed, the Refugee Act was a major victory for the Carter administration. The presidential decision memorandum that accompanied the bill suggested that the “arguments for veto” were “none” while the “arguments for signing” were expansive: “this bill is almost entirely consistent with the provisions and principles of the original legislation proposed by the Administration last year...it represents a major legislative victory for the Administration.”¹⁹⁸ Furthermore, the memo explained to Carter that “given the recent international attention focused on the boat people, and your humanitarian response to their plight” the new law helped address the “flaws and gaps in our current admission procedures and fragmented refugee assistance programs became painfully apparent.”¹⁹⁹ In both international forums and domestic law, by the last two years of his administration, Carter openly supported the link between refugees and human rights.

Unfortunately for Carter, however, administration policy would soon once again be “overwhelmed by events.” In addition to the ongoing Iran-hostage crisis, the month after Carter signed the Refugee Act of 1980 what historians call “the Mariel Refugee Crisis” began. In six months, 130,000 Cubans arrived at American shores, and the perception that Castro was “emptying his jails” in response to U.S. generosity turned public opinion against the newcomers.²⁰⁰ For the rest of Carter’s term, “refugee” would come to be

¹⁹⁷ Memorandum, to President Carter from Stu Eizenstat, Frank White and Ellen Goldstein, “Enrolled Bill 2,643—Refugee Act of 1980,” March 17, 1980, Folder, “3/17/80, Office of Staff Secretary, Presidential Files, Jimmy Carter Library.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

²⁰⁰ Bon Tempo, *Americans at the Gate*, 179-181.

synonymous with “Cuban” in the administration’s records, although Indochinese refugees continued to arrive in the United States not only throughout Carter’s tenure in office but for over a decade thereafter.

Conclusion

During Jimmy Carter’s tenure as president, the initiative to implement a human rights based policy toward Vietnam did not emanate from the White House. Once Carter announced his willingness to normalize relations with Vietnam, the administration wagered that human rights issues could most effectively be dealt with as bilateral issues to be discussed *after* normalization, rather than as preconditions to normalization itself. The relatively low rate of Vietnamese boat people departures (at least compared to 1979 numbers) and the widespread conceptualization of the refugee issues in 1977 as a “cleanup” of those to whom the United States had moral obligation but failed to help in 1975 and 1976 added legitimacy to Carter’s prioritization. Ironically—given Carter’s championing of human rights as the “soul of American foreign policy”—Carter’s successors would make the opposite argument, requiring that Vietnam adequately address “humanitarian issues” (as defined by the United States) prior to normalization.

From late 1977 through mid-1979, the impetus for a more generous American response to the growing boat people and land people exoduses emanated from the Citizens Commissions on Indochinese Refugees and a select group of highly motivated, well-positioned Congressmen. In contrast to the Ford administration’s ownership and stewardship of a generous refugee policy in 1975, the Carter administration did not assume a major leadership role until almost forced to do so by the CCIR, its ASEAN

allies, Kennedy's presidential ambitions and the sheer gravity of the situation. In many ways, the Ford Administration constituted the exception to the rule, as Carter and his successors would be pressed to action by nongovernmental organizations and key Congressmen, not the other way around.

To its credit, however, once pushed, the Carter administration displayed powerful moral leadership at the Tokyo and Geneva Conferences. In June and July 1979, Carter not only oversaw a significantly expanded American commitment to Indochinese refugees—expanding both resettlement numbers and financial contributions—but prompted other nations to follow suit. Indeed, beginning in the spring of 1979 and climaxing with the Geneva Conference, the Carter administration actively supported a position it once opposed: that the Indochinese refugee issue was the result of human rights violations that should contribute to the American stance on U.S.-Vietnamese normalization. With strong presidential backing, legislators codified the link between human rights and refugees with the Refugee Act of 1980's redefinition of "refugee" to meet universal, human rights-based criteria.

Thanks largely to the efforts of non-executive actors, the United States made a major commitment to Indochinese refugees. The CCIR's fact-finding missions, governmental connections, and public relations campaigns were crucial to this success. As the CCIR and others shed the spotlight on boat and land people, two other groups—Amerasians and reeducation camp detainees—languished within Vietnam's borders. As a new president assumed the White House, new advocacy groups moved to the fore to prompt policymakers to address the Amerasians' and reeducation camp prisoners' plight.

CHAPTER 3
**RECONCEPTUALIZING U.S. INDOCHINA POLICY:
REAGAN, POW/MIAS, AMERASIANS & REEDUCATION CAMP
DETAINEES**

In his first term, President Ronald Reagan fundamentally altered U.S. policy toward Vietnam. By 1984, Reagan adopted three causes that President Jimmy Carter intentionally minimized or overlooked. The first was the issue of American servicemen listed as prisoner of war/missing in action (POW/MIA). On January 28, 1983, Reagan declared “the return of all POWs, the fullest possible accounting for the still missing, and the repatriation” of their remains “the highest national priority.”¹ Amerasians, or the children of American servicemen and Vietnamese women, and the detainees Hanoi continued to hold in so-called “reeducation” camps were the final two issues that received unprecedented attention during Reagan’s first term. In September 1984, Secretary of State George Shultz deemed these two issues “pressing refugee problems” and announced the creation of “two new initiatives” to provide for the emigration of Amerasians, reeducation camp prisoners and their families to the United States.² In stark contrast to the boat and land people, POW/MIAs, Amerasians, and reeducation camp prisoners all suffered, or were thought to suffer, *inside* Vietnam. A heightened focus on groups within territorial Vietnam and willingness, even eagerness, to criticize Hanoi’s internal affairs became the trademarks of Reagan’s Vietnam policy.

Although Reagan changed course by elevating these issues, his administration

¹ Ronald Reagan, “Remarks at a Meeting of the National League of Families of American Prisoners and Missing in Southeast Asia,” January 28, 1983, Crystal City, VA, <http://www.presidency.ucsb.edu/ws/index.php?pid=40495>.

² Statement by the Honorable George P. Shultz, Secretary of State, before the House Judiciary Committee, 09/11/1984.

continued two important Carter-era precedents. First, Reagan insisted, as Carter had before him, that formal U.S.-Vietnamese normalization talks could not resume until Hanoi withdrew its troops from Cambodia and participated in finding a “political solution” (satisfactory to U.S. officials) in Phnom Penh, a condition that barred formal talks until 1989. Second, the United States accepted large numbers of the oceanic migrants that continued to flee Indochina. In fact, the Reagan White House, in consultation with Congress, consistently earmarked over 50% of annual refugee admissions slots for those exiting Indochina.³

Despite these similarities, however, Reagan’s Vietnam policy differed fundamentally from Carter-era precedents. Previous scholars have noted the contrast regarding Reagan approach to POW/MIAs and Amerasians. The rise of the POW/MIA lobby during Reagan’s first term, spearheaded by the National League of POW/MIA Families, is well documented by Michael Allen and H. Bruce Franklin.⁴ Additionally, Amerasian scholars argue that the 1982 Amerasian Immigration Act and Shultz’s 1984 announcement marked major milestones in U.S. support for the emigration of Amerasians to the United States.⁵ Because so much of the POW/MIA and Amerasian

³ While refugee scholars note Reagan’s generous Indochinese admissions, they do not focus on Amerasians or re-education camp prisoners: Gil Loescher and John A. Scanlan, *Calculated Kindness: Refugees and America’s Half-Open Door, 1945 to the Present* (New York: Free Press, 1986), Carl J. Bon Tempo, *Americans at the Gate: The United States and Refugees During the Cold War*. (Princeton: Princeton University Press, 2008).

⁴ Michael J. Allen, *Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War* (Chapel Hill: University of North Carolina Press, 2009); H. Bruce Franklin, *M.I.A. or Mythmaking in America* (New Brunswick, NJ: Rutgers University Press, 1992).

⁵ MaryKim DeMonaco, “Disorderly Departure: An Analysis of the United States Policy Toward Amerasian Immigration” *Brooklyn Journal of International Law* (1989) 15(3): 641-709; KieuLinh Caroline Valverde, “From Dust to Gold: The Vietnamese American Experience,” in *Racially Mixed People in America*, ed. Maria P. P. Root (Newbury Park, C.A.: Sage Books, 1992); Jana K. Lipman, “‘The Face is the Road Map’: Vietnamese Amerasians in U.S. Political and Popular Culture, 1980-1988” *Journal of Asian American Studies* 14(1) 2011; Sabrina Thomas, “The Value of Dust: Policy, Citizenship, and Vietnam’s Amerasian Children” PhD diss., Arizona State University, 2015.

scholarship is recent—based on declassified Reagan administration materials—and because there is a great deal of consensus in both fields, I rely heavily on secondary sources when describing these two issues.

This chapter adds to and challenges that same historiography, however, in two crucial respects. First, I begin to fill the significant void in the current literature regarding Vietnamese reeducation camps. Although scholars often reference the camps' existence, very few historians have written about the camps, and much of their work remains unpublished or is forthcoming.⁶ I therefore devote more space to this issue than the others, even though each issue formed a significant pillar of American policy. Indeed, I argue that Reagan's embrace of the POW/MIA, Amerasian, and reeducation camp causes all within the last two years of his first term was not a coincidence of timing. The second way I challenge the current historiography, then, is to argue that one must study POW/MIAs, Amerasians, and reeducation camp detainees together to fully understand each issue; although seemingly disparate, all of these causes involved populations within Vietnam's borders and Reagan adopted each for similar reasons.

The administration used these issues to support its Vietnam War revisionism and general worldview. Nearly every scholar that has written about Reagan's embrace of Indochinese refugees or the POW/MIA cause argues that these policies bolstered Reagan's efforts to depict world affairs as a battle between a beneficent United States and

⁶ Frances P. Martin, "'Freed Vietnamese Have Her to Thank': Khuc Minh Tho, the FVPPA, and the Use of Grassroots Diplomacy in the Release, Immigration, and Resettlement of Vietnamese Re-Education Camp Prisoners, 1977-2011" (M.A. Thesis, Texas Tech University, 2015); Sam Vong, "'Compassion Gave Us a Special Superpower': Vietnamese Women Leaders, Reeducation Camps, and the Politics of Family Reunification, 1977-1991," *Journal of Women's History*, forthcoming.

a belligerent monolithic Communism.⁷ The charge that the SRV continued to hold live Americans prisoner (or refused to give their remains to their grieving families) and oppressed Amerasians bolstered Reagan's claims about Vietnam, a country he referred to in his diary as "that d—n Communist sink hole."⁸ This chapter argues that Reagan's adoption of reeducation camp detainees provided him with additional means to criticize Hanoi as dishonest, unreasonable, and evil. The fact that each issue facilitated family reunification at a time when Reagan emphasized a return to "family values" made these causes even more appealing.

While the domestic and international contexts mattered, so too did nongovernmental advocacy. Human rights scholar Kenneth Cmiel notes that, at its core, "human rights politics was a politics of information" and "a politics of images."⁹ While their sources were different, POW/MIA, Amerasian, and reeducation advocates all mobilized new evidence during Reagan's first term that helped make their causes more visible and compelling. Although Reagan was more prone to support these causes than his predecessor, nongovernmental advocacy mattered a great deal, especially in the vitally important arena of public opinion. To gain an appreciation for the role non-state actors played in the politics of information and images, however, one must appreciate failed attempts to garner policy responses to the plight of Amerasians and reeducation camp detainees during the Ford and Carter administrations. It is to those earlier efforts that this chapter first turns.

⁷ See, for example: Robert D. Schulzinger, *A Time for Peace: The Legacy of the Vietnam War* (Oxford University Press, 2006), 23; Edward A. Martini, *Invisible Enemies: The American War on Vietnam, 1975-2000* (Amherst, University of Massachusetts Press, 2007): 206-7; Loescher and Scanlan, *Calculated Kindness*, 199-201; Allen, *Until the Last Man Comes Home*, 215-217.

⁸ Ronald Reagan, *The Reagan Diaries*, Edited by Douglas Brinkley (Harper Collins Publishers, 2007), 128.

⁹ Kenneth Cmiel, "The Emergence of Human Rights Politics in the United States" *Journal of American History* Dec. 1999: 1232-33.

Failed Advocacy Efforts During the Ford and Carter Administrations

On April 30, 1975, communist troops marched victoriously through Saigon. The next July, the North and South officially reunited after a twenty-two year separation and formed the Socialist Republic of Vietnam (SRV). The legal existence of a single state and the creation of an economically, culturally, and politically united country, however, are two separate things entirely. While 130,000 South Vietnamese evacuated alongside American personnel in April 1975, millions of those associated with the United States and Republic of Vietnam remained. How would the victors treat the leaders of the defeated regime after a bloody civil war? Would there be a “bloodbath” as the American and South Vietnamese governments warned for years?¹⁰

Among those with whom Hanoi had to contend were Amerasians and their families. While precise figures are impossible to determine, scholars estimate that when the last American helicopters left Saigon, 30,000-50,000 Amerasians remained in Vietnam.¹¹ They faced considerable hardship, especially after 1975. As Mary Kim DeMonaco argues, Vietnamese Amerasians suffered from a “triple stigma.”¹² First, Amerasians were fatherless in a highly patriarchal society. Legal scholar Robert S. Levi notes that the consequences of fatherlessness were profound: “because nationality, race, and personal identity derive from the father in Vietnamese society, the Vietnamese government considers Amerasians U.S. nationals”—foreigners, not Vietnamese.¹³

Historian Sabrina Thomas argues that because both Hanoi and Washington rejected

¹⁰ Scalan and Loescher, *Calculated Kindness*, 107. For the long roots of the “bloodbath” myth see: Scott Landerman, *Tours of Vietnam: War, Travel Guides and Memory* (Durham, NC: Duke University Press, 2009): 87-122.

¹¹ Thomas, *Value of Dust*, x.

¹² DeMonaco, “Disorderly Departure,” 647.

¹³ Levi, 649. For a scholar that argues there is “no evidence” that Hanoi did not consider Amerasians “Vietnamese citizens” see: Kumin, “Orderly Departure from Vietnam,” 233.

responsibility for Vietnamese Amerasians, this cohort was “effectively stateless.”¹⁴ This reality meant that many Vietnamese Amerasians were orphans who lived on the streets, derogatorily called *bui doi*, “children of dust.”¹⁵ Second, the longstanding Vietnamese prejudice against mixed race peoples—coupled with the fact that many Amerasians were also easily identified in a relatively homogenous Vietnam—meant that Vietnamese society also viewed Amerasians as *my lai* (a pejorative term for half-Vietnamese, half-American).¹⁶ Finally, the fact that these fatherless, mixed-race children were the offspring of *Americans* meant that they were also the “living legacy” of the enemy in what the victorious Vietnamese called the American War.¹⁷ Thus, Amerasians and their families suffered social chastisement and discrimination resulting from a combination of official policy, long held customs, and recent geopolitics.

The United States also rejected the idea that it had any obligations to Amerasians, at least initially. The issue of Amerasian children was not solely a Vietnam issue. American soldiers were stationed in Asia since the turn of the twentieth century and with the U.S. occupation of Japan and Korean War, the number of U.S. troops in Asia increased exponentially. These realities prompted American officials to implement policies to respond to and attempt to shape the relationships between U.S. soldiers and Asian women long before U.S. troops went to Vietnam. While marriages did occasionally occur between American GIs and Asian women, U.S. policy discouraged such unions and

¹⁴ Thomas, viii, DeMonaco, 648. See also: Valverde, 146-7; Linda K. Kerber, “Toward a History of Statelessness in America,” *American Quarterly* 57.3 (2005): 737.

¹⁵ Lipman, 37.

¹⁶ Lipman, 37.

¹⁷ DeMonaco, 642.

most Amerasian children were born outside of wedlock.¹⁸ Because they were also born outside of the United States, even though they were the children of American fathers, Amerasians did not automatically acquire U.S. citizenship. As Thomas explains, the bestowing of citizenship to those outside of the territorial United States “is an inherently gendered process...US law has consistently declared that American mothers automatically transmit citizenship to their illegitimate children but American fathers do not.”¹⁹

The most well known Amerasian advocate was Pearl S. Buck. Buck, a literary figure that had won both the Pulitzer and Nobel Peace Prizes, began advocating on behalf of Amerasians before the Vietnam War began. Buck founded Welcome House in 1949, which, as Emily Cheng explains, “was the first interracial and international adoption agency in the United States.”²⁰ In addition to encouraging American adoption of Amerasian children, Buck also worked to provide “social programs for Amerasians in their birth countries” through the Pearl S. Buck Foundation, which she founded in 1964. By the 1970s the Foundation had programs in Vietnam, Korea, Okinawa, Taiwan, Thailand, and the Philippines.²¹ The Pearl S. Buck Foundation eventually eclipsed Welcome House and became the major mouthpiece of nongovernmental advocacy for decades.

¹⁸ On US military policy discouraging marriage particularly among Asian women and American servicemen see: Thomas, *Value of Dust*, 18, 27-31; Levi, “Legacies of War,” 467.

¹⁹ Thomas, *The Value of Dust*, 22. See also Linda K. Kerber, “The Meanings of Citizenship,” *The Journal of American History*, 84.3 (1997): 383-841.

²⁰ Cheng, “Pearl S. Buck’s ‘Amerasian Children,’” 181-182. I do not devote time to Buck’s personal efforts because she died in 1973. There are numerous works devoted to her personal story: Leong, Karen J. Leong, *The China Mystique: Pearl S. Buck, Anna May Wong, Mayling Soong, and the Transformation of American Orientalism* (Berkeley, Calif: University of California Press, 2005); Spurling, Hilary Spurling, *Pearl Buck in China: Journey to The Good Earth* (New York: Simon & Schuster, 2010); Peter J. Conn, *Pearl S. Buck: A Cultural Biography* (Cambridge: Cambridge University Press, 1996).

²¹ Cheng, Pearl S. Buck’s ‘Amerasian Children,’” 182.

Efforts to bring Vietnamese Amerasians to the United States during the Carter administration failed. Carter-era initiatives proved unsuccessful, in large part, because advocates based their argument on the premise that Amerasians *should* enjoy American citizenship. This approach ran into a minefield of legal obstacles. Longstanding U.S. policy, strongly supported by the Department of Defense, mandated that “no individual in the military service will be required or requested to admit paternity” of illegitimate children fathered abroad.²² Furthermore, because of fears of communist reprisals, most Vietnamese mothers destroyed any evidence, “including birth certificates, pictures, and paperwork that proved their Amerasian child or its father had ever existed,” which might have substantiated specific paternity claims.²³ Even though Amerasians, by definition, were the sons and daughters of Americans, they could not immigrate to the United States through family reunification preference categories and instead had to apply under the lowest preference class, “other qualified immigrants.”²⁴ Given that the number of applicants far outstripped the number of available spaces in the late 1970s, the combination of Department of Defense policy and U.S. immigration law made it nearly impossible for Amerasians to travel to the United States.

Some criticized U.S. Indochina policy—which brought large numbers of Vietnamese, Laotians and Cambodians to the U.S. while effectively barring those with American fathers—as having a backward prioritization that bordered on moral hypocrisy. The Carter administration, however, remained “steadfast in its rejection” of any legislation regarding Amerasians, arguing that such efforts would place an onerous

²² Directive 1344.3, quoted in Thomas, “The Value of Dust,” 60.

²³ Thomas, “The Value of Dust,” 54.

²⁴ Thomas, “Value of Dust,” 62.

burden on an already overstretched Immigration and Naturalization Service (INS) and prohibitively expand the high and constantly growing costs of Indochinese resettlement.²⁵ Chapter 2 demonstrates the Carter administration's disinclination to devote considerable financial and political resources to the boat and land people until those tragedies drew repeated comparisons to the Holocaust. Given Carter's overall reluctance to respond to Vietnamese making the front page of international news, it is unsurprising that the administration did not award Amerasians, a group with virtually no publicity, a high priority.

The Carter administration also responded with silence to another, far more numerous group of individuals suffering inside Vietnam: reeducation camp prisoners. A key way Hanoi sought to respond to the defeated enemy population in the south was to extend the system of reeducation it had previously instituted in the north to the entire country.²⁶ Hanoi required military and civilian officials of the former regime—over one million in total—to report for reeducation, set to last from ten to thirty days depending on one's former rank. While Hanoi released “approximately 500,000” within ninety days, the government quickly expanded the program's original terms to “until their [detainees'] political loyalty is insured...or for a maximum period of 3 years.”²⁷

The SRV, however, did not release the last detainee until 1992. The reeducation

²⁵ Thomas, “The Value of Dust,” 66.

²⁶ Ginetta Sagan and Stephen Denney, *Violations of Human Rights in the Socialist Republic of Vietnam, April 30, 1975-April 30, 1983* (Atherton, CA: The Aurora Foundation, 1983): 18-20.

²⁷ On 500,000: Ginetta Sagan and Stephen Denney, *Violations of Human Rights in the Socialist Republic of Vietnam*, 21. On 3 year terms: July 25, 1977, “The Status of Human Rights in Selected Countries and the U.S. Response” Prepared for the Subcommittee on International Organizations of the Committee on International Relations of Representatives by the Foreign Affairs and National Research Service, Library of Congress, Ginetta Sagan Papers, Box 5, Hoover Institution Archives.

system included over 100 camps spread throughout Vietnam.²⁸ While there were undoubtedly differences, each of the camps involved armed guards, barely subsistence rations, harsh physical labor, mandatory “confessions,” non-existent medical care and very little, if any, family visitation. Especially as time went on, the camps regularly drew comparisons to concentration camps and gulags.²⁹

Despite these conditions, however, the camps induced surprisingly little sustained external attention. The reasons for this are multifaceted. At the most basic level, reliable information on internal Vietnamese developments became incredibly difficult to obtain after 1975. As a Congressional Research Service report explained, “it is difficult to gain a comprehensive and accurate picture of human rights conditions in Vietnam because statistics are often unavailable and the Vietnamese Government carefully controls any outside observation within Vietnam.”³⁰ The lack of information suited many Americans, who after 1975 wanted to focus their attention elsewhere. For the few that remained interested and invested in Indochina, the genocide in Cambodia and perils of the boat and land people made what little was known of reeducation camps seem mild by comparison.

²⁸ Ginetta Sagan and Stephen Denney, *Violations of Human Rights in the Socialist Republic of Vietnam, April 30, 1975-April 30, 1983* (Atherton, CA: The Aurora Foundation, 1983): 21. A December 1981 report supports this figure, as the report noted that the State Department confirmed the existence of 50 campus and noted “interviewees [refugees] have asserted the existence of over 100 re-education camps in operation in the period 1975-1981”: Airgram to US Dept of State “Re-education Camps in Vietnam” December 21, 1981, Ginetta Sagan Papers, Box 304, Hoover Institution Archives.

²⁹ Nguyen Van Canh with Earle Cooper, *Vietnam Under Communism, 1975-1982* (Stanford, CA: Hoover Institution Press, 1983), 222-224; August 10, 1984 letter from 13 Congressmen to Reagan, FVPPAC Box 136 Folder 28 VCA; September 10, 1984, letter from FVPPA to Secretary of State George P. Shultz, FVPPAC Box 127 Folder 6. VCA. ; June 13, 1994 letter from FVPPA to General Westmoreland, FVPPAC Box 136 Folder 10B VCA; 60 Minutes: Vietnam Remembered” Vol. XIV, No. 37, Final Cut- May 13, 1982, Ginetta Sagan Papers, Box 311, Hoover Institution Archives.

³⁰ “Human Rights Conditions in Selected Countries and the U.S. Response” Prepared for the Subcommittee on International Organizations of the Committee on International Relations U.S. House of Representatives by the Foreign Affairs and National Defense Division, Congressional Research Service, Library of Congress, July 25, 1978, pg. 306-331, Ginetta Sagan Papers, Box 8, Hoover Institution Archives. See also: Refugee crisis in Southeast Asia : results of the Geneva Conference : hearing before the Committee on the Judiciary, United States Senate, Ninety-sixth Congress, first session on the refugee crisis in Southeast Asia. July 26, 1979, 38.

Finally, it is likely that Vietnam's promise of a maximum three-year sentence seemed reasonable to many that expected U.S. government warnings of a "bloodbath"—a massacre like the one happening in Cambodia—to come true. The existence of reeducation camps and the lives of those detained therein thus remained underreported, overshadowed, and unable to inspire the sympathy necessary for external intervention.

There were, however, noteworthy exceptions. By the 1970s Amnesty International (AI) was probably the best-known human rights NGO in the world. During Carter's term in office, AI repeatedly documented what it viewed as human rights violations occurring in Vietnam's reeducation camps.³¹ In its 1977 "Amnesty International Report," AI devoted seven pages to the SRV and argued "the most important issue remained the large-scale detention in 're-education' camps of civilian and military personnel of the former Saigon administration."³² AI reported that "some observers" estimated the reeducation camp population to be 200,000 at the end of 1976, while in February 1977 Vietnamese officials put the figure at 50,000.³³

This discrepancy between official Hanoi figures and estimates from outside observers or escapees persisted throughout the camps' existence. Part of the problem stemmed from the fact that Hanoi refused to publish the reeducation camp prisoners' names. To make matters even more difficult the camps, broadly speaking, had two very different populations: those the SRV interned immediately in 1975 or 1976, and those Hanoi imprisoned in the late 1970s or 1980s. This second category included a broad range of individuals such as political dissidents, criminals and those attempting to escape

³¹ For AI's report on a mission the SRV in 1979 see: "Amnesty International Report 1980" Amnesty International Publications, London, England, Ginetta Sagan Papers, Box 210, Hoover Institution Archives.

³² AI International Secretariat, "Amnesty International Report, 1977" (London: AI Publications, 1977): 227. <https://www.amnesty.org/en/documents/pol10/006/1977/en/>

³³ "Amnesty International Report, 1977," 227.

Vietnam by boat. Rather than steadily declining, then, the total reeducation camp population remained in flux. More importantly, Hanoi refused—and still refuses—to declassify its records on the camps, which has rendered all external figures best guest estimates. As the AI report conceded, “little is known...about most of these camps.”³⁴

Most of AI’s 1977 report focused on the specifics of “individuals believed to be Prisoners of Conscience.”³⁵ Amnesty International coined and built its entire advocacy program around the term “prisoner of conscience” (POC). As historian Ann Marie Clark explains, AI maintained very strict requirements for POC status. To qualify, one must “have not advocated or used violence” and “been imprisoned for political reasons.”³⁶ This definition limited AI’s advocacy on behalf of reeducation camp prisoners, as many of those still detained in 1977—and the majority of those who served the longest terms—were high-ranking members of the Army of the Republic of Vietnam that had, by definition, “advocated” and “used” violence. Thus, while AI remained the primary NGO voice on the reeducation camp issue throughout the late 1970s, many of the reeducation camp detainees fell outside of the organization’s mandate.³⁷

The widespread silence surrounding the reeducation camps surprised even U.S. government officials. A 1977 report on the “Status of Human Rights in Selected Countries and the U.S. Response” observed that the non-state actors that usually “involve themselves in human rights issues abroad have said little about Vietnam” and that there was also a “general lack of response” from the “U.S. Executive” and “Congress” as

³⁴ “Amnesty International Report, 1977,” 228.

³⁵ “Amnesty International Report, 1977,” 229.

³⁶ Ann Marie Clark, “‘A Calendar of Abuses:’ Amnesty International’s Campaign on Guatemala,” in Claude E. Welch Jr., ed. *NGOs and Human Rights: Promise and Performance* (Philadelphia: University of Pennsylvania Press, 2001).

³⁷ “Amnesty International Report, 1977,” 228-9.

well.³⁸ The report cited the Carter administration's decision to postpone discussion of human rights questions until after normalization and the "national mood of 'putting Indochina behind us'" as explanations for the overwhelming American silence on "what appears to be serious violations of individual human rights by the Government in Hanoi."³⁹

The nature of U.S. involvement during the Vietnam War also likely played a substantial role. In the mid-1970s, the majority of Americans were still only a few years removed from the height of the Vietnam War and domestic anti-war activism. American use of chemical warfare, massive bombing campaigns, "body count" methods that encouraged indiscriminate killings of civilians and attacks on unarmed populations, most notoriously at My Lai, were all well known by average Americans in the late 1970s.⁴⁰ Part of the reason for American silence on reeducation camps, therefore, invariably had to do with a mixture of guilt and fear of charges of hypocrisy. After the hell the U.S. military unleashed on Vietnam for over a decade, most Americans were unwilling to criticize Hanoi's internal policies.

By the late 1970s the sources of information about the camps modestly increased. As a 1978 Congressional Research Service report explained, "several Western newsmen and church representatives" visited "one or two of the camps," and reported that

³⁸ July 25, 1977, "The Status of Human Rights in Selected Countries and the U.S. Response" Prepared for the Subcommittee on International Organizations of the Committee on International Relations of Representatives by the Foreign Affairs and National Research Service, Library of Congress, Ginetta Sagan Papers, Box 5, Hoover Institution Archives.

³⁹ July 25, 1977, "The Status of Human Rights in Selected Countries and the U.S. Response," 70-71.

⁴⁰ Christian G. Appy, *American Reckoning: The Vietnam War and Our National Identity* (Penguin Books, 2016), see Part I and II.

conditions in the camps were “adequate.”⁴¹ One visitor in 1979, for example, suggested the camp she visited “looked as though it could have been a small tropical resort.”⁴² Most Hanoi-approved observers suggested that while not desirable, reeducation camps were the lesser of two evils, as they seemed “to have headed off a wave of vengeance and served as an effective tradeoff avoiding the bloodbath that was predicted.”⁴³ One of the groups Hanoi allowed to inspect the camps was the American Friends Service Committee (AFSC). The AFSC joined the chorus of Hanoi-approved visitors that claimed the camps were “adequate” and argued that because human rights were “viewed differently” in Vietnam, western notions of human rights might not be appropriate measure of Vietnamese progress.⁴⁴ AI’s commitment to impartiality and its self-avowed “non-political” nature prohibited it from lobbying government officials to accept or act on its report. Thus, despite AI’s prominence by the late 1970s, the voices of those that supported or refused to condemn the SRV were much more vocal.

While the number of foreign observers increased in 1978, so too, did refugee accounts. The sharp increase in the numbers of boat people offered an alternative perspective and provided “a very different view of Vietnamese life.”⁴⁵ Many refugees cited “the potential threat of being sent off to a NEZ [New Economic Zone] or reeducation camp” as a reason for their decision to flee.⁴⁶ The differences between the

⁴¹ “Human Rights Conditions in Selected Countries and the U.S. Response” Prepared for the Subcommittee on International Organizations of the Committee on International Relations U.S. House of Representatives by the Foreign Affairs and National Defense Division, Congressional Research Service, Library of Congress, July 25, 1978, pg. 312.

⁴² “Repression in Vietnam: One Woman Attempts to ‘Awaken’ the U.S.” by Harold Johnson April 20, 1983, Ginetta Sagan Papers, Box 303, Hoover Institution Archives.

⁴³ Ibid, 312.

⁴⁴ Ibid, 307.

⁴⁵ Ibid, 317.

⁴⁶ Ibid, 325.

outside observers' accounts (with AI as the sole exception) and the refugee accounts foreshadowed a much larger debate: were those emigrating from Indochina refugees fleeing persecution or migrants choosing to leave "adequate" conditions?

For the most part, this question went unasked during Carter's term. The sheer size of the boat people exodus and widespread recognition of Hanoi's complicity in the forced migration of its ethnic-Chinese minority made questions about refugee status moot. There were some, however, that sought to document why so many Vietnamese chose to abandon the land of their ancestors and chance an extraordinarily dangerous journey to escape Vietnam. In February 1979, what began as a "study group" on human rights issues among politically active women in northern California became Humanitas International, a "non-political, non-partisan, non-profit corporation," aimed at "educating the public to human rights violations."⁴⁷ Humanitas consciously sought to differ itself from other groups like the powerful Citizens Commission on Indochinese Refugees (CCIR), which, as chapter two demonstrates, was by far the most influential NGO regarding U.S. refugee policy under Carter. Humanitas' leadership suggested that it did not duplicate the CCIR's vast advocacy efforts because it sought to explore "the roots of the problem – to learn what is causing the people to flee, and to educate the public to the existence of that problem."⁴⁸

Humanitas' two most important members were President Joan Baez and Vice President Ginetta Sagan. Baez enjoyed considerable popularity as a musician and was an

⁴⁷ February 23, 1979, Sponsorship Agreement [between Humanitas and International Human Rights Committee], Ginetta Sagan Papers, Box 14, Hoover Institution Archives; 21 September 1979 from Baez to The Ford Foundation, Asia and Pacific Department and Enclosures, Ginetta Sagan Papers, Box 14, Hoover Institution Archives.

⁴⁸ 21 September 1979 from Baez to The Ford Foundation, Asia and Pacific Department and Enclosures, Ginetta Sagan Papers, Box 14, Hoover Institution Archives. In this document Baez explained that she had the CCIR's support.

active voice in the anti-war movement. Sagan founded the West Coast chapter of Amnesty International's American section (AIUSA), and the two women worked together to further Amnesty's goals in the late 1960s and 1970s.⁴⁹ Wielding an impressive combination of fundraising ability, organizational prowess, and experience working in the field of human rights, then, the two friends made an impressive pair. Three months after its founding, Humanitas sponsored a full-page "Open Letter" to the SRV in the *New York Times*, *Washington Post*, *Los Angeles Times* and other papers. The letter lambasted Hanoi for its reeducation camp policy and asserted that the camps were "overflowing" and that "people disappear and never return."⁵⁰ The Letter, based on interviews Sagan conducted with refugees, suggested that reeducation inmates were "fed a starvation diet of stale rice, forced to squat bound wrist to ankle" and were "used as human mine detectors, clearing live mine fields with their hands and feet."⁵¹ The surge in boat people numbers in the months immediately following the Open Letter, however—the worst months, numerically speaking, of the crisis—overshadowed any potential impact the publication might have had.

After the Open Letter Baez and Sagan began pursuing different paths. Baez and Humanitas as an organization, despite its declarations to do otherwise, shifted the preponderant amount of its attention to the boat and land people, likely viewing the life and death stakes on the high seas and Cambodian border as far more urgent than a study of internal Vietnamese conditions. Although never exercising a voice as influential as the CCIR, Baez exerted a great deal of personal effort to help convince Carter to send the

⁴⁹ Joan Baez, *And a Voice to Sing With: A Memoir* (New York: Summit Books, 1987): 178-83.

⁵⁰ "Open Letter to the Socialist Republic of Vietnam," May 1, 1979, Ginetta Sagan Papers, Box 93, Hoover Institution Archives.

⁵¹ *Ibid.*

Seventh Fleet to help rescue the drowning boat people.⁵² She also personally visited refugee camps in Thailand—always with news cameras in tow—and helped raise significant money and awareness for Cambodian refugees.⁵³ Thus, in many ways, Baez pursued the channels that let her use her greatest asset, her celebrity, to help focus popular and policymakers' attention on these increasingly desperate human rights issues. Sagan, meanwhile, continued to pursue their original mission conducted interviews with former reeducation camp prisoners in the United States and Europe.

During the Ford and Carter administrations, U.S. policymakers did not address Vietnamese Amerasians or reeducation camp detainees. Certainly, a significant amount of this lack of action should be attributed to more visible Indochina issues. Ford faced the daunting task of planning an American evacuation from a crumbling South Vietnam, had to oversee the resettlement of 130,000 Vietnamese in the United States and then confronted a growing boat people exodus. Thereafter, Carter made the normalization of U.S.-Vietnamese relations his top Vietnam-related priority when assuming office and thus downplayed or overlooked POW/MIAs, Amerasians and reeducation camp prisoners. Reagan dramatically reversed these policies to serve his geopolitical agenda. Before turning our attention to the ways Reagan changed U.S. policy, however, it is first useful to examine the area where he continued Carter-era precedents: a commitment to Indochinese boat and land people.

⁵² June 27, 1979, "Statement by Joan Baez: An Appeal to the Tokyo Summit," Ginetta Sagan Papers, Box 15, Hoover Institution Archives; Humanitas Press Release "Joan Baez Calls for Seventh Fleet" 17 July 1979, Ginetta Sagan Papers, Box 14, Hoover Institution Archives; Jim Wood, "Joan Baez's winning battle to make Carter notice boat people" *San Francisco Examiner*, July 22, 1979; July 23, 1989, letter to Joan Baez, Humanitas from Cherne, International Rescue Committee Records, Box 1699, Hoover Institution Archives. On this debate see also: Chollet and Powers, *The Unquiet American*, 147-8.

⁵³ Joan Baez, *And a Voice to Sing With: A Memoir* (New York: Summit Books, 1987): 283-88. On efforts to assist Cambodian refugees see: "Description of Institution" Humanitas, November 1980, Ginetta Sagan Papers, Box 14, Hoover Institution Archives.

Continuing the U.S. Commitment to Boat & Land People

Although the 1979 Geneva Conference on Indochinese Refugees and 1980 Refugee Act marked pivotal moments in the U.S. commitment to Vietnamese refugees, these measures did not end the vociferous debates that surrounded the issue. As Sara E. Davies explains, despite the “collective sigh of relief” after the Geneva Conference, as early as September 1979 “boat people were again being refused entry” into first asylum nations, who had learned that draconian practices were needed to gain and maintain a significant international commitment.⁵⁴

Disputes also quickly emerged within the United States’ bureaucracy over how to implement the new measures. In the fall of 1980, for example, the INS began interviewing boat and land people on an individual basis for admission, further interrogating those the State Department already approved for blanket admission. The individual screening process caused U.S. acceptance rates to drop precipitously.⁵⁵ Although certainly an embarrassment to the State Department, the INS policy had far larger ramifications. Decreased U.S. acceptance rates strained American ties with ASEAN states (Indonesia, Malaysia, the Philippines, Singapore and Thailand), which collectively served as the nations of first asylum. To ASEAN observers, INS policy amounted to an American renegeing on previous commitments and only gave them more incentive to close their borders.⁵⁶

Despite these domestic and international disputes, there was never any real doubt about how Reagan would respond to these debates. As a presidential candidate, he made

⁵⁴ Davies, *Legitimising Rejection*, 115.

⁵⁵ Loescher and Scanlan, *Calculated Kindness*, 199.

⁵⁶ O’Connor Sutter, *The Indochinese Refugee Dilemma*, 170.

his commitment to Indochinese refugees clear. When discussing the surge in the worldwide refugee population, Reagan used refugees as evidence of communist oppression. “When people have had a free choice, where have they chosen Communism?” he asked.⁵⁷ Reagan recognized that some of his audience likely had concerns about “the latest influx of refugees” especially large numbers of “boat people from Southeast Asia and from Cuba.” Yet, Reagan reminded his audience that they were “all fleeing from the inhumanity of Communism” and argued, “I believe we must take a concerted effort to help them.”⁵⁸ As refugee scholar Carl Bon Tempo argues, Reagan’s refugee policies consistently reflected, first and “foremost,” his “foreign policy agenda.”⁵⁹

Reagan especially championed the Orderly Departure Program (ODP). As Chapter 2 explains, the ODP began as a United Nations High Commissioner for Refugees (UNHCR) initiative to offer the boat people a safe, legal alternative to clandestine flight. On May 30, 1979, at the height of the boat people crisis, the SRV signed a Memorandum of Understanding with the UNHCR to begin the program.⁶⁰ The Memorandum’s first (of seven) points declared that the “authorized exit of those persons wishing to leave Vietnam and settle in foreign countries—family reunification and humanitarian cases—will be carried out as soon as possible and to the maximum extent.”⁶¹

Because both American and UN law defined a refugee as one “outside” their

⁵⁷ Loescher and Scanlan, *Calculated Kindness*, 203, Kumin, *Orderly Departure from Vietnam*, 234.

⁵⁸ Loescher and Scanlan, *Calculated Kindness*, 203, Kumin, *Orderly Departure from Vietnam*, 234.

⁵⁹ Bon Tempo, *Americans at the Gate*, 188.

⁶⁰ Kumin, “Orderly Departure from Vietnam: A humanitarian alternative?,” 5.

⁶¹ “Flight From Indochina” in UNHCR, *State of the World’s Refugees 2000: Fifty Years of Humanitarian Action*, January 1, 2000, e-book: <http://www.unhcr.org/en-us/publications/sowr/4a4c754a9/state-worlds-refugees-2000-fifty-years-humanitarian-action.html>, 86.

country of nationality, however, the ODP created an uncomfortable paradox.⁶² While the program aimed to circumvent the myriad of dangers the oceanic refugees faced and save human lives, it involved the migration of those still within their country of nationality. UNHCR officials obviated these legal concerns mostly by ignoring them and emphasizing the program's "humanitarian" and "family reunification" purposes. For American officials, the Refugee Act permitted the president to make exceptions to the law's definition of refugees for cases of "special humanitarian concern," a loophole Reagan, Bush and Clinton used to admit large numbers of Vietnamese refugees to the United States.⁶³

In February 1981, however, Hanoi suspended the program. As Loescher and Scanlan explain, "following President Reagan's inauguration in 1981 it became U.S. policy to further isolate Vietnam for its occupation of Cambodia and to apply all possible forms of pressure on Hanoi to change its Cambodia policy" in an overall effort to "'bleed' Hanoi into submission."⁶⁴ Likely in response to these hostile policies, Hanoi ceased cooperation with the ODP, which left potential migrants with no alternative to clandestine overland or oceanic escape.⁶⁵ Five months later at an international conference, Thai leaders called Indochinese "illegal immigrants" and "economic adventurers" and declared that after August 15, Thailand would no longer treat those

⁶² Kumin, "Orderly Departure from Vietnam: A humanitarian alternative?," 127.

⁶³ Presidential Determination No. 82-1 of October 10, 1981, Kumin "Orderly Departure from Vietnam," 262. For the same language in succeeding years see Kumin, "Orderly Departure from Vietnam,," 262-269.

⁶⁴ Loescher and Scanlan, *Calculated Kindness*, 200, 201. See also Martini, *Invisible Enemies*, 97-97-106.

⁶⁵ July 19, 1982, Letter to Tran Ngoc Nhuan from Bruce A. Fatin, Director, Office of Refugee Admissions, Processing, and Training, CO172 Vietnam (080000-149999) WHORM: Subject File, Ronald Reagan Library; Schulzinger, *A Time for Peace*, 23.

arriving on its shores as “refugees.”⁶⁶ Imposing these labels on migrants had profound legal and humanitarian ramifications. The 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees afforded those with refugee status various legal protections and rights to which “illegal immigrants” and “economic adventures” had no legal claim.⁶⁷ Thailand’s position therefore threatened to undermine the very principle of first asylum.⁶⁸

In response, Reagan sent Secretary of State Alexander Haig to Southeast Asia. Haig met with Chinese leaders in Beijing, ASEAN ministers in Manila and his ANZUS (Australia, New Zealand, and United States Council) counterparts in Wellington. The Secretary of State suggested that a Reagan-led United States would remain committed to addressing the “Indochinese refugee tragedy,” and implied that the administration would expand its involvement.⁶⁹ Haig explained to the ASEAN ministers, for example, that U.S. policymakers “believe that the time has come for a major effort to deal with this longstanding and anguishing human problem at its source.”⁷⁰ This pledge to focus on the “problem at its source”—i.e. Vietnam—foreshadowed the direction Reagan’s Vietnam policy would take over the course of the next seven years.

A consistent and even expanded commitment to refugees fit the administration’s worldview. U.S. policymakers argued Hanoi’s expansion into Cambodia constituted the

⁶⁶ “Speech: Squadron Leader Prasong Soonsiri” July 1981, Conference on Refugees in Thailand, Ginetta Sagan Papers, Box 311, Hoover Institution Archives; Davies, *Legitimizing Rejection*, 157.

⁶⁷ For the text of the 1951 Convention and 1967 Protocol see the UNHCR online archive: <http://www.unhcr.org/en-us/3b66c2aa10>

⁶⁸ Feb 9, 1981 letter to Sec of State, International Rescue Committee Records, Box 1701, Hoover Institution Archives.

⁶⁹ While the Reagan administration sent clear signals about its Vietnam policy abroad during the summer of 1981, it did not send clear signals at home by failing to appoint a refugee coordinator. See: July 31, 1981 letter to Reagan from Joel Richard, Stephen J. Solarz, Jim Leach. International Rescue Committee Records, Box 1701, Hoover Institution Archives.

⁷⁰ Alexander Haig, “Statement to Ministers” Manila, June 20, 1981 *Department of State Bulletin*, vol. 81 (August 1981), 40.

actions of a “Soviet proxy” and represented the single greatest challenge to stability in Southeast Asia. The best response to Hanoi’s ambitions, Haig argued, was to isolate Vietnam. “The United States will not normalize relations with a Vietnam that occupies Kampuchea and remains a strong source of trouble for the entire region,” he explained, noting the U.S. “will continue to question seriously any economic assistance—whatever the source—so long as Vietnam continues to squander its scarce resources for aggressive purposes.”⁷¹ Haig repeated this pledge nearly verbatim during a special UN Conference on Kampuchea in July.⁷²

While Haig successfully outlined the assumptions that served as the basis of U.S. policy, his rhetoric failed to assuage ASEAN leaders. When many Southeast Asian nations continued to deny first asylum to newly arriving migrants in the summer of 1981, the Reagan administration commissioned a special blue-ribbon committee to examine the issue.⁷³ After meeting with various agencies in Washington and conducting a twenty-five day fact-finding mission that included stops in Geneva, Thailand, Malaysia, Singapore, Indonesia, Hong Kong, the Philippines and Japan, the Special Refugee Advisory Panel issued its final report to the Secretary of State.⁷⁴ The Panel described the ongoing refugee crisis as “one of the most compelling, complex and tragic problems of our times.”⁷⁵ The committee argued that the U.S. “cannot live in all conscience” with pushback and border closing policies, “bearing particularly in mind our deep pre-1975 involvement in

⁷¹ Alexander Haig, “Statement to Ministers” Manila, June 20, 1981 *Department of State Bulletin*, vol. 81 (August 1981), 40.

⁷² Secretary of State Haig, Statement, United Nations International Conference on Kampuchea, New York, July 13, 1981, *Department of State Bulletin*, vol. 81 (August 1981), 86.

⁷³ O’Connor Sutter, *Indochinese Refugee Dilemma*, 170.

⁷⁴ Marshall Green, James F. Greene, Rita E. Hauser and Richard W. Wheeler, “The Indochinese Refugee Situation: Report to the Secretary of State by the Special Refugee Advisory Panel,” August 12, 1981, Washington, D.C.

⁷⁵ “The Indochinese Refugee Situation,” 1.

Indochina and our association with many who are fleeing.”⁷⁶ The panel suggested that “a thoroughly revised and properly functioning ODP offers the best way of maximizing the orderly, safe departure from Vietnam of those for whom we have a special interest by virtue of close family ties in America or close pre-1975 association with the United States government, while also significantly reducing the number of boat refugees.”⁷⁷ The Panel thus concluded that it “fully endorses the general direction of the Indochinese refugee program” and suggested that in order to maintain “the integrity of refugee status” in Southeast Asia the United States would need to continue its major commitment to resettlement.⁷⁸

Notwithstanding anti-immigrant and anti-refugee sentiment in the United States, Reagan followed the Panel’s advice. In his October 1981 Presidential Determination, which set the refugee admissions numbers for the following fiscal year, the administration proposed a 173,000 overall ceiling for refugees, with 119,800 spaces earmarked for the Indochinese.⁷⁹ During the “consultation” process the Refugee Act of 1980 required, congressional critics pushed back, expressing concerns about the domestic and budgetary impacts of continued generous refugee programs.⁸⁰ The compromised figures reduced the overall ceiling for refugees down to 140,000, but, significantly, Congress concurred in devoting the lion’s share of the available spaces—100,000 of

⁷⁶ “The Indochinese Refugee Situation,” 4.

⁷⁷ “The Indochinese Refugee Situation,” 6.

⁷⁸ “The Indochinese Refugee Situation,” 8.

⁷⁹ Loescher and Scanlan, *Calculated Kindness*, 201.

⁸⁰ On 1981 numbers see: Presidential Determination No. 80-28 of September 30, 1980, in Kumin, “Orderly Departure from Vietnam: A humanitarian alternative?,” 260. On fear of domestic impact see: Loescher and Scanlan, *Calculated Kindness*, 201204.

140,000—to refugees from Asia.⁸¹ Moreover, in the Presidential Determination, Reagan specified that “persons within Vietnam with past or present ties to the United States” were “refugees of special humanitarian concern” to the United States.⁸² In other words, those traveling through the ODP, even though they were not “outside their country of nationality,” could legally obtain refugee status in the United States. Perhaps in response to pressure from the US and ASEAN nations, Hanoi resumed the ODP in October, with an average of 330 Vietnamese arriving in the United States per month.⁸³

Throughout the 1980s, the Reagan administration continued to award more than half of the annually available slots to those fleeing Indochina. While the overall ceiling for the total number of refugees admitted to the United States decreased each year, reflecting continued concern about the financial and political implications of refugee admissions, the percentage of available slots that Reagan and Congress awarded to the Indochinese remained consistent. For FY 1983 East Asia received 64,000 of 90,00 total slots and 50,000 of 72,000 total spaces in FY 1984.⁸⁴ By awarding the majority of available refugee slots to Indochinese refugees, Reagan maintained Carter’s commitment to an expansive role in boat people resettlement, even though the departures had decreased (but not ceased).

Reagan’s embrace of the ODP also demonstrated the administration’s willingness

⁸¹ Presidential Determination No. 82-1 of October 10, 1981, in Judith Kumin, “Orderly Departure from Vietnam: A humanitarian alternative?,” 262.

⁸² Ibid.

⁸³ August 1982, “Country Reports on the World Refugee Situation: Report to the Congress for Fiscal Year 1983” Department of State, Washington D.C., August 1982 Box 186, Folder 10, Robert J. Dole Senate Papers—Legislative Relations, 1969-1996, 01/003, Subseries 6: Legislative Assistants, 1963-1996, Dole Archive and Special Collection.

⁸⁴ Presidential Determination No. 83-2 of October 11, 1982; FY 1983 Refugee Ceilings and Presidential Determination No. 82-11 of October 7, 1983, both in Kumin, *Orderly Departure from Vietnam: A Humanitarian Alternative?*, 264 and 265.

to resettle individuals still within Vietnam's borders. Lasting changes in "politics of information and images" surrounding POW/MIAs, Amerasians and reeducation camp detainees strengthened and expanded that commitment. While Reagan's worldview made his administration far more inclined to look favorably upon groups within Vietnam than his predecessor, nongovernmental organizations and other trends outside of Reagan's control created the momentum that bolstered Reagan's embrace of these "humanitarian" issues.

The Politics of Information and Images, 1980-1982

POW/MIAs

On August 17, 1980, presidential candidate Ronald Reagan appeared before the Veterans of Foreign Wars Convention in Chicago, Illinois to accept their endorsement. It is before this audience that Reagan famously dubbed American involvement in the Vietnam War a "noble cause."⁸⁵ While Reagan argued that Vietnam veterans "deserve our gratitude, our respect, and our continuing concern," he did not once mention the issue of American servicemen listed as POW/MIA. Given the heights that the issue would soon reach, it is striking that Reagan completely failed to mention POW/MIAs before an audience likely to be extremely sympathetic to the cause. While it would be imprudent to attribute too much to a single speech, the fact that Reagan turned down an invitation to give his speech before the National League of POW/MIA Families and went to Chicago instead is also telling.⁸⁶ As late as February 1981, the State Department's "Vietnam Background Notes" did not mention POW/MIAs either: the "continuing Vietnamese

⁸⁵ Ronald Reagan, "PEACE: Restoring the Margin of Safety," Veterans of Foreign Wars Convention, Chicago Illinois, August 18, 1980, <https://www.reagan.utexas.edu/archives/reference/8.18.80.html>.

⁸⁶ Allen, *Until the Last Man Comes Home*, 211-12.

occupation of Kampuchea and the flow of refugees (now somewhat abated) inhibit improvement of U.S.-S.R.V. relations,” the memo explained, omitting any reference to “full accounting” of POW/MIAs.⁸⁷ Thus, despite Reagan’s unequivocal commitment to the POW/MIA cause in 1983, the elevation of the issue to a primary place in U.S. policymaking under Reagan was neither preordained nor inevitable.

Two important shifts in the “politics of information” regarding POW/MIAs took place before Reagan officially took office. While Carter downplayed the POW/MIA issue in an effort to pursue U.S.-Vietnamese normalization, some within his administration and many Republicans in Congress disagreed with Carter’s policy, especially once normalization talks stalled. In March 1980, a small group within the Carter administration formed the Inter-Agency Group on POW/MIA Affairs (IAG). The IAG, which included policymakers from the NSC, Department of Defense, Department of State, and Joint Chiefs of Staff, became “the focal point of U.S. policy formulation on the POW/MIA issue” in the 1980s. Among the IAG’s earliest members was Ann Mills Griffiths, the sister of a missing American soldier and the civilian head of the National League of POW/MIA Families. Griffith’s membership provided her with access to U.S. policymakers and to classified information.⁸⁸ Because the IAG gave Griffiths a literal seat of power, she occupied a unique position to directly influence official policy.

The “politics of information” regarding POW/MIAs also changed in more fundamental ways. By December 18, 1978, the total number of American servicemen the Pentagon listed as MIA/POW had dwindled to 224.⁸⁹ Two years later, however, U.S.

⁸⁷ “Vietnam Background Notes” United States Department of State, February 1981, Ginetta Sagan Papers, Box 9, Hoover Institution Archives.

⁸⁸ Allen, *Until the Last Man Comes Home*, 206.

⁸⁹ Allen, *Until the Last Man Comes Home*. 210.

officials began to include those previously listed as “KIA/BRN”—killed in action/body not recovered—to the total list of those “unaccounted” for in Southeast Asia. Allen describes the decision to combine two previously distinct categories as “MIA inflation,” as the change brought the total number of “POW/MIAs” to 2,500—an over a 1,000% increase.⁹⁰ The momentum to fuse these previous distinct categories in 1980 grew from a realization that wartime distinctions were no longer relevant, as “by 1980 status review boards had concluded that all but a handful of MIAs must be presumed dead.”⁹¹ While intended to reinforce the reality that nearly all of the 2,500 Americans were dead, the classification change had the exact opposite effect; thereafter, MIA advocates insisted that until definitively proven otherwise, the U.S. government should assume each man was alive and provide a “full accounting” of all 2,500. The newly formed IAG, Michael Allen suggests, had a hand in spurring the classification change and hoped it would foment precisely this outcome.⁹²

While it was unlikely that Hanoi could provide a “full accounting” for the original 224 POW/MIAs, some of whom were pilots whose planes had exploded over the Pacific, the idea that the SRV could account for *all* 2,500 was nothing short of fantasy. In stark contrast, the common vernacular used to refer to these men—“the prisoners” or “the missing”—implied that Hanoi could find them if it tried. Many activists took the “logic” one step further and argued that surely, of 2,500 men, at least a handful had to be alive. In the politics of information, then, misinformation could be just as important as legitimate data; the widely accepted and oft-repeated perception that 2,500 Americans remained

⁹⁰ Allen, *Until the Last Man Comes Home*. 210-11.

⁹¹ Allen, *Until the Last Man Comes Home*, 209-210.

⁹² Allen, *Until the Last Man Comes Home*, 209.

“missing” from the Vietnam War far outweighed the reality that only 224 Americans warranted the “missing” classification before December 1980.

Throughout 1982, the importance of the POW/MIA issue continued to grow. In January, Richard Armitage, the Deputy Assistant Secretary of Defense for East Asia, joined the IAG.⁹³ With Armitage on board, what Allen calls the “group’s nucleus” of Griffiths, Richard Childress (NSC Director of Political Affairs) and Armitage coalesced.⁹⁴ In February, Armitage traveled to Hanoi to meet with Vietnamese Foreign Minister Nguyen Co Thach. At the meeting “the Vietnamese agreed to accelerate their cooperation in resolving this issue and offered to continue quarterly technical meetings in Hanoi.”⁹⁵

In continuing a trend that began in the Carter administration, high-ranking U.S. government officials flew to Hanoi to meet with their Vietnamese counterparts even as formal ties between the two governments remained suspended. The incongruity between Reagan’s belligerent Cold War rhetoric and the reality of U.S. officials in the SRV capital proved dissonant enough to warrant official comment. A “USG Vietnam/Kampuchea Policy: Talking Points” memorandum, for example, explained that “despite the absence of diplomatic relations with the SRV we do discuss with the Vietnamese humanitarian issues such as the Orderly Departure Program and accounting for Americans missing in

⁹³ Allen, *Until the Last Man Comes Home*, 234.

⁹⁴ Allen, *Until the Last Man Comes Home*, 234.

⁹⁵ “Gist” A Quick reference aid on U.S. foreign relations. Not a comprehensive policy statement. Bureau of Public Affairs, Department of State, April 1984, “POW/MIAs in Southeast Asia” Box 183, Folder 4, Robert J. Dole Senate Papers—Legislative Relations, 1969-1996, 01/003, Subseries 6: Legislative Assistants, 1963-1996, Dole Archive and Special Collection.

action in the Vietnam War.”⁹⁶ Framing POW/MIA accounting and emigration through the ODP as “humanitarian” issues implicitly distinguished these concerns from “political” questions. Thanks to the surge in human rights rhetoric and consciousness in the 1970s, most Americans would have easily understood the distinction U.S. officials were attempting to make: even though “political” issues continued to deeply divide the two countries, U.S. policymakers could attempt to “bleed” Vietnam while making exceptions to address “humanitarian” concerns.

This framing created a slippery slope. Within a few years, U.S. officials not only demanded that Hanoi treat “humanitarian” issues (as defined by the United States) separately from “political” questions, but that the SRV resolve outstanding “humanitarian” issues to American satisfaction *before* the two sides could officially resume ties. By making “humanitarian” conditions a requirement for official diplomatic and economic relations, U.S. policymakers infused political significance into issues they insisted repeatedly were “non-political.” U.S. officials had yet to formally and forcefully articulate this position in 1982, however. During the early 1980s, the administration and nongovernmental actors instead focused their attention on expanding the definition of “humanitarian” to include not only POW/MIAs and emigration through the ODP but Amerasians and reeducation camp prisoners as well.

Amerasians

The issue of Vietnamese Amerasians finally received sustained and successful attention in the corridors of power beginning in mid 1981. The issue gained enough

⁹⁶ March 1982, NSC Message Center, “USG Vietnam/Kampuchea Policy: Talking Points” from Stossel, folder, “Vietnam May 1980-1982 (3 of 4)” RAC Box 13, Richard T. Childress Files, Ronald Reagan Library.

momentum to warrant a Senate hearing thanks to a shift in “image politics.” Photographs of Amerasian children began to appear in popular news outlets like the *New York Times*, and images of curly-haired, freckle faced Amerasians pulled on Americans’ heartstrings. Additionally, approximately 15,000 Amerasians were the sons and daughters of African Americans. Many stereotypical phenotypes like skin color, height, and hair texture led Americans to conclude that black Amerasians were also “obvious” heirs of the U.S. presence in Vietnam.⁹⁷

This compelling “visual evidence” slowly began to supersede legal questions of citizenship in the public and policymakers’ minds.⁹⁸ In late 1981, a group of Vietnam veterans traveled to Hanoi with a *Times* reporter and their highly-publicized exposé featured, among other things, the revelation that “swarms of begging half-American children” cluttered the streets in Ho Chi Minh City.⁹⁹ Despite the Department of Defense’s refusal to make former U.S. servicemen take paternity tests, photographs of Amerasians served as compelling visual “proof.” Visual evidence, however, remained problematic as it reinforced long-held stereotypes that assumed Asians were foreigners, not Americans.¹⁰⁰ Nevertheless, the emotional reactions the images invoked proved too powerful to ignore. Advocates used these photographs to make a poignant argument that Amerasians were the children of American citizens, individuals to whom the United States owed a significant and personal responsibility.

The Reagan administration evidently let it be known that it would react to legislation supporting Amerasians’ immigration far differently than Carter. As Ted

⁹⁷ Thomas, *Value of Dust*, 48.

⁹⁸ Bill Kurtis, “The Plight of the Children Abandoned in Vietnam,” *The New York Times*, 2 March 1980., Thomas, *Value of Dust*, 75.

⁹⁹ Thomas, *Value of Dust*, 105.

¹⁰⁰ Valverde, “From Dust to Gold,” 151; Lipman, “The Face is a Roadmap,” 36.

Kennedy put it, although “the voluntary agencies have presented” Congress with the issue throughout the 1970s, “we have not had the kind of support from past administrations...to really express true humanitarian concern.”¹⁰¹ Kennedy’s expression of appreciation for Reagan’s policy reveals some of the unlikely alliances that formed the basis of what would soon become a strong bipartisan consensus in favor of what American officials called “humanitarian” issues.

The House Subcommittee on Immigration, Refugees and International Law began consideration of the Amerasian Immigration Act (AIA) in the summer of 1982. The AIA applied to Amerasians born after 1950 in Vietnam, Laos, Thailand, Korea, Japan, the Philippines, and Taiwan.¹⁰² Senator Jeremiah Denton (R-AL), a Vietnam veteran and one of the bill’s cosponsors, suggested there was something inherently wrong with the fact that Amerasians have “American blood” yet, when they apply for admission to the United States, “they are not classified as sons or daughters of U.S. citizens.”¹⁰³ As Carl Levin (D-MI), another cosponsor put it: the U.S. was “partly liable” for Amerasians’ suffering and “should meet its responsibility by providing the opportunity for a better future.”¹⁰⁴ Stewart B. McKinney (R-CT), the bill’s final cosponsor, suggested Amerasians were a “very real humanitarian issue” and argued the world “immigration” was inappropriate because “these are American children.”¹⁰⁵

New nongovernmental advocates also entered the fray. Father Alfred Carroll, the head of a Korean Amerasian Program, complemented the powerful voice of the Pearl

¹⁰¹ “Opening Statements of Hon. Edward M. Kennedy,” in “Amerasian Immigration Proposals” Hearing before the Subcommittee on Immigration and Refugee Policy of the Committee on the Judiciary, United States Senate, 97th Congress, Second Session, June 21, 1982, pg 3.

¹⁰² Ibid, 14, 15.

¹⁰³ Ibid. 13.

¹⁰⁴ Ibid, 20.

¹⁰⁵ Ibid. 28.

Buck Foundation. Carroll “initiated a massive Congressional letter writing campaign” to encourage legislators to support the AIA.¹⁰⁶ Father Alfred Keane, Director for Amerasian Affairs for Americans for International Aid also got directly involved and “spent 1980 and 1981 on Capitol Hill lobbying” for the measure.¹⁰⁷ In one especially powerful session, Father Keane brought numerous Korean Amerasians (attending Gonzaga University on a scholarship he helped organize) with him to confront legislators with human evidence of Amerasians’ assimilability.¹⁰⁸

Reagan signed the Amerasian Immigration Act into law on October 22, 1982. During the accompanying ceremony, he suggested the AIA “comes to grips with a problem that I think should touch every American’s heart,” and, employing rhetoric that harkened back to President Ford, argued that Americans had “a moral responsibility that we can’t ignore” to assist Amerasians.¹⁰⁹ As Thomas notes, once the U.S. had a policy in place, “Amerasians became convenient and effective tools of Cold War propaganda that posed the ‘evils’ of communism—evident in their stateless existence in Vietnam—against the ‘goodness’ of American decency and humanitarianism as depicted in the legislation.”¹¹⁰ The Reagan administration also found another cause that served this purpose: reeducation detainees.

¹⁰⁶ Thomas, *Value of Dust*, 87.

¹⁰⁷ Thomas, *Value of Dust*, 90.

¹⁰⁸ “Amerasian Immigration Proposals” Hearing before the Subcommittee on Immigration and Refugee Policy of the Committee on the Judiciary, United States Senate, 97th Congress, Second Session, June 21, 1982, 45.

¹⁰⁹ Ronald Reagan, “Remarks on Signing a Bill Providing for the Immigration of Certain Amerasian Children,” October 22, 1982, <https://reaganlibrary.archives.gov/archives/speeches/1982/102282c.htm>

¹¹⁰ Thomas, *The Value of Dust*, xiii.

Reeducation Camp Detainees

Reagan and the activists whose causes he adopted often embraced the same issue for different, even opposing, reasons. Case in point is Ginetta Sagan. Sagan first encountered human rights abuses not as an activist, but as a victim. In contrast to most Western human rights leaders, she did not read about human rights abuses occurring thousands of miles away but experienced them first hand, in her hometown, within her own family. Sagan, who was born in Italy in 1925, and her family participated in the resistance movement during World War II. Sagan lost both of her parents to the fight and, four months before her twentieth birthday, Sagan herself was captured and imprisoned. She endured, in her own words, “all the usual things—beatings, rape, electric shocks” for six weeks.¹¹¹ She eventually immigrated to the United States, where she became a pillar of the American human rights movement, advocating on behalf of those suffering the fate she once endured. After founding the west coast chapter of AIUSA and cofounding Humanitas International with Baez, Sagan began her own organization, the Aurora Foundation, to advocate for those outside of AIUSA’s mandate, including Vietnamese reeducation detainees.

Although AI headquarters in London had published reports on the reeducation camps since 1977, AI consistently prohibited its American sections (AIUSA) from adopting Vietnamese POCs. Not only did AI ban AIUSA from adopting Vietnamese POCs, it encouraged its other branches to write to Hanoi “*preferably in FRENCH.*”¹¹² Most Americans seemed to agree with the assumption implicit in AI’s policy; after years of devastating warfare, the United States had no moral authority with which to criticize

¹¹¹ Quoted in Flora Lewis, “Foreign Affairs, One Woman’s Choices,” *New York Times*, Apr 15, 1984, A19.

¹¹² *Ibid.* Italics and capitalization in the original.

Hanoi. Sagan fundamentally disagreed with this policy. “The American people may be sick of the word Vietnam,” she conceded, “but the human rights movement” should be as “devoted to securing the freedom of the present prisoners in the Socialist Republic of Vietnam, Laos and Cambodia as they were to securing the release of the prisoners of conscience of the Thieu regime.”¹¹³

The combination of Sagan’s personal experience with political incarceration and her stature within the American human rights movement put her in a relatively unique position, where she could criticize Hanoi and implicitly call for American pressure without losing her credibility. Although she certainly had her critics, Sagan’s personal experiences gave her a unique moral authority and political cover. Just as Nixon’s anticommunism made it possible for him to go to Beijing and Moscow, Sagan’s status as a former political prisoner meant that while some disapproved of her Vietnam-focused activism, she still maintained her status as a “Giant” in the human rights community.¹¹⁴

From its founding in March 1981, the Aurora Foundation aimed to provide a comprehensive study of reeducation camps. The organization’s name invoked Sagan’s dramatic memory of what she thought would be her last night alive, where, while in an Italian jail cell, admiring the starlit sky, she remembered thinking, “I shall never see another aurora [dawn].”¹¹⁵ While the Aurora Foundation’s bylaws describe the Foundation’s goals as “improvement throughout the world in the observance of human rights” and “in particular, to educate the public... about the existence of unlawful

¹¹³ April 27, 1984, “Concern about prisoners of conscience in Vietnam, Cambodia and Laos” From Ginetta Sagn to Jack Healy and David Hinkley, Amnesty International, Ginetta Sagan Papers, Box 343, Hoover Institution Archives.

¹¹⁴ “Ginetta Sagan,” <http://www.wic.org/bio/gsagan.htm>

¹¹⁵ Quoted in Myrna Oliver, “Ginetta Sagan Dies; Torture Victim Fought for Political Prisoners” August 30, 2000, *Los Angeles Times*, 3

repression and torture, wherever occurring, in violation of those rights,” the Foundation focused almost exclusively on Vietnam for its first few years.¹¹⁶

Sagan’s personal experience with political incarceration inspired her to treat government explanations with suspicion. She remained convinced that a major study based on refugee accounts would provide a much more reliable and realistic picture than those descriptions offered by Hanoi-approved visitors. During the Carter and first Reagan administrations, Sagan interviewed hundreds of former reeducation camp detainees in the United States and in France. By March 1982, she noted that “the Vietnam Project has turned out to be larger and more involved than originally anticipated” but resolved to “make every effort to have the report ready” as soon as possible.¹¹⁷

In the meantime, the Foundation issued a brief press release detailing its preliminary findings. “Tens of thousands of political prisoners, whose numbers include members of the pre-1975 South Vietnamese government and armed forces as well as civilians from all professions and religious persuasions,” the press release explained, “are detained under inhumane conditions in a vast network” of reeducation camps.¹¹⁸ “These prisoners,” the report continued, “who have never been charged with a crime nor tried in a court of law, have no legal safeguards to protect them from physical and psychological abuse by their guards.” The report then went on to list four such abuses: “(1) beating of prisoners to death for infractions of camp rules or for ‘attempted escape’; (2) shackling of prisoners in underground ‘tiger cages’; (3) confinement in ‘CONNEX’ boxes (small

¹¹⁶ November 1, 1981 Aurora Foundation Bylaws and Articles of Incorporation, Ginetta Sagan Papers, Box 255, Hoover Institution Archives.

¹¹⁷ “Minutes of the Annual Meeting of the Board of Directors of Aurora Foundation, INC.” March 30, 1982, Ginetta Sagan Papers, Box 248, Hoover Institution Archives.

¹¹⁸ “Human Rights Abuses in Vietnam” Aurora Foundation, April 30, 1982, Ginetta Sagan Papers, Box 303, Hoover Institution Archives.

metal freight containers which become suffocating hot when exposed to the sun); and (4) being kept on a starvation diet.”¹¹⁹ By 1982, Amnesty International, Humanitas, and the Aurora Foundation all condemned Hanoi’s reeducation camp policy, which these NGOs viewed as violating the detainees’ human rights.

Knowledge of reeducation camps was widespread enough that U.S. broadcaster Mike Wallace raised the issue in an interview with Vietnamese Foreign Minister Nguyen Co Thach. In a May edition of “60 Minutes,” Wallace painted a bleak picture of human rights conditions in Vietnam, noting, “foreign residents here in Hanoi describe Vietnam as one of the most thoroughly authoritarian of police states. Its citizens are under constant surveillance, tens of thousands of them, in what are called labor re-education camps, gulags.”¹²⁰ Citing Amnesty International’s report on the camps, Wallace asked Thach why “tens of thousands of Vietnamese continue to be detained in your labor re-education camps, without charge, many of them, without trial, many of them, and for years and years.”¹²¹ Their subsequent exchange is worth quoting:

Thach: You see in my country, after the liberation we have what [...] to deal with two millions of people who have cooperated with the American army. So we have a clemency policy towards them. We do not kill them as Kissinger had, had foreseen.

Wallace: There was no blood bath?

Thach: No blood bath, but I can give all of them to America if America would like to have them. All of them!

Wallace: You’ll free everybody from your labor re-education camps and send them to the United States?

¹¹⁹ Ibid.

¹²⁰ “60 Minutes: Vietnam Remembered” Vol. XIV, No. 37, Final Cut- May 13, 1982, Ginetta Sagan Papers, Box 311, Hoover Institution Archives.

¹²¹ Ibid.

Thach: To the United States.

Wallace: That's a promise?

Thach: Yes, you can, you can, today you can sign an agreement with me and you could bring them back to the United States.¹²²

When Thach repeated his offer later in the summer, the U.S. gave a brief, official response at the ASEAN Minister's meeting in Singapore. "We welcome Foreign Minister Thach's" remarks, the statement began, adding that "many Vietnamese in reeducation camps are there because of their special ties to the United States, and therefore, would very likely qualify for admission to the United States under the Orderly Departure Program. We are working with the UNHCR to determine if the Vietnamese are in fact prepared to release persons from reeducation camps for resettlement abroad."¹²³ The official U.S. response thus conveyed American suspicion about the sincerity of Thach's offer. "If the Vietnamese are serious about the offer to release political prisoners," the official statement concluded, "they can be facilitating interviews by UNHCR representatives in Vietnam with the inmates of the so-called re-education camps. To our knowledge, such interviews have never been permitted."¹²⁴

Rather than "sign an agreement" with Hanoi as Thach suggested in the interview, then, the U.S. responded that the preexisting ODP was the best way to facilitate the emigration of former reeducation camp detainees. Using the ODP would not only obviate the need to sign a bilateral agreement with the SRV but also give the U.S. the ability to screen incoming migrants. Thach's all or nothing offer likely raised red flags in light of

¹²² Ibid.

¹²³ July 1982, "Vietnamese 'Offer' to Release Re-education camp Detainees" from Stossel NSC Message Center, Confidential, folder "Vietnam May 1980-1982 (2 of 4)" RAC Box 13, Richard T. Childress Files, Ronald Reagan Library.

¹²⁴ Ibid.

the recent “Mariel Boat Crisis,” which taught U.S. policymakers to insist on screening individuals rather than issue blanket admission to a large group.¹²⁵

As the administration had done with POW/MIAs and Amerasians, Reagan used the reeducation camp issue to condemn Hanoi. The rest of the memorandum that accompanied the official U.S. response to Thach’s offer, for example, contained a series of responses to “be used on an if asked basis.” “The U.S. believes,” one of the prepared responses explained, “that the continued detention of these Vietnamese political prisoners in such concentration and forced labor camps is a grave violation of human rights.” After noting Amnesty International’s report, the prepared script went on to denounce Thach’s offer, which “does not address the basic aspect of this grave human rights violation, namely that such persons continue to be held for political reasons in prison facilities that violate fundamental standards of humane treatment and human rights.”¹²⁶ While it is not clear if the administration had read Sagan’s initial report that appeared months before these remarks, it is obvious that the administration was predisposed to accept, and perhaps even eager to obtain, confirmation of AI’s findings from American human rights advocates.

The United States and Vietnam did not make any formal headway on the reeducation camp issue in 1982. Despite the lack of policy changes, however, Thach’s offer sparked hope amongst the United States’ growing Vietnamese communities. Many of those that came to the United States as refugees, for example, began to organize and

¹²⁵ See Bon Tempo, *Americans at the Gate*, 179-81; Kumin, “Orderly Departure from Vietnam,” 239.

¹²⁶ July 1982, “Vietnamese ‘Offer’ to Release Re-education camp Detainees” from Stossel NSC Message Center, Confidential, folder “Vietnam May 1980-1982 (2 of 4)” RAC Box 13, Richard T. Childress Files, Ronald Reagan Library.

lobby their representatives to accept Thach's offer.¹²⁷ One such organization that warrants brief mention here is the Families of Vietnamese Political Prisoners Association (FVPPA). Although FVPPA and other Vietnamese American groups did not exercise enough influence to prompt U.S. policymakers to action, in Reagan's second term, FVPPA would become one of the most powerful Vietnamese American NGOs in the country. The Association had a significant impact on U.S. policy during the second Reagan, Bush, and Clinton administrations. In the early 1980s, however, other NGOs, particularly Ginetta Sagan's Aurora Foundation, helped create the momentum and political cover that supported Reagan's adoption of the reeducation prisoners' cause.

Solidifying The Administration's New Approach, 1983-1984

During Reagan's first two years in the White House, nongovernmental organizations helped lay the groundwork for the administration to adopt more assertive stances regarding POW/MIAs, Amerasians and reeducation detainees. Without official backing, however, none of the changes promoted by American NGOs would have become imbedded in official U.S. policy. During the last two years of his first term, Reagan gave official sanction to growing American efforts to account for missing American servicemen and provide for the emigration of Amerasians and reeducation camp prisoners through the ODP.

In January of 1983, Reagan gave the keynote address at a meeting of the National League of POW/MIA Families. The President told POW/MIA families what they had

¹²⁷ July 20, 1982, Organization for Freedom of Vietnamese Prisoners of Conscience, San Jose, CA, "Dear Friends of Amnesty International," Ginetta Sagan Papers, Box 348, Hoover Institution Archives; July 1982, Tran Ngoc Nhuan/State Department correspondence, CO172 Vietnam (080000-149999) WHORM: Subject File, Ronald Reagan Library.

been waiting to hear for years. “The government bureaucracy now understands,” he explained, that “the return of all POWs, the fullest possible accounting for the still missing, and the repatriation of the remains of those who died serving our nation... are the highest national priority.”¹²⁸ Reagan’s speech marked a point of departure in several key respects. Reagan’s physical presence at the League’s meeting spoke volumes about the personal interest and energy with which Reagan pursued the issue. As Allen explains, “midway through this first term” Reagan launched a major public relations campaign that “raised domestic consciousness of the issue to the highest level since the end of the war.”¹²⁹ While, especially thanks to Griffith’s seat on the IAG, the League enjoyed a privileged place in policymaking circles, after Reagan’s highly publicized commitment to the issue, the POW/MIA cause “enjoyed more money, media coverage, and political influence” than it had before or since.¹³⁰ Additionally, Reagan’s inclusion of “return of live POWs” in his official agenda marked the first time a post-1975 U.S. president publically endorsed the belief that Vietnam continued to hold live prisoners.¹³¹ While the League perpetuated this belief for years, Reagan legitimized the claim and heightened expectations for the return of live American POWs.¹³²

Reagan’s embrace of the issue also helped shift the burden of responsibility to Hanoi in many Americans’ eyes. As a National League of POW/MIA Families publication put it after Reagan’s remarks: “The problem now is in Hanoi, not in

¹²⁸ Ronald Reagan, “Remarks at a Meeting of the National League of Families of American Prisoners and Missing in Southeast Asia,” January 28, 1982, Crystal City, VA, <http://www.presidency.ucsb.edu/ws/index.php?pid=40495>.

¹²⁹ Allen, *Until the Last Man Comes Home*, 217.

¹³⁰ Allen, *Until the Last Man Comes Home*, 215-16.

¹³¹ Allen, *Until the Last Man Comes Home*, 234.

¹³² Allen, *Until the Last Man Comes Home*, 234.

Washington.”¹³³ Senator Bob Dole (R-KA) echoed this statement in a speech before the Vietnam Veterans of America when he explained, “the attitude of the Vietnamese Government is the single most important factor in resolving the fate of our POW-MIAs.”¹³⁴ Perhaps nothing better illustrates this reality than the disparity between Reagan’s rhetoric and results during his first term. Although Reagan threw the weight of the entire American bureaucracy behind the accounting effort, the U.S. only secured the return of twenty-two sets of remains during Reagan’s first term, a figure represented “fewer than half the number repatriated under Carter.”¹³⁵

Nevertheless, the changes that transformed the POW/MIA issue in the early 1980s elevated “full accounting” of POW/MIAs “to the top of the U.S. Indochina agenda,” where it would remain until normalization in 1995.¹³⁶ Especially after 1983, the POW/MIA issue featured most prominently in American rhetoric and the issue had a broad base of public support that the Amerasian and reeducation camp issues never enjoyed. A key part of the administration’s strategy, Allen notes, was to frame POW/MIA accounting as a “‘humanitarian’ problem that must be solved before the ‘political’ issues put forward by the SRV could be addressed.”¹³⁷ What Allen overlooks, however, is that the Reagan administration defined Amerasians and reeducation camp prisoners in the same way: as “humanitarian” issues that needed to be resolved prior to U.S.-SRV normalization.

¹³³ “Report Concerning Misinformation On the Issue of American Prisoners of War and Missing in Action in Southeast Asia” Published by National League of Families, Box 183, Folder 3, Robert J. Dole Senate Papers—Legislative Relations, 1969-1996, 01/003, Subseries 6: Legislative Assistants, 1963-1996, 39.

¹³⁴ Dole Statement, Granting of a Federal Charter to the Vietnam Veterans of America, no date, folder is 1981-1986, May 1986 Box 183, Folder 2, Robert J. Dole Senate Papers—Legislative Relations, 1969-1996, 01/003, Subseries 6: Legislative Assistants, 1963-1996.

¹³⁵ Allen, *Until the Last Man Comes Home*, 220.

¹³⁶ Allen, *Until the Last Man Comes Home*, 236.

¹³⁷ Allen, *Until the Last Man Comes Home*, 236.

Three months after Reagan's defining POW/MIA speech, on the eighth anniversary of the fall of Saigon, Sagan released her *Violations of Human Rights in the Socialist Republic of Vietnam, April 30, 1975-April 30, 1983*. While the fifty-five page report had short sections on the "Repression of Ethnic Chinese" and "Religious Persecution," Sagan and her coauthor Stephen Denney devoted the overwhelming majority of the report to "Reeducation—North and South." The three appendixes that accompanied the main text were also entirely devoted to documenting reeducation camps and detainees. Like Amnesty International's publications, however, the report did not contain any explicit policy recommendations. The closest thing was Sagan's call for a "major effort to mobilize public opinion and break the silence surrounding conditions in the reeducation camps" in the text's acknowledgements.¹³⁸

Sagan's report received significant attention in policymaking circles, however. Elliot Abrams, the Assistant Secretary of State for the Bureau of Human Rights and Humanitarian Affairs wrote Sagan in May and described her report as "a striking addition to the understanding of events there."¹³⁹ He wrote again less than a month later. "I want to write again to tell you how important I think this report is," he explained, "it has been getting wide distribution, and is really a landmark: no one will ever again be able to claim that he did not know."¹⁴⁰ Congressmen, State Department officials and others wrote

¹³⁸ Ginetta Sagan and Stephen Denney, *Violations of Human Rights in the Socialist Republic of Vietnam, April 30, 1975-April 30, 1983* (Palo Alto, CA: the Aurora Foundation, 1983), vii.

¹³⁹ May 19, 1983 letter, from Abrams, Assistant Secretary of State, Bureau of Human Rights and Humanitarian Affairs to Sagan, Ginetta Sagan Papers, Box 305, Hoover Institution Archives.

¹⁴⁰ June 6, 1983 letter, from Abrams, Assistant Secretary of State, Bureau of Human Rights and Humanitarian Affairs to Sagan, Ginetta Sagan Papers, Box 305, Hoover Institution Archives.

Sagan to thank her for the report,¹⁴¹ and Sagan personally sent additional copies to the UN Secretary General and to the White House.¹⁴² Senator Ted Kennedy's response to Sagan's report is typical of the letters she received: "Your study will be of great assistance in calling attention to this problem," he wrote, "thank you for sending it to me. I will be certain to put it to good use."¹⁴³

That *Violation of Human Rights in the Socialist Republic of Vietnam* appeared on April 30, 1983 was no accident. The Aurora Foundation, like Amnesty International and others before it, used the anniversary of communist military victory—a moment that naturally renewed the world's interest in Vietnam—to help gain the greatest possible publicity for its reports. What Sagan could not have anticipated, however, is that the month before her report's long-established release date, President Ronald Reagan called the Soviet Union an "evil empire" in a speech before the National Association of Evangelicals.¹⁴⁴

Sagan's report seemed to confirm the administration's characterization and general worldview. At the same time the administration was hardening its rhetoric about the importance of the POW/MIA and Amerasian issues—which policymakers regularly depicted as "humanitarian" causes—Sagan's report gave the best-yet available evidence that Hanoi *was* a major violator of human rights. Bolstered by changes in the "politics of

¹⁴¹ May 20, 1983 letter from Senator William L. Armstrong, Ginetta Sagan Papers, Box 305, Hoover Institution Archives; May 23, 1983, letter from Senator Pete Wilson, Ginetta Sagan Papers, Box 305, Hoover Institution Archives.

¹⁴² July 26, 1983, letter to William Clark, Senior Advisor to the President, The White House, Ginetta Sagan Papers, Box 305, Hoover Institution Archives; May 13, 1983 letter to Thomas E. McCarthy, UN Center for Human Rights, Ginetta Sagan Papers, Box 305, Hoover Institution Archives.

¹⁴³ August 3, 1984 letter from Senator Kennedy, Ginetta Sagan Papers, Box 305, Hoover Institution Archives.

¹⁴⁴ Ronald Regan, "Remarks at the Annual Convention of the National Association of Evangelicals in Orlando, Florida," March 8, 1983, Ronald Reagan Presidential Library: http://www.reaganfoundation.org/bw_detail.aspx?p=LMB4YGHF2&lm=berlinwall&args_a=cms&args_b=74&argsb=N&tx=1770

information” that supported his historical revisionism, Reagan became increasingly willing, even eager, to adopt causes which required condemnation of Hanoi’s internal affairs. The NSC’s response to Sagan’s publication, for example, noted, “although the State Department’s annual human rights report on Vietnam underscores our official abhorrence of the situation in Vietnam, private efforts such as yours are critical in focusing national and international attention on the issue.”¹⁴⁵

While Sagan’s report infused urgency into the longstanding reeducation camp issue, the failure of the Amerasian Immigration Act created similar momentum for a new policy to address Vietnamese Amerasians. There is a surprising amount of scholarly agreement about the 1982 Amerasian Immigration Act. As legal scholar Mary Kim DeMonaco notes, the AIA constituted a “legal breakthrough” as it “represented the United States’ first public recognition of its moral responsibility to those children who had been fathered by Americans abroad.”¹⁴⁶ The AIA’s legacy, however, especially in regards to Vietnamese Amerasians, is one of fatal shortcomings. Most importantly, the AIA “granted admission privileges only to the Amerasians, excluding their mothers and other relatives from the immigration process.”¹⁴⁷ Because many Vietnamese Amerasians were still minors in 1982, the law’s refusal to allow Vietnamese mothers to travel with their Amerasian children undercut the law’s stated purpose of facilitating family reunification. This contradiction proved so profound that many of the NGOs that had lobbied vociferously for Amerasian legislation, some for decades, “threatened to

¹⁴⁵ August 15, 1983, NSC Memorandum for William P. Clark from Richard Childress, “Human Rights: Vietnam,” folder, “Vietnam 1983-1984 [2 of 3],” RAC Box 13, Richard T. Childress Files, Ronald Reagan Library.

¹⁴⁶ DeMonaco, “Disorderly Departure,” 662.

¹⁴⁷ Valverde, “From Dust to Gold,” 150. See also: Thomas, *The Value of Dust*, 112; DeMonaco, “Disorderly Departure,” 662.

withdraw their services if Amerasians were deliberately removed from their Vietnamese families.”¹⁴⁸

Especially for Vietnamese Amerasians, the AIA remained flawed in two additional respects. First, the lack of diplomatic relations between the U.S. and SRV made the copious paperwork necessary for the AIA “almost impossible” to complete.¹⁴⁹ Second, the AIA defined Amerasians as immigrants instead of refugees, which meant they were not entitled to any of the generous resettlement programs and services that those arriving in the United States as boat and land people enjoyed.¹⁵⁰ Thus, by 1985 only *four* Vietnamese Amerasians came to the United States through the AIA.¹⁵¹ While a few emigrated through the ODP, the logjam did not satisfy Amerasian advocates or Hanoi, which viewed Amerasians as an undesirable population and American responsibility.

Because the United States continued to blame Vietnam—particularly Hanoi’s refusal to withdraw its troops from Cambodia—for the lack of diplomatic relations between the two states, the AIA actually provided another means through which Reagan could criticize Vietnam’s unwillingness to cooperate on humanitarian issues. The extreme failure of the AIA to bring any tangible results for Vietnamese Amerasians, however, forced the Reagan administration to come up with an alternative. For both Amerasians and reeducation camp prisoners, the administration turned to the Orderly Departure Program.

In October 1983, Congressman Stephen Solarz, a longtime advocate for generous refugee admissions, gave a speech before the United Nations General Assembly that

¹⁴⁸ Lipman, “The Face is a Roadmap,” 50.

¹⁴⁹ Valverde, “From Dust to Gold,” 150; DeMonaco, “Disorderly Departure,” 663; Thomas, “The Value of Dust,” 115, 118. Levi, “Legacies of War,” 484, 486.

¹⁵⁰ Valverde, “From Dust to Gold,” 150; DeMonaco, “Disorderly Departure,” 662.

¹⁵¹ Thomas, “The Value of Dust,” 119.

foreshadowed future administration policy. Solarz applauded the Reagan administration's continued bestowing of generous admissions quotas to the boat and land people and also commended the UNHCR's role in facilitating the Orderly Departure Program. Without specifically mentioning the abysmal failure of the Amerasian Immigration Act, Solarz noted that it was the ODP that "made it possible for Asian-American children and their immediate families to leave Vietnam and come to the U.S." and explained that the United States looks "forward to expansion of this program."¹⁵² Solarz also indicated American "hope" that the UNHCR could arrange for an ODP to facilitate the resettlement of former reeducation camp detainees. In explaining U.S. support for "this...matter of the greatest humanitarian urgency," Solarz emphasized that an ODP for reeducation camp prisoners would provide former detainees and their families with "their freedom" and "a chance to rejoin their families."¹⁵³

The United States and SRV also had a private meeting in Geneva on the issue. At the meeting "the United States representative submitted to the Vietnamese Vice Foreign Minister a list of almost 2,000 special humanitarian cases, including names of political prisoners and their families and requested their immediate release."¹⁵⁴ "We have made absolutely clear to Vietnam," Paul D. Wolfowitz, the Assistant Secretary of State for East Asian and Pacific Affairs, explained "both directly and through the UNHCR, that the United States is prepared to receive past and present 're-education camp' political prisoners, as well as more Asian-Americans and a continuing large number of family

¹⁵² United States Mission to the United Nations, Press Release USUN 145-(83), November 16, 1983 Box 186, Folder 10, Robert J. Dole Senate Papers—Legislative Relations, 1969-1996, 01/003, Subseries 6: Legislative Assistants, 1963-1996

¹⁵³ Ibid.

¹⁵⁴ July 1984, Reply from Paul D. Wolfowitz, Assistant Secretary of State for East Asian and Pacific Affairs, CO172 Vietnam (15000-249999) WHORM: Subject File, Ronald Reagan Library.

reunification cases, through the UNHCR's Orderly Departure Program."¹⁵⁵

In early 1984 the United States also made the value and priority it assigned to POW/MIA accounting "absolutely clear to Vietnam" as well. In February the IAG "nucleus" of Armitage, Childress and Griffiths traveled to Hanoi with State Department officials to have face-to-face discussions with Vietnamese leaders on the issue. The meeting marked "the highest level delegation to visit Vietnam since the end of the war," which, as Childress explained to the Vietnamese, "is here in good will to achieve a breakthrough."¹⁵⁶ Childress also hand delivered a letter to Foreign Minister Nguyen Co Thach from Secretary of State George P. Shultz which praised Hanoi's "private assurances that this is a humanitarian issue to be resolved apart from political differences."¹⁵⁷ The letter also explained that "resolution of this issue will improve the atmosphere between our two countries, and could provide a basis of trust for future reference by both our governments."¹⁵⁸

The tone of Childress' official remarks in Hanoi, however, bordered on threatening. "The world is watching us," he reminded Vietnamese leaders.¹⁵⁹ After commenting on Hanoi's shrewd use of American public opinion during the war, Childress warned that "American public opinion is clearly demanding answers and it is sometimes ugly towards Vietnam." "They view with great hostility," he further

¹⁵⁵ July 1984, Reply from Paul D. Wolfowitz, Assistant Secretary of State for East Asian and Pacific Affairs, CO172 Vietnam (15000-249999) WHORM: Subject File, Ronald Reagan Library.

¹⁵⁶ "Formal remarks delivered by Childress in Hanoi," 1984, "POW/MIA: U.S.-Vietnam Negotiations (1 of 6)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library

¹⁵⁷ February 12, 1984, Letter from George P. Shultz to SRV Foreign Minister Nguyen Co Thach, folder "POW/MIA: U.S.-Vietnam Negotiations (1 of 6)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

¹⁵⁸ Ibid.

¹⁵⁹ "Formal remarks delivered by Childress in Hanoi," 1984, "POW/MIA: U.S.-Vietnam Negotiations (1 of 6)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library

explained, “any attempt to use it [the POW/MIA issue] for political purposes or avoidance of government-to-government cooperation” because the issue, “in their eyes,” is “one of basic humanity.”¹⁶⁰ Switching from stick to carrot, Childress argued, “should we achieve a government-government breakthrough, a dramatic shift in opinion concerning Vietnam could occur...It is in both your short-and long-term national interest to seize this historic opportunity.” One can only imagine the Vietnamese leaders’ reaction as an American lectured them about Vietnamese national interest less than a decade after the last U.S. helicopter left Saigon. Nevertheless, by 1984 Hanoi understood clearly the stakes Washington attached to POW/MIA accounting and, as chapter 4 will chart, attempted to minimize and “solve” the issue before it became as unruly as Childress described.

The nature and context of this February 1984 meeting set a variety of important precedents. Moving forward, the United States continued to demand that Hanoi divide “humanitarian” POW/MIA accounting from “political” considerations, while in the same breath making clear the issue had political consequences. As Barbara Keys and others have argued, although “the human rights idea” purported to be universal and “offered a sense of purity and transcendence of politics,” human rights rhetoric “was at heart a political language.”¹⁶¹ U.S. policymakers thus turned POW/MIA accounting into an especially politicized dialect of humanitarian rhetoric. In the years that followed, the U.S. would continue to make increasingly audacious demands on Vietnamese leaders. At the same time, U.S. officials faced consistent charges at home that they were not doing enough; accusations that American officials were partaking in a government conspiracy

¹⁶⁰ Ibid.

¹⁶¹ Keys, *Reclaiming American Virtue*, 14.

to conceal the existence of live Americans in Indochina had already begun and only grew throughout the 1980s.¹⁶²

In May of 1984 Prime Minister Pham Van Dong repeated Foreign Minister Nguyen Co Thach's offer to release reeducation detainees. During an interview with *Newsweek* he explained that the Vietnamese "are quite prepared to allow all of those left in the camps to leave tomorrow for the U.S., but the U.S. government has rejected that suggestion."¹⁶³ While the U.S. continued to demand that Hanoi simply provide former reeducation camp prisoners with exit permits under the preexisting ODP, Hanoi clearly preferred that the two sides establish a separate program. After this renewed offer, non-state actors like Ginetta Sagan and the United States Committee for Refugees (USCR) and their allies in Congress increasingly pressured the administration to act.¹⁶⁴ As the Assistant Secretary of State for East Asian and Pacific Affairs explained in a letter to the USCR: "We are continuing to explore ways of persuading the Vietnamese authorities to cooperate with the international community in making prisoners and their families available for resettlement.... If the Vietnamese authorities would demonstrate a willingness to meet our reasonable procedural needs...we are confident that the Congress

¹⁶² January 21, 1984, Letter from MacFarland to Hendon, folder "POW/MIA Hendon/LeBoutillier Initiative (1)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library; 1984 "House Task Force on American Prisoners & Missing in Southeast Asia: SPECIAL REPORT," folder "POW/MIA Hendon/LeBoutillier Initiative (2)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

¹⁶³ "A Chronology of Vietnamese and American Statements on Release of 'Re-Education Camp' Inmates," FVPPAC Box 137 Folder 14 pg 1, also quoted in August 10, 1984 letter from Congressmen to President Reagan, FVPPAC Box 136 Folder 28 VCA.

¹⁶⁴ July 23, 1984, Letter from Roger P. Winter to President Reagan, CO172 Vietnam (15000-249999) WHORM: Subject File, Ronald Reagan Library; August 10, 1984 letter from Congressmen to President Reagan, FVPPAC Box 136 Folder 28 VCA [There are an estimated 8-10,000 such persons left in the camps]. In March of 1985 the AFP quoted Foreign Minister Thach saying there were 7,000 left in the camps: FVPPAC Box 137 Folder 14 VCA.

will readily authorize as many admission numbers as we need.”¹⁶⁵

In September 1984, Secretary of State George P. Shultz publically announced the U.S. position during the annual refugee consultations required by the Refugee Act of 1980. In addition to proposing an overall refugee ceiling number and geographic distribution of available spaces, Shultz explained, “the President is announcing two new initiatives aimed at resolving pressing refugee problems in Southeast Asia.”¹⁶⁶ “First, that the United States will accept for admission all Asian-American children and their qualifying family members presently in Vietnam—hopefully over the next three years.” “Because of their undisputed ties to our country,” Shultz explained, “these children and family members are of particular humanitarian concern to the United States.”¹⁶⁷ The second new initiative addressed reeducation detainees. Shultz also proclaimed the administration’s intention to create a “separate and distinct program within the UNHCR’s Orderly Departure Program for the resettlement of political prisoners currently and previously confined in the ‘re-education’ prisons in Vietnam.”¹⁶⁸ Shultz also argued that current and previous detainees and “their qualifying family members” were “of particular humanitarian concern” to the United States and explained that within the 50,000 East Asian refugee cap, the President earmarked 10,000 slots for them.¹⁶⁹

Shultz’s characterization of Amerasians and reeducation detainees as refugees of “particular humanitarian concern” had multiple layers of meaning. First, it provided an emotionally compelling argument to Congressmen, whose concurrence was necessary to

¹⁶⁵ July 1984, Reply from Paul D. Wolfowitz, Assistant Secretary of State for East Asian and Pacific Affairs, CO172 Vietnam (15000-249999) WHORM: Subject File, Ronald Reagan Library.

¹⁶⁶ Statement by the Honorable George P. Shultz, Secretary of State, before the House Judiciary Committee, 09/11/1984, FVPPAC Box 134 Folder 2, VCA

¹⁶⁷ Ibid, 2.

¹⁶⁸ Ibid, 2.

¹⁶⁹ Ibid 3.

establish yearly refugee admissions. Additionally, framing the emigration of Amerasians and former reeducation camp detainees as issues of “special humanitarian concern” helped infuse these causes with urgency and distinguish them from the many other competing issues making demands on American officials’ time and resources. More than emotional poignancy or exigency, however, Shultz’s framing qualified Amerasians and reeducation camp prisoners and their families for refugee status in the United States. Because Amerasians and reeducation camp prisoners were not “outside of their country of nationality,” without this specific characterization these populations would not have qualified for refugee status under international or domestic law.

Humanitarian language thus had significant policy ramifications. It also wrapped Reagan’s initiatives in appealing packaging. While Shultz had emotional and legal incentives to frame Amerasians and reeducation camp prisoners as populations of “special humanitarian concern,” this approach also echoed the language used by nongovernmental actors like the Pearl S. Buck Foundation, Fathers Keane and Carroll and Ginetta Sagan. This framing gave Reagan political cover; while normally cooperation with a Soviet proxy might lead to charges one was “soft” on communism, labeling the causes “humanitarian” permitted Reagan to celebrate U.S. generosity *and* support other policy measures—like the economic embargo—that attempted to “bleed” Hanoi into submission.

In October 1984, U.S. officials met multiple times with Vietnamese Foreign Minister Nguyen Co Thach at the United Nations. A summary of the initial meeting on October 14 reflects that Thach “stated that Vietnam wants to resolve this issue [POW/MIA accounting] and get it out of the way so that the atmosphere can continue to

improve.”¹⁷⁰ In regards to Amerasians and reeducation camp detainees, Thach reported that “Vietnam wants to cooperate on these issues” but that they “should not be brought up for discussion in Geneva which is the proper forum for the overall refugee problem, that these two groups are not refugees.”¹⁷¹ Refugee status, or lack thereof, thus became one of the many means through which Washington and Hanoi clashed (and eventually cooperated) in the post-1975 period. Like POW/MIA accounting, refugee status became a highly contested (and politicized) strand of human rights rhetoric.

Overall, these meetings saw forward progress on POW/MIA accounting, and Childress commented that Thach put forth “a very constructive proposal” on an “experimental first-time” joint crash site investigation for MIA remains.¹⁷² Additionally, in what proved to be an overly optimistic assessment, Thach suggested that the Amerasian issue “was essentially solved” because the U.S. created “a separate category” as the two sides “discussed in Hanoi in February.”¹⁷³ The meetings’ minutes make clear, however, that Washington and Hanoi were still deeply divided on the reeducation camp issue. Thach insisted that policies regarding reeducation camp detainees “must be negotiated separately from MIAs, Amerasians and ODP and that it is best not to use the term political prisoners and Vietnam can’t accept them being refugees.”¹⁷⁴ Childress countered that the two sides “should not get bogged down in semantics” and insisted that the “ODP was a successful system” that “did not necessarily mean refugees” and noted

¹⁷⁰ October 14, 1984, Memorandum for Record, Meeting with Thach, folder “POW/MIA: U.S.-Vietnam Negotiations (2 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

¹⁷¹ Ibid.

¹⁷² October 17, 1984, NSC Memorandum for the Record, Confidential, US/SRV meeting in New York, folder “POW/MIA: U.S.-Vietnam Negotiations (2 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library, 2.

¹⁷³ Ibid, 3.

¹⁷⁴ Ibid, 3.

that the United States was “prepared for further bilateral negotiations” on the issue.¹⁷⁵

This meeting forecasted the general scope and pace of U.S.-Vietnamese relations during the next four years. Washington insisted that Hanoi address “humanitarian” issues to American satisfaction. While the two sides made progress on POW/MIA accounting and Amerasian emigration through the ODP during Reagan’s second term, it would not be until George H. W. Bush occupied the White House that the United States and Vietnam would finally agree on the procedures for the emigration of former reeducation camp detainees.

Conclusion

In his first term, Reagan continued two important pillars of Carter’s Vietnam policy. The Reagan White House maintained that U.S.-Vietnamese normalization was impossible while Vietnamese troops continued to occupy Cambodia, and Reagan continued Carter’s commitment to generous refugee admissions for those that fled Indochina by land and sea. In other respects, however, Reagan’s policy constituted an about-face from Carter-era precedents. The Carter administration consciously minimized the POW/MIA cause, and at worst ignored, or at best postponed, any action on the Amerasian and reeducation camp issues until after U.S.-Vietnamese normalization. During his first term, Reagan elevated these three issues—POW/MIAs, Amerasians, and Vietnamese reeducation detainees—to be the primary issues on which Washington would continue to negotiate with Hanoi in the absence of formal diplomatic relations.

That these three issues came to occupy a place of prominence in American

¹⁷⁵ Ibid, 3.

Indochina policy during Reagan's first term was not a coincidence. Each of these longstanding causes experienced a shift in the politics of information and images that created new momentum for their adoption. The increase in the number of American servicemen listed as POW/MIA suggested that the problem was of a much greater scope than previously suspected, and Ann Mills Griffiths' presence on the Interagency POW/MIA Task Force helped ensure that the issue would receive a more favorable reception from U.S. policymakers in the 1980s. Additionally, the appearance of photographs of light-eyed, freckle-faced and tall, dark-skinned Amerasians confronted ordinary Americans with powerful visual "evidence" that the United States owed a special obligation to orphaned children living on the streets in Ho Chi Minh City. Finally, Ginetta Sagan's 1983 report, a substantive publication based on refugee accounts, provided what many policymakers viewed as definitive evidence that Hanoi's reeducation policy constituted a gross violation of the detainees' human rights. While these data and images were undoubtedly powerful, it is unlikely that they, on their own, would have brought about substantive policy changes.

The POW/MIA, Amerasian, and reeducation causes all fit in, indeed, bolstered, Reagan's worldview. Given the widespread awareness and criticism of U.S. policy during the Vietnam War, Reagan's rebranding of the U.S. effort in Vietnam as a "noble cause" might have been a tough sell. Charges that Hanoi continued to detain American prisoners of war and used their remains as diplomatic bargaining chips, oppressed innocent children for no other reason than their mixed parentage, and incarcerated former South Vietnamese soldiers and civilians in camps that violated their human rights, however, all supported Reagan's charges of American beneficence and Vietnamese perfidy.

The League of Families, Pearl Buck Foundation, and Aurora Foundation did not see their missions as confirming or denying any specific geopolitical vision, however. Rather, each group sought a combination of human rights, family reunification, and closure. The groups that so tirelessly advocated for POW/MIAs, Amerasians, and reeducation camp detainees and the Reagan administration, then, adopted the same causes for decidedly different reasons. While each issue bolstered Reagan's Cold War worldview, his rebranding of the Vietnam War and his emphasis on "family values" at home, each cause had far more personal resonances with its nongovernmental supporters.

All of these issues had another important feature in common. A full accounting of POW/MIAs, and the emigration of Amerasians and reeducation camp prisoners through the ODP each required Vietnamese compliance and therefore U.S.-Vietnamese collaboration. While Reagan used these causes to criticize Hanoi in his first term, the administration's effort to turn its promises into reality initiated a sharp increase in U.S.-Vietnamese contact and collaboration. Because the implementation of Reagan's policies created personal, institutional and government links between the United States and Vietnam, the impact of the United States' "humanitarian" policy differed sharply from the administration's initial intent.

CHAPTER 4

PURSUING “HUMANITARIAN” COOPERATION: U.S.-SRV RELATIONS IN REAGAN’S SECOND TERM

On July 28, 1988, Gaston J. Sigur, the Assistant Secretary of State for East Asian and Pacific Affairs, testified before Congress as part of a “Review of U.S.-Vietnamese Issues.” Although thirteen years had elapsed since communist victory in Vietnam, the United States had not established trade or diplomatic relations with the Socialist Republic of Vietnam (SRV). Yet, as part of the review, Sigur argued that “there is no dearth of communication between us and the Vietnamese...In fact, the United States has more contact with the Vietnamese on operational and policy levels than any other Western nation, including those which maintain diplomatic relations.”¹ How is it possible to reconcile the complete absence of formal diplomatic relations, on the one hand, and Sigur’s description, on the other? Sigur himself provides the answer: while U.S.-Vietnamese relations remained frozen in many respects, the two nations “cooperate on several urgent humanitarian issues of mutual concern, including the effort to achieve the fullest possible accounting of Americans missing in action in Vietnam, the resettlement of Amerasian children still in Vietnam, the departure of Vietnamese through the Orderly Departure Program (ODP), and the resettlement of released reeducation center detainees.”² In the absence of formal ties, humanitarian issues became the basis of U.S.-SRV relations.

By the end of his first term, President Ronald Reagan pledged American

¹ July 28, 1988, Gaston J. Sigur, Assistant Secretary of East Asian and Pacific Affairs, Current Policy Issue No. 1098, “Review of U.S.-Vietnam Issues” given before the Subcommittee on East Asian and Pacific Affairs of the House Foreign Affairs Committee. Washington, D.C.: United States Department of State, Bureau of Public Affairs Office of Public Communication.

² Ibid.

commitment to each of these issues. As chapter three demonstrates, the four issues that Sigur highlighted: the return of American servicemen listed as prisoner of war/missing in action (POW/MIA); the emigration of Amerasians, or the children of American GIs and Vietnamese women; the release and resettlement of those whom the SRV incarcerated in “reeducation” camps; and generous refugee admissions through the ODP, all occupied a pivotal place on the administration’s Indochina agenda by 1984. The administration’s ability to actually achieve any of its policy goals, however, rested entirely upon Vietnamese assistance.

The struggle to attain Hanoi’s cooperation forms the crux of this chapter. Until late 1986, Vietnam held the upper hand. While the Vietnamese were not totally immune to pressure from the United States, especially in terms of POW/MIAs, Hanoi largely ignored American demands and decided to cooperate or, most often, not cooperate, based on Vietnamese national interest. By 1987, the United States once again possessed the greater leverage. Thanks to developments outside American control, like Mikhail Gorbachev’s glasnost policy in the USSR, the election of a new, younger generation of Vietnamese leaders more willing to work with the United States, and a disastrously low yield rice harvest across Indochina, Vietnam coveted normalization with the United States. American policymakers used Vietnam’s dire need for external investment to set the normalization agenda on American terms.

More specifically, U.S. officials demanded that Hanoi address “humanitarian issues” before the two nations could discuss “political” questions. In the American rendering, “humanitarian” issues were those that involved family reunification, another feature that linked each of the issues Sigur mentioned. While officials and

nongovernmental supporters previously characterized each issue as humanitarian, in Reagan's second term U.S. policymakers applied the label more consistently and increasingly discussed the four issues together as the pillars of American policy. As Sigur's testimony reveals, the United States demanded Hanoi's cooperation on "humanitarian" issues while Washington continued to celebrate the U.S.-led effort to isolate Hanoi on the international stage. By the end of Reagan's time in office, the contradiction between these two approaches became increasingly unsustainable.

As it had during Reagan's first term, nongovernmental advocacy remained crucial to the development and implementation of Washington's "humanitarian" approach to Vietnam, especially for the reeducation camp issue. As historians and legal scholars have demonstrated, Hanoi regarded Amerasians as an American responsibility and remained eager to rid themselves of the population known in Vietnam as *bui doi*, the dust of life.³ Thus, once American policymakers committed to Amerasians' emigration, the need for non-state advocacy decreased significantly, although domestic political actors still mattered. On the other hand, as Michael Allen, H. Bruce Franklin and Edwin Martini have demonstrated, the National League of POW/MIA Families had become a quasi-governmental "non-governmental organization" (NGO), whose stature only grew with the release of films like *Rambo II*.⁴ In other words, POW/MIAs and Amerasians would

³ The scholarship on Amerasians has grown steadily over the past two decades: MaryKim DeMonaco, "Disorderly Departure: An Analysis of the United States Policy Toward Amerasian Immigration" *Brooklyn Journal of International Law* (1989) 15(3): 641-709; KieuLinh Caroline Valverde, "From Dust to Gold: The Vietnamese American Experience," in *Racially Mixed People in America*, ed. Maria P. P. Root (Newbury Park, C.A.: Sage Books, 1992); Jana K. Lipman, "'The Face is the Road Map': Vietnamese Amerasians in U.S. Political and Popular Culture, 1980-1988" *Journal of Asian American Studies* 14(1) 2011; Sabrina Thomas, "The Value of Dust: Policy, Citizenship, and Vietnam's Amerasian Children" PhD diss., Arizona State University, 2015.

⁴ Michael J. Allen, *Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War* (Chapel Hill: University of North Carolina Press, 2009); Edward A Martini, *Invisible Enemies: The*

likely have remained on the Indochina agenda without new NGO campaigns in Reagan's second term.

The reeducation camp issue, however, did not fit this pattern. Hanoi refused to even begin working with the United States on this particular issue until Reagan's last months in office. Moreover, of the four "humanitarian" issues, reeducation camp prisoners were by far the least visible in the public eye. Reeducation detainees did not attract significant media attention, while Amerasians, "boat people," and especially POW/MIAs appeared frequently in major media outlets. Furthermore, U.S. policymakers were well aware of the fact that former reeducation camp detainees would require significant financial support once in the United States, given the physical and mental deprivations they suffered as prisoners. In the cold calculus of bottom lines and public perception, then, the resettlement of reeducation camp prisoners and their close family members in the United States offered little upside. Nevertheless, the United States consistently fought for the detainees' release and resettlement and, as chapters five and six will chart, followed through on promises to welcome former detainees to American shores. Why did U.S. policymakers labor so steadily for a population whose plight and arrival registered little among the general American population? While there are always multiple contributing factors, I argue Ginetta Sagan's Aurora Foundation and a small but formidable Vietnamese-American group, the Families of Vietnamese Political Prisoners Association (FVPPA), deserve the lion's share of the credit.⁵

American War on Vietnam, 1975-2000 (Amherst, University of Massachusetts Press, 2007); H. Bruce Franklin, *M.I.A. or Mythmaking in America* (New Brunswick, NJ: Rutgers University Press, 1992).

⁵ The only existing works on FVPPA are unpublished or forthcoming: Amanda C. Demmer, "Forging Consensus on Vietnamese Reeducation Camp Detainees: The FVPPA and U.S.-Vietnamese Normalization" forthcoming in Andy Johns and Mitch Lerner (eds.) *The Tocqueville Oscillation: The Intersection of Domestic Politics and Foreign Policy* (University of Kentucky Press, 2017); Frances P. Martin, "'Freed

While nongovernmental advocacy mattered, so too did Congressional pressure. In addition to arguing that the loci of negotiation leverage switched hands in 1987 and that the Aurora Foundation and FVPPA were the most important players in solidifying and maintaining the U.S. commitment to reeducation camp prisoners, this chapter also posits that Congressional actors, while always important, became key players in the process of U.S.-Vietnamese normalization during Reagan's second term. Once again, nongovernmental actors fueled this development by maintaining close, frequent contacts with well-positioned Congressmen. Frequent lobbying ensured legislators were well informed and personally invested in these "humanitarian" issues, which incentivized Senators and Representatives to take more of an active role. Increasingly, Congressmen, even Republican Congressmen, were willing to step out of line with their Commander in Chief on the issue of U.S.-Vietnamese relations.

1984-1986: Hanoi Holds the Cards

In late February 1985, a U.S. delegation departed for a trip to Vietnam, Laos and Thailand. The meeting foreshadowed the tone and nature of U.S.-Vietnamese cooperation throughout the mid-1980s. First, U.S. policymakers framed POW/MIA accounting, the emigration of Amerasians and the release and resettlement of reeducation camp prisoners together as "humanitarian" concerns in discussions with their Vietnamese counterparts. A NSC secret memorandum that reported on the trip, for example, described "the POW/MIA issue" as the "primary issue of the trip," but also noted "other

Vietnamese Have Her to Thank: Khuc Minh Tho, the FVPPA, and the Use of Grassroots Diplomacy in the Release, Immigration, and Resettlement of Vietnamese Re-Education Camp Prisoners, 1977-2011" (M.A. Thesis, Texas Tech University, 2015) 19-20; Sam Vong, "Compassion Gave Us a Special Superpower": Vietnamese Women Leaders, Reeducation Camps, and the Politics of Family Reunification, 1977-1991," *Journal of Women's History*, forthcoming

objectives of this trip included reeducation camp inmates...and discussion of [the] Amerasian children issue.”⁶

The meeting also revealed that Hanoi wanted to contain the POW/MIA issue as much as possible. The NSC reported that Vietnamese Foreign Minister Nguyen Co Thach “was obviously prepared to deliver something for our meetings” and “agreed immediately to an increase in the number of technical meetings per year from four to a minimum of six.”⁷ In an “informal comment at dinner” Thach also expressed his desire that the two sides solve the POW/MIA issue “in the next three to four years.”⁸ Richard Childress and his fellow American policymakers continued to have their cake and eat it too by insisting that “humanitarian” issues not be linked to political concerns, but consistently warning that “the POW/MIA issue is a serious obstacle [to normalization] because of the attitudes of the American people.”⁹ By offering “the attitudes of the American people” as justification for the American position, U.S. policymakers demanded that Hanoi separate humanitarian and political issues, all the while making it perfectly clear that failure to cooperate on humanitarian issues, especially POW/MIA accounting, would have severe political consequences.

As they had the preceding year, in 1985 Washington and Hanoi agreed on the desirability of Amerasian emigration as an end but disagreed about the means. Beginning with Secretary of State Shultz’s 1984 announcement regarding U.S. willingness to accept Amerasians, the U.S. consistently argued that the best way to facilitate the emigration of

⁶ February 28-March 9, 1985, “Trip to Vietnam, Laos and Thailand, Richard Childress, Director of Political-Military Affairs, NSC, Ann Mills Griffiths, Executive Director, National League of Families,” folder “POW/MIA: U.S.-Vietnam Negotiations (2 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

Amerasians from Vietnam to the United States was to create a special subprogram through the preexisting Orderly Departure Program (ODP). Hanoi, on the other hand, insisted that Amerasians were a bilateral concern that did not fit within the multilateral ODP and flatly rejected the American claim that Amerasians deserved refugee status.¹⁰

Hanoi's position was much more about larger questions about national responsibility than about the legal definition of "refugee." "These are not refugees. These are your children," Thach explained in 1985, "I would welcome anyone to come and take them away."¹¹ In other words, Thach wanted the Americans to follow the French example. The French, Amerasian scholars report, began evacuating Eurasian children as early as 1947 and at the end of the first Indochina War in 1954 significantly expanded the program and provided Eurasians with a path to French citizenship.¹² Because Paris "enacted a policy of national paternal responsibility," Hanoi likely expected American leaders to do the same.¹³ From Hanoi's perspective, then, it was absurd to suggest that Amerasians warranted refugee status because Vietnamese actions when, at least according to the Vietnamese, the Amerasians' plight was the result of the United States' failure to address its responsibility for their fate.

Larger clashes over the ODP exacerbated tensions between Washington and Hanoi regarding the means of Amerasian emigration. Vietnamese leaders repeatedly expressed their displeasure with a growing bottleneck within the American section of the ODP. By April 1985 there was a backlog of 17,000 cases that "had already been

¹⁰ Valverde, "From Dust to Gold," 151.

¹¹ Barbara Crossette, "Hanoi Asks End to Amerasians' Issue," *New York Times*, 20 October 1985, A.15.

¹² Levi, "Legacies of War," 476-7; Valverde, "From Dust to Gold," 145-6; Thomas, "The Value of Dust," 34-38.

¹³ Thomas, "The Value of Dust," 34.

interviewed by U.S. program but not yet rejected or approved for entry to U.S.”¹⁴ This backlog caused the Vietnamese to submit a formal complaint with the U.S. government in April 1985.¹⁵ Given the inefficiency of the American program, it is likely that Vietnamese leaders viewed the U.S. insistence on Amerasian emigration through the ODP as both inappropriate and ineffective; if the United States could not keep up with the regular ODP caseload, how could it possibly handle tens of thousands of additional applicants?

While Washington and Hanoi agreed on Amerasian emigration in principle if not yet in policy, vast disagreements separated the two sides regarding current and former reeducation camp prisoners. By Vietnam’s own estimate, 16,000 people remained in the camps in 1985, although NGOs consistently put the figure much higher.¹⁶ For example, two years later an Aurora Foundation publication argued a “conservative” estimate of the reeducation camp population was “at least 25,000.”¹⁷ While in Hanoi in February 1985, American officials expressed their “genuine concern about the reeducation camp inmates and the lack of progress on this question.”¹⁸ Thach replied that “he was not optimistic about any movement at the present time,” and did not think Hanoi could move forward on the issue “without normalization.” Moreover, the Vietnamese leader expressed fear

¹⁴ April 17, 1985, “The Orderly Departure Program in 1985: Chronology of Events” FVPPAC Box 149 Folder 36, VCA.

¹⁵ Ibid, The Orderly Departure Program: The Need for Reassessment,” p. 25.

¹⁶ “Amnesty International Urges Release or Trial for Thousands in Viet Nam” April 20, 1985, Amnesty International News Release, Ginetta Sagan Papers, Box 301, Hoover Institution Archives; “Socialist Republic of Viet Nam: Amnesty International’s Continuing Concerns Regarding Detention Without Charge or Trial for the Purpose of ‘Re-Education’” Amnesty International, April 1985, Ginetta Sagan Papers, Box 72, Hoover Institution Archives.

¹⁷ “Summary of the Current Conditions in the ‘Re-Education Camps of the Socialist Republic of Vietnam’” January 1987, Aurora Foundation, Ginetta Sagan Papers Box 70, Hoover Institution Archives.

¹⁸ February 28-March 9, 1985, “Trip to Vietnam, Laos and Thailand, Richard Childress, Director of Political-Military Affairs, NSC, Ann Mills Griffiths, Executive Director, National League of Families,” folder “POW/MIA: U.S.-Vietnam Negotiations (2 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

that Washington “could officially organize these people as a counterrevolutionary force.”¹⁹

The Vietnamese repeated this concern throughout Reagan’s time in office. The claim that former reeducation camp prisoners, who suffered years of harsh physical labor and barely subsistence diets, could lead a successful military campaign against the largest standing army in Southeast Asia pushed the boundaries of the imagination. While they had very little chance of succeeding, however, there were “counterrevolutionary” groups that sought to topple the government in Hanoi, and these groups unsuccessfully sought American aid and support throughout the late 1980s.²⁰ Thus, there was just enough validity behind Hanoi’s claims to permit Vietnamese leaders to use the counterrevolutionary rationale as justification for refusing to work with the United States on the reeducation camp issue.²¹ If Vietnamese leaders could (just barely) express concern about former reeducation camp prisoners leading a U.S.-backed military campaign with a straight face, the minute meetings reveal that Americans “laughed out loud” at the idea.²² Although reeducation camp talks remained stalled throughout much of Reagan’s second term, then, there was reason for cautious optimism regarding

¹⁹ February 28-March 9, 1985, “Trip to Vietnam, Laos and Thailand, Richard Childress, Director of Political-Military Affairs, NSC, Ann Mills Griffiths, Executive Director, National League of Families,” folder “POW/MIA: U.S.-Vietnam Negotiations (2 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

²⁰ November 14, 1985 Letter from James W. Trullinger to Robert McFarlane, CO172 Vietnam (25000-399999) WHORM: Subject File, Ronald Reagan Library; December 1986, “A New Vietnamese Resistance Group,” folder “Vietnam Resistance (1 of 2),” RAC Box 13, Richard T. Childress Files, Ronald Reagan Library; October 1987, “Vietnamese Resistance Defeat Confirmed,” folder “Vietnam Resistance (1 of 2),” RAC Box 13, Richard T. Childress Files, Ronald Reagan Library.

²¹ “Socialist Republic of Viet Nam: Amnesty International’s Continuing Concerns Regarding Detention Without Charge or Trial for the Purpose of ‘Re-Education’” Amnesty International, April 1985, Ginetta Sagan Papers, Box 72, Hoover Institution Archives.

²² February 28-March 9, 1985, “Trip to Vietnam, Laos and Thailand, Richard Childress, Director of Political-Military Affairs, NSC, Ann Mills Griffiths, Executive Director, National League of Families,” folder “POW/MIA: U.S.-Vietnam Negotiations (2 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

Amerasians and POW/MIAs.

In the summer of 1985, Americans' belief in the possibility of the return of live POWs—what Bruce Franklin calls the POW myth—not only maintained its grip on American society but became a national obsession. The April 1985 release of *Rambo: First Blood Part II*, in particular, made the rescue of live POWs seem not only a reasonable possibility but something that the government could achieve quite easily if it really tried. In the film, John Rambo, a Vietnam War veteran played by Sylvester Stallone of *Rocky* fame, returns to Vietnam and quickly finds a camp holding live American POWs. When he reports this to his superiors, however, he is ordered to stand down. Instead, Rambo elects to single-handedly free “his” men from the prison, cutting down everyone in his path and threatening his superior to find the rest of the POWs “or I’ll find you.”²³ As historian Edwin Martini explains, the film was a “shameless propagandizing of the POW/MIA myth” that, if ticket sales are any indication, told Americans a story they were eager to hear.²⁴ Rambo, Martini observes, “became a new reference point in American culture” and set off a wave of “‘Rambomania’ in the summer of 1985.”²⁵

Families of the missing were not the only ones buying what *Rambo* was selling. Six weeks after the film opened, Reagan declared “Boy, I saw *Rambo* last night. Now I know what to do next time this happens.”²⁶ While Reagan’s quip came “ostensibly as a microphone test” before a national address, the context of his comment mattered little

²³ Quoted in Allen, *Until the Last Man Comes Home*, 125.

²⁴ Martini, *Invisible Enemies*, 129, 127.

²⁵ Martini, *Invisible Enemies*, 128, 126.

²⁶ Quoted in Franklin, *MIA Or Mythmaking in America*, 151.

when all of the major newspapers ran it the next day.²⁷ Until 1985, the most explicit a White House spokesperson had ever been about the possibility of the return of live POWs was Reagan's 1983 "highest national priority" speech, which, by including the phrase "the return of all POWs" as one of multiple aims, evidenced official belief in the *possibility*. As Bruce Franklin and others point out, in October 1985, at the height of Rambomania, National Security Advisor Robert C. McFarlane walked through the door President Reagan had opened by asserting, "there *have* to be live Americans there."²⁸ Rambo fever afflicted more than just those in the White House. When debating a foreign aid bill in the summer of 1985, for example, Congress "invoked the image of Rambo a dozen times."²⁹

The Vietnamese, it seems, could not help but notice the epidemic of Rambomania infecting Americans in the summer of 1985. Although clearly building off previous meetings, especially the auspicious discussions that took place in February and March 1985, on July 1st Hanoi presented Washington with a "Two Year Work Plan" to "structure general milestones and identify additional requirements needed to achieve resolution within two years."³⁰ The depth and breadth of Rambomania in American society likely made the ability to put a two-year expiration date on POW/MIA accounting appealing from the Vietnamese perspective. Americans, in turn, were encouraged by a perceived breakthrough in Hanoi's willingness to cooperate.³¹ In November 1985, Hanoi permitted U.S. officials to conduct an excavation for MIA remains on Vietnamese soil, a

²⁷ Martini, *Invisible Enemies*, 127.

²⁸ Franklin, 157, *MIA or Mythmaking in America*, italics mine. See also: Martini, *Invisible Enemies*, 129.

²⁹ Franklin, *MIA or Mythmaking in America*, 151.

³⁰ July 1, 1985, "Hanoi [2 Year] Work Plan," folder "POW/MIA: U.S.-Vietnam Negotiations (2 of 6)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library. On this offer also see: Robert D. Schulzinger, *A Time for Peace: The Legacy of the Vietnam War* (Oxford University Press, 2006), 24.

³¹ For 1984 U.S.-S.R.V. talks on the POW/MIA issue see: Schulzinger, *A Time for Peace*, 24.

major turning point from the decade's earlier "privatized and paramilitary" search operations led by the likes of Bo Gritz and Oliver North.³² These efforts yielded the return of thirty-eight American remains in 1985 and thirteen more in 1986.³³ The fact that U.S. government officials conducted excavations for missing U.S. servicemen on Vietnamese soil at all is remarkable. The fact that such operations took place in the absence of formal diplomatic relations demonstrates the extent to which "humanitarian" issues became the basis of, and helped lay the groundwork for, official U.S.-SRV relations.

U.S. officials met with Vietnamese leaders in Hanoi in August to discuss the Two-Year Plan. American attendants described the "atmosphere of the meeting as relaxed and cooperative... better by a wide margin than any prior US-Vietnamese discussion on the subject."³⁴ Richard Childress, the head NSC official dealing with POW/MIA negotiations and a longtime member of the POW/MIA Interagency Group (IAG) speculated that the two year "timetable is based upon their [Hanoi's] geostrategic calculations concerning a Cambodian settlement, their political assessment that President Reagan could 'pull off' normalization as a conservative (Nixon precedent with China) and their assessment that further delay is decreasing rather than increasing their leverage in the United States."³⁵ Thus, while U.S. policymakers were pleased with the Vietnamese

³² Allen, 240, 223. On the November 1985 excavation: Allen, 240; Franklin, 171. On Gritz and North: Allen, 220-24; Franklin, 136-40.

³³ Allen, 240, 244. On Congress' views on technical discussions: Congressional Record, Monday July 8, 1985, Vol. 131, No. 89, Senate Box 183, Folder 1, Robert J. Dole Senate Papers—Legislative Relations, 1969-1996, 01/003, Subseries 6: Legislative Assistants, 1963-1996

³⁴ August 1985, "Delegation to Hanoi Aug. 28029, 1985" NSC Secretariat, folder "POW/MIA: U.S.-Vietnam Negotiations (3 of 6)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

³⁵ September 10, 1985, NSC Secret Memorandum "Vietnamese [2 yr] Work Plan" from Richard Childress to Richard L. Armitage, Paul Wolfowitz, and Lt. General James A. Williams, folder "POW/MIA: U.S.-Vietnam Negotiations (3 of 6)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

initiative, they also wanted to modify the plan to meet American needs while at the same time preserving as much “as possible of the Vietnamese plan to prevent it from publically appearing to be a joint plan” in order to maintain “political flexibility in the future to challenge premature Vietnamese assertions that the issue has been solved.”³⁶

Although American policymakers focused their attention on populations *inside* Vietnam’s borders—POW/MIAs, Amerasians and reeducation camp prisoners—the eyes of Southeast Asia remained fixed on the lingering “boat” and “land” people in first asylum camps and that continued to flee Vietnamese shores. In 1986, 154,000 refugees remained in first asylum camps in Southeast Asia, and 250,000 Khmer and land Vietnamese congregated on the Thai-Cambodian border.³⁷ This group, which contemporaries referred to as “long-stayer” populations, sapped Southeast Asian nations’ willingness to provide first asylum and strained U.S.-ASEAN ties throughout Reagan’s second term.³⁸ These concerns were severe enough that Shultz commissioned an Indochinese Refugee Panel in September 1985 to visit camps throughout Southeast Asia and make recommendations.³⁹ Debates about the sanctity of first asylum and resettlement prospects for the long-stayers continued throughout the 1980s; yet, while apparent to attentive observers, these problems did not command major national and international attention until mid 1987.⁴⁰ Part of the reason a strained situation became desperate by

³⁶ Ibid.

³⁷ “Report of the Indochinese Refugee Panel,” April 1986, U.S. Department of State Bureau for Refugee Programs, p. 3; Valerie O’Connor Sutter, *The Indochinese Refugee Dilemma* (Baton Rouge and London: Louisiana State University Press, 1990), 177.

³⁸ On longstayer populations see Espiritu, *Body Counts*, 56-57.

³⁹ Report of the Indochinese Refugee Panel,” April 1986, U.S. Department of State Bureau for Refugee Programs; “Progress Report: Recommendations of the Indochinese Refugee Panel,” September 1986, United States Department of State, Bureau for Refugee Programs.

⁴⁰ See: Rudy Boschwitz Papers, Legislative Assistant Files, Box 31, Refugees and Immigrants Folder, Koang I Dang Refugee Camp Folder, Admissions Folder, Minnesota Historical Society Archives,

1987 was that in December 1985 the Vietnamese announced that they were suspending ODP interviews, citing disagreements over the nature of the Amerasian program and the growing backlog, which by then rested at 22,000 persons.⁴¹ This decision removed the only legal means through which would-be oceanic migrants might safely leave the SRV. Predictably, the number of boat people increased the following year.

Despite the Vietnamese's suspension of the ODP, in early January another American delegation landed in Hanoi. The two sides continued their "formal talks" regarding POW/MIA accounting and Hanoi's proposed Two-Year Plan, and U.S. officials also discussed the ODP and reeducation camp prisoners. "Assistant Secretary Wolfowitz and Mr. Childress," a summary of the meeting explains "made clear US disappointment that Vietnam had not honored its pledge to make 're-education' inmates available for resettlement in the US" and "remain ready to sit down and discuss the issue: 'our door is open.' [Deputy Foreign Minister Hoang Bich] Son said the issue is not ready for settlement now, but 'our door is not closed.'"⁴² A Congressional delegation that arrived in Hanoi the following month had a similar experience.⁴³

In an October 1986 meeting in New York, Washington and Hanoi achieved a breakthrough on the Amerasian issue. In the meeting U.S. policymakers abandoned their insistence that Amerasians travel through an ODP subprogram and expressed American willingness to negotiate a separate bilateral agreement. Vietnamese Minister of State Vo

Minnesota Historical Society; "Uncertain Harbors: The Plight of the Vietnamese Boat People," U.S. Committee for Refugees, October 1987.

⁴¹ December, 1985, "The Orderly Departure Program in 1985: Chronology of Events" FVPPAC Box 149 Folder 36, VCA; The Orderly Departure Program: The Need for Reassessment," p. 30; Levi, "Legacies of War," 487; DeMonaco, "Disorderly Departure," 675.

⁴² January 1986, "US-SRV POW/MIA Talks, 6-7 January 86" NSC Secretariat, folder "POW/MIA: U.S.-Vietnam Negotiations (3 of 6)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

⁴³ January 18, 1986, "Codel Murkowski: Meeting with Vietnamese Foreign Minister Nguyen Co Thach: January 18, 1986" White House Situation Room, folder "POW/MIA: U.S.-Vietnam Negotiations (3 of 6)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

Dong Giang “reacted very positively” to the proposal, noting the offer “represented a substantial departure from previous procedures and represented a genuine effort...to get the program going again.” The shift, Giang noted contentedly, amounted to an American recognition that Amerasians were “also a legacy of war and U.S. responsibility.”⁴⁴

By October of 1986, then, Washington and Hanoi were cooperating in multiple areas as directed by Vietnamese national interest. Likely because Hanoi recognized that POW/MIA accounting posed a significant potential threat to U.S.-Vietnamese normalization (especially in light of Rambomania in the summer of 1985), Hanoi proposed a Two-Year Plan to limit the issue’s potential impact and attempt to rein in the unwieldy, emotional cause. Furthermore, American officials bent to Hanoi’s terms on Amerasians, finally agreeing to negotiate a separate bilateral agreement rather than attempt to stretch the ODP to handle the Amerasian caseload. Yet, because Hanoi insisted “present circumstances [are] not appropriate for discussion of reeducation camp prisoners,” the two sides did not make any progress on that issue, regardless of repeated American attempts.⁴⁵ As Hanoi dug in its heels, Vietnamese American NGOs rose to ensure that U.S. policymakers did not forget or rescind their commitment to reeducation camp prisoners, even while the issue remained at a diplomatic impasse.

1984-1986: Nongovernmental Advocacy and the Rise of FVPPA

Policymakers’ failure to win Hanoi’s cooperation on the reeducation camp issue did not stop nongovernmental advocates from lobbying for the cause. Chapter 3 traces the

⁴⁴ October 1986, “Meeting with SRV Vice Foreign Minister Vo Dong Giang,” folder “POW/MIA: U.S.-Vietnam Negotiations (4 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

⁴⁵ October 1986, “Meeting with SRV Vice Foreign Minister Vo Dong Giang,” folder “POW/MIA: U.S.-Vietnam Negotiations (4 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

emergence of the Aurora Foundation, and argues that the Foundation's 1983 publication, *Violations of Human Rights in the Socialist Republic of Vietnam, April 30, 1975-April 30, 1983*, was crucial to creating the momentum and political cover that led to the inclusion of political prisoners in Shultz's 1984 announcement. Even after the publication of *Violations*, Sagan continued to work tirelessly to document the abuse of human rights violations in Vietnam, with a focus on the reeducation camp system. She set out to expand the number of refugee interviews and publish a new edition of her *Violations* almost immediately.⁴⁶ Sagan's previous and ongoing work found receptive ears in the Reagan administration. An April 1985 State Department report entitled, "Vietnam: Under Two Regimes," for example, cites Sagan's report multiple times.⁴⁷

On December 10, 1986, the thirty-eighth anniversary of the signing of the Universal Declaration of Human Rights, President Reagan gave a speech to highlight the document's continued importance. The White House invited Sagan to attend and President Reagan spoke about her at length. "Ginetta Sagan, who is with us today," he explained to the audience "has been a vital force for decency, humanity, and freedom throughout the world in the last three decades. Unlike so many others who opposed the Vietnam War, for example, Ginetta did not look the other way once the communists assumed power. She has made serious efforts to call the Government of Vietnam to task for their massive violations of human rights. In Chile, Poland, and so many other countries, this woman has saved lives and championed the cause. Ginetta, you are the

⁴⁶ Grant Proposal for Readers' Digest Funds, 1985/6, Ginetta Sagan Papers, Box 309, Hoover Institution Archives.

⁴⁷ "Vietnam: Under Two Regimes," April 1985, Special Report No. 127, United States Department of State, Bureau of Public Affairs, Washington, D.C.

kind of hero every American can be proud of.”⁴⁸ While other researchers and NGOs like Amnesty International continually published reports that supported Sagan’s conclusions and assertions, Sagan remained one of the most important figures in the U.S. debate over the reeducation camp issue.⁴⁹ That a highly regarded figure in the American human rights movement dovetailed with Reagan’s policy was incredibly convenient for the administration, which sought to revise the Vietnam War as a “noble cause.”

In the mid-1980s, another organization emerged that solidified the reeducation issue as a question not only of human rights concern but a cause rooted in family reunification: the Families of Vietnamese Political Prisoners Association (FVPPA). The group that officially became FVPPA in 1984 began in 1977, in the words of future President Khuc Minh Tho, as “a support group of wives and family members” of Vietnamese Americans whose primary goal was “getting our fathers, brothers and friends out of prison and resettled in this great and free country.”⁵⁰ Tho, the wife of a reeducation detainee, remained FVPPA’s president from its official incorporation in 1984 to its final days in 1999.

The Association’s emphasis on family relationships and family reunification served multiple functions. First, it vividly captured the organization’s primary goal: to

⁴⁸ Remarks by Ronald Reagan and Richard Schifter, Assistant Secretary of Human Rights and Humanitarian Affairs, “Renewing the U.S. Commitment to Human Rights” December 10, 1986, United States Department of State, Bureau of Public Affairs, Special Report No. 164, Ginetta Sagan Papers, Box 184, Hoover Institution Archives.

⁴⁹ “Socialist Republic of Viet Nam: Amnesty International’s Continuing Concerns Regarding Detention Without Charge or Trial for the Purpose of ‘Re-Education’” Amnesty International, April 1985, Ginetta Sagan Papers, Box 72, Hoover Institution Archives; “Summary of Current Amnesty International Concerns in the Socialist Republic of Vietnam” April 1985, Amnesty International, External Document No. 2, Ginetta Sagan Papers, Box 302, Hoover Institution Archives; “Vietnam 1975-1985: The Cruel Peace” by Jaqueline Desbarats and Karl D. Jackson, University of California, Berkeley, Ginetta Sagan Papers, Box 72, Hoover Institution Archives.

⁵⁰ Box 127, Folder 6, September 15, 1984 letter from FVPPA to President Ronald Reagan; Remarks by Khuc Minh Tho, President, at “A Dinner to Celebrate Freedom” Sponsored by FVPPA, May 20, 1994, FVPPAC Box 136 Folder 9A VCA.

secure family reunification through the release and resettlement of reeducation detainees. Secondly, framing its organization in ways that highlighted familial relationships gave FVPPA an emotionally poignant way to sell their cause. As Frances Martin notes, “by calling them brothers, sons, and fathers, Khuc gave them an identity, rather than allowing them to remain abstract ideas like ‘prisoner’ or ‘refugee.’”⁵¹ This emphasis helped to transcend any potential cultural barriers that separated newly arrived Vietnamese refugees and the American officials whose support FVPPA needed to achieve its goals. Family reunification rhetoric fell on especially receptive ears in the 1980s thanks to the Reagan Administration’s emphasis on a return to “family values.”⁵²

Shultz’s 1984 call for the creation of a special program for political prisoners within the ODP marked a key turning point for FVPPA. The following month, the Association received official non-profit corporation status and increased its lobbying efforts dramatically. On September 15, four days after Shultz announced the new program, President Tho wrote identical letters to President Reagan and Secretary of State Shultz expressing their gratitude and offering its services. “With our capability, our devotion and our tract [sic] record,” Tho explained, “our association endeavors to be a clearing house for the political prisoners and their family members...to ensure family reunification.”⁵³ FVPPA certainly made good on this promise, as American policymakers would soon attest.

Shultz and Reagan’s responses to FVPPA’s September 15 letter demonstrate limits—but also the potential—of FVPPA’s power in 1984. Shultz responded in four days and emphasized the shared concerns both the Department of State and FVPPA had

⁵¹ Martin, “*Freed Vietnamese Have Her to Thank*,” 24.

⁵² Vong’s forthcoming “‘Compassion Gave Us a Special Superpower’ is very attentive to these themes.

⁵³ September 15, 1984, FVPPA letter to Secretary of State Shultz, FVPPAC Box 127 Folder 5 VCA.

for reeducation camp detainees. “I can assure you,” Shultz promised, “that this government is ready to do its part for those who have suffered so much for their support of the cause of freedom in Vietnam.”⁵⁴ On the other hand, FVPPA did not hear back from the White House until October 16, a month later, and Linda Kojelis, the Associate Director of the Office of Public Liaison, incorrectly addressed the letter to “Mr. Tho.”⁵⁵ While beginning to make connections and solidify itself as an important lobbying force, then, FVPPA remained far from demanding the White House attention consistently awarded to the National League of POW/MIA Families.

FVPPA remained keenly aware that it was not operating in a cultural or political vacuum. The prevalence of the POW myth and Rambomania proved incredibly useful to FVPPA’s members, who had irrefutable proof that their loved ones, and former American allies, were being held against their will in Vietnam. “We share the same pain and sufferings as the wives and children of American POWs” FVPPA informed Secretary of State Shultz in September of 1985, “in a sense, our husbands and fathers are POWs too.”⁵⁶ When writing to Congressman Gerald B.H. Solomon, Chairman of the POW/MIA Task Force, Tho introduced the organization by explaining “we are...the Vietnamese version of The National League of Families of POWs in more modest proportions,” and argued that Vietnamese political prisoners “are POWs in the truest sense. The United States can in good conscience close the books on the war only when all of the American POWs will be released—and the Vietnamese POWs also.”⁵⁷ As FVPPA put it in an

⁵⁴ September 19, 1984, Secretary of State Shultz to FVPPA, FVPPAC Box 127 Folder 5 VCA.

⁵⁵ October 16, 1984, Linas Kojelis to FVPPA, FVPPAC Box 127 Folder 5 VCA.

⁵⁶ August 26, 1985 from FVPPA to Secretary of State Shultz, FVPPAC Box 127, Folder 15 VCA.

⁵⁷ December 4, 1985 to Congressman Gerald B. H. Solomon, Chairman, POW/MIA Task Force, FVPPAC Box 127 Folder 19 VCA; Jeremy Tinker, Counsel for the Subcommittee on Immigration and Refugee

August 1986 letter to President Reagan, “we understand America’s concern for her MIA’s; we think it important to speak out for our husbands, brothers, and sons as well. Please do not forget them!”⁵⁸ POW/MIA rhetoric, which was both culturally powerful and a significant basis of U.S. policy, helped FVPPA consolidate official backing by speaking to American officials in a language they understood. Moreover, while MIA advocates demanding the return of live American POWs presented U.S. policymakers with a request that “could never be satisfied,” FVPPA presented policymakers with a solvable problem.⁵⁹

Amerasian advocates also employed this strategy. As Historian Jana K. Lipman argues, when no American POWs returned from Vietnam, “U.S. politicians and the media transferred ‘homecoming’ from POW/MIAs onto Vietnamese Americans.”⁶⁰ Lipman demonstrates that Amerasians and POW/MIAs became “linguistically coupled” in popular imagination as “journalists and men and women writing letters to the editor to local newspapers also reframed Amerasians alternatively as ‘veterans,’ ‘prisoners of war,’ and ‘missing in action.’”⁶¹ Thus, when U.S. officials began explicitly and consistently linking these three issues together as “humanitarian” concerns, they were both responding to and catalyzing tendencies that had begun within different segments of the American public.

In 1985 and 1986, while official efforts to secure the release and resettlement of reeducation detainees failed, FVPPA’s efforts to secure U.S. policymakers’ commitment

Policy of the Senate Judiciary Committee, made this same argument in: “The Vietnamese Left Stranded Merit Consideration: Political prisoners; relatives” *New York Times*, 27 January 1986, A27.

⁵⁸ August 23, 1986 letter to President Ronald Reagan, FVPPAC Box 127 Folder 23 VCA.

⁵⁹ Allen, *Until the Last Man Comes Home*, 206

⁶⁰ Lipman, “The Face is a Roadmap”, 44. See also: Thomas, *The Value of Dust*, 154.

⁶¹ Lipman, “The Face is a Roadmap,” 46.

to the cause succeeded. FVPPA developed and maintained close relationships with key U.S. officials in Congress, the White House and State Department.⁶² One striking example of this is FVPPA's relationship with Robert F. Funseth, Senior Deputy Assistant Secretary of State for the Bureau of Refugee Affairs. In October of 1984, Funseth met with SRV officials under the auspices of the UNHCR and continued to serve as the primary American negotiator on the political prisoner issue throughout the 1980s. The contacts FVPPA developed with Funseth and his staff proved to be mutually beneficial. As President Tho explained, especially in the Association's early days, Funseth "continuously kept us apprised" of "information that would not have been otherwise available to us."⁶³

FVPPA also returned the favor. Because Vietnam had to approve individual cases for departure under the ODP, the only way former reeducation camp detainees could emigrate is if their name appeared on both the American and Vietnamese lists. This requirement gave Hanoi a considerable amount of power, which it wielded not only by terminating interviews in January 1986 but also by refusing to publish the reeducation detainees' names throughout the camps' decades-long existence. In theory, Hanoi's secrecy should have tied American policymakers' hands and left them with no way to advocate for exit permits on the behalf of specific individuals. FVPPA filled this information gap, however, because it earned the trust of Vietnamese families. In 1985 alone, when there were only 150 total FVPPA members, the Association received approximately "5,000 dossiers requesting their intervention on behalf of prisoners" and

⁶² Martin discusses these relationships in detail: *"Freed Vietnamese Have Her to Thank,"* 27-36.

⁶³ November 8, 1985 FVPPA to Funseth, FVPPAC Box 127 Folder 18 VCA.

would receive “three to four times” more by 1991.⁶⁴

FVPPA thus established itself as a vital link in the release and resettlement process. The Association provided U.S. officials with constantly updated lists of current and former detainees and also sent out regular (bilingual) newsletters informing Vietnamese families about the many procedural changes and new forms that accompanied policy and administrative changes.⁶⁵ These functions required not only time and language skills, but connections, legal know-how, and dedication. FVPPA increasingly possessed each of these qualities, and its example adds further evidence to existing studies that emphasize, in the words of Margaret E. Keck and Kathryn Sikkink, the ability of “nontraditional international actors to mobilize information strategically to help” persuade and pressure traditional state actors by tapping into transitional networks.⁶⁶

While it never achieved the cultural omnipresence that the League enjoyed, FVPPA and its cause earned the ardent attention of U.S. policymakers by 1987. As proof, one needs only to look at the guest list for FVPPA’s First Annual Reception on Capitol Hill in April of 1987. Robert Funseth, Senators Bob Dole and Ted Kennedy and Representative Stephen J. Solarz all not only attended but gave speeches in support of FVPPA’s cause to an audience of over 300 Congressmen, State Department officials, administrative representatives and Vietnamese Americans. “It isn’t often you find Senator Dole and I together speaking alike in support of issues,” Kennedy explained, “but

⁶⁴ FVPPAC Box 135 Folder 26B VCA, For 1991 data see: “Annual Awards Address Delivered by Mrs. Khuc Minh Tho, President, Families of Political Prisoners Association at the ‘Unity and Reunion Diner,’” July 27, 1991, FVPPAC Box 135 Folder 26B VCA. For 1985 membership data: “Report to the Secretary,” FVPPA Newsletter Special Issue April 30, 1985, FVPPAC Box 149 Folder 20 VCA.

⁶⁵ Martin, “*Freed Vietnamese Have Her to Thank*,” 26.

⁶⁶ Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1988): ix.

this is certainly one that brings all Americans together.”⁶⁷ “All of us Americans put a very strong emphasis on families,” Kennedy continued, recognizing and echoing FVPPA’s emphasis on family reunification, noting that familial ties are the “bedrock of our strength.”⁶⁸ Senator Dole, a long-time and vociferous supporter of the POW/MIA issue, echoed FVPPA’s tendency to speak of the two causes together: “we have a responsibility,” the powerful Republican Senator argued, “whether they’re in reeducation camps, or are POWs, or MIAs. It is a responsibility we share and one that we will not forget.”⁶⁹

Dole and Kennedy backed their words with action. The very next day they cosponsored a resolution, along with Senator Claiborne Pell (D-RI), Chairman of the Senate Foreign Relations Committee, “Calling for the Release of Political Prisoners by the Government of Vietnam.” As Dole explained, the resolution not only called on SRV to release the prisoners but also to “expedite all family reunification cases still outstanding.”⁷⁰ When introducing the resolution, Kennedy noted that he intended for the 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.”⁷¹ As Dole argued, it “is totally nonpolitical; certainly, in our political terms in the senate, it is totally nonpartisan. All Senators ought to support it.”⁷² And they did; the Senate passed S. Con. Res. 205 unanimously.⁷³

⁶⁷ Remarks by Senator Ed Kennedy at the FVPPA Reception at the Senate, April 30, 1987, FVPPAC, Box 134, Folder 9, VCA.

⁶⁸ Ibid

⁶⁹ Remarks by Senator Bob Dole at the FVPPA Reception at the Senate, April 30, 1987, FVPPAC, Box 139 Folder 9, VCA.

⁷⁰ May 1, 1987, Congressional Record—S5816, FVPPAC Box 134 Folder 10 VCA.

⁷¹ Ibid, S5815

⁷² Ibid, S5816

The Senators' conflation of the language of family, human rights rhetoric and refugee policy drew upon decades of policy precedent and also reflected a unique, post-1975 U.S. approach to Vietnam. The importance of family reunification in U.S. immigration policy far predated the ODP. As immigration historian Roger Daniels notes, "family reunification" has been "a cornerstone of American immigration policy since 1921."⁷⁴ Family reunification's place in U.S. migration policy grew dramatically during World War II and the early Cold War, especially with regards to migrants from Asia, thanks to special provisions for military brides and international adoption.⁷⁵ The 1952 McCarran-Walter Act and the landmark 1965 Immigration and Nationality Act codified this trend even further by earmarking family reunification as a preference category that counted outside of national and then hemispheric limits.⁷⁶

U.S. policy toward Vietnam during the Reagan administration involved a very specific merging of these larger trends in American law and thought. Crucially, the particular mix that these ideas took was by no means inevitable, and FVPPA's brand of advocacy helped crystalize and catalyze the links between human rights, family reunification and refugee law and connected a human face with these abstract concepts. FVPPA thus enjoyed widespread bipartisan support and helped solidify the release and resettlement of reeducation camp prisoners as a consistent focal point of U.S. policy.

⁷³ May 7, 1987, Memorandum, "S.Res 205 Political Prisoners in Vietnam," CO172 Vietnam (40000-514999) WHORM: Subject File, Ronald Reagan Library.

⁷⁴ Roger Daniels, *Guarding the Golden Door: American Immigration Policy and Immigrants Since 1882* (New York: Hill and Wang, 2004), 224.

⁷⁵ Erica Lee, *The Making of Asian America: A History* (New York and London: Simon & Schuster, 2015), 264-270. Arrisa Oh, *To Save the Children of Korea: The Cold War Origins of International Adoption* (Stanford University Press, 2015).

⁷⁶ Lee, *The Making of Asian America*, 270-1, 286; Rogers, *Guarding the Golden Door*, 136.

1987: Progress on “Humanitarian” Issues

Hanoi increasingly coveted normalization in the late 1980s for both internal and international reasons. In July 1986, Le Duan, “the last of the hard-line and viscerally anti-American party general secretaries” died.⁷⁷ Le Duan’s death cleared the way for the ascension of a younger, more reconciliatory generation of leaders to power in late 1986.⁷⁸ Economic realities acted as a catalyst to these political changes. The approach of “near-famine” conditions in late 1986 prompted the leadership to adopt a policy of economic renovation (*doi moi*) that included a willingness to move away from the central planning of communism and an emphasis on foreign aid and investment. Certainly, the changes occurring contemporaneously in the Soviet Union accelerated these shifts.⁷⁹ By early 1987, then, the SRV sought an improved relationship with the United States not only to end the American embargo but also, perhaps more importantly, to begin a direly needed flow of investment from international bodies like the International Monetary Fund and World Bank, which would not lend to Vietnam without American approval. Although not a linear process, the tone and nature of U.S.-Vietnamese relations changed noticeably in 1987.

In February, Reagan appointed General John Vessey Jr., former Chairman of the Joint Chiefs of Staff, as a “personal emissary” to Vietnam.⁸⁰ Reagan’s appointment of

⁷⁷ Allen E. Goodman. “Dateline Hanoi: Recognition at Last” *Foreign Policy* 100 (1995): 146. On Le Duan’s stature in the communist party see: Lien-Hang T. Nguyen, *Hanoi’s War: An International History of the War for Peace in Vietnam* (Durham, NC, 2012); Pierre Asselin, *Hanoi’s Road to the Vietnam War, 1954-1965* (Berkeley: University of California Press, 2001).

⁷⁸ See “Conditions in Vietnam Debated” in *Refugee Reports*, August 14, 1987, Volume III, Number 8, Ginetta Sagan Papers, Box 327, Hoover Institution Archives.

⁷⁹ Huynh Kim Khanh, “Vietnam’s Reforms: Renewal or Dearth,” *Indochina Issues* 84, September 1988, Indochina Project, Ginetta Sagan Papers Box 309, Hoover Institution Archives

⁸⁰ February 10, 1987, Letter from President Reagan to General John W. Vessey, Jr., folder “POW/MIA Special Mission 1987 [1984-1988] (1),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

such a high-level official to be his personal negotiator signaled a change in American willingness to cooperate. When the U.S. government suggested Childress travel to Hanoi to pave the way for a successful Vessey mission, however, Hanoi questioned American sincerity and explained they did not want to receive another American delegation “unless the US side is ready to put forward new proposals.”⁸¹ U.S. officials speculated that the decision also emanated from a “continuing sense of frustration over failure to reap some political benefits toward normalization from cooperation on humanitarian issues.”⁸² In mid-April, SRV leaders acquiesced to receiving Childress on the promise that the delegation represented a sincere effort to lay the ground for a truly new initiative.⁸³

Washington and Hanoi continued to collaborate throughout the spring. In May, both governments expedited the emigration of a by then very well known Amerasian, Le Van Minh. Western audiences became aware of Minh’s existence when a striking photo of the “fair skinned crippled Vietnamese boy crawling” on all fours and “begging for money on the streets of Ho Chi Minh City” appeared in *Newsweek* in December 1985.⁸⁴ That following fall the student government committee at Huntington High School in New York adopted Minh as a class project and by November 1986 “successfully collected 27,000 signatures in support of Minh’s emigration.”⁸⁵ The students then appealed to their local congressman and Huntington High alumni, Robert Mrazek (D-NY). Mrazek added

February 15, 1987, Letter from John W. Vessey, Jr. to President Regan, folder “POW/MIA Special Mission 1987 [1984-1988] (2),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

⁸¹ February 1987, “Hanoi Turn-Down on Childress Delegation: Playing Coy” from American Embassy in Bangkok, folder “POW/MIA: U.S.-Vietnam Negotiations (4 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

⁸² Ibid.

⁸³ March 13, 1987, “Childress Visit to Hanoi” NSC Secretariat, folder “POW/MIA: U.S.-Vietnam Negotiations (4 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library; April 17, 1987, Childress Talking Points in New York before Advancing to Hanoi NSC Secretariat, folder “POW/MIA: U.S.-Vietnam Negotiations (4 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

⁸⁴ Thomas, *The Value of Dust*, 157.

⁸⁵ Thomas, *The Value of Dust*, 158.

Congressional muscle to the students' cause and Mrazek and Senator John McCain personally flew to Hanoi to bring Minh to the U.S. in May 1987.⁸⁶

While Minh's resettlement in the U.S. symbolically celebrated U.S.-Vietnamese cooperation, Shultz's statement at an ASEAN Post Ministerial Conference in Singapore sent the opposite message. "We all agree it is imperative to keep pressure on the Vietnamese to end their occupation" of Cambodia Shultz explained on June 18th.⁸⁷ "Essential to this effort is...the continued isolation of Vietnam," Shultz continued, suggesting, "that isolation is a result of its [Vietnam's] own policies. Without a change in those policies, her people will continue to pay a heavy price."⁸⁸ After spending a few moments on POW/MIA accounting, which Shultz described as "an issue of intense concern to the United States," the Secretary of State turned the ongoing issue of continued boat departures and longstayer populations in Southeast Asia.

As Secretary of State Haig had done in the early 1980s, Shultz promised a strong U.S. commitment to Indochinese refugees and to tackling the problem "at its source," i.e. Vietnam.⁸⁹ "I want first to reassure you that the commitment of the United States to resolving the Indochinese refugee problem is as strong today as it has ever been," Shultz told the leaders of first asylum nations before him in June 1987.⁹⁰ "While the countries of asylum and the countries of resettlement have our roles to play," he continued, "we

⁸⁶ Thomas, *The Value of Dust*, 174.

⁸⁷ June 18, 1987, "Statement by Secretary of State George P. Shultz at ASEAN Post Ministerial Conference General Dialogue, Singapore, Marina Mandarin Hotel," folder "POW/MIA: ASEAN" RAC Box 13, Richard T. Childress Files, Ronald Reagan Library.

⁸⁸ Ibid.

⁸⁹ Alexander Haig, "Statement to Ministers" Manila, June 20, 1981 *Department of State Bulletin*, vol. 81 (August 1981), 40.

⁹⁰ June 18, 1987, "Statement by Secretary of State George P. Shultz at ASEAN Post Ministerial Conference General Dialogue, Singapore, Marina Mandarin Hotel," folder "POW/MIA: ASEAN" RAC Box 13, Richard T. Childress Files, Ronald Reagan Library.

should never lose sight of the fact that the cause of this problem we are all forced to deal with does not lie with any of us. Rather, it lies squarely inside Indochina, and it will not be resolved until the Vietnamese play a constructive role in resolving it.”⁹¹ In this way, then, the tensions in the U.S. modus operandi remained consistent from the late Carter administration; the United States publically chastised Hanoi and celebrated the U.S.-led effort to isolate Vietnam all the while demanding that Vietnam cooperate with the U.S. on issues American policymakers deemed “humanitarian.”

Perhaps in response to Schultz’s uncompromising rhetoric, Hanoi announced the resumption of ODP interviews in mid-July.⁹² As part of the program’s reopening, Washington and Hanoi agreed to new procedures. Thereafter, the American ODP employed the same methods as nations that maintained diplomatic relations with the SRV: “U.S. Consular and Immigration officers” could henceforth go “directly to Ho Chi Minh City to conduct interviews in person.”⁹³ This change made the American ODP much more efficient, as UNHCR officials no longer needed to act as intermediaries in Ho Chi Minh City for U.S. officials stationed in Bangkok. Both Minh’s emigration and the July 16 announcement were clear Vietnamese efforts to court American favor.⁹⁴

It is within this context of compromise and political goodwill that Vessey made his first trip to Vietnam in late July 1987. Before his departure, the desirability and goals

⁹¹ Ibid.

⁹² July 16, 1987, “Break through with Vietnamese ODP” Memo, “Vietnam: Orderly Departure Program, 1978-1988” Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society; July 16, 1987, Press Release “Vietnam Resumes Immigration Program; Boschwitz Pleased,” “Vietnam: Orderly Departure Program, 1978-1988” Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society.

⁹³ November 14, 1987, Remarks by Robert Funseth, Senior Deputy Assistant Secretary of State, Bureau for Refugee Programs, Department of State, at the Annual Dinner Meeting of the Families of Vietnamese Political Prisoners Association, FVPPAC Box 134, Folder 15A, VCA.

⁹⁴ Sutter, *The Indochinese Refugee Dilemma*, 70.

of Vessey's mission sparked a great deal of discussion in Congress. There was very little debate. Every Senator that had the floor on July 28, 1987, spoke favorably about Vessey's imminent departure and agreed on the scope of Vessey's mission, arguing that he should seek cooperation not only on POW/MIA accounting but also the ODP, emigration of Amerasians and release and resettlement of reeducation detainees.⁹⁵ As U.S. policymakers had done for years, U.S. officials supported this four-part definition of "humanitarian" and insisted Hanoi address each issue apart from political concerns.

Vietnam Veteran and former POW John McCain began the discussion of the Vessey mission. "In my discussions with General Vessey...he told me the best way Congress could assist him," McCain explained, "would be a resolution which gave the Vietnamese a clear signal" of the "united and undivided support of an early resolution to the humanitarian issues that exist between ourselves and Hanoi."⁹⁶ After spending the majority of his time discussing the POW/MIA issue, McCain explained "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, and the rejuvenation of emigration procedures for those wishing to leave Vietnam."⁹⁷

Other Senators defined Vessey's mission in the same way. Claiborne Pell (D-RI), depicted Vessey's mission as centering on "our missing in action" and the "other humanitarian issues affecting the United States and Vietnam—the release and resettlement of so-called reeducation camp prisoners...the need for improved

⁹⁵ On the inclusion of Amerasians in preparations for Vessey's mission see Lipman, "The Face is a Roadmap", 45, DeMonaco, "Disorderly Departure," 676.

⁹⁶ Congressional Record—Senate, July 28, 1987, S10727.

⁹⁷ Congressional Record—Senate, July 28, 1987, S10728.

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.”⁹⁸ Pell took special care to elaborate on the reeducation camp issue, mentioning FVPPA by name and describing Hanoi’s reeducation policy as a “black mark on the image that Vietnam seeks to present to the rest of the world.”⁹⁹ When Senator Mark Hatfield (R-OR) stepped to the podium, he used the language of family, especially the pains of family separation, to justify his support: “Hundreds of brave families in this country—whose husbands and fathers, whose sons and brothers remain unaccounted for—live everyday 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...the nightmare is not the unknown but the known.”¹⁰⁰ Rudy Boschwitz, the only former refugee then serving in the U.S. Senate, Bob Dole, Dennis DeConcini (D-AZ), and Alan Cranston (D-CA) all also raised in support of the four-part definition of Vessey’s mission.¹⁰¹ The fact that the Senators so consistently and passionately included reeducation camp prisoners even though the issue had been stuck at an impasse for over three years clearly owed much to FVPPA’s tireless efforts.

“The Vietnam War ended more than 12 years ago,” Senator Hatfield somberly noted, “but its human ghosts continue to haunt us.”¹⁰² While scholars have long noted the nightmares created by the “Vietnam syndrome,” and Michael Allen and Edwin Martini have expertly shown the way the POW/MIA cause continued to haunt U.S. policymakers,

⁹⁸ Congressional Record—Senate, July 28, 1987, S10729.

⁹⁹ Congressional Record—Senate, July 28, 1987, S10729.

¹⁰⁰ Congressional Record—Senate, July 28, 1987, S10733.

¹⁰¹ See also Lipman, “The Face is a Roadmap,” 45.

¹⁰² Congressional Record—Senate, July 28, 1987, S10733.

scholars have yet to fully wrestle with the Amerasian and Vietnamese ghosts. Although never occupying as central of a place in the American memory of the war as POW/MIAs, Amerasians, reeducation camp detainees and Indochinese refugees more broadly inspired a level of congressional consensus usually unheard of for a Vietnam related topic.¹⁰³

Because Hanoi coveted normalization more than Washington, U.S. policymakers were able to dictate the terms after 1987. American policymakers used this leverage to frame the U.S. in a positive light by depicting Washington as the champion of “humanitarian” causes while implying Hanoi remained interested in only “political” questions. On the one hand, the “humanitarian” label, especially as applied to the ODP, Amerasians and reeducation camp prisoners, had the backing of well-respected organizations like the UNHCR and the most renowned human rights NGO, Amnesty International. On the other hand, the American definition of “humanitarian” excluded many other issues that could have fallen under that umbrella, like the continued effects of Agent Orange, the presence of unexploded mines, aid for those disfigured by war and a host of other concerns that existed as a direct legacy of American involvement in Vietnam.¹⁰⁴

Human rights rhetoric thus became a language of power, a means through which American policymakers asserted the importance of their priorities and discredited Vietnamese aims and authority.¹⁰⁵ Human rights rhetoric also forged a consensus among unlikely allies. As Barbara Keys argues in her *Reclaiming American Virtue: The Human*

¹⁰³ The best recent book on the memory of the Vietnam War is: Viet Thanh Nguyen, *Nothing Ever Dies: Vietnam and the Memory of War* (Cambridge, M.A.: Harvard University Press, 2016).

¹⁰⁴ On diverging U.S.-Vietnamese definitions of “humanitarian” see Schulzinger, *A Time For Peace*, 33-34.

¹⁰⁵ See: Bradley R. Simpson, “Denying the First Right: The United States, Indonesia and the Ranking of Human Rights by the Carter Administration” *International History Review* 31.4 (2009): 798-826, especially 799.

Rights Revolution of the 1970s, the surge of the American human rights movement in the mid 1970s “became a way to heal the country by taming the legacy of Vietnam.”¹⁰⁶ Keys and others have demonstrated that human rights rhetoric appealed to those on both the left and the right—to those that saw “human rights promotion” as “an antidote to shame and guilt” inspired by the Vietnam War and to those “who felt the war had been a just and necessary cause” and needed a new way to “reassert the fundamental immorality of communism” and “revive Cold War priorities.”¹⁰⁷

For some, like Ted Kennedy, efforts to reunite American and Vietnamese families seemed a logical, morally sound way to begin to chart a new U.S. policy in Indochina and pursue postwar reconciliation. For others, especially White House policymakers during the Reagan years, humanitarian language served as an appealing, broad way to sell policies aimed to serve much more specific geopolitical ends. As Yen Le Espiritu and Heather Marie Stur have argued, these policymakers used refugees both as “evidence of the appropriateness of U.S. actions in Vietnam” and as “part of a larger American effort to rehabilitate its image of itself as a benevolent power.”¹⁰⁸ Because of the wide range of officials involved in crafting U.S. normalization policy and the disparate uses of human rights rhetoric, it is likely that U.S. policymakers supported a “humanitarian” approach to post-1975 U.S.-Vietnamese relations for different or even opposing reasons.

¹⁰⁶ Barbara J. Keys, *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* (Harvard University Press, 2014), 3.

¹⁰⁷ Keys, *Reclaiming American Virtue*, 3. Keys devotes a chapter to liberal [ch 4] and conservative [ch45] uses of human rights in her *Reclaiming American Virtue*. For conservative embrace of human rights see also: Carl J. Bon Tempo, “From the Center-Right: Freedom House and Human Rights in the 1970s and 1980s,” in Akira Iriya, Petra Goedde, and William I Hitchcock, eds., *The Human Rights Revolution: an International History*, (Oxford University Press, 2012), 223-244.

¹⁰⁸ Yen Le Espiritu, *Body Counts: The Vietnam War and Militarized Refuge(es)* (University of California Press, 2014), 2; Heather Marie Stur. “‘Hiding Behind the Humanitarian Label’: Refugees, Repatriates, and the Rebuilding of America’s Benevolent Image after the Vietnam War.” *Diplomatic History* 39:2 (April 2015): 224.

Regardless of policymakers' intentions, however, in retrospect, Vessey's mission marked a significant thaw in U.S.-Vietnamese relations. The General was the highest-ranking U.S. official that had been on Vietnamese soil in over a decade and he also brought a letter from President Reagan.¹⁰⁹ During this initial Vessey delegation, Hanoi emphasized "humanitarian reciprocity" and secured a commitment from Vessey that the U.S. government would permit NGOs to send limited medical supplies to Vietnam.¹¹⁰ Vessey and Thach also signed "an agreement calling for the resumption of U.S.-Vietnamese cooperation on searching for MIAs."¹¹¹ In the year and a half following Vessey's mission—the last eighteen months of Reagan's presidency—Vietnam repatriated the remains of seventy Americans, more than three times the amount in Reagan's entire first term.¹¹² In addition to progress on POW/MIA accounting, the United States also "got a commitment from Thach to move forward on the Amerasian issue, with an early technical meeting on that subject."¹¹³

Additional progress quickly followed on the heels of Vessey's visit. On August 17, the SRV announced that "on the occasion of the coming of National Day (Sept. 2)" it would "release, or reduce the detention terms of persons in prisons or in reeducation camps."¹¹⁴ On September 2, Hanoi released 480 prisoners who were "military and

¹⁰⁹ July 27, 1987, Letter from Reagan to Vo Chi Cong, Chairman of the Council of State Socialist Republic of Vietnam, folder "POW/MIA: U.S.-Vietnam Negotiations (5 of 6)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library; Schlesinger, *A Time for Peace*, 33; Allen, *Until the Last Man Comes Home*, 258.

¹¹⁰ August 3, 1987, "POW/MIA Talks: Day One" From General Vessey, folder "POW/MIA: U.S.-Vietnam Negotiations (5 of 6)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

¹¹¹ Schlesinger, *A Time for Peace*, 34.

¹¹² Allen, *Until the Last Man Comes Home*, 244.

¹¹³ August 3, 1987, "Vessey Negotiations in Hanoi," folder "POW/MIA: U.S.-Vietnam Negotiations (5 of 6)," RAC Box 16, Richard T. Childress Files, Ronald Reagan Library

¹¹⁴ "Amnesty Granted on National Day" August 17, 1987, SRV Permanent Mission to the UN Press Release, Ginetta Sagan Papers, Box 348, Hoover Institution Archives.

civilian personnel of the toppled South Vietnamese regime.”¹¹⁵ Although very modest numerically speaking, the gesture was significant because, as historian Robert Schulzinger notes, even after Vessey’s mission, the American insistence that Vietnam “release more people interned in reeducation camps” remained “the most sensitive issue for the Vietnamese.”¹¹⁶ FVPPA wrote to its Congressional and State Department friends that the release, was “‘too late, too little,’ particularly in view of the tens of thousands who remained incarcerated.”¹¹⁷ Others agreed, and Congress immediately passed a resolution calling for the rest of the prisoners’ release.¹¹⁸ Yet, as Tho admitted, the move did “represent a major step forward in the way the Vietnamese authorities deal with the issue of political prisoners.”¹¹⁹

While the modest release did not receive widespread attention throughout the American press, the announcement sparked interest in areas of the country with high Vietnamese populations. The *San Jose Mercury News*, for example, ran a series of articles on the subject. The first explained “when the Vietnam War ended, most of the world just wanted to forget,” and only a select few labored to keep the reeducation camp issue before the public eye.¹²⁰ “At the forefront of the effort to free the prisoners,” the article continued, “are people such as human rights activist Ginetta Sagan” and “Khuc

¹¹⁵ “A few work to keep issue alive” Dennis Rockstroh, *San Jose Mercury News*, A Mercury News Special Report, Sunday October 11, 1987, Ginetta Sagan Papers, Box 158, Hoover Institution Archives.

¹¹⁶ Schultzinger, *A Time for Peace*, 39.

¹¹⁷ September 21, 1987, Letter from Tho to Senator Edward M. Kennedy, Chairman, Subcommittee on Immigration and Refugee Affairs, FVPPAC U.S. Senate Box 127 Folder 40, VCA.

¹¹⁸ September 9, 1987 Dear Colleague letter from Robert K. Dornan, “CoSponsor Bipartisan Human Rights Efforts on Behalf of Vietnamese Political Prisoners,” FVPPAC, Box 149 Folder 41, VCA.

¹¹⁹ September 21, 1987, Letter from Tho to Senator Edward M. Kennedy, Chairman, Subcommittee on Immigration and Refugee Affairs, FVPPAC U.S. Senate Box 127 Folder 40, VCA.

¹²⁰ “A few work to keep issue alive” Dennis Rockstroh, *San Jose Mercury News*, A Mercury News Special Report, Sunday October 11, 1987, Ginetta Sagan Papers, Box 158, Hoover Institution Archives. See also: “Keeping the candle lit: Vietnam’s prisoner release is a tribute to perseverance by human rights activists” *San Jose Mercury News*, Tuesday October 20, 1987, Editorial, no author, Ginetta Sagan Papers, Box 72, Hoover Institution Archives.

Minh Tho.”¹²¹ The article included comments given by U.S. government officials on the importance of both women’s work. “She does very careful research,” Lawrence Kerr, a Vietnam specialist at the State Department said of Sagan, “I don’t know anyone in the government who knows more on the issue than she does.”¹²² “Tho’s group,” the article went on, “keeps case records on individual reeducation camp prisoners and their immediate relatives. Tho gets her information in letters from Vietnam as well as from released prisoners and the Vietnamese grapevine—which one State Department official said generally supplies better information than the U.S. government.”¹²³ Because the “Vietnamese grapevine” ran both ways, FVPPA especially played a crucial role by acting as a conduit of information between the American government and Vietnamese American community. By providing tireless advocacy, quality information, and amassing valuable transnational networks, both the Aurora Foundation and FVPPA played central roles in creating the awareness and momentum behind American advocacy on behalf of reeducation camp detainees.

Both organizations were also aware of the other. Although the west coast based Aurora Foundation and east coast based FVPPA operated in different regions and utilized mostly distinct transnational networks in the pre-internet era, the records of both NGOs contain evidence of their correspondence and mutual assistance. For example, in the spring of 1986 FVPPA hosted Sagan while she was in Washington, and Sagan made a personal donation to FVPPA on at least two occasions.¹²⁴ Moreover, the two sides

¹²¹ “A few work to keep issue alive” Dennis Rockstroh, *San Jose Mercury News*, A Mercury News Special Report, Sunday October 11, 1987.

¹²² Ibid.

¹²³ Ibid.

¹²⁴ May 2, 1986, Letter from Sagan to Tho, FVPPAC Box 127 Folder 24, VCA; January 26, 1987, Letter from Tho to Ms. Ginetta Sagan, FVPPAC Box 127 Folder 32, VCA.

exchanged information, with FVPPA sending Sagan their annual newsletter and assisting the Aurora Foundation in verifying their lists of former and current reeducation detainees, and Sagan sending FVPPA her organization's publications.¹²⁵ While it would be an exaggeration to describe the Aurora Foundation and FVPPA as close partners, they were, at the very least, allies that relied on each other when comparative advantage rendered it prudent.

In the wake of the modest September 1987 political prisoner release, FVPPA hosted a fundraising dinner on November 14th. Over 250 guests attended, including “many U.S. Congressmen, U.S. State Department officials, and several generals who had fought in Vietnam.”¹²⁶ The previous month, FVPPA sent a compilation of “Proposals to Expedite the Resettlement of Former Vietnamese Political Prisoners” to many of its friends in the U.S. government, and during his keynote address on November 14, Robert Funseth responded directly to each of FVPPA's proposals.¹²⁷ He vowed that he would continue his “steadfast efforts” on behalf of current and former political prisoners until they succeeded.¹²⁸ He also offered more than words, promising that the U.S. Congress would appropriate any and all funds necessary for the reeducation camp prisoners' (and their families') resettlement. Funseth even told FVPPA that the U.S. government would

¹²⁵ On Sagan's receipt of FVPPA's materials: FVPPA Special Issue, April 30, 1987 Ginetta Sagan Papers, Box 302, Hoover Institution Archives; FVPPA's “Proposals to Expedite the Resettlement of Former Vietnamese Political Prisoners” October 1, 1987, Ginetta Sagan Papers, Box 168, Hoover Institution Archives; “Special Issue 1988” FVPPA Newsletter, Ginetta Sagan Papers, Box 311, Hoover Institution Archives. On FVPPA's receipt of Sagan's materials: August 20, 1988 letter to Ginetta Sagan, FVPPAC, Box 128, Folder 8-2, VCA. On collaboration between the two: May 2, 1986, Letter from Sagan to Tho, FVPPAC Box 127 Folder 24, VCA; May 8, 1986, Letter to Ms. Ginetta Sagan, Executive Director, Aurora Foundation from Tho, FVPPAC, Box 127, folder 24, VCA; November 7, 1986, letter from Tho to Ginetta Sagan, FVPPAC Box 127 Folder 30, VCA.

¹²⁶ November 14, 1987, A Report on Activities, FVPPAC Box 149 Folder 69 Special Issue 1988, VCA.

¹²⁷ PROPOSALS TO EXPEDITE THE RESETTLEMENT OF FORMER VIETNAMESE POLITICAL PRISONERS, October 1, 1987, FVPPAC, Box 149, Folder 45, VCA.

¹²⁸ Ibid.

consider establishing a “bilateral program” with Vietnam for that purpose, if necessary. While he expressed faith that the refurbished ODP would be suitable and that a bilateral program would not be needed, his readiness to publically declare American willingness to establish a bilateral program demonstrates the weight U.S. policymakers attached to the cause by 1987.

Funseth’s presence and remarks were also a testament to the influence FVPPA had attained by late 1987. Michael Allen notes that the League of POW/MIA Families regularly enjoyed military transport—free of charge—to their annual meetings. Likewise, Ann Mills Griffiths, director of the National League of Families, remained the only non-governmental representative that wielded the security clearance and enough popular influence to earn the nickname “the fourth branch of government.”¹²⁹ Furthermore, throughout the 1980s either the President, Vice President, National Security Advisor, Chairman of the Joint Chiefs of Staff or Secretary of State gave the keynote address at the League’s annual meeting.¹³⁰ Certainly, FVPPA never enjoyed this magnitude of “official flattery,” but the turnaround they were able to achieve in such a short period of time is impressive.¹³¹

Three years after its official incorporation, FVPPA had the ears of key U.S. policymakers. Not only did those in the State Department and Congress listen when FVPPA offered proposals, officials met with FVPPA’s board on multiple occasions and general membership at events like the one on November 14th to discuss the Association’s

¹²⁹ Allen, *Until the Last Man Comes Home*, 234.

¹³⁰ Allen, *Until the Last Man Comes Home*, 232.

¹³¹ Allen, *Until the Last Man Comes Home*, 233.

ideas.¹³² Despite the increase in FVPPA's visibility and prestige, however, the reeducation camp issue remained far from resolved. When Funseth met with SRV leaders in December 1987, Hanoi said that they would allow former reeducation camp prisoners to emigrate through the ODP, but still failed to establish a separate program particularly for that purpose and in reality little changed.¹³³

In contrast, the United States and Hanoi quickly reached a compromise on terms for a separate Amerasian program. Although Vietnam permitted the reopening of the ODP in July 1987, that change did not impact the emigration of Amerasians, which American and Vietnamese policymakers were discussing separately. In September, the two sides reached a "Resettlement Accord."¹³⁴ Although an "agreement in principle" and not legally binding, the two sides consented to five terms that became the foundation for future Amerasian emigration. They agreed, first, to regard the Amerasian issue as a bilateral concern and, second, that American officials could thus be "*stationed directly* in Vietnam to conduct preliminary face-to-face interviews."¹³⁵ Third, in another American concession, the two sides established that Amerasians "must be given nonrefugee status."¹³⁶ While the Amerasians would travel under immigrant visas, they would still be eligible for refugee benefits once in the United States. The fourth point of consensus was that "family unity must be preserved," a clear critique of the much maligned 1982 Amerasian Immigration Act, which did not permit Vietnamese mothers to travel with

¹³² October 1, 1987, A Report of Activities, FVPPAC Box 149 Folder 69, VCA; October 26, 1987, A Report of Activities, FVPPAC Box 149 Folder 69, VCA.

¹³³ FUNSETH EXPRESSES SATISFACTION AND HOPE AFTER MEETING WITH VIETNAMESE IN GENEVA, December 3, 1987 Statement by Robert L. Funseth, Senior Deputy Assistant Secretary of State and Head of the U.S. Delegation to the Annual Consultative Meeting on the UNHCR Orderly Departure Program from Vietnam, Geneva, Switzerland, FVPPAC, Box 134, Folder 17, VCA.

¹³⁴ DeMonaco, "Disorderly Departure," 677.

¹³⁵ DeMonaco, "Disorderly Departure," 677. Italics in original.

¹³⁶ DeMonaco, "Disorderly Departure," 678.

their Amerasian children, a reality that virtually rendered the AIA useless for Vietnamese Amerasians. Finally, the two sides committed to “the need to expedite Amerasian processing” and the first new interviews began the following month.¹³⁷

While the Resettlement Accord represented a strong bilateral commitment to principles for a future program, the United States needed to adjust American laws to permit the new agreements to go into effect. In August, Representatives Mrazek and Thomas Ridge (R-PA) introduced legislation that would eventually be known as the Amerasian Homecoming Act (AHA). Because the bill aspired to obviate legal obstacles and make it easier for Amerasians *and* their close family members to emigrate, however, the Reagan administration and especially the Immigration and Naturalization Service (INS) worried about the high potential for fraud, and the bill languished in committee.¹³⁸ Mrazek, however, found an end around the problem. As a “junior member of the Appropriations Committee,” he attached the AHA to a budget bill that had to pass in order to keep the government running.¹³⁹ Because the AHA became part of a 1,194-page appropriations bill, President Reagan had no choice but to sign the bill into law in December 1987.¹⁴⁰ This congressional willingness to march out of step with the administration on issues pertaining to U.S.-Vietnamese relations was a harbinger of things to come.

The 1987 Amerasian Homecoming Act (AHA) was a dramatic improvement over the 1982 Amerasian Immigration Act. The AHA appropriated \$5 million for the

¹³⁷ DeMonaco, “Disorderly Departure,” 677, 78. Remarks by Robert Funseth, Senior Deputy Assistant Secretary of State, Bureau for Refugee Programs, Department of State, at the Annual Dinner Meeting of the Families of Vietnamese Political Prisoners Association, FVPPAC Box 134, Folder 15A, VCA.

¹³⁸ Thomas, *The Value of Dust*, 188.

¹³⁹ Thomas, *The Value of Dust*, 188; Levi, “Legacies of War,” 488.

¹⁴⁰ Thomas, *The Value of Dust*, 189.

emigration of Amerasians and their close family members over the next two years.¹⁴¹ True to the Resettlement Accord, the AHA “created a new Amerasian immigrant visa category for the ODP” that provided both legal immigrant status and entitlement to refugee benefits.¹⁴² The bill permitted all Amerasians fathered by Americans “born between January 1, 1962 and January 1, 1976” and their close family members to emigrate to the United States.¹⁴³ As Lipman explains, the “burden of proof” diminished under the AHA, which permitted “informal documents” and “physical appearance” to constitute “sufficient evidence” for exit visas.¹⁴⁴ Washington and Hanoi codified the principles agreed to in September 1987 in a formal bilateral agreement on March 21, 1988. By July, American officials interviewed 14,000 Amerasians and their close family members under the new program.¹⁴⁵

Although the United States and Vietnam made tangible, though varying, levels of progress with regards to those populations “of special humanitarian concern” *within* Vietnam’s borders, concerns for Indochinese that had fled Vietnamese sovereignty did not abate. In fact, as progress on POW/MIA, Amerasians, and reeducation camp prisoners improved after 1987, the “refugee problem” worsened. The same internal and international conditions that promoted greater Vietnamese cooperation with the United States also accelerated migrants’ flight. The SRV’s suspension of the ODP from January

¹⁴¹ DeMonaco, “Disorderly Departure,” 648.

¹⁴² DeMonaco, “Disorderly Departure,” 680.

¹⁴³ Levi, “Legacies of War,” 488; DeMonaco, “Disorderly Departure,” 680; Valverde, “From Dust to Gold,” 152; Thomas, *The Value of Dust*, 192. While it is possible that some Eurasians remained in Vietnam, Paris’ generous, long-term migration and citizenship policies make the presence of an extensive number unlikely. Moreover, France was one of the many resettlement countries participating in the multilateral ODP, so any Eurasians with ties to France would have likely pursued that possibility.

¹⁴⁴ Lipman, “The Face is a Roadmap,” 47.

¹⁴⁵ Thomas, *The Value of Dust*, 192; July 28, 1988, Gaston J. Sigur, Assistant Secretary of East Asian and Pacific Affairs, Current Policy Issue No. 1098, “Review of U.S.-Vietnam Issues” given before the Subcommittee on East Asian and Pacific Affairs of the House Foreign Affairs Committee, FVPPAC, Box 149, Folder 62, pg 13, VCA.

1986-July 1987 also removed, at the very same time, the only legal means of emigrating from Vietnam. As a result, “in mid-1987, Vietnamese arrivals began to climb again” as “thousands of southern Vietnamese had discovered a new route that took them through Cambodia then, via a short boat ride, to Thailand’s east coast.”¹⁴⁶ In March 1987 alone, the number of new arrivals was 300% more than the entire preceding *year*.¹⁴⁷ In June 1987, the number of new arrivals was six times higher than it had been the previous June.¹⁴⁸ Meanwhile, those seeking to escape from northern Vietnam took “another new route via southern China to Hong Kong. In 1988, more than 18,000 boat people poured into Hong Kong...by far the highest number since the crisis of 1979.”¹⁴⁹

The debate over refugee admissions numbers for FY 1988 took place within this atmosphere of worsening crisis. In late September 1987, the Senate Judiciary Committee wrote to President Reagan about his proposed refugee admissions. While the committee ultimately concurred in the President’s recommendations—a process required by the Refugee Act of 1980—they attached a number of “recommendations and requirements.”¹⁵⁰ The committee made clear that that they believed U.S. refugee policy “was at a crucial juncture” in Southeast Asia and lamented the lack of “new initiatives” to “deal with the continuing flow of Southeast Asian refugees—especially voluntary

¹⁴⁶ “Flight From Indochina” in UNHCR, *State of the World’s Refugees 2000: Fifty Years of Humanitarian Action*, January 1, 2000, e-book: <http://www.unhcr.org/en-us/publications/sowr/4a4c754a9/state-worlds-refugees-2000-fifty-years-humanitarian-action.html>, 88.

¹⁴⁷ “Testimony of Roger Winter, Director, U.S. Committee for Refugees” February 24, 1988, Before the House of Representative Subcommittee on Asian and Pacific Affairs, Press Release from the U.S. Committee for Refugees, Ginetta Sagan Papers, Box 327, Hoover Institution Archives.

¹⁴⁸ *Ibid.*

¹⁴⁹ UNHCR, “Flight From Indochina,” 88.

¹⁵⁰ September 29, 1987, Letter from the Senate Judiciary Committee to President Reagan, Admissions Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society.

repatriation and local settlement.”¹⁵¹

The committee’s willingness to entertain voluntary repatriation marked a major departure from previous American policy. Throughout the late 1970s and 1980s, American policymakers argued—based on Amnesty International and Aurora Foundation publications—that human rights violations in Vietnam were severe enough to remove repatriation as a viable alternative to resettlement abroad. While the Senate Judiciary Committee ultimately concurred in the Reagan administration’s allocation of 29,500 slots (out of a 72,500 total ceiling) for refugees from Southeast Asia, the committee requested that “only half” of the numbers be utilized “before further mid-year consultations with the Committee.”¹⁵² Many other Senators disagreed with the committee’s support for “new initiatives,” including repatriation, and made their position known in a separate letter to the Commander in Chief.¹⁵³

The Senate sent Reagan an even stronger message when it passed the Hatfield Amendment on October 7, 1987. A resolution to the State Department authorization bill, the Hatfield Amendment made a three-year commitment to Indochinese refugees by establishing an admissions “floor” of 28,000 for FY 1988-1990.¹⁵⁴ Known formally as the Indochinese Refugee Resettlement and Protection Act of 1987, the Hatfield Amendment disregarded the possibility of repatriation given “the continued occupation of

¹⁵¹ Ibid.

¹⁵² Ibid.

¹⁵³ October 9, 1987, Dear Colleague Letter, Admissions Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society. See also: October 16, 1987, Letter from 16 Senators to President Reagan, Admissions Folder, Legislative Assistant Files, Box 31, Minnesota Historical Society Archives. Minnesota Historical Society; September 29, 1987, Letter from Senator Alan Simpson to Secretary of State George Shultz, Admissions Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society;

¹⁵⁴ October 7, 1989, Congressional Record, Vol. 133 No 156, Boschwitz Remarks, Hatfield Amendment Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society; Sutter, *Indochinese Refugee Dilemma*, 173.

Cambodia by Vietnam and the instability of the governments of Vietnam, Cambodia and Laos,” which, the Senators argued, made the possibility of “safe repatriation...negligible for the foreseeable future.”¹⁵⁵ The strong disagreement among United States Senators regarding the desirability and possibility of forced repatriation foreshadowed what would become open rifts over the topic in the Bush and Clinton administrations.

While the discussion of repatriation clearly cast the blame for the refugee situation at Vietnam’s feet, the Hatfield Amendment also conceded American responsibility to help the refugees. “Because of our past military and political involvement in the region,” the amendment argued, “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.”¹⁵⁶ That the bill passed by a 66-33 vote demonstrates the longevity of President Ford’s original argument about a “profound moral obligation” to Indochinese refugees and the continuing persuasiveness of the claim that those fleeing Indochina deserved refugee status.¹⁵⁷ As Senator Boschwitz put it in his statement in support of the act: “We have a special relationship and historic responsibility toward Southeast Asian refugees. Many of them are perhaps refugees even because of our actions.”¹⁵⁸

¹⁵⁵ “Indochinese Refugee Resettlement and protection Act of 1987.” October 7, 1987, Hatfield Amendment Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society, Section 702-1.

¹⁵⁶ Ibid, Section 702-2.

¹⁵⁷ October 8, 1987 Press Release “Resolution Demonstrating U.S. Commitment to Refugees Passes Senate” Hatfield Amendment Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society.

¹⁵⁸ October 7, 1989, Congressional Record, Vol. 133 No 156, Boschwitz Remarks, Hatfield Amendment Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society.

1988: The Limits of Cooperation

The ongoing boat people crisis continued to worsen. As Sara Davies explains, “if 1987 marked the beginning of the second major increase in the number of Vietnamese boat people... then 1988 marked the year when panic set in.”¹⁵⁹ By February, Thailand began a “push-back” policy, reminiscent of its actions during the apex of the oceanic refugee numbers during the Carter administration.¹⁶⁰ That same month, Roger Winter, the President of the U.S. Committee for Refugees testified before Congress about a major “failure... of the United States to lead the world community.”¹⁶¹ Other powerful NGOs like the American Jewish Committee and Indochina Action Resource Center made similar statements.¹⁶² In another echo from the Carter administration, these initial calls for heightened awareness and international leadership went unheeded for over a year. Like his two predecessors, therefore, President Bush inherited an unwieldy and exigent boat people crisis.

In the midst of the lack of an adequate response to the growing oceanic refugee numbers, the United States and Vietnam continued to take small steps throughout 1988 to resolve the reeducation camp issue. In February, Vice Minister Phan Quang announced the release of “6,406 people held in jail and reeducation camps, including 1,014 officers

¹⁵⁹ Davies, *Legitimising Rejection*, 189.

¹⁶⁰ February 25, 1988, Letter from Senator Boschwitz to President Reagan, Refugees and Immigrants Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society.

¹⁶¹ “Testimony of Roger Winter, Director, U.S. Committee for Refugees” February 24, 1988, Before the House of Representative Subcommittee on Asian and Pacific Affairs, Press Release from the U.S. Committee for Refugees, Ginetta Sagan Papers, Box 327, Hoover Institution Archives.

¹⁶² February 19, 1988, “Joint Statement on Refugee Admissions by The American Jewish Committee and the Indochina Action Resource Center,” folder “Emergency Refugee Consultations (1 of 6),” Box 1, A. Blair Dorminey Files, Office of Domestic Affairs 1978-1988, Ronald Reagan Library

and supporters of the former South Vietnamese government arrested in 1975.”¹⁶³ Quang further specified that more than 500 of the 1,014 were “former members of the South Vietnamese army, including 11 generals, 121 colonels, 35 Catholic, Protestant and Buddhist military chaplains.”¹⁶⁴

While the release numbers were a vast improvement over the previous year, the difference between physical release from a reeducation camp and the ability to resettle in the United States remained vast. Logistical, bureaucratic, financial and legal obstacles all made the transition from the former to the latter a time-consuming, difficult undertaking. FVPPA therefore barely took time to celebrate the announcement before writing its friends in Congress to request “a resolution for an expeditious processing of all released prisoners for resettlement in the U.S.,” similar to the “program for Amerasian children.”¹⁶⁵ Tho expressed a keen sense of gratitude for U.S. policymakers’ efforts on behalf of Vietnamese reeducation camp prisoners, especially given that her husband “was among the group most recently released.”¹⁶⁶ Tho’s enthusiasm, however, was tempered by the reality that release was only half of FVPPA’s mission. As Tho put it: “the ultimate goal of our Association will not be reached until all prisoners are released and reunited with their families either in the United States or in other countries.”¹⁶⁷

FVPPA’s friends in the State Department and Congress soon made similar appeals. Senator Boschwitz wrote to President Reagan, urging him to “take advantage of

¹⁶³ “VNA Announces Release of Former Officials” 11 February 1988, Ginetta Saagn Papers, Box 68, Hoover Institution Archives.

¹⁶⁴ Ibid.

¹⁶⁵ February 10, 1988 template letter, FVPPAC, Box 128, Folder 2, VCA. See also: April 27, 1988, Letter from Tho to The Honorable Rudy Boschwitz, United States Senate, FVPPAC, Box 128 Folder 4, VCA.

¹⁶⁶ March 2, 1988 letter send to many members of House and Senate, FVPPAC, Box 128, folder 3A, VCA.

¹⁶⁷ March 3, 1988, Letter from Tho to The Honorable Robert L. Funseth, Senior Deputy Assistant Secretary, Bureau for Refugee Programs, US Department of State, FVPPAC, Box 128 Folder 3A, VCA.

this ‘glasnost sentiment,’” adding “perhaps we could give them [former reeducation detainees] a blanket humanitarian parole or provide some other avenue to bring them and their families here as soon as possible.”¹⁶⁸ Senators Kennedy and Pell also wrote to Secretary Shultz to explain, “the families of these men are relieved...but they are concerned that no special initiatives are being made to expedite their movement from Vietnam.”¹⁶⁹ Just as the sacrifice and suffering of POW/MIA families served to justify the high priority U.S. officials awarded to POW/MIA accounting, U.S. policymakers also used the pains of family separation to justify calls for action on the reeducation camp issue.¹⁷⁰ “We believe now is the time,” the two powerful Senators continued, “for you to renew the offer that you made four years ago -- to make clear in whatever appropriate manner that the former reeducation camp prisoners should be assisted in coming to the U.S. with their families through the ODP program. You may be assured that we are prepared to assist in this humanitarian task in any way possible.”¹⁷¹ The Senate Foreign Relations Committee also wrote Shultz in May to make the same point, arguing that “budgetary constraints...should have no bearing on our readiness to receive these prisoners for whose release we have been pressing for so many years.”¹⁷²

In addition to writing passionate letters, powerful members of Congress also proposed structural changes in U.S.-Vietnamese relations. In March 1988, Senators John

¹⁶⁸ February 25, 1988, Letter from Senator Boschwitz to President Reagan, Refugees and Immigrants Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society.

¹⁶⁹ March 7, 1988, Letter from Kennedy and Pell to Secretary of State Shultz, FVPPAC Box 128, Folder 3A, VCA. See also: April 19, 1988, Letter from Senator Barbara A. Mikulski and others to General Secretary of SRV, FVPPAC, Box 149, Folder 69A, p. 41, VCA.

¹⁷⁰ Allen, *Until the Last Man Comes Home*, 232.

¹⁷¹ March 7, 1988, Letter from Kennedy and Pell to Secretary of State Shultz, FVPPAC Box 128, Folder 3A, VCA.

¹⁷² May 23, 1988, Letter from Senate Foreign Relations Committee to Secretary of State Shultz, FVPPAC, Box 149, Folder 69A, VCA.

McCain and Thomas Ridge, both Vietnam veterans, proposed the creation of “interest sections.”¹⁷³ As an article in *Indochina Issues* explained, McCain “dramatically announced the interests sections proposal to a press conference on the fifteenth anniversary of his release from harsh imprisonment as a prisoner of war in Vietnam.”¹⁷⁴ Interest sections, a “seldom-used diplomatic device,” would be an “informal” way to “help regularize communications and develop mutual confidence in addressing bilateral issues,” McCain argued, though he emphasized that “such arrangements fall short of diplomatic relations.”¹⁷⁵ The idea received strong support in the Senate and House, and added further weight to a growing Congressional push to strengthen U.S.-Vietnamese ties.¹⁷⁶ Hanoi also “quickly endorsed the plan” and announced that it planned to withdraw 50,000 of its troops from Cambodia by December 1988, a move clearly intended, as Michael Allen has argued, to show “flexibility on the other major hurdle to normalization with the United States...and signaling its determination to end Vietnam’s international isolation.”¹⁷⁷

U.S. policymakers took notice. In May of 1988 Reagan approved a National Security Study Directive (NSDD) for U.S. policy towards Indochina.¹⁷⁸ “In light of recent developments that could potentially affect United States interests in the region,” a

¹⁷³ Allen, *Until the Last Man Comes Home*, 259. On Hanoi’s encouragement of interest sections: April 8, 1988, Letter to Vessey from Nguyen Binh Thanh, folder “POW/MIA: U.S.-Vietnam Negotiations (5 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

¹⁷⁴ *Indochina Issues* 81, May 1988, “US and Vietnam: Converging Interests?” Indochina Project, Ginetta Sagan Papers, Box 309, Hoover Institution Archives.

¹⁷⁵ *Ibid.*

¹⁷⁶ See, for example Senator Larry Pressler’s *NY Times* op-ed: Larry Pressler, “We Can’t Isolate Vietnam Forever,” *New York Times*, 23 May 1988: A.19.

¹⁷⁷ Allen, *Until the Last Man Comes Home*, 259.

¹⁷⁸ May 19, 1988, “United States Policy Toward Indochina,” Memorandum from Colin Powell to The President, Folder, “NSSD 1-88 – United States Policy Towards Indochina,” Box 8890428, 1988 System II case files: National Security Affairs, Office of the Assistant to the President: Chron File: Records, 1981-1989, Ronald Reagan Library.

White House memorandum explained, the NSDD would provide an opportunity to review U.S. policy with “all three Indochinese states, with particular focus on the Cambodian policy.”¹⁷⁹ The review also included an examination of “the current status of our efforts to achieve POW/MIA accounting and other humanitarian objectives (political prisoners, Amerasians, Orderly Departure Program (ODP.))”¹⁸⁰

U.S.-SRV negotiations on the release and resettlement of reeducation camp detainees also turned a corner in July 1988. Although U.S. policymakers consistently mentioned the issue for years, it was not until 1988 that Washington and Hanoi had bilateral talks earmarked solely for discussing reeducation camp detainees. Robert Funseth met with Vice Foreign Minister Tran Quang Co for what a joint-press release called “two days of frank, friendly and constructive talks.”¹⁸¹ Like U.S.-Vietnamese talks on Amerasian emigration, these first bilateral negotiations led to an agreement in principle. Funseth “reaffirmed” American willingness to receive “released reeducation centre detainees who were closely associated with the United States or its allies...along with their close family members” and Co “reaffirmed...that released detainees and their close family members would be permitted to emigrate overseas if they so desired.”¹⁸² In addition to mutual commitment to the political prisoners’ emigration in the abstract, the biggest issue the July 1988 meeting resolved was the Vietnamese concern about former detainees launching any activities against Hanoi.

¹⁷⁹ May 23, 1988, “United States Policy Toward Indochina,” White House Secret Memorandum, folder “NSDD 319 – United States Policy Towards Indochina,” Box 8890850, 1988 System II case files: National Security Affairs, Office of the Assistant to the President: Chron File: Records, 1981-1989, Ronald Reagan Library.

¹⁸⁰ Ibid.

¹⁸¹ July 15, 1988, “Joint Press Statement: Talks on Reeducation Camp Detainees Concluded,” FVPPAC, Box 149 Folder 62, VCA.

¹⁸² Ibid.

Funseth and the American delegation made as many promises as American law allowed. As the joint-press statement explained: “The U.S. delegation declared the released re-education centre detainees coming to the United States would be subject to U.S. laws, including those affecting the activities of U.S. residents toward other countries.”¹⁸³ Moreover, “the United States delegation reaffirmed that the United States has not encouraged nor does it have any intention of encouraging, or using released detainees to engage in any illegal activities hostile or harmful to Vietnam—and is opposed to any such activities.”¹⁸⁴ In addition to resolving what had been a major obstacle of reeducation emigration, the joint-press release declared that the two sides “discussed ways and means to expedite the processing of applications” but “agreed that additional exchanges of views would be required.”¹⁸⁵

Progress on the Amerasian, reeducation camp prisoner, POW/MIA, and ODP issues beginning in 1987, coupled with Vietnam’s withdrawal of 50,000 troops from Cambodia, fueled the optimism of those that hoped for U.S.-Vietnamese normalization. These larger forces also prompted serious discussion about the proposed “interest sections,” which led to congressional hearings in late July 1988. During the hearings, Gaston J. Sigur, the Assistant Secretary of State for East Asian and Pacific Affairs denounced the proposal. “Our support for efforts to end the Cambodian conflict,” Sigur explained, rested upon “our active adherence to the diplomatic and economic isolation of Vietnam as a way of driving home to Hanoi the costs of its Cambodian policies and the need to contribute to

¹⁸³ Ibid.

¹⁸⁴ Ibid.

¹⁸⁵ Ibid.

ending that conflict.”¹⁸⁶ Sigur also rejected the idea that interest sections “would facilitate the resolution” of humanitarian issues by “increasing communication and cooperation between the United States and Vietnam.”¹⁸⁷ It is in this context that Sigur claimed, “the United States has more contact with the Vietnamese on operational and policy levels than any other Western nation, including those which maintain diplomatic relations.”¹⁸⁸

While the White House, State Department and Department of Defense opposed interest sections, high ranking Republicans in Congress still supported the move.¹⁸⁹ Clearly, the Republicans in Congress and the Republican in the White House had strong disagreements about the best way forward for U.S.-Vietnamese relations.

Furthermore, to anyone paying close enough attention, Sigur offered Congress a self-defeating argument. He criticized interest sections by arguing, simultaneously, that they would defeat American efforts to completely isolate Hanoi *and* that interest sections were superfluous because Washington and Hanoi already had more contact than nations that maintained diplomatic relations. Despite Sigur’s suggestion otherwise, the two arguments were mutually exclusive. The distinction U.S. policymakers drew between “humanitarian” and “political” issues was nebulous at best, and the close contact and frequent cooperation between Hanoi and Washington on “humanitarian” questions advanced the political relationship by establishing institutional, personal, and operational

¹⁸⁶ July 28, 1988, Gaston J. Sigur, Assistant Secretary of East Asian and Pacific Affairs, Current Policy Issue No. 1098, “Review of U.S.-Vietnam Issues” given before the Subcommittee on East Asian and Pacific Affairs of the House Foreign Affairs Committee, FVPPAC, Box 149, Folder 62, VCA.

¹⁸⁷ Ibid.

¹⁸⁸ Ibid.

¹⁸⁹ June 3, 1988, NSC Memorandum for Ronald K. Peterson from Paul Schott Stevens, “State Department Report on H. Con. Res. 217...Interest Sections” CO172 Vietnam (560000-599999) WHORM Subject File, Ronald Reagan Library; July 25, 1988, Legislative Memorandum “Defense draft testimony on H. Con. Res. 271...” Dr. Karl Jackson, CO172 Vietnam (560000-599999) WHORM Subject File, Ronald Reagan Library.

ties.¹⁹⁰ Whether or not U.S. policymakers were willing to admit it, progress on humanitarian questions was normalizing U.S.-Vietnamese relations even as official normalization talks remained suspended.

Michael Allen suggests that Sigur might have offered such a contradictory argument because he wanted to obscure the real reason for the administration's caution: opposition from the National League of POW/MIA Families.¹⁹¹ While some MIA activists supported Vessey's mission and applauded the upswing in the return of remains, others viewed repatriation as failure. As Allen explains, "every MIA identified meant one less live POW, and committed activists saw the return and identification of remains not as an account so much as a death sentence."¹⁹² To make matters more complicated, there was also a "Rambo faction in Congress," that argued Vietnamese leaders were swindling American officials too eager to move on from the Vietnam War.¹⁹³ Allen argues that Reagan's "political instincts...made it impossible for him to confront the League," and thus "over his last two years in office" Reagan's "stance toward Vietnam vacillated" as the administration tried to "show progress on the MIA issue without further alienating MIA activists."¹⁹⁴

If Sigur's testimony satisfied the League, it seemed tone deaf to the Vietnamese. Hanoi immediately launched a formal protest, arguing that despite its increased cooperation with humanitarian issues, "the U.S. State Department obviously advocates a continuation of its hostile policy vis-à-vis Vietnam. Running counter to the aspirations of

¹⁹⁰ Sutter, *The Indochinese Refugee Dilemma*, 70.

¹⁹¹ Allen, *Until the Last Man Comes Home*, 259.

¹⁹² Allen, *Until the Last Man Comes Home*, 244-5.

¹⁹³ Schulzinger, *A Time For Peace*, 37, see 34-41.

¹⁹⁴ Allen, *Until the Last Man Comes Home*, 259.

the American people and Congress, this policy obstructs a settlement of humanitarian questions of concern to the two sides and the problem of Kampuchea.”¹⁹⁵ In early August, Hanoi officially suspended its cooperation with the United States on the MIA and reeducation camp issues. When explaining the Vietnamese decision in a letter to Vessey, Thach cited Sigur’s testimony directly, noting Sigur’s remarks “caused indignation of the Vietnamese people and created obstructions to the implementation of the agreement between you and myself.” “While with goodwill we are trying seriously solve humanitarian issues brought forth by the United States,” the letter continued, but “in response to that the U.S. side has unfortunately come up with a number of hostile statements.”¹⁹⁶ Thach’s announcement prompted Senators McCain and Boschwitz to withdraw their support for interest sections, and the proposal died without implementation.¹⁹⁷

Over the same months, oceanic migrants fled Vietnam at accelerated rates. The number that reached nations of first asylum in 1988 almost doubled 1987 arrivals, and the increase in refugee numbers “was accompanied by alarming incidences...of violence, including pushbacks, deaths, rape, and abduction.”¹⁹⁸ As new arrivals spiked, the long-stayer population remained over 145,000.¹⁹⁹ Despite all of the progress of the preceding

¹⁹⁵ July 28, 1988, “Vietnamese Protest A/S Sigur’s July 28,” folder “POW/MIA: U.S.-Vietnam Negotiations (6 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library.

¹⁹⁶ August 2, 1988 “Vietnamese Suspend Joint Excavation and Resettlement of Re-ed Inmates,” folder “POW/MIA: U.S.-Vietnam Negotiations (6 of 6),” RAC Box 16, Richard T. Childress Files, Ronald Reagan Library. See also: Robert Pear, “Criticizing U.S., Hanoi Withdraws Offer to Help Account for Missing,” *New York Times*, 4 August 1988, A8. See also: August 20, 1988 letter to Ginetta Sagan, FVPPAC, Box 128, Folder 8-2, VCA.

¹⁹⁷ October 21, 1988, Letter from Rudy Boschwitz to Honorable Nguyen Co Thach, “Vietnam: Orderly Departure Program, 1978-1988” Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society.

¹⁹⁸ Sutter, *The Indochinese Refugee Dilemma*, 68.

¹⁹⁹ September 1988 Report to Congress, Proposed Refugee Admissions for Fiscal Year 1989, U.S. Coordinator for Refugees, FVPPAC, Box 143, Folder 1, VCA.

years, the status of first asylum in Southeast Asia, the possibility of providing a “full accounting” of POW/MIAs, and the emigration of former reeducation camp detainees all remained in doubt as George H. W. Bush began preparing to occupy the Oval Office.

Conclusion

Throughout Reagan’s second term, issues that American policymakers labeled as “humanitarian” became the basis for ongoing U.S.-SRV relations. Each of the “humanitarian” issues—POW/MIA accounting, ODP processing, Amerasian emigration and the release and resettlement of reeducation detainees—concerned family reunification between individuals in the United States and Vietnam. Thanks to the National League of POW/MIA Families, the Families of Vietnamese Political Prisoners Association and longstanding trends in U.S. immigration policy, family reunification-based “humanitarian” issues became the basis of U.S.-Vietnamese relations in the late 1980s. Successful pursuit of each of these American objectives, however, relied entirely on Vietnamese cooperation.

In the first few years of Reagan’s first term, the Vietnamese used this leverage mostly to frustrate American efforts. Hanoi suspended ODP interviews and refused to release or allow the emigration of reeducation camp detainees. While Hanoi did show some flexibility regarding Amerasians and POW/MIAs, Vietnamese overtures reflected Hanoi’s national interest more so than any eagerness to please or willingness to work with Americans. Despite Hanoi’s unwillingness to budge on the political prisoner issue, FVPPA doubled down on its lobbying and networking efforts. While official talks on the subject remained frozen, the Association solidified its position as a formidable, if focused, political force.

In 1987, political winds shifted U.S.-SRV relations considerably. Thanks to events completely out of American control, Vietnamese policymakers once again coveted normalization, a change that played directly into American policymakers' hands. U.S. leaders demanded that the two sides address "humanitarian" issues before discussing "political" questions. Hanoi reinstated ODP interviewing, and permitted U.S. officials to be stationed directly in the former South Vietnamese capitol. The fact that U.S. consular and INS officers operated in Ho Chi Minh City, in some ways, made a mockery of the lack of diplomatic relations between the two nations. Yet, because the officers were there for "humanitarian" and not "political" reasons, U.S. officials like Gaston Sigur could suggest that the United States still maintained its efforts to diplomatically isolate Hanoi.

After 1987, the two sides negotiated on an increasingly bilateral basis. Rather than meet in Geneva under UNHCR auspices or at United Nations meetings in New York, U.S. officials flew directly to Hanoi and Ho Chi Minh City to have bilateral discussions. By the end of Reagan's second term, American officials were conducting extensive excavation operations in Vietnam, had signed a bilateral agreement on Amerasian processing, and issued a joint-resolution on the political prisoner issue. While U.S. policymakers maintained that these advancements were in the pursuit of "humanitarian" ends and therefore should not be confused with "political" relations, we should not take them at their word. Though there was still clearly a gap between the normalization Hanoi coveted and the status of U.S.-Vietnamese relations during Reagan's second term, the personal, institutional, and organizational relationships developed between Washington and Hanoi in pursuit of "humanitarian" goals constituted the basis of a political and diplomatic relationship. Even if U.S. officials denied it, the two sides were taking

tangible steps toward normalization.

Hanoi's spirit of cooperation had its limits, however. As their decision to terminate ongoing cooperation with the United States in August of 1988 demonstrates, the Vietnamese rejected Americans' insistence that the two sides could work together on "humanitarian" issues while remaining stark political adversaries. To make a newly tense situation even worse, the outpouring of boat and land people continued throughout 1988, which strained American ties with the nations of first asylum throughout Southeast Asia and put pressure on American refugee admission slots and financial resources at the very same time U.S. policymakers became increasingly keen to open American arms to those emigrating from the Soviet Union. As former Vice President George Bush prepared for his term as Commander in Chief, then, he had reasons to be both optimistic and deeply concerned about the status of U.S.-Vietnamese relations. What is clear, however, is that despite the general perception that U.S.-SRV relations remained "frozen" during the Reagan years, the scope and frequency of the ties between the two nations increased considerably from 1980 to 1988.

CHAPTER 5

BEYOND THE POW/MIA VS. BUSINESS DIVIDE: THE ROLE OF REFUGEE ISSUES IN U.S.-VIETNAMESE RELATIONS DURING THE BUSH YEARS

On April 9, 1991, the United States presented Vietnam with a “Roadmap to U.S.-SRV Normalization.”¹ The George H. W. Bush administration issued the Roadmap to provide a “more systematic and concrete...pathway to full normalization” of diplomatic and economic relations “within a reasonably short time.”² Although the Roadmap’s specific contents remained classified until 1999, the American public and press knew that the Roadmap required two milestones that U.S. policymakers publicized for over a decade: a “political solution” in Cambodia and a “full accounting” of missing American servicemen. While these two concerns dominated the public discourse and featured prominently in official negotiations, refugee issues in general and the continued incarceration of reeducation camp detainees, in particular, remained vital to the process of U.S.-Vietnamese normalization. U.S. policymakers included reeducation camp prisoners in the official Roadmap, and Washington and Hanoi collaborated closely on refugee issues throughout President Bush’s term.

Scholars interested in the evolution of U.S.-Vietnamese relations after 1975 have rightly afforded the Bush years a great deal of attention. The fall of the Berlin Wall in November 1989 and a political settlement that removed Vietnamese troops from Cambodia in October 1991 created an atmosphere of flexibility and opportunity in

¹ "Roadmap to U.S.-S.R.V. Normalization" 9 April 1991, OSS 91-2128, Box 61, Declassified Files, Record Group 46, Records of the United States Senate, Records of the Senate Select Committee on POW/MIA Affairs, 102d Congress, 1991-1993, National Archives, Washington, D.C

² "Roadmap to U.S.-S.R.V. Normalization," p. 1.

geopolitical affairs that had been absent for decades.³ These changes, Edwin Martini has persuasively argued, inspired a powerful conglomerate of U.S. business interests to depict Vietnam as an untapped market—perhaps even the next “Asian tiger”—with a pre-existing appetite for American goods.⁴ The clamoring of a powerful business lobby for access to Vietnamese consumers occurred at the same time that, Michael Allen suggests, the power of the National League of POW/MIA Families began to wither.⁵ Martini therefore characterizes the domestic debate about U.S.-Vietnamese normalization as a contest of “access versus leverage”—a clash between those who thought rapid normalization would be the best way to achieve their goals and those who believed that U.S. policymakers needed to use the possibility of normalization to extract concessions from Hanoi.⁶

While Martini’s argument about access and leverage remains a useful lens through which to view the debates over U.S.-Vietnamese normalization during Bush’s time in office, the current reduction of that debate to a battle between the POW/MIA and business lobbies fails to capture the many issues at stake. By the late 1980s, the “boat people crisis” once again approached the tragic proportions it reached during the Carter years, and the United States continued to play an active role in the ongoing global conversation. Yet, this time, the lines of international agreement and conflict settled

³ Richard H. Solomon, *Exiting Indochina: U.S. Leadership of the Cambodian Settlement & Normalization of Relations with Vietnam* (Washington, D.C.: United States Institute of Peace Press, 200); Kenton Clymer, *The United States and Cambodia, 1969-2000: A Troubled Relationship* (London and New York: Routledge Curzon, 2004): chapter 5; Richard T. Childress and Stephen J. Solarz, “Vietnam: Detours on the Road to Normalization” in Richard Nelson and Kenneth Weisbrode, eds., *Revising Relations with Former Adversaries: U.S. Foreign Policy After the Cold War* (University Press of Florida, 1998).

⁴ Edward A. Martini, *Invisible Enemies: The American War on Vietnam, 1975-2000* (Amherst, University of Massachusetts Press, 2007), 163.

⁵ Michael J. Allen, *Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War* (Chapel Hill: University of North Carolina Press, 2009): chapter 5.

⁶ Martini, *Invisible Enemies*, 190.

differently. In stark contrast to close, consistent U.S.-ASEAN cooperation on refugee issues and the Cambodian question from the late 1970s onward, during the Bush years, the U.S. repeatedly clashed with ASEAN leaders and tightened U.S.-Vietnamese collaboration. Agreement, cooperation, and compromise between Washington and Hanoi on refugee questions helped change the tone of ongoing bilateral conversations and continued to build on the foundations the two nations built in the 1980s.

This was especially true in regards to reeducation camp prisoners. Washington and Hanoi signed a bilateral agreement that provided for the detainees' emigration in 1989, former reeducation detainees and their close family members began arriving in the United States under the new program in 1990, and Vietnam released the last of the detainees in 1992. The Families of Vietnamese Political Prisoners Association (FVPPA) and the Aurora Foundation continued to create the information and momentum for these policy advancements. By the Bush years, the relationships between U.S. policymakers and these groups, especially FVPPA, were firmly established and mutually beneficial. While FVPPA continued to expand its influence and importance, the National League of POW/MIA Families increasingly fell out of favor with U.S. officials.

Of course, other actors continued to matter. Another facet of the ongoing national conversation about U.S.-Vietnamese normalization that current studies fail to capture is the growing importance of Indochina-focused humanitarian organizations. These included powerful, well-funded think tanks with many current and former government officials like the Indochina Resource Action Center and Institute for Democracy in Vietnam, and elite tier resettlement agencies with government contracts. While FVPPA and the Aurora Foundation continued to dominate in their longtime niches, the seeming

inevitability of U.S.-normalization encouraged other organizations to hold a series of conferences and policy meetings. I will occasionally mention these other groups as examples of ongoing human rights advocacy, but much more work needs to be done to interrogate the vast network of interested parties in the late 1980s and early 1990s.

Another trend that continued from the Reagan to the Bush administration is the important role U.S. officials outside of the White House played in U.S.-Vietnamese normalization. As historian Christopher Maynard has noted, the “formulation of foreign policy in the Bush administration centered on the National Security Council,” which focused the preponderant amount of its attention on the collapse of the Soviet Union, democratization in Eastern Europe, reunification of Germany, the termination of the Warsaw Pact and events in the Persian Gulf.⁷ It is this perspective that led Robert D. Schulzinger to argue that the Bush administration remained “preoccupied” with events in Europe, and “Asian issues generally, and Southeast Asia in particular, receded.”⁸ When one takes into account State Department and Congressional foreign policy initiatives, however, this picture changes dramatically. Even in the midst of systemic changes in international relations, U.S. officials with longtime involvement in the POW/MIA, Cambodian *and* refugee concerns all continued their advocacy. While the White House intervened in key moments, one must look outside the Oval Office to appreciate the full expanse of steps the United States and Vietnam took toward normalization during the Bush administration.

⁷ Christopher Maynard, *Out of the Shadow: George H. W. Bush and the End of the Cold War* (College Station: Texas A&M University Press, 2008), 5, 117.

⁸ Robert D. Schulzinger, *A Time for Peace: The Legacy of the Vietnam War* (Oxford University Press, 2006), 44.

The Early Bush Years

By 1989, the Families of Vietnamese Political Prisoners Association (FVPPA) cemented its place as a key source of transnational advocacy and information on the reeducation camp issue. Although always hampered by financial constraints—FVPPA had to pay for its only Xerox machine on installments and continued to operate out of President Khuc Minh Tho’s home—the Association exerted an influence that belied its modest resources.⁹ It is clear that the growing Vietnamese American community recognized FVPPA’s prominence. When Tho traveled to California in January 1989, for example, she held meetings with various Vietnamese American organizations and gave speeches explaining the current status of U.S. reeducation camp policy to over 200 people.¹⁰ In May, FVPPA joined with five other Vietnamese American organizations to form The National Congress of Vietnamese in America to “prepare to receive Vietnamese re-education centers detainees who,” they hoped, would be “accepted for resettlement by the United States Government in the near future.”¹¹ It is noteworthy that the organizations appointed Tho as the head of the “Subcommittee in charge of Congressional and Governmental Liaison.”¹² Given FVPPA’s extensive government contacts, President Tho’s appointment was a logical choice; yet, the fact that all the other organizational heads—men raised in a highly patriarchal and deferential Vietnamese culture—appointed Tho to that position emphasizes the extent to which leaders in the Vietnamese American community found FVPPA too important to ignore.

⁹ On limited resources see: January 9, Mr. Ron Podlaski, Vice-President, Vietnam Veterans of America Foundation, FVPPAC, Box 128, Folder 13, VCA.

¹⁰ “Report of Trip to California in January 1989,” FVPPAC, Box 128, Folder 14, VCA.

¹¹ May 12, 1989, Letter from Tho to Funseth, FVPPAC Box 128 Folder 17, VCA.

¹² “Coordinating Committee for the Reception of Vietnamese Political Prisoners” FVPPAC Box 128 Folder 17, VCA.

FVPPA's network extended far beyond other Vietnamese American organizations; the Association also collaborated with some of the most well known humanitarian nongovernmental organizations (NGOs) of the era. While Amnesty International (AI) built its reputation on the quality of its global information network, AI regularly wrote to FVPPA when they needed information on Vietnamese reeducation detainees.¹³ The Red Cross and other NGOs also came to FVPPA when they needed information on reeducation camp prisoners or the Vietnamese American community.¹⁴ Vietnamese Americans, human rights NGOs, and, as this chapter will make clear, the U.S. government all recognized FVPPA's importance.

So did Hanoi. In March 1989 the SRV Ambassador to the United Nations "requested to set up a meeting" with President Tho "to discuss issues and concerns we have regarding the political prisoners."¹⁵ The always tactful President Tho wrote to her good friend, Senior Deputy Assistant Secretary of State for Refugee Programs Robert Funseth, to "touch base" before she meet with the Ambassador to ensure they presented "a united" front.¹⁶ Tho and a few of her associates met with Funseth on April 8 and then

¹³ October 30, 1988, letter from Tho to Victoria Forbes Adam, Amnesty International, Research Department, FVPPAC, Box 128 Folder 10, VCA; December 6, 1990, Letter from Tho to Amnesty International, FVPPAC, Box 129 Folder 12, VCA; September 4, 1991, Letter from Rolando Modina, Viet Nam Researcher at Amnesty International to Tho, FVPPAC, Box 129 Folder 21A, VCA; September 23, 1991, Letter from Tho to Mr. Rolando Modina, Viet Nam Researcher, Amnesty International, FVPPAC, Box 129 Folder 21A, VCA; March 12, 1992 Mr. John Kellock, Asia and the Pacific Research Department, Amnesty International, FVPPAC Box 130, Folder 3, VCA; June 25, 1992, letter from Amnesty International, John Kellock, Asia and the Pacific Research Development, FVPPAC Box 130, Folder 6-2, VCA; September 16, 1992, Letter from Tho to John Kellock, Asia and Pacific Research Department, Amnesty International, FVPPAC Box 130 Folder 9, VCA; October 20, 1992, Fax from Tho to Rolando Modina, Asia and the Pacific Research Department, Amnesty International, "Vietnamese political prisoner still in camp" FVPPAC Box 130 Folder 10, VCA.

¹⁴ February 3, 1989 letter to Tho from the Red Cross, FVPPAC, Box 128, Folder 14, VCA. For another human rights NGO writing to FVPPA to request information see: March 10, Charles F. Printz, Esq., Human Rights Advocates International, Elizabeth, New Jersey, FVPPAC, Box 128, Folder 15, VCA.

¹⁵ March 27, The Honorable Robert L. Funseth, Senior Deputy Assistant Secretary, Bureau for Refugee Programs, Department of State, FVPPAC, Box 128, Folder 15, VCA.

¹⁶ March 27, 1989, FVPPA to Secretary Funseth, Box 128 Folder 15

with the SRV Ambassador in New York City on April 14. During the meeting Tho also brought a letter from FVPPA to the SRV General Secretary, which, FVPPA's records indicate, the Ambassador forwarded to Hanoi.¹⁷ That the SRV Ambassador wished to meet with the president of the FVPPA—even as formal U.S.-Vietnamese negotiations on reeducation camp prisoners remained suspended—demonstrates that the Vietnamese recognized the Association's importance to the American stance on the issue. Although President Tho never accompanied Funseth on his trips to Geneva and Hanoi like the National League of POW/MIA Families' Ann Mills Griffiths, the meeting suggests Hanoi saw the parity between the organizations and tried to address them both.

As FVPPA solidified its importance, the refugee crisis in Southeast Asia worsened precipitously. Over 96,000 new arrivals reached the shores of first asylum in the first six months of 1989, and Thailand and Indonesia began pushback policies and Malaysia threatened to do the same.¹⁸ The ASEAN states clamored for another international conference and called on Vietnam to expand the Orderly Departure Program (ODP) to provide an alternative exit route for emigrants. When an international conference was not immediately forthcoming, the nations of first asylum and the United Nations High Commissioner for Refugees (UNHCR) began meeting on their own and drafted what would eventually become the Comprehensive Plan of Action (CPA).

Screening for refugee status, rather than blanket acceptance for all Vietnamese boat people, became a core component of the CPA. As legal scholar Sara E. Davies

¹⁷ For meeting with Funseth see "A Report of Activities" FVPPAC Box 137 Folder 43A VCA; April 19, The Honorable Nguyen Van Linh, General Secretary of the Vietnamese Community Party, Socialist Republic of Vietnam, c/o Mr. Ambassador, Permanent Representative at the United Nations of the Socialist Republic of Vietnam, FVPPAC, Box 128, folder 16A, VCA.

¹⁸ Sarah E. Davies, *Legitimizing Rejection: International Refugee Law in Southeast Asia* (Martinus Nijhoff, 2006), 192.

explains, “the Southeast Asian states collectively agreed that the cut-off date for asylum seekers’ access to immediate refugee status without screening would be 14 March 1989.”¹⁹ All asylum seekers that arrived before that date would automatically receive refugee status; the nations of first asylum would individually screen those that arrived thereafter to determine their status. A combination of compassion fatigue, limited resources, and a surge in numbers thus reinvigorated old debates about who deserved refugee status and who got to decide.

After fourteen years of providing first asylum, the ASEAN nations clearly thought that the majority of the “boat people” were not bona fide refugees, but economic migrants. Because the ASEAN states were not signatories to the international refugee convention, they were not legally obliged to honor the principle of nonrefoulement, which, according to Article 33 of the 1951 Refugee Convention states that “no contracting state shall expel or return (“refouler”) a refugee...to the frontiers or territories where his life or freedom would be threatened.”²⁰ The CPA draft thus noted with regard to rejected applicants that “every effort will be made to encourage the voluntary return of such persons,” but the implication was clear—while voluntary repatriation would be preferred, ASEAN nations were not opposed to forced repatriation.²¹ It is in this context that 70 nations, including the United States, agreed to attend a second Geneva Conference scheduled for June 1989.

Reeducation camp prisoners occupied an important place in the American approach to the renewed refugee crisis. Indeed, the exodus of boat people and plight of

¹⁹ Davies, *Legitimizing Rejection*, 194.

²⁰ UNHCR 1951 Convention and Protocol Relating to the Status of Refugees, full text available through the UNHCR at: <http://www.unhcr.org/en-us/3b66c2aa10>. Davies’ *Legitimizing Rejection* is the best account of the ASEAN’s states refusal to sign international refugee conventions.

²¹ Davies, *Legitimizing Rejection*, 196.

reeducation detainees had always been interrelated concerns. This is because prior to a U.S.-Vietnamese bilateral agreement on the issue, Hanoi regularly refused to allow former reeducation camp detainees to emigrate through the ODP, despite official assurances otherwise. As Hanoi released thousands of detainees in the late 1980s, these individuals faced anew the challenge of how to pursue a better life. This left former detainees and their families with unenviable choices: they could consign themselves to life in Vietnam, enduring the discrimination that often followed former detainees and their families; they could wait in Vietnam in the hope that Hanoi would eventually allow them to emigrate abroad legally; or, they could leave Vietnam unlawfully under the dangerous conditions that always accompanied oceanic flight or overland migration. Many former reeducation camp prisoners chose the latter option, entangling Vietnam's internal reeducation camp policy and the ODP with larger regional refugee concerns.

Both Ginetta Sagan and Khuc Minh Tho went to great lengths to ensure that U.S. officials kept these realities in mind when formulating American policy. Sagan, for example, testified before the Congressional Human Rights Caucus about what she argued could only be understood as Hanoi's continued violation of Vietnamese citizens' human rights.²² FVPPA wrote to Robert Funseth in late May, before his departure to Geneva, to request that he not only "put pressure on the SRV to resume technical talks regarding the movement of ex-reeducation camp detainees, and the release of the rest of the political prisoners that are still in prisons" but also that previous incarceration in a reeducation camp (or status as the child of a reeducation camp detainee) be taken into screening and

²² "CHRC Human Rights Activities" April 1989, Sagan on Schedule to speak to Congressional Human Rights Caucus on Vietnam, Ginetta Sagan Papers, Box 68, Hoover Institution Archives.

resettlement decisions.²³ While not all boat people were former reeducation camp prisoners, U.S. policymakers emphasized the connection. At the same time, ASEAN leaders depicted oceanic migrants as economic opportunists.

Many in Congress took conscious steps to refute this accusation. Representative Frank Wolf (R-VA), for example, introduced legislation on the issue in May, which unanimously passed the House Foreign Affairs Committee, a move that Wolf argued “shows just how important it is to the Congress that Vietnam demonstrate a greater commitment to human rights.”²⁴ H. Con. Res. 113 called on the SRV to “1) make public the names of all individuals who continue to be held in ‘reeducation’ camps; 2) immediately release all prisoners detained for their religious or political beliefs; and 3) resume negotiations with the United States concerning the emigration of current and former detainees and their families.”²⁵ The resolution also suggested “the willingness of the Government of Vietnam to satisfactorily resolve this humanitarian issue will have an important bearing on the relationship between Vietnam and the United States.”²⁶

Senator Rudy Boschwitz (R-MN) spearheaded the effort to shepherd S. Con. Res. 16, a duplicate of H. Con. Res. 113, through the Senate. Boschwitz echoed his colleague’s sentiments, noting that the “2,000 prisoners languishing” in the camps and former prisoners should be an American priority because “these people paid dearly for their affiliation with the U.S.” and because “many of these prisoners and former prisoners have relatives in the U.S. For these relatives, every day is filled with anxiety and despair

²³ May 23, 1989, Letter from Tho to Funseth, FVPPAC Box 128 Folder 17 VCA.

²⁴ “Vietnamese Political Prisoners Bill Approved by Committee” June 7, 1989, Frank R. Wolf Press Release, Ginetta Sagan Papers, Box 334, Hoover Institution Archives.

²⁵ Ibid.

²⁶ H. Con. Res. 113, 101st Congress, 1st Session, 1989, FVPPA Box 143, Folder 4.

over the fate of their loved ones.”²⁷ The measure passed both Houses of Congress, just as State Department officials prepared to depart for the Geneva Conference, and U.S. negotiators ensured the resolutions did not go unnoticed by their Vietnamese counterparts.

In fact, the State Department officials in Geneva sent Hanoi the same message. When addressing the 70 attending nations, U.S. Deputy Secretary of State Lawrence Eagleburger informed Hanoi: “the world looks to Vietnam to provide full opportunity for resettlement to those who have been detained in reeducation camps. Nothing the Socialist Republic of Vietnam could do in this area would be more favorably received by the United States and the international community.”²⁸ Eagleburger emphasized a reeducation detainee resettlement program as a significant part of the CPA. He argued that only once “this large group of excluded persons will be allowed to emigrate” will the ODP become a “true alternative to clandestine departure.”²⁹ Thanks to these ongoing pressures, in a private meeting Hanoi agreed to “resumption of negotiations on the emigration to the U.S. of reeducation center detainees and their families” in July.³⁰

In Geneva, meanwhile, the international community forged a meaningful but fragile consensus on the growing crisis in Southeast Asia. All nations present consented to the Comprehensive Plan of Action, including the new refugee status screening

²⁷ April 10, 1989, Dear Colleague Letter, Vietnamese Political Prisoners Folder, Legislative Assistant Files, Box 31, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society.

²⁸ Lawrence E. Eagleburger, “Indochina Refugee Situation: Toward a Comprehensive Plan of Action,” June 13, 1989 at the International Conference on Indochinese Refugees in Geneva, Current Policy No. 1184, United States Department of State, Bureau of Public Affairs, Washington, D.C.

²⁹ Lawrence E. Eagleburger, “Indochina Refugee Situation: Toward a Comprehensive Plan of Action,” June 13, 1989 at the International Conference on Indochinese Refugees in Geneva, Current Policy No. 1184, United States Department of State, Bureau of Public Affairs, Washington, D.C.

³⁰ Press Guidance (Released in Geneva) Subject: U.S.-Vietnamese Meeting in Geneva-Agreement on Resuming Talks on Reeducation Center Detainees, Ginetta Sagan Papers, Box 334, Hoover Institution Archives.

process.³¹ Because the UNHCR did not have the money or manpower to individually screen migrants in each of the first asylum countries, it passed the task to the nations of first asylum. Although the UNHCR was supposed to provide oversight and training, the screening procedures varied drastically from first asylum country to first asylum country and even between different screening officers in the same state.³² First asylum nations, in short, “were largely not equipped to undertake” the screening process, and in “some countries, the military—because they were involved in receiving the boat people—were given the task of screening new arrivals to determine whether they warranted refugee status.”³³

Although far from perfect, Eagleburger pledged American support for the CPA and declared the United States would take concrete steps to contribute to the program. He vowed the U.S. would “assign additional personnel” to the ODP which would allow “our interviews in Vietnam” to be “more than doubled to 3,500 per month.”³⁴ Eagleburger also promised that the United States would resettle 22,000 of the new oceanic migrants that arrived prior to March 1989—and therefore received automatic refugee status. Finally, Eagleburger explained to his international counterparts that the United States anticipated “accepting up to 50%” of those that received refugee status through the CPA’s screening process.³⁵

The United States agreed to comply with the CPA, but immediately made its

³¹ “Flight from Indochina, 84”; Davies, *Legitimizing Rejection* 198.

³² Davies, *Legitimizing Rejection*, 198-204.

³³ Alan Nichols and Paul White, *Refugee Dilemmas: Reviewing the Comprehensive Plan of Action for Vietnamese asylum seekers* (LAWASIA Human Rights Committee: Jesuit Refugee Service, 1993), 25.

³⁴ Lawrence E. Eagleburger, “Indochina Refugee Situation: Toward a Comprehensive Plan of Action,” June 13, 1989 at the International Conference on Indochinese Refugees in Geneva, Current Policy No. 1184, United States Department of State, Bureau of Public Affairs, Washington, D.C.

³⁵ *Ibid.*

selective support of the program known. A press release published by Funseth's office, for example, praised the maintenance of "first asylum" and Vietnam's commitment to "expand legal emigration" under the ODP.³⁶ The same press release, however, emphasized the United States' "unalterable opposition to forced repatriation to Vietnam unless and until dramatic improvements occur in that country's economic, political and social life."³⁷ Funseth's office was sure to belabor the point, adding "there has been no compromise in this position at this Conference, despite press reports to the contrary."³⁸ Although American policymakers were able to publically take this principled stance at the program's inception, U.S. officials had an increasingly difficult time maintaining their contradictory position—support for the CPA but not for repatriation—when the program came to a close during the Clinton administration. In the meantime, U.S. policymakers simultaneously pledged their support for the CPA and condemned Hanoi's human rights record.

While the United States agreed to the CPA, then, the U.S. planned to support the new program mostly through its preexisting policy initiatives. In a speech entitled "Orderly Departure from Vietnam: An Essential U.S. Foreign Policy Goal in Southeast Asia," Funseth emphasized the ODP's importance to the CPA's success. That is, Funseth suggested that bolstering the number of migrants choosing to depart from *inside* Vietnam's borders (through the ODP) would lessen the numbers that fled from Vietnam and therefore had to endure screening in nations of first asylum (as specified by the CPA). Emphasizing the ODP clearly harkened back to previous government and

³⁶ June 14, 1989 "Press Release: U.S. Welcomes Plan of Action on Indochinese Refugees," Robert Funseth, Senior Deputy Assistant Secretary, FVPPAC Box 150 Folder 6A, VCA.

³⁷ Ibid.

³⁸ Ibid.

nongovernmental actors that argued the U.S. should address the refugee crisis “at its source”—i.e. in Vietnam—rather than focusing on assisting migrants once they flee.

Funseth argued that the United States should strengthen the ODP and thereby solidify the only legal means to emigrate from Vietnam. He noted with satisfaction that the “ODP ceiling for refugees and Amerasians for FY 89” was 25,000, “nearly triple that of the previous year” in anticipation of greater flows.³⁹ While the Amerasian program continued to operate smoothly and successfully, reeducation camp prisoners were another story: only 600 former reeducation detainees and 2,400 of their family members had resettled in the United States through the ODP by June 1989. Clearly, despite its assertions to the contrary, Hanoi refused to issue exit permits to former reeducation camp prisoners. Funseth characterized the paltry emigration and continued detention as “(along with the POW/MIA issue) the last, most painful, unhealed wounds of the war -- a wound which is the cause of anguish and suffering within the Vietnamese-American community.”⁴⁰ By framing the reeducation camp issue as equivalent to the POW/MIA issue, Funseth, like FVPPA during their April meeting with the Hanoi’s UN Ambassador and Congress with H. Con. Res. 113, sent a clear message to Hanoi: progress on this issue was not only crucial to the CPA, it remained vital for U.S.-Vietnamese normalization.

These signals were not lost on Vietnam. As Washington and Hanoi agreed in Geneva, the two sides formally resumed their negotiations on the emigration of reeducation camp detainees in July. Davies suggests that while meeting in Geneva the

³⁹ June 28, 1989, “Orderly Departure from Vietnam: An Essential U.S. Foreign Policy Goal in Southeast Asia,” Testimony by Robert L. Funseth, FVPPAC Box 134 Folder 29, VCA.

⁴⁰ Ibid. Senator Rudy Boschwitz called the plight of Vietnamese political prisoners “one of the world’s most pressing human rights problems” at about the same time: July 11, 1989, Letter from Rudy Boschwitz to Tho, FVPPAC, Box 150 Folder 6A, VCA.

UNHCR, urgently trying to help stem the surge in boat people numbers, “assisted the US in persuading Vietnam to place former re-education camp detainees within the ODP.”⁴¹ Funseth continued to lead the U.S. delegation and, for only the second time, the two sides met in Hanoi explicitly to discuss reeducation camp prisoners.

This time, the meeting brought tangible results. The delegations signed a bilateral agreement on July 29, 1989 and the next day issued a joint press statement that explained that the agreement stemmed from a desire to solve “one of the issues of mutual concern to the two countries” and to follow through on “commitments undertaken” for the Comprehensive Plan of Action.⁴² The agreement specified that “those released reeducation center detainees who were closely associated with the United States or its allies” and “their close relatives” would be permitted to resettle in the United States, and aimed to process 3,000 people by the end of the year.⁴³

FVPPA celebrated the 1989 Bilateral Agreement at their annual dinner and music appreciation on August 5, 1989. As had become customary for FVPPA events, the audience included not only Vietnamese Americans but also officials from the State Department, NSC and Congress. Robert Funseth gave the keynote address and celebrated his hope that the accord “will come to be seen as a historic and humanitarian agreement to bring about the long awaited and long overdue reunification and resettlement of reeducation center detainees with their families.”⁴⁴ When explaining the “history of the negotiations,” Funseth told the audience “first and foremost, your steadfast support

⁴¹ Davies, *Legitimising Rejection*, 189.

⁴² July 30, 1989, Hanoi, “Joint Statement: Resettlement of Released Reeducation Center Detainees in the United States,” FVPPAC, Box 134 Folder 32B, VCA.

⁴³ July 30, 1989, Hanoi, “Joint Statement: Resettlement of Released Reeducation Center Detainees in the United States,” FVPPAC, Box 134 Folder 32B, VCA.

⁴⁴ “Hope and Challenge: Report on the 1989 Hanoi Negotiations for the Resettlement of the Vietnamese Reeducation Center Detainees,” Robert L. Funseth, August 5, 1989, FVPPAC Box 134 Folder 32B VCA.

encouraged me to persist in these negotiations until we reached our goal.”⁴⁵

In addition to recognizing the importance of the Indochina Resource Action Center and the Overseas Vietnamese Church Conference, Funseth discussed FVPPA with especially glowing praise. “This Association,” Funseth continued, “has provided an important service for families who are trying to bring their relatives to the United States from Vietnam. They maintain files on some 10,000 people in Vietnam, including about 7,000 reeducation center detainees” and their family members.⁴⁶ Indeed, at the ceremony Tho presented Funseth with five separate lists, the first of which included “approximately 5,000 names of former re-education camp detainees with 5 years or more [spent in the camps] and who are eligible to enter the United States.”⁴⁷ In his speech Funseth expressed his appreciation for efforts such as these, noting “Mrs. Khuc Minh Tho and her friends meet with my staff every week in the evening to review individual cases.”⁴⁸

Other U.S. officials were as enthusiastic as Funseth. As NSC Director of Policy Development Blair Dorminey reassured the audience: “your loved ones, your compatriots, are not forgotten at the White House. We intend to keep this issue at the forefront of our agenda with Vietnam.”⁴⁹ Dorminey vowed to fight for the release of “every prisoner still incarcerated,” to follow through on Reagan’s 1984 pledge to resettle former detainees and their families in the United States, and to advocate for “the human

⁴⁵ Ibid. Underline in the original.

⁴⁶ Ibid.

⁴⁷ August 5, 1989, Letter from Tho to Robert L. Funseth, FVPPAC Box 128 Folder 20, VCA.

⁴⁸ Ibid. For Tho’s description of the number of cases see: “Annual Awards Address Delivered by Mrs. Khuc Minh Tho, President, The Families of Political Prisoners Association at the “Unity and Reunion Dinner” July 27, 1991, FVPPAC Box 135 Folder 26B VCA.

⁴⁹ August 5, 1989, “Points to be made by A. Blair Dorminey,” Director of Policy Development, NSC, to FVPPA, FVPPAC, Box 150 Folder 6A, VCA.

rights of those political prisoners who are released and who choose not to emigrate.”⁵⁰

Dorminey noted the “grim” conditions inside Vietnam, and suggested that as such, “we may expect that large numbers of Vietnamese will continue to choose to leave Vietnam -- and who can blame them for leaving a country that offers little except repression and hardship.”⁵¹ Dorminey’s explanation likely rang true to a room of Vietnamese Americans and U.S. officials committed to the reeducation camp detainees’ release and resettlement. Yet, his explanation clearly ran against the assumptions that undergird the CPA’s repatriation component, which suggested that conditions in Vietnam were sanguine enough to warrant repatriation.

Because of these tensions, the future of the CPA was already in doubt by the fall of 1989. As a September Congressional memorandum put it: “key provisions of the CPA are in trouble.”⁵² On the eve of the October Steering Conference—a pre-scheduled meeting to discuss the implementation of the CPA—sixteen senators wrote to Secretary of State James Baker to explain the gravity of the situation and described the upcoming meeting as “pivotal.”⁵³ Many “discouraging developments,” the Senators explained, underscored “the need for strong U.S. action,” including: Malaysian pushbacks, Thai threats to do the same, “arbitrary and slow” screening in Hong Kong, and British impatience “to begin forced repatriation of Vietnamese boat people from Hong Kong back to Vietnam,” including the threat of “unilateral and bilateral measures” if

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² September 25, 1989 Memorandum, Comprehensive Plan of Action, 1989 Folder, Legislative Assistant Files, Box 46, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society.

⁵³ October 2, 1989, Letter to Secretary of state James Baker from 16 Senators [including Boschwitz, Kerry, McCain, Pell, Lugar], Comprehensive Plan of Action, 1989 Folder, Legislative Assistant Files, Box 46, Rudy Boschwitz Papers, Minnesota Historical Society Archives. Minnesota Historical Society.

“significant progress toward implementation of the CPA is not made.”⁵⁴

The Senators suggested that the principle of first asylum would not survive the year without decisive U.S. leadership. They implored Baker to “announce concrete plans” to implement the promises U.S. policymakers made in Geneva.⁵⁵ When Baker did not heed the Senators’ warning, London implemented a program of forced repatriation of refugees from Hong Kong, a move that drew condemnation from Amnesty International, the Aurora Foundation, FVPPA and many congressmen.⁵⁶ Even though Vietnam signed the agreement, Hanoi continued to voice its opposition to forced repatriation, the only government that joined Washington in its condemnation.⁵⁷

Sagan actively joined the conversation. Although she began sending advanced copies of her updated publication *Report on the Violations of Human Rights in the Socialist Republic of Vietnam, April 1975-December 1988* in August, the report technically debuted in November 1989.⁵⁸ The new report expanded on Sagan’s 1984 publication and used the same methodology: interviews with Vietnamese refugees. Sagan based her 1989 report on interviews with “800 former prisoners” that she and her colleagues conducted “in the USA, France, and the Philippines.”⁵⁹ The press release that accompanied the report censured the SRV for detaining “many innocent Prisoners of

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ “Forcible Repatriation of Vietnamese from Hong Kong” December 19, 1989 Urgent Action, Amnesty International, Ginetta Sagan Papers, Box 173, Hoover Institution Archives; January 1990, “Memorandum to the Governments of Hong Kong and the United Kingdom Regarding Vietnamese Asylum Seekers in Hong Kong” Amnesty International, Ginetta Sagan Papers, Box 180, Hoover Institution Archives; “Vietnamese Asylum Seekers Denied Basic Rights By Hong Kong and Britain, Says Full Amnesty International Report” January 15, 1990, Ginetta Sagan Papers, Box 169, Hoover Institution Archives.

⁵⁷ Davies, *Legitimizing Rejection*, 216.

⁵⁸ August 15, 1989 letter from Sagan to Blair Dorminey, NSC, White House, Ginetta Sagan Papers, Box 334, Hoover Institution Archives.

⁵⁹ November 1, 1989 News Release, Aurora Foundation, “Violation of Human Rights in the Socialist Republic of Vietnam, April 30, 1975-December 10, 1988,” Ginetta Sagan Papers, Box 173, Hoover Institution Archives.

Conscience in defiance of international Human Rights standards.”⁶⁰ The press release went on to argue that “it is the fear of internment which prompts many Vietnamese still to flee the country.”⁶¹ As Sagan explained in a letter to the *New York Times Magazine*, “there is no question that some refugees escape for economic reasons...but many [especially former prisoners] fear the constant surveillance, inability of their children to obtain an education above the elementary grades, and sometime[s] being forced to move to ‘New Economic Zones.’”⁶²

In other words, Sagan believed the vast majority of the boat people had a well-founded fear of persecution, and therefore deserved refugee status. As in the late 1970s, she felt the world community underestimated the severity of human rights violations in Vietnam when determining refugee status. In another echo from her Carter-era efforts, Sagan explained in a letter to the Secretary General of the UN: “it is our hope that the United Nations will undertake an investigation of the human rights situation in Vietnam, will acknowledge that the primary root of the refugee crisis in Hong Kong...is the denial by the Hanoi regime of the basic tenets of the Universal Declaration of Human Rights.”⁶³ Sagan remained so passionately against the forced repatriation of boat people that she sent her report to President Bush and to “the governments of Great Britain, France, Canada, and Austria.”⁶⁴ After the *Report’s* debut “individuals, agencies and organizations who work with human rights and refugee issues, both nationally and internationally” all

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² December 17, 1989, letter from Sagan to James Greenfield, *New York Times Magazine*, Ginetta Sagan Papers, Box 68, Hoover Institution Archives.

⁶³ February 12, 1990 letter to Dr. Javier Perez de Cuellar, Secretary General, The United Nations, Ginetta Sagan Papers, Box 68, Hoover Institution Archives.

⁶⁴ December 17, 1989, letter to The President, The White House Ginetta Sagan Papers, Box 68 and 173, Hoover Institution Archives; February 12, 1990 letter to Dr. Javier Perez de Cuellar, Secretary General, The United Nations, Ginetta Sagan Papers, Box 68, Hoover Institution Archives.

“flooded” Sagan with requests for copies.⁶⁵ Both the Aurora Foundation and FVPPA, then, continued to provide vital information that other institutions were either unwilling or unable to amass.

While the Aurora Foundation and FVPPA helped inspire U.S. policymakers to maintain their position on reeducation camp prisoners and human rights violations in Vietnam that they had established throughout the 1980s, the U.S. position on POW/MIAs shifted subtly yet significantly. On the surface, things looked the same. Bush consciously sought to achieve “MIA continuity” and thus reappointed General John Vessey as his “Special Emissary” to Vietnam. Although Bush had been Reagan’s Vice President, however, Bush’s team approached POW/MIA accounting from a different state of mind. As MIA scholar Michael Allen explains, Bush “and the foreign policy realists he brought with him rarely expressed the deep-seated grievances over the Vietnam War that had once emanated from the Reagan White House.”⁶⁶

This different mindset led to notable differences. As State Department officials attended the Steering Meeting, for example, Vessey met with Vietnamese officials in Hanoi. These discussions produced results: “field activities [in Vietnam] continued at an all-time high, with crash-site visits and interviews throughout the year, resulting in the identification of thirty-three Americans” in Bush’s first year in office.⁶⁷ In November, President Bush celebrated Vietnam’s “stepped-up spirit of cooperation,” and dismissed the idea of Vietnamese “government holding facilities for [American] remains,” a

⁶⁵ January 3, 1990 letter from Sagan to Readers’ Digest, Ginetta Sagan Papers, Box 309, Hoover Institution Archives.

⁶⁶ Allen, *Until the Last Man Comes Home*, 263. On the stark differences between Reagan and Bush’s foreign policy teams see Maynard, *Out of the Shadows*, 4-14.

⁶⁷ Allen, *Until the Last Man Comes Home*, 261.

longtime article of faith among many MIA activists.⁶⁸ In stark contrast to Reagan, then, Bush dismissed POW/MIA activists' claims when there was no evidence to support them (as opposed to Reagan, who gave activists the benefit of the doubt and put the burden of proof on Hanoi to disprove accusations). Moreover, Bush's acknowledgement and praise of Hanoi's "stepped-up spirit of cooperation" marked another key departure from the way Reagan talked about U.S.-Vietnamese collaboration.

Bush's remarks, Allen notes, "suggested a shift was underway," a shift that National League of POW/MIA Families Executive Director Ann Mills Griffiths tried to contain.⁶⁹ Despite the considerable resources at Griffith's disposal, her influence dwindled as the "'live POW' factions" that thrived during Rambomania in the mid-1980s spurred a "proliferation of splinter cells featuring former League leaders" which "made it difficult for Griffiths to portray herself as the authoritative voice of MIA families."⁷⁰ Furthermore, although Griffiths held her seat on the Interagency Task Force, her former close allies Richard Childress and Richard Armitage lost their seats, which weakened Griffith's position.⁷¹ These dynamics created conditions that enabled President Bush to attempt to "resolve" the issue in a way his predecessor could (or would) not.

The dramatic events of November 1989 and the reverberations they created only added to that sense of possibility. On November 9, 1989, citizens of East Berlin scaled the Berlin Wall, signaling the death knell of the Cold War. The 1989 revolutions that swept throughout Eastern Europe and the recognition that the Soviet Union—and international communism—no longer posed a significant threat to American interests or

⁶⁸ Quoted in Allen, *Until the Last Man Comes Home*, 262.

⁶⁹ Allen, *Until the Last Man Comes Home*, 262.

⁷⁰ Allen, *Until the Last Man Comes Home*, 262.

⁷¹ Allen, *Until the Last Man Comes Home*, 263.

national security invited the Bush administration, on a much larger scale, to reject decades' old assumptions about American foreign policy.

Regional trends only added to the possibilities created by international events. The “Perm 5”—or permanent 5 members of the United Nations Security Council—met every other month in the first half of 1990 to devise a UN-led solution to the “Cambodian problem” after ASEAN-led initiatives proved unworkable.⁷² In July, Congressional and human rights activists scored a major victory when U.S. Secretary of State James Baker announced the United States would cut off its funds to the rebel coalition—which included supporting the genocidal Khmer Rouge.⁷³ The following month, the Perm 5 published an agreement enumerating the framework for a United Nations-centered comprehensive settlement.⁷⁴

U.S. policy achieved another significant milestone in January 1990, when the first former reeducation camp detainees arrived in the United States through the new bilateral program. FVPPA had been preparing for the moment for months; as always, the Association worked closely with government officials. As Funseth explained in testimony before Congress, “we have convened a joint public/private task force to help with the resettlement of former reeducation center detainees” which held meetings in D.C. and California, where the majority of former detainees would settle.⁷⁵ FVPPA was among the “private” organizations invited to the Task Force, and Tho gave a keynote

⁷² Solomon, *Exiting Indochina*, 40-41.

⁷³ “Ending Talks, All Cambodia Parties Commit Themselves to U.N. Peace plan,” Steven Erlanger, *New York Times*, September 11, 1990, <http://www.nytimes.com/1990/09/11/world/ending-talks-all-cambodia-parties-commit-themselves-to-un-peace-plan.html>.

⁷⁴ Solomon, *Exiting Indochina*, 47.

⁷⁵ November 17, 1989, Robert L. Funseth, “Humanitarian Endeavor: Emigration from Vietnam” given before the Subcommittee on Asian and Pacific and the Subcommittee on International Economic Policy and Trade, Committee on Foreign Affairs, House of Representatives, FVPPAC, Box 135, Folder 5, VCA.

address during the first symposium.⁷⁶ Senator Art Torres (D-CA), Chairman of the first Anaheim meeting, wrote to Tho to thank her for attending, adding, “it was so good to meet you after all I have heard about your successful advocacy efforts.”⁷⁷

Although never as celebrated or publicized as POW/MIA progress, the first detainees’ arrival through the new bilateral program in January 1990 inspired comment and applause across the United States government and Vietnamese American communities. The White House reported that it expected “7,000 [former detainees and their family members] to enter the United States by the end of the current fiscal year on September 30.”⁷⁸ While the arrival of former reeducation camp prisoners was a triumph for FVPPA, Tho and her associates still fought persistently to have the ODP quota expanded and to make the program as inclusive as possible.⁷⁹ For example, FVPPA lobbied to make the program available to the wives and children of prisoners that died in the camps, an effort that would have a major impact; according to Sagan’s *Report*, the reeducation camps had a 10% mortality rate between 1975 and 1979.⁸⁰ While having more cause for optimism than they had in the past, then, President Tho and her associates still had much they wished to accomplish.

Those concerned about the maintenance of first asylum in Southeast Asia also

⁷⁶ “Symposium on Vietnamese Political Prisoners: Agenda” FVPPAC Box 134 Folder 2, VCA.

⁷⁷ Nov 2, 1989 letter from Art Torres, FVPPAC, Box 135, Folder 2, VCA.

⁷⁸ January 13, 1990 White House, Office of the Press Secretary, For Immediate Release, January 13, 1990, “STATEMENT BY THE PRESS SECRETARY,” FVPPAC, Box 150, Folder 6A, PG 25, VCA. On arrival of re-education camp detainees see also: *Refugee Reports*, February 23, 1990 Volume XI Number 2, Ginetta Sagan Papers, Box 327, Hoover Institution Archives.

⁷⁹ See, for example: January 16, 1990 to President George Bush, the White House, FVPPAC, Box 129, Folder 1A, VCA; February 26, 1990, “Agenda Issues Concerning Re-education Center Detainees,” FVPPAC Box 129 Folder 5, VCA.

⁸⁰ For one example of FVPPA’s lobbying on this specific issue: January 16, 1990 Letter from Tho to Nancy B. Dyke, International Programs and Public Diplomacy, Director, NSC, FVPPAC, Box 129 Folder 1B, VCA. On Sagan’s description of mortality rates: 1989 Pub. Advertising and Article, November 1, 1989, Ginetta Sagan Papers, Box 311, Hoover Institution Archives.

faced an uphill battle. Conditions had deteriorated enough that the Subcommittee on Asian and Pacific Affairs of the House's Committee on Foreign Affairs held hearings on the issue in July 1990. Lionel A. Rosenblatt, the Executive Director of an NGO called Refugees International, pulled no punches. He argued that the "crisis of first asylum for Vietnamese refugees" had reached such proportions that the world had only seen "one other instance of this gravity, in 1979."⁸¹ He noted the Malaysia pushback policy—which forced at least 8,000 souls back to sea—as the most "immediate problem" but argued "of impending, and even greater concern is the threat by all the ASEAN asylum countries to follow the Malaysian lead and abandon first asylum in July or thereafter."⁸² In testimony that contained strong echoes of the Citizens Commission on Indochinese Refugees' indictment of President Carter, Rosenblatt lamented "the Administration stands firm against mandatory repatriation, without providing the necessary leadership to sustain first asylum," and explicitly called "on President Bush and the Administration for active leadership to sustain the CPA before it is too late."⁸³ As Representative Stephen J. Solarz (D-NY) put it in a letter to President Bush: "I believe that only your personal intervention and leadership can prevent the recurrence of such a humanitarian and foreign policy disaster."⁸⁴

Many in Congress continued to see the issue of human rights in the SRV, reeducation camp prisoners, and the boat people as inextricably linked. When testifying

⁸¹ June 21, 1990, Statement of Lionel A. Rosenblatt, Executive Director, Refugees International on Endangered Asylum for Indochinese Refugees before the Subcommittee on Asian and Pacific Affairs, Committee on Foreign Affairs, U.S. House of Representatives, FVPPAC, Box 135, Folder 16, VCA.

⁸² Ibid.

⁸³ Ibid. Underline in the original.

⁸⁴ Letter from Stephen J. Solarz to President Bush, June 28, 1990, Box 7 [OA/ID 90015], NSC/DC 145—June 28, 1990, Bush Presidential Records: Staff and Office Files, National Security Council—H Files, NSC/DC Meetings Files, George Bush Presidential Library.

about the threats to first asylum, for example, Representative Frank Wolf suggested multiple solutions, the first of which was a holding center for “screened-out” refugees as an alternative to forced repatriation.⁸⁵ He also argued that the U.S. must continue to expand “the orderly departure of former reeducation camp detainees and their families” despite the recent “significant progress.” As Wolf explained, although some former prisoners and their families had already resettled in the United States, “ thousands remain” and “they comprise a great many of those trying to flee Vietnam in desperation and without hope for their integration into a society which, fifteen years after the Vietnam conflict, has failed to institute basic human rights protections.”⁸⁶ Wolf took the time to commend FVPPA, which he called “a principal driving force behind this effort, for expanding and expediting the orderly departure of former reeducation camp prisoners.”⁸⁷ Other Congressmen agreed with Wolf, and passed a resolution that “the problem of human rights violations by the Hanoi regime poses a major impediment to the normalization of relations between Vietnam and the United States.”⁸⁸

In July 1990, almost 11 years to the day after the 1979 Conference on Indochinese Refugees, the United States made a similar commitment at the ASEAN Post-Ministerial Conference. At the meeting Secretary of State Baker reaffirmed U.S. support for the CPA and “raised U.S. concerns” about the “return of non-refugees to Vietnam...with the Foreign Ministers of each of the first asylum countries.”⁸⁹ Baker also announced

⁸⁵ Statement by Rep. Frank Wolf, June 21, 1990, Ginetta Sagan Papers, Box 179, Hoover Institution Archives.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ “Senate Resolution 273—Relating to Relations with Vietnam” April 23, 1990, 101st Congress, 2nd Session, Vol. 136, No. 45, Ginetta Sagan Papers, Box 181, Hoover Institution Archives.

⁸⁹ Statement of the Honorable Lawrence E. Eagleburger, Deputy Secretary of State, October 3, 1990, before the Committee on the Judiciary, United States Senate, FVPPAC, Box 135, Folder 19, VCA.

American support for a “multilateral pledge to undertake ‘best efforts’ to accomplish the return [to Vietnam] or resettlement of all Vietnamese asylum seekers by the end of 1992.”⁹⁰ These promises, combined with assurances of high U.S. resettlement numbers for long-stayer populations, prompted the ASEAN Foreign Ministers to confirm their commitment to the CPA and cease pushback policies.⁹¹ In October, during Congressional consultation hearings on refugee admissions, the administration proposed 52,000 slots to be devoted to the Orderly Departure Program and First Asylum for East Asia for FY 1991, in addition to a “substantial increase” anticipated in the number of “immigrant petitions” through the ODP now that many Vietnamese Americans obtained U.S. citizenship.⁹² While many Administration records remain closed, it appears that, once again, the combination of nongovernmental advocacy, Congressional pressure, and overlapping humanitarian and foreign policy objectives was enough to prompt an administration preoccupied with events elsewhere to make a major U.S. commitment to Indochinese Refugees.

Endings and New Beginnings

At the May 1990 annual meeting of the Aurora Foundation’s Board of Directors, Ginetta Sagan announced that she planned to close the organization. The minutes from that meeting reflect that Sagan expressed her desire to “close Aurora but still be available to help out in emergencies by using her vast network of contacts;” in other words, “to scale down and do a minimum amount of work yet also be able to keep specific

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² October 3, 1990, Testimony and Statements of Jewel Lafontant-Mankarious, Ambassador-at-Large and U.S. Coordinator for Refugee Affairs, before the Committee on the Judiciary, United States Senate, FVPPAC, Box 135, Folder 19, VCA.

projects.”⁹³ The sixty-five-year old Sagan, who never fully recovered from injuries she received in a car accident in Poland the late 1980s, reported to her colleagues that her work with the Aurora Foundation had “been time consuming, energy demanding and rewarding” and she now planned to “devote time to her book.”⁹⁴ The May 1990 meeting did not mark the end of Sagan’s advocacy on behalf of political prisoners in Vietnam or elsewhere, but thereafter her interventions were far fewer. The accolades Sagan would receive for her lifelong body of work on behalf of political prisoners, however, were just beginning.

As Sagan brought a significant chapter of her life to a close, the United States and Vietnam turned a new page in their bilateral relations. In September 1990, Secretary of State Baker and SRV Foreign Minister Nguyen Co Thach met in New York City to discuss POW/MIA issues. As Michael Allen notes, it was “the highest-level discussions between the two nations since 1973.”⁹⁵ Baker thanked Thach for his cooperation in Cambodia and for the continued progress on POW/MIAs. Baker also invited Thach to come to Washington the following month to discuss the issue further.⁹⁶

The offer marked a major departure from previous U.S. policy. While U.S. officials—Vessey, State Department officials like Robert Funseth, NSC figures like Richard Childress and even Ann Mills Griffiths—had all been to Hanoi many times to discuss humanitarian concerns, the United States had never once invited a Vietnamese official to Washington. In fact, SRV officials in New York for United Nations meetings

⁹³ May 8, 1990 “DRAFT: Minutes of the Annual Meeting of the Board of Directors of Aurora Foundation, Inc.,” Ginetta Sagan Papers, Box 82, Hoover Institution Archives.

⁹⁴ Ibid. Sagan intended to write a memoir of her time with the Italian resistance during WWII but never completed the project.

⁹⁵ Allen, *Until the Last Man Comes Home*, 265.

⁹⁶ Allen, *Until the Last Man Comes Home*, 2656; Schulzinger, *A Time for Peace*, 145.

were restricted to a 25-mile radius of the UN building, and thus could not even travel to D.C. as tourists. A late Reagan-administration policy review had earmarked changing this policy as a possible response to “progress in our humanitarian dialogue with Vietnam.”⁹⁷ It seems Hanoi interpreted the invitation that way. The same month, Thach announced that Vietnam would release all remaining political prisoners—which Hanoi put at 100 detainees—by spring 1991.⁹⁸

Many observers correctly noted that these advancements represented a swift and significant improvement in U.S.-Vietnamese relations, and called for the two sides to continue even further. In late summer, an impressive group of “representatives of non-governmental organizations concerned about Indochina Issues” met in New York City to “discuss recent developments in the region and to consider policy options.”⁹⁹ Among the eighteen NGOs present were some of the most influential in facilitating refugee resettlement, including representatives from Catholic, Lutheran, and Episcopal groups. Also present were institutions like the AFL-CIO, Tolstoy Foundation, Indochina Resource Action Center, Institute for Democracy in Vietnam, United States Committee for Refugees, World Relief, Agency International and World Vision. These organizations sent a joint letter to President Bush and Secretary Baker, imploring them to “start a political dialogue” with Vietnam “that includes all facets of bilateral relationship -- trade,

⁹⁷ November 14, 1988, “National Security Directive on United States Policy Toward Indochina,” Memorandum for the President from Colin Powell, folder “NSDD 319 – United States Policy Towards Indochina,” Box 8890850, 1988 System II case files: National Security Affairs, Office of the Assistant to the President: Chron File: Records, 1981-1989, Ronald Reagan Library.

⁹⁸ December 6, 1990, Letter from Tho to Amnesty International, FVPPAC, Box 129 Folder 12, VCA.

⁹⁹ October 16, 1990, Letter to George Bush, The White House CC: J. Baker Secretary of State from coalition of NGOs interested in Indochina issues [FVPPA not included], FVPPAC, Box 129, Folder 10, VCA.

development and human rights, including free speech and religious freedom.”¹⁰⁰ Citing the “recent dramatic developments in central and eastern Europe,” the NGOs argued “that increased economic, cultural, political and diplomatic contact can foster positive internal change.”

“We are not proposing full, unconditional diplomatic relations,” the NGOs explained, but they implored the President and Secretary of State to continue recent improvements in U.S.-Vietnamese relations, and emphatically argued, “the U.S. trade embargo should be lifted.”¹⁰¹ The U.S.-Vietnam Trade Council, a formidable conglomeration of American businesses, made the same argument.¹⁰² While U.S. businesses had obvious economic incentives to make their argument, the NGOs that wrote Bush and Baker offered moral and political reasons for lifting the embargo. Changing the longstanding American policy, they argued, would assist “the most vulnerable members of Vietnamese society” and also help alleviate refugee concerns.¹⁰³ As they put it: “It is our view that continued economic Isolation [sic] provides a propagandistic justification for internal political repression, thereby strengthening both political as well as economic pressures for fleeing Vietnam and exacerbating the

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² While there were undoubtedly some companies less enthusiastic about the Vietnam market than others, those who supported normalization formed a formidable lobby. The combination of the “petroleum, construction, telecommunications and consulting” industries, and others, ensured their voices would be heard as Barbara Crosette reported in “Companies Press U.S. on Vietnam” *New York Times*. 10 February 1992, D2. Pro-business calls for normalization were widely reported in national newspapers. See for example: Gregg Hitt, “U.S. Firms Push Bush Administration To End Ban on Trade With Vietnam” *Wall Street Journal*, 3 April 1990, A17; Samuel A. Stern, “We’re Losing Out in Vietnam: Letter to the Editor” *Wall Street Journal*, 6 December 1990, A19. Karl Schoenberger, “Door into Vietnam U.S. Companies Test Limits of Trade Embargo” *Los Angeles Times*. 30 August 1992. Barbara Crosette, “Bush Is Pressured on Vietnam Embargo” *New York Times*. 31 March 1992.

¹⁰³ October 16, 1990, Letter to George Bush, The White House CC: J. Baker Secretary of State from coalition of NGOs interested in Indochina issues, FVPPAC, Box 129, Folder 10, VCA

worldwide refugee tragedy.”¹⁰⁴

The NGOs writing in October of 1990 were equally critical of American and Vietnamese policy. The group also wrote to the Vietnamese Council of State, arguing, “it is our view that your government holds the key to the lifting of the trade embargo and diplomatic normalization with the U.S.”¹⁰⁵ After praising Vietnamese cooperation on the Cambodia question, the NGOs noted that there were other “reforms which would have a major impact and would undoubtedly expedite the process of normalization.”¹⁰⁶ Notably, the NGOs’ three suggestions involved reeducation camp prisoners and human rights, and made no mention of POW/MIA concerns. The NGOs argued that: “1) releasing all remaining re-education camp detainees and other prisoners of conscience, and allowing them to emigrate,” “2) abolishing criminal code provisions against unauthorized departures and facilitating the reintegration of those who return to Vietnam without penalty or discrimination,” and “3) Permitting greater latitude in exercise of basic freedoms including religious liberty and the expression of views” were the best ways the SRV could “undoubtedly expedite the process of normalization.”¹⁰⁷ The NGOs took pains to applaud existing reform measures and acknowledged that their requests, especially the last recommendation, “must be part of a process” and take time. That so many well-informed, influential organizations put forth these types of policy recommendations to Washington and Hanoi in October of 1990 demonstrates the sense of possibility and opportunity that infused the historical moment.

Members of Congress also took notice. Senator John McCain, in particular, took

¹⁰⁴ Ibid.

¹⁰⁵ October 16, 1990, Letter to The Council of State, Government of the Socialist Republic of Vietnam from coalition of NGOs interested in Indochina issues, FVPPAC, Box 129, Folder 10, VCA.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

pains to record his view on the topic of “a new relationship with Vietnam” in the Congressional Record. He disagreed with the coalition of NGOs in several fundamental respects. He argued that the high-level meeting in New York and Thach’s trip to Washington “should complete for the time being the administration’s series of symbolic gestures toward Vietnam.”¹⁰⁸ After mentioning his abortive attempt to establish interest sections in 1988, McCain suggested that the fulfillment of Vietnamese promises “must be extracted from Hanoi repeatedly, day after day.”¹⁰⁹ McCain thus argued “continued contact with Hanoi at lower than ministerial levels is advisable for the foreseeable future provided that such contacts” are limited to “outstanding humanitarian issues.”¹¹⁰

McCain then laid out what by then had become the standard American definition of “humanitarian issues” vis-à-vis Vietnam. While the POW/MIA issue remained “the humanitarian question that concerns most Americans,” McCain emphasized that the United States should not “open diplomatic and trade relations before” the “100 or more” reeducation detainees that “have been there since the fall of Saigon” are “freed and permitted to emigrate.”¹¹¹ McCain also emphasized that “improvements in human rights guarantees for all Vietnamese will remain the proper focus for American policy toward Vietnam” and argued that, “the democratization of Vietnam must be our ultimate purpose.”¹¹² McCain thus called for the United States to proceed cautiously and ensure that “humanitarian” issues are fully addressed before normalization, “for what we seek by improving relations is nothing less than the conclusion of the final chapter of the war in

¹⁰⁸ “A New Relationship With Vietnam” John McCain October 10, 1990, Congressional Record Senate, S14835, Ginetta Sagan Papers, Box 179, Hoover Institution Archives.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Ibid.

Vietnam.”¹¹³

FVPPA also took the opportunity to ensure that U.S. officials knew where it stood on the dramatic thaw in relations. Tho wrote to President Bush and other government officials late in 1990 in response to a “recent news article indicating that the United States is now ready for Vietnam talks.”¹¹⁴ “As U.S. citizens it is our hope,” Tho explained, “that the Vietnamese political prisoners are included in the process towards full diplomatic relations with Vietnam.”¹¹⁵ Until this point, FVPPA avoided any specific comment on U.S.-Vietnamese normalization; however, the brief prospect that relations might quickly be normalized changed the organization’s stance. “We have been waiting nearly 16 years to be reunited with our loved ones,” Tho lamented, “and we feel that it is imperative that their fate also be included in this stage of formal discussions.”¹¹⁶ This 1990 letter to President Bush crystallized FVPPA’s support for what by then had become a common demand in Congressional resolutions and testimony: Hanoi needed to release reeducation camp detainees and allow them to resettle *before* the two sides could establish formal diplomatic and economic ties.

The Roadmap

In January and February 1991, images of Operation Desert Storm dominated the nightly news in the United States. FVPPA, however, remained focused on its longtime goal to secure the release and resettlement of reeducation camp detainees and its

¹¹³ Ibid.

¹¹⁴ December 12, 1990 Letter from Tho to President Bush, Peter Watson, FVPPAC Box 129 Folder 12, VCA.

¹¹⁵ Ibid. See also: December 12, 1990, “Agenda Issues Concerning the Re-Education Center Detainees,” FVPPAC, Box 137 Folder 69, VCA.

¹¹⁶ December 12, 1990 Letter from Tho to President Bush, Peter Watson, FVPPAC Box 129 Folder 12, VCA.

newfound objective to make sure its original aim became a formal requirement for U.S.-Vietnamese relations. The previous October, Thach promised to release the remaining reeducation detainees, which he estimated at 100 persons. In January 1991, however, FVPPA wrote to Assistant Secretary of State Richard Solomon to inform him that FVPPA had “a list of one hundred thirty-three (133) names of prisoners whom we believe are still being held. These represent names brought to us by their families and relate to only several camps. This strongly suggests that the list is only partial and that the number of prisoners still incarcerated is probably several hundred.”¹¹⁷ That same month, FVPPA wrote to its many friends in Congress and asked them support a “resolution to ask the Vietnamese Government to release all political prisoners in accordance with the announcement made in October 1990.”¹¹⁸

The Senate quickly complied. Senators Ted Kennedy, Claiborne Pell (D-RI), Alan K. Simpson (R-CO), Richard Lugar (R-IN), John McCain and Bob Packwood (R-OR), all cosponsored the resolution that FVPPA requested, and Frank Wolf introduced a similar resolution in the House at the end of January.¹¹⁹ When introducing the resolution, Kennedy recalled the resolution he and Senator Dole had submitted in 1987 and noted that the reeducation camps’ population had dwindled from “several thousand” to “only about 150.” Kennedy explained that he and his cosponsors were making the renewed appeal not only to the SRV, but also to “our own administration to ensure that no stone is

¹¹⁷ January 9, Letter from Tho to Assistant Secretary of State Richard Solomon, FVPPAC Box 129 Folder 13 VCA.

¹¹⁸ January 2, 1991, letter sent to many Congressmen and Senators who supported May 1987 resolutions, asking them to make another resolution to ask SRV to let them all go as per October 1990 announcement, FVPPAC, Box 129, Folder 13, VCA.

¹¹⁹ January 31, 1991, Letter from Frank R. Wolf to Tho, FVPPAC Box 129 Folder 14A, VCA.

left returned in the essential task of reuniting these families.”¹²⁰ Kennedy concluded his remarks with a note of appreciation. “I want particularly to commend the untiring efforts of the Families of Vietnamese Political Prisoners Association, under the able leadership of Mrs. Khuc Minh Tho,” he explained, adding that “the families have been an inspiration to us all, as they have struggled to succeed in America, while coping with the long separation from loved ones still in Vietnam.”¹²¹ Clearly, FVPPA’s use of the language of family, and policymakers’ use of the same rhetoric continued into the early 1990s.

FVPPA did not stop there, however. As American boots were on the ground in the Persian Gulf, President Tho secured multiple meetings with the Department of State, including one with Assistant Secretary of State Richard Solomon. FVPPA’s agenda for the meeting reflects that the Association intended to discuss a potential link between the reeducation issue and normalization at multiple points. “In the future,” the agenda began, when “discussions are undertaken on normalization of relations with Vietnam, we request that one of the conditions be the immediate release and freedom to emigrate for all political prisoners. In addition, the human rights of those who choose to remain in Vietnam must be respected by the Vietnamese government.”¹²² Although FVPPA’s records do not contain minutes of this meeting, succeeding events suggest that their request found receptive ears.

February 28, 1991 marked the end of Operation Desert Storm. The very next day, President Bush noted in a triumphant speech before the American Legislative Exchange

¹²⁰ February 6, 1991, Congressional Record—Senate, S1753, FVPPAC Box 129 Folder 14A, VCA.

¹²¹ February 6, 1991, Congressional Record—Senate, S1753, FVPPAC Box 129 Folder 14A, VCA.

¹²² January 9, 1991, “Agenda for Meeting with Mr. Richard Solomon, Assistant Secretary, U.S. State Department to Discuss Issues Concerning Political Prisoners,” FVPPAC, Box 137, Folder 74, VCA.

Council, "It's a proud day for America."¹²³ In the most famous line of the speech, Bush remarked, "And, by God, we've kicked the Vietnam syndrome once and for all."¹²⁴ At that moment, President Bush enjoyed a 90% approval rating and polls suggested "although Americans were less inclined to support full recognition of Vietnam, 70% favored lifting the embargo."¹²⁵ Because lifting the embargo remained a congressional prerogative, however, Bush could not take this step unilaterally, and he knew that the "Rambo faction" in Congress would significantly delay any efforts to lift the embargo. Within these constraints, however, the Bush administration did signal to Hanoi American willingness to move forward.

On April 9, 1991, the United States Assistant Secretary of State Richard Solomon presented the SRV Representative in New York with a "Roadmap to U.S.-SRV Normalization." The Roadmap contained four phases, and each phase had a list of Vietnamese and American actions. Once each nation fulfilled all of the requirements for each phase, the two could move on, until, ultimately, they achieved full economic and diplomatic relations. Edwin Martini described the Vietnamese response to the Roadmap as "lukewarm."¹²⁶ Robert Schulzinger concurs, noting "Hanoi both welcomed and resented the roadmap."¹²⁷ Despite the non-committal Vietnamese response, the Roadmap presented, for the first time, a clear, written plan toward full normalization of relations, and certainly represented a change in American tone, if not a major revision of policy,

¹²³ George Bush: "Remarks to the American Legislative Exchange Council," March 1, 1991. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=19351>.

¹²⁴ Ibid.

¹²⁵ Martini, *Invisible Enemies*, 162-3.

¹²⁶ Martini, *Invisible Enemies*, 164.

¹²⁷ Schulzinger, *A Time for Peace*, 46. See also: Childress and Solarz, "Vietnam: The Road to Normalization," 99.

toward normalization. For these reasons, the Roadmap has commanded widespread attention amongst scholars interested in post-1975 U.S.-Vietnamese relations, and, even though its specific contents remained classified, also received widespread attention amongst the American press in April 1991 and thereafter.

What none of these sources mention, however, is that the Roadmap included a provision on current and former Vietnamese reeducation camp detainees. To be fair, the twelve-page roadmap consisted mostly of steps involving a political settlement in Cambodia and progress on a “full accounting” of POW/MIAs—the two issues that scholars and contemporaries always noted formed the crux of the Roadmap. Yet, Phase I included “the release of those remaining Vietnamese detainees eligible for the ODP reeducation resettlement program and permit their departure if they so desire” as a condition Vietnam had to fulfill for the two sides to move to Phase II.¹²⁸ In his introductory remarks Solomon also noted broadly that “the pace and scope of the normalization process will be directly influenced by your government’s degree of cooperation on the POW/MIA and other humanitarian issues.”¹²⁹ As chapters three and four demonstrate, by this time “other humanitarian issues” had become shorthand for reeducation center detainees and refugee issues more broadly.¹³⁰ Although the 1991 Roadmap emphasized resolution of the Cambodian conflict and status of missing American servicemen, then, it framed progress on the release and resettlement of political prisoners as both an explicit benchmark and general standard that the SRV had to meet before the U.S. would normalize relations.

¹²⁸ “Roadmap to U.S.-S.R.V. Normalization,” p. 5.

¹²⁹ “Roadmap to U.S.-S.R.V. Normalization,” p. 1.

¹³⁰ In their chapter, Solarz and Childress do note that the roadmap included “the Reagan-era criteria on POW-MIAs and other humanitarian issues,” though they do not mention the reeducation clause specifically, Childress and Solarz, “Vietnam: The Road to Normalization,” 99.

On April 9, the same day that Assistant Secretary Solomon delivered the Roadmap to the Vietnamese, FVPPA had a meeting with State Department officials.¹³¹ FVPPA's records do not contain any minutes of the meeting and the State Department records that would shed light also remain closed. Yet, if President Tho did not know about the reeducation camp prisoners' inclusion in the Roadmap prior to that meeting, it seems likely that the State Department officials informed her the same day they gave the Roadmap to Hanoi. First, it is not unreasonable that State Department officials would have told FVPPA, an organization with whom they had been working closely in a mutually beneficial relationship for a number of years. Furthermore, FVPPA's impassioned if polite requests to have reeducation camp detainees included in the official steps toward U.S.-SRV normalization stopped abruptly in April 1991. Given President Tho's tenacity and consistency, it seems unlikely that FVPPA would have stopped lobbying without knowledge they had succeed.

FVPPA's actions in the following months also suggest that they knew the United States government required Hanoi to release all remaining detainees and permit them to resettle abroad. In May, for example, FVPPA began planning a trip to Vietnam to visit former political prisoners and those still incarcerated—President Tho's husband among them.¹³² Given Tho and her associates' limited financial resources and previous unyielding willingness to constantly answer calls and letters from abroad, the sudden decision to leave the United States and visit Vietnam seems a bit peculiar. The most persuasive evidence, however, that FVPPA knew about the reeducation issues' inclusion in the Roadmap is that in June President Tho announced that FVPPA "will be closing...in

¹³¹ April 9, 1991, "Department of State Meeting Agenda," FVPPAC Box 129 Folder 22, VCA.

¹³² May 7, 1991, letter to Solarz, FVPPAC, Box 129, Folder 17, VCA.

January 1992.”¹³³ Once again, given FVPPA’s actions over the previous decade, it seems highly unlikely that the organization would suddenly close its doors without assurances from the United States government that it would hold Hanoi to meeting FVPPA’s longtime goal.

This conclusion, however, inspires other questions. If President Tho knew the U.S. government included the reeducation detainees in the Roadmap, why did the FVPPA never mention this significant step? Indeed, its absolute silence on the contents of the Roadmap stands in sharp contrast to FVPPA’s vociferous celebration and publication of the 1989 Bilateral Agreement, the first arrival of former political prisoners in the U.S., and all other major milestones. Given these facts, and the continued classification of official records, it seems likely that the State Department gave the FVPPA verbal assurances of the political prisoners’ inclusion in the official normalization process, but also requested FVPPA not to make such linkages public. Such a sequence of events would explain both the dramatic shift in the focus of FVPPA’s lobbying and their subsequent silence. This approach would allow U.S. officials to keep consistent focus on the two issues they had emphasized since 1978—Cambodia and the POW/MIA issue—while privately resolving an issue that had come to be a significant item on the national agenda in the mid 1980s. Finally, this formulation also allowed Hanoi to save face and not appear to have given in to any direct internal meddling in its reeducation camp policy.

FVPPA’s relative silence on the Roadmap stands in stark contrast to the response of others with a vested interest in U.S. Indochina policy. On April 11, Assistant Secretary Solomon informed Congress that if Vietnam complied quickly, normalization would

¹³³ June 14, Letter to Mr. and Mrs. Robert L. Funseth from Tho, FVPPAC, Box 129, Folder 18A, VCA.

occur “in short order.”¹³⁴ This testimony reflected language of the Roadmap itself, which explained to Hanoi that “the progress” made recently on Cambodia opened a “window of opportunity...but such opportunities do not last forever...It would be regrettable if we did not take advantage of this opportunity and finally normalize relations.”¹³⁵

At first, events suggested that the two sides might achieve exactly that. In April, the United States made what Martini calls “its first aid donation to Vietnam since 1975,” a \$1.3 million dollar grant from the Agency for International Development.¹³⁶ General Vessey traveled to Vietnam shortly after the Roadmap and in June 1991 the two sides opened a joint office for MIA issues in Hanoi.¹³⁷ Also in June, Congress held hearings on the embargo against the SRV, which Martini argues represented “a significant turning point in the discourse about U.S.-Vietnamese relations.”¹³⁸ At the hearings, Martini explains, the growing power of business interests, and their interest in acquiring access to the Vietnamese market, began to equal and even eclipse the POW/MIA lobby’s long-held belief that the embargo needed to stay in place as leverage.¹³⁹

One voice in favor of the “leverage” argument that Martini overlooks is FVPPA. As Tho wrote to Senator Frank Murkowski, who had proposed to lift some parts of the embargo through the Vietnam Access Act, “it is our belief that prior to entering into any agreement with the Government of Vietnam, the United States should insist that Hanoi address the compelling human tragedy of Vietnamese political prisoners, and their release secured. Lifting the trade embargo and the freeze on Vietnamese assets should be the

¹³⁴ Quoted in Martini, *Invisible Enemies*, 165.

¹³⁵ “Roadmap to U.S.-S.R.V. Normalization,” p. 11.

¹³⁶ Martini, *Invisible Enemies*, 165; Allen, *Until the Last Man Comes Home*, 267. See also Schulzinger, *A Time of Peace*, 47.

¹³⁷ Allen, *Until the Last Man Comes Home*, 267

¹³⁸ Martini, *Invisible Enemies*, 167.

¹³⁹ Martini, *Invisible Enemies*, 167-170.

leverage by which the United States convinces the Government of Vietnam to adhere to fundamental principles of human rights.”¹⁴⁰ Although FVPPA probably knew that the Roadmap required Hanoi to release all political prisoners well before the U.S. would lift the embargo, the Association, as always, worked to help ensure American officials sent Vietnam consistent messages on the issue.

The AID funds, MIA office, and embargo hearings all suggested that Solomon’s prediction might come true—Washington and Hanoi might normalize relations “in short order.” Events in the summer of 1991 derailed the momentum of the previous six months, however, and the cause was, by this point, to be expected: the POW/MIA issue. In March, Senator Jesse Helms (R-NC), the ranking Republican on the Senate Foreign Relations Committee, and Senator Bob Smith (R-NH), both longtime members of the Congressional “Rambo faction,” reinvigorated their efforts to create a congressional Select Committee on POW/MIA Affairs.¹⁴¹ The two tried various tactics to secure the Select Commission, but failed. The tide changed in July, when, as Allen explains, “Smith and his supporters went public with ‘photographic proof,’ albeit manufactured, of the existence of American POWs.”¹⁴² Three separate photographs, all later discredited as forgeries, suddenly appeared on the front pages of major U.S. newspapers and magazines in the span a few weeks, reinvigorating Rambo Fever and temporarily “shattering” the progress on the Roadmap.¹⁴³

In the midst of the public uproar, the Senate voted unanimously to create Smith’s

¹⁴⁰ April 17, 1991, Frank H. Murkowski, United States Senate, FVPPAC, Box 129, Folder 16, VCA.

¹⁴¹ Allen, *Until the Last Man Comes Home*, 269.

¹⁴² Allen, *Until the Last Man Comes Home*, 269.

¹⁴³ Martini, *Invisible Enemies*, 170; Allen, *Until the Last Man Comes Home*, 269-70.

Select Committee, which was established on August 2, 1991.¹⁴⁴ As Allen notes, the Committee's "membership was stacked with MIA advocates like Smith, [Chuck] Grassley, and Helms."¹⁴⁵ Republicans got half of the Committee's seats, among them former POW John McCain. "Many of the Democratic Party's future heavyweights," including Vietnam veteran, anti-war protester and Committee Chairman John Kerry rounded out the Committee.¹⁴⁶ The Committee raised the hopes of MIA activists throughout the U.S., and demonstrated that neither the White House nor the State Department could dictate the scope and pace of U.S.-Vietnamese normalization; Congress was determined to have its say. To make matters more difficult, Vo Van Kiet replaced longtime Vietnamese Foreign Minister Nguyen Co Thach, who had worked closely with the United States for years on humanitarian issues.¹⁴⁷

Despite the potential wrench the Select Commission threatened to throw into the ongoing progress toward normalization, both sides continued to make positive overtures. In September, Hanoi announced that it released 15 reeducation detainees that had been incarcerated since 1975 and stated that it planned to release all remaining detainees by early spring 1992.¹⁴⁸ Most crucially, on October 23, 1991, the various parties formally ratified the United Nations Peace Plan at the Second session of the Paris Conference on Cambodia.¹⁴⁹ The signing removed the single largest obstacle in Phase I of the Roadmap, and the United States quickly responded with its concomitant requirements according to

¹⁴⁴ Martini, *Invisible Enemies*, 170; Allen, *Until the Last Man Comes Home*, 270.

¹⁴⁵ Allen, *Until the Last Man Comes Home*, 270.

¹⁴⁶ Allen, *Until the Last Man Comes Home*, 270.

¹⁴⁷ Shultzinger, *A Time for Peace*, 47; Solarz and Childress, "Vietnam: The Road to Normalization," 99.

¹⁴⁸ November 5, 1991, "List of Vietnamese Political Prisoners Released on September 2, 1991 (Vietnam's National Day)" FVPPAC Box 137 Folder 82, VCA;

December 23, 1991, Letter from Tho to Stephen J. Solarz [and John McCain, John Kerry, Edward M. Kennedy, Clairborne Pell, Richard Lugar on Dec 26], FVPPAC Box 129 Folder 24A, VCA.

¹⁴⁹ Solomon, *Exiting Indochina*, 68.

Phase I. In October, Secretary of State Baker permanently lifted the longtime travel ban on Vietnamese diplomats and also ended travel restrictions on Americans wishing to visit Vietnam.¹⁵⁰ In late November, the two sides met in New York for the first round of official normalization talks since 1978.¹⁵¹

As Phase I of the Roadmap played out in the fall of 1991, FVPPA continued its vigilant advocacy, even though it announced its operations would cease in January 1992. For example, when Kerry assumed the chairmanship of the Select Committee, President Tho wrote to him to express her hope as the Committee worked to “address the important issues surrounding the plight of POWs and MIAs, that consideration will also be given to the release of political prisoners still in reeducation camps in Vietnam.”¹⁵² She sent a similar letter to General Vessey when he went to Hanoi in January.¹⁵³ FVPPA also regularly wrote to high-ranking State Department officials to ensure they held Hanoi to its promise to release all prisoners by spring 1992.¹⁵⁴

Throughout the fall, FVPPA also transmitted multiple petitions from Vietnamese American communities and organizations to the U.S. government, all of which asked that the United States withhold normalization until all reeducation camp prisoners were released and allowed to emigrate, among other requests.¹⁵⁵ That these organizations

¹⁵⁰ Allen, *Until the Last Man Comes Home*, 224; Schulzinger, *A Time for Peace*, 47.

¹⁵¹ Jan 15, 1992 letter to Lane Kirland from Sec of State James Baker, Ginetta Sagan Papers, Box 311, Hoover Institution Archives.

¹⁵² September 14, Letter from Tho to John F. Kerry, United States Senate, FVPPAC, Box 129, Folder 21A-2, VCA.

¹⁵³ January 15, General John. W. Vessey, Ret., Office of the Chairman, Joint Chiefs of Staff, Pentagon re: Upcoming trip to Vietnam, FVPPAC Box 130, Folder 1A, VCA.

¹⁵⁴ September 18, 1991, Letter from Tho to Assistant Secretary of State Richard Solomon, FVPPAC Box 129 Folder 21A VCA; September 23, 1991, Richard Solomon, Assistant Secretary, Department of State, FVPPAC, Box 129, Folder 21A-2, VCA; November 5, 1991, Meeting with Dr. Richard Solomon, Assistant Secretary, U.S. State Department to Discuss Issues Concerning Political Prisoners, FVPPAC, Box 137, Folder 81, VCA.

¹⁵⁵ November 5, 1991 to President Bush, VIETNAMESE COMMUNITY ASSOCIATION OF GREATER

asked FVPPA to transmit the petitions demonstrates, once again, the stature that the Association held in the Vietnamese American community in the early 1990s. The petitions also suggest that while many Vietnamese Americans opposed contact with the communist regime, there were many others that encouraged such contact to reach humanitarian ends. As recent scholars have shown, “anti-communism” in the Vietnamese American community was a malleable concept that meant different things to different people, and these petitions provide examples in which strong attachment to the former Republic of Vietnam could prompt a stance that not only encouraged, but required, cooperation between Washington and Hanoi.¹⁵⁶ That FVPPA did not coauthor any of the petitions also adds further evidence to the conclusion that the Association knew the White House had included political prisoners in the Roadmap, but also availed itself of the opportunity to remind the government of the importance of that clause to the growing Vietnamese American community.

FVPPA also continued to provide U.S. government officials with information on the numbers and names of individuals in reeducation camps. For example, Representative Solarz sent a list FVPPA had compiled of recently released reeducation detainees to his colleagues in the House in December 1991.¹⁵⁷ In February 1992, when Hanoi released 42 detainees, FVPPA once again provided U.S. officials with information on the men, including their former rank in the ARVN: colonels, Lieutenant colonel, majors, and

HOUSTON: PETITION, FVPPAC, Box 129, Folder 23, VCA; November 13, Letter from Tho to Secretary of State James Baker III, FVPPAC, Box 129, Folder 23, VCA; November 13, 1991, Letter from Tho to President George Bush, FVPPAC Box 129 Folder VCA.

¹⁵⁶ See: Thuy Vo Dang, “The Cultural Work of Anticommunism in the San Diego Vietnamese American Community” *Amerasia Journal* 31, no. 2 (2005): 82. This argument is supported in Valverde, Kieu-Linh Caroline, *Transnationalizing Viet Nam: Community, Culture, and Politics in the Diaspora* (Philadelphia: Temple University Press, 2012).

¹⁵⁷ December 1991 “Recently Released Reeducation Camp Detainees,” House Committee on Foreign Affairs Notification, FVPPAC Box 129 Folder 24B, VCA.

intelligence officers.¹⁵⁸ Most crucially, however, FVPPA kept the U.S. government apprised of those still detained, which in February 1992 amounted to “about twenty.”¹⁵⁹ Tho and her team also continued to answer queries from Amnesty International, and provided AI with regularly updated lists as well.¹⁶⁰ Indeed, the FVPPA’s information so exceeded other sources that in March the Department of Defense wrote to President Tho, asking to be added to FVPPA’s mailing list “for information concerning Vietnamese political prisoners still detained, and future information concerning release dates.”¹⁶¹

In some ways, then, FVPPA was a victim of its own success. The Association did not close in January of 1992 because it continued to receive information and requests from Vietnamese families and the U.S. government. These pressures, combined with a likely desire to see the issue through to the end, inspired FVPPA to stay open until 1999.

In early April, Hanoi released sixteen additional political prisoners. The latest release left, according to FVPPA’s records, only seven reeducation camp detainees still incarcerated. Those included: “4 generals, 1 2nd Lieutenant, 1 Sergeant and Mr. Nguyen Khac Chinh, Lawyer, (husband of Mrs. Xuan Lan Nguyen, Advisor to our Association).”¹⁶² Later that Month, John Kerry, still Chairman of the Senate Select Committee on POW/MIA Affairs, wrote to Prime Minister Vo Van Kiet to applaud the “considerable progress made in recent months toward improved relations between my

¹⁵⁸ February 1992, “List of Vietnamese Political Prisoners Released on January 15, 1991,” FVPPAC Box 130 Folder 2, VCA

¹⁵⁹ February 12, 1992 Draft Letters to Senators Pell, Kennedy, and Lugar, FVPPAC Box 150, Folder 35, VCA; February 14, 1992, Draft Letters to Senators Kerry, Robb, and McCain, FVPPAC Box 150, Folder 36, VCA.

¹⁶⁰ March 12, 1992 Mr. John Kellock, Asia and the Pacific Research Department, Amnesty International, FVPPAC Box 130, Folder 3, VCA.

¹⁶¹ March 17, 1992, letter from Dr. Lewis M. Stern, Country Director for Indochina, Thailand and Burma, Office of the Assistant Secretary of defense, FVPPAC Box 130, Folder 4, VCA.

¹⁶² April 3, 1992, Fax from FVPPA to Michael Meyers and others including Stern, “List of Vietnamese Political Prisoners,” FVPPAC Box 130 Folder 4, VCA.

government and yours.”¹⁶³ While Kerry mentioned the POW/MIA issue briefly, he informed Kiet that he was writing to share his “particular concern” about the final “military and civilian officials who remain in re-education camps.” “Their release at this time,” Kerry explained, “would contribute significantly to the healing of wounds stemming from the time of the war.”¹⁶⁴

That same month, Kerry, McCain, and others left with a U.S. delegation to Hanoi. Immediately before their departure, the Department of State lifted the ban on telecommunications links between the two countries, a move that surely earned as much praise from Vietnamese in America as it did from Vietnamese in Vietnam.¹⁶⁵ While Vietnamese leaders balked at the American delegation’s requests for permission to fly U.S. helicopters “freely” around Vietnam to search for MIA remains, Vietnamese officials did bend over backward to accommodate the delegation, and allowed them to make “short-notice inspections” on various sites and to “look at whatever they wanted.”¹⁶⁶

When the delegation returned stateside, U.S. officials responded in kind. On April 29th, seventeen years after U.S. helicopters were in midst of the final U.S. evacuation, an administrative spokesman announced that the United States would grant two exceptions to the embargo “in keeping with the established U.S. policy of a step-by-step process for normalizing relations with Vietnam.”¹⁶⁷ The first was to permit “commercial sales to

¹⁶³ April 15, 1992, from John Kerry to H.E. Vo Van Kiet, Prime Minister, SRV, FVPPAC, Box 130, Folder 4, VCA.

¹⁶⁴ Ibid.

¹⁶⁵ Allen, *Until the Last Man Comes Home*, 225.

¹⁶⁶ Schultzinger, *A Time for Peace*, 48-49.

¹⁶⁷ “Statement by Margaret Tutwiller/Spokesman: Vietnam—Humanitarian Exceptions to the Embargo,” U.S. Department of State, April 29, 1992, Kansteiner, Walter H., Files—Subject Files, Vietnam 1992 [OA/ID CF01770], Bush Presidential Records: Staff and Office Files, George Bush Presidential Library.

meet basic human needs” and the second was to “lift restrictions on projects by non-governmental and non-profit organizations in Vietnam.”¹⁶⁸ The U.S. government also announced it would allow Vietnamese Americans to wire money directly to their relatives in Vietnam, a move that let members of the Vietnamese diaspora in the United States send funds safely and directly, without fear of confiscation, for the first time since 1975.¹⁶⁹

In May, Hanoi released the last reeducation detainees. In a news ticker Congressman Frank Wolf sent to President Tho, a Vietnamese Foreign Ministry official explained that “the release of all former officials sent for re-education when South Vietnam fell under communist rule in 1975 was one of three conditions set by the United States government for lifting the economic embargo and establishing diplomatic relations with Hanoi.”¹⁷⁰ If the U.S. public did not know nor pay much attention to the issue of reeducation camp detainees, Hanoi knew it was important enough to be a precondition for normalization. In a move typical and symbolic of the way President Tho ran FVPPA, the Association sent out numerous letters of joy, thanks and congratulations to officials in positions throughout the U.S. government with whom FVPPA had worked so closely over the past decade.¹⁷¹

In July, both the Families of Vietnamese Political Prisoners Association and the National League of POW/MIA Families held organizational meetings. The marked

¹⁶⁸ Ibid.

¹⁶⁹ Schultzing, *A Time for Peace*, 49.

¹⁷⁰ June 4, 1992, “Vietnam: All Former Saigon Officials Released from Reeducation,” News ticker sent from Frank Light, Department of State to Tho, FVPPAC, Box 130, Folder 6, VCA.

¹⁷¹ May 11, 1992, Letter from Tho to Assistant Secretary Solomon and Kenneth Quinn, FVPPAC Box 130 Folder 5, VCA; May 26, 1992, Letter from Tho to Mr. & Mrs. Frank Light, FVPPAC, Box 130 Folder 5 VCA; June 5, 1992, Letter to Dr. Lewis M. Stern from Tho, FVPPAC Box 130 Folder 6, VCA; June 10, 1992, Letter from Tho to John Kerry, FVPPAC Box 130 Folder 6, VCA; June 10, 1992, Letter from Tho to Richard Solomon, FVPPAC Box 130 Folder 6, VCA.

difference between the two demonstrates the relative standing of each organization by 1992 and the direction each would take over the course of the next administration. At FVPPA's Annual Reunion Picnic, Robert Funseth, Thomas Raezer (Department of State), Dr. Lewis M. Stern (Department of Defense), and Dr. Nguyen Van Hanh (Deputy Director, Office of Resettlement for Refugees, Department of Health & Human Services), all gave speeches to an audience of U.S. officials and Vietnamese American community members—including former political prisoners.¹⁷² In his speech, Dr. Nguyen commended FVPPA “for all its efforts, over many years, to effect the release of the former political prisoners. The work of the Association is truly remarkable in helping to lead them to freedom here in the United States.”¹⁷³ “Throughout my decades of work with refugees in California and the nation,” he went on, “I must say that I have encountered only a few such groups as yours. Your dedication, volunteerism, and efforts, the financial burden you have taken upon yourselves, and your time spent on behalf of the former political prisoners are worthy of more than any words I can express.”¹⁷⁴ The occasion was joyous, the speeches laudatory, and, by all accounts, all the attendees had a wonderful time.

The same could not be said for the meeting that took place two days before. President Bush himself appeared before the League at their Annual Convention, a testament to the organization's stature in American domestic politics. Almost as soon as the President began speaking, however, a group of attendees broke into a chant of “No more lies! Tell the truth!”¹⁷⁵ When Bush continued, the crowd once again interjected and then, President Bush, “his jaw tightening and finger wagging, exploded at them: ‘Would

¹⁷² July 26, 1992, Annual Reunion Picnic, FVPPAC, Box 130 folder 7, VCA.

¹⁷³ July 26, 1992 Annual Reunion Picnic Speech of Nguyen Van Hanh, Ph.D., Deputy Director, Office of Refugee Resettlement, FVPPAC, Box 136, Folder 1 pg 26, VCA.

¹⁷⁴ Ibid.

¹⁷⁵ Allen, *Until the Last Man Comes Home*, 279.

you please shut up and sit down!”¹⁷⁶ The incident ran in all the major media outlets the next day, which certainly did not help the President in an election year.

The contrast between FVPPA and the League’s meetings could not be sharper. Although the League still warranted a presidential appearance, Bush’s 1992 keynote marked the last time a president gave such an honor.¹⁷⁷ While FVPPA and U.S. officials worked collaboratively and productively toward a common cause, the League lost its control over members that wanted what was by 1992, if not decades before, impossible: the return of live American POWs.

The Bush administration continued to move forward on the POW/MIA issue, whether or not the most extreme advocates were willing to join. In October, Vessey returned to Hanoi, accompanied by John McCain and John Kerry, as delegates from the Select Committee on POW/MIA Affairs. Washington and Hanoi issued a joint statement to announce “an important new step which should accelerate results on the POW/MIA issue.”¹⁷⁸ The “new step” included U.S. access to extensive archival material and a Vietnamese pledge to conduct a “country-wide search of all its archives for documents, photographs and other materials related to American POW/MIA cases and will make all such material available to the U.S. at its military museums.”¹⁷⁹ Vessey had been attempting to secure access to such material for three years, and allowing foreign access to its classified archives demonstrated the extent to which the Vietnamese were willing to

¹⁷⁶ Allen, *Until the Last Man Comes Home*, 280.

¹⁷⁷ Allen, *Until the Last Man Comes Home*, 279.

¹⁷⁸ Joint Statement, Issued in Hanoi on October 19, 1992, U.S. Department of State Press Release, Kansteiner, Walter H., Files—Subject Files, Vietnam 1992 [OA/ID CF01770], Bush Presidential Records: Staff and Office Files, George Bush Presidential Library. See also: Allen, *Until the Last Man Comes Home*, 275; Schulzinger, *A Time for Peace*, 17.

¹⁷⁹ *Ibid.*

go to secure normalization in the twilight of Bush's term.¹⁸⁰

The President held a press conference after his debriefing with Vessey, McCain and Kerry upon their return. Bush described the agreement as “significant, a real breakthrough,” and applauded Vessey and the Senators’ initiatives to “get to the bottom of this matter.”¹⁸¹ “And today, finally, I am convinced,” he noted triumphantly, “that we can begin writing the last chapter of the Vietnam War.”¹⁸² In the following weeks the U.S. government acquiesced in a \$375 million Japanese loan to Vietnam and also permitted U.S. companies to begin signing contracts “to be executed should the embargo with Vietnam be lifted.”¹⁸³

By 1992, U.S. policymakers and pundits had pronounced the “end” or “last chapter” of the Vietnam War at least half a dozen times. The 1973 Peace of Paris Accords, Ford’s speech at Tulane University on April 24, 1975, the fall of Saigon, and the closing of the last refugee reception center on December 20, 1975 all inspired American officials to proclaim the war’s end.¹⁸⁴ Yet, even though McCain and Bush took opposite positions in 1992—with McCain emphasizing a cautious approach and Bush supporting a more aggressive pursuit of U.S.-Vietnamese normalization—both men

¹⁸⁰ On earlier efforts to get access to information: Schulzinger, *A Time for Peace*, 44.

¹⁸¹ Remarks by the President After Meeting with General Vessey, The White House Office of the Press Secretary, October 23, 1992, Kansteiner, Walter H., Files—Subject Files, Vietnam 1992 [OA/ID CF01770], Bush Presidential Records: Staff and Office Files, George Bush Presidential Library.

¹⁸² Ibid.

¹⁸³ On the loan see Allen, *Until the Last Man Comes Home*, 276. On the ability of U.S. companies to negotiate contracts see: Statement by the Press Secretary, The White House Office of the Press Secretary, December 14, 1992, Kansteiner, Walter H., Files—Subject Files, Vietnam 1992 [OA/ID CF01770], Bush Presidential Records: Staff and Office Files, George Bush Presidential Library.

¹⁸⁴ Richard Nixon, “Address to the Nation Announcing the Conclusion of an Agreement on Ending the War and Restoring Peace in Vietnam,” January 23, 1983, <http://www.presidency.ucsb.edu/ws/?pid=3808>; Gerald Ford, “208-Address at Tulane University Convocation,” April 23, 1975, The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=4859>; Haley, *Congress and the Fall of South Vietnam and Cambodia*, 149; [nearly ever major American newspaper pounced the “end” of the Vietnam War on April 30, 1975].

agreed on the fact that the “last chapter” of the Vietnam War remained ongoing. Moreover, both clearly connected the resolution of “humanitarian” issues to the pursuit of the “last chapter” of the Vietnam War. By focusing the preponderant amount of our scholarly attention on the war’s origins and military phase, we have overlooked some of the most important pages in the history of the Vietnam War.

Although he played an important part in the narrative, President Bush did not write the “last chapter of the Vietnam War.” The Bush administration, Schulzinger suggests, had “planned to proceed with normalization after it was safely reelected.”¹⁸⁵ The optimistic assumption imbedded in this plan, however, did not come to fruition. Scholars argue that frustration over POW/MIA issues contributed to Bush’s failure to secure reelection. As Michael Allen argues, “Perot’s POW/MIA advocacy was key to his campaign. Everything he did had a POW context.”¹⁸⁶ Although scholars agree that there were no live American POWs to rescue in 1992, Perot, the billionaire businessman, independent candidate, and longtime POW/MIA advocate, benefitted from a decades-long record of belligerent rhetoric on the issue, without having the burden of actually having to turn his promises into results. President Bush, on the other hand, suffered from the opposite problem of having left the POW/MIA lobby’s expectations unfulfilled during his years in office. His shouting match with disenchanted members of the League of Families did not help. To make matters worse, “much to Bush’s surprise, most of the public showed little interest in foreign affairs in general and in Clinton’s lack of Vietnam service in particular.”¹⁸⁷ For reasons both tied inextricably to the ongoing fight in U.S.

¹⁸⁵ Schulzinger, *A Time for Peace*, 49.

¹⁸⁶ Allen, *Until the Last Man Comes Home*, 277.

¹⁸⁷ Schulzinger, *A Time for Peace*, 49.

society over the legacies of the war, and for other reasons totally disparate, President Bush did not get to normalize relations with the SRV, despite the tangible progress his Administration made toward that end. Although FVPPA could celebrate the Bush years as a resounding success, neither the League of Families nor the President himself could say the same.

Conclusion

As scholars have long noted, the United States and Vietnam took significant, tangible steps toward normalization during the George H. W. Bush administration. While the POW/MIA and business lobbies often made the most noise in the vociferous domestic debate over U.S. Indochina policy, refugee issues mattered far more than current studies acknowledge. Concerns about reeducation camp detainees, first asylum in Southeast Asia, and human rights in Vietnam all continued to be deeply entangled during the Bush years. The increased scale of the boat people exodus threw these connections into sharp relief, illustrating U.S. policymakers' dedication not only to reeducation camp prisoners, but their growing tensions with nations of first asylum. U.S. officials' refusal to embrace forced repatriation not only conforms to longstanding American policy in the region (U.S. officials, of course, were far less opposed to forced repatriation when Haitians were arriving on American shores), but also the salience of Sagan's arguments on the conditions of human rights violations in Vietnam. Although U.S. officials refused to support forced repatriation based on a critical assessment of Hanoi's internal policies, the U.S. alternative to forced repatriation—enhanced Orderly Departure Program numbers, especially a robust program for former political prisoners and their families—required

U.S.-Vietnamese collaboration and helped accelerate the normalization of relations between them.

For current and former reeducation camp prisoners, the Bush years indeed marked a milestone. Washington and Hanoi signed the long-awaited Reeducation Resettlement program in July of 1989, the first prisoners arrived in the United States in January of 1990, the United States included the issue in the April 1991 Roadmap, and Hanoi released the last reeducation detainees in 1992. These policies clearly demonstrate the commitment U.S. policymakers harbored toward the reeducation detainees' release and resettlement during Bush's term. While other groups mattered, the Aurora Foundation and FVPPA were instrumental in making this issue a pillar of U.S. Indochina policy. While Sagan successfully eased her way out of debates on the issue after her November 1989 *Report*, FVPPA's existence far surpassed its announced termination date of January 1992. U.S. policymakers and Vietnamese families continued to turn to FVPPA for information and assistance, and after years of answering these requests with enthusiasm and dedication, it seems FVPPA could not turn them away. As the Clinton years soon made clear, former reeducation detainees and their families still needed FVPPA's advocacy to ensure the promises embedded in the 1989 agreement came to fruition.

As FVPPA's stock continued to rise, the National League of Families began to fall out of official favor. In part, the League and Ann Mills Griffiths attained such influence during the 1980s that it was almost inevitable that their grip on U.S. policy (and policymakers) would weaken over time. The League's fall from grace accelerated during the Clinton years, in part thanks to an unlikely source: the MIA-advocate stacked congressional Select Committee on POW/MIA affairs.

CHAPTER 6

FROM “HUMANITARIAN” ISSUES TO “HUMAN RIGHTS” CONCERNS: U.S.-SRV NORMALIZATION DURING THE CLINTON YEARS

On July 11, 1995 President William J. Clinton announced “the normalization of diplomatic relations with Vietnam.”¹ As Clinton gave his speech, he stood flanked on both sides by “distinguished veterans of the Vietnam War,” and the president mentioned a handful by name in his address: “Senators John McCain, John Kerry, Bob Kerrey, Chuck Robb, and Representative Pete Peterson.” Although these legislators “had different judgments about the war which divided us so deeply” Clinton noted proudly that “today they are of a single mind,” unanimous in their support for the resumption of formal U.S.-Vietnamese diplomatic relations.² While the congressmen helped give Clinton political cover, their presence was more than symbolic: congressional activism, not only in Clinton’s term but also in the decade prior, played a crucial role in U.S.-SRV normalization. Although Clinton’s announcement signaled an important and long awaited change in U.S.-Vietnamese relations, then, the normalization process began far earlier and continued for years thereafter.

The rapid steps Clinton’s administration took toward formal relations are the most studied aspects of U.S.-SRV normalization. Scholars have rightly noted the importance of the United States’ decisions to allow international financial institutions to lend to Vietnam, lift the American embargo, settle financial disputes from the Vietnam War, establish formal diplomatic relations, and award Vietnam most favored nation status. Historians Edwin A. Martini, Michael Allen, and Robert D. Schulzinger trace these

¹ William J. Clinton, “Remarks Announcing the Normalization of Diplomatic Relations with Vietnam,” July 11, 1995, <http://www.presidency.ucsb.edu/ws/?pid=51605>.

² Ibid.

developments in detail, and I rely on their analyses, especially for complex economic matters.³ This chapter adds to these scholars' excellent works by demonstrating the continued importance of refugee issues throughout Clinton's time in office. More specifically, I argue that the Clinton years were a time of transition, when previous "humanitarian" policies were winding down—though by no means complete—and came to coexist and even in some cases be eclipsed by "human rights" driven concerns.

The United States' longstanding definition of humanitarian issues regarding Vietnam remained intact during the Clinton years. When U.S. policymakers referred to "humanitarian" issues in Vietnam they were talking specifically about boat and land people, former reeducation camp detainees, Amerasians and missing American servicemen. Although each of the four humanitarian issues involved tens, even hundreds of thousands of Vietnamese (and 2,500 Americans), there were also limits to the number of individuals that could fall into each category. A "human rights" to Vietnam broadened the scope of interest of U.S. policy considerably. Throughout the late 1980s and early 1990s, NGOs began documenting and publicizing the full spectrum of human rights issues—including political, civil, religious, and economic rights of all Vietnamese citizens. Although the Clinton administration began formal talks on human rights concerns prior to his July 1995 announcement, human rights did not become an official barometer in U.S.-SRV normalization until after Clinton announced the establishment of formal diplomatic relations.

In many ways, the policies American officials implemented to address

³ Robert D. Schulzinger, *A Time for Peace: The Legacy of the Vietnam War* (Oxford University Press, 2006); Michael J. Allen, *Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War* (Chapel Hill: University of North Carolina Press, 2009); Edwin A. Martini, *Invisible Enemies: The American War on Vietnam, 1975-2000* (Amherst: University of Massachusetts Press, 2007).

humanitarian issues came to a close during the Clinton administration. Although the United States continued to emphasize POW/MIA accounting and emigration through the ODP, it was clear that these programs had reached their final stages. The same is also true for the Comprehensive Plan of Action (CPA), which the international community established to address the resurgence of oceanic migrants in the late 1980s. While the CPA itself has attracted a great deal of scholarly attention, these works mostly engage in debates about the program's efficiency and humanitarianism, and overlook the extent to which the program constituted one of many elements involved in U.S.-Vietnamese normalization.⁴ Even though seventy nations participated in the CPA, many U.S. policymakers viewed the measure through the lens of U.S.-Vietnamese bilateral relations. Refugee concerns continued to play a primary role in U.S.-Vietnamese normalization.

Winding Down "Humanitarian" Issues

Exactly one week before Bill Clinton took the presidential oath of office, the Congressional Select Committee on POW/MIA Affairs issued its final report.⁵ The Senate had voted unanimously to establish the committee in an attempt to provide definitive answers to those that believed in the existence of live American POWs in Vietnam and remained suspicious about a government cover-up. The Committee's Final Report, a sprawling, 1,233-page document, is best known for a single line: "there is, at

⁴ W. Courtland Robinson, "The Comprehensive Plan of Action for Indochinese Refugees, 1989-1997: Sharing the Burden and Passing the Buck," *Journal of Refugee Studies*, vol. 17 no.3 (2004): 320-333; Keane Shum, "A New Comprehensive Plan of Action: Addressing the Refugee Protection Gap in Southeast Asia through Local and Regional Integration," *Oxford Monitor of Forced Migration*, Vol. 1 number 1: 60-77; Lawrence Lam, "Comprehensive Plan of Action (CPA) for Vietnamese Asylum Seekers: Some Reflections" *Refugee* vol. 13 no. 5 (September 1993):12-14;

⁵ "Report of the Select Committee on POW/MIA Affairs, United States Senate," January 13, 1993 (U.S. Government Printing Office: Washington, 1993), http://lcweb2.loc.gov/frd/pow/senate_house/pdf/report_S.pdf

this time, no compelling evidence that proves that any American remains alive in captivity in Southeast Asia.”⁶

Despite the certainty conveyed in this statement, the Report did not dispel congressional or popular belief in the myth of live POWs. A memorandum written to Senator Bob Dole from one of his staffers that served on the Select Committee illustrates this point. The January 7 memorandum, aptly titled “POW Committee—Uproar over report,” explained to Dole that “tempers are getting short as various committee members seek to further their agendas in the writing of executive summary and final committee report.”⁷ In other words, many of the “POW crusaders” that launched the committee knew what they wanted the Final Report to say before examining the evidence.⁸ “During the Members’ review of the report yesterday,” the memo continued, “Grassley insulted McCain who responded by extending his middle finger at Grassley. He [McCain] then left the room saying they could write what they wanted—he didn’t care anymore.”⁹ While McCain eventually rejoined the deliberations, this exchange illustrates the high tensions that continued to accompany even official, closed discussions of the issue in the mid 1990s.

In his *Mythmaking in America*, which debuted the same year as the Select Committee’s final report, historian H. Bruce Franklin suggested, “the POW myth...has

⁶ Report of the Select Committee on POW/MIA Affairs, United States Senate,” 8.

⁷ January 7, 1993, from Dan Stanley to Senator Dole, subject: “POW Committee-Uproar over report” Box 70, Folder 3, Robert J. Dole Republican Leadership Collection, 1985-1996, Subseries 1: Legislative Relations, 1969-1996

⁸ H. Bruce Franklin, *M.I.A. or Mythmaking in America* (New Brunswick, NJ: Rutgers University Press, 1993), 185.

⁹ January 7, 1993, from Dan Stanley to Senator Dole, subject: “POW Committee-Uproar over report” Box 70, Folder 3, Robert J. Dole Republican Leadership Collection, 1985-1996, Subseries 1: Legislative Relations, 1969-1996

all the intensity of a religion.”¹⁰ The unwillingness of some of the Committee’s own members to believe the Report’s conclusions—after having access to decades of previously classified information—suggests that Franklin had a point. Public opinion polls taken in April 1993, for example, revealed that 67% of Americans continued to believe that there were Americans “still being held in Southeast Asia.”¹¹ For some in the halls of Congress and throughout the United States, the belief in the myth of live POWs remained so dogmatic that nothing—even a Senate committee “stacked with MIA advocates”—could convince them that hope for the return of live American POWs was a fantasy.¹²

While the Final Report failed to convince even some of its own coauthors, then, the Committee successfully challenged an unlikely target: the National League of POW/MIA Families. As Allen explains, the Select Committee “exposed the MIA movement,” especially the League and its Executive Director Ann Mills Griffiths, “as more corrupt, divided, and exiguous than previously thought.”¹³ The Committee’s investigation also revealed many in the MIA movement as “charlatans, cynics and ideologues that bore little resemblance to the teary POW wives and MIA mothers of the early 1970s.”¹⁴ Furthermore, the Select Committee uncovered “Griffiths role in funneling money for the IAG [InterAgency Group on POW/MIA Affairs],” which led the Senators to recommend the IAG be disbanded.¹⁵ Perhaps most damning of all was the realization

¹⁰ Franklin, *MIA or Mythmaking in America*, 7.

¹¹ Public Opinion Poll, Folder, “April 1993 (#4038),” Box 85, Robert M. Teeter Papers, Gerald R. Ford Library.

¹² Michael J. Allen, *Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War* (Chapel Hill: University of North Carolina Press, 2009) 270.

¹³ Allen, *Until the Last Man Comes Home*, 281.

¹⁴ Allen, *Until the Last Man Comes Home*, 282.

¹⁵ Allen, *Until the Last Man Comes Home*, 282.

that “the MIA lobby was surpassingly small...with many politicians concluding that its bark was worse than its bite.”¹⁶ The culmination of these facts, Allen argues, “changed the political calculus of the POW/MIA issue.” The League remained intact and operational, and the POW myth still had many faithful adherents among Americans that ignored the Final Report, but the once mighty National League of Families suffered “a blow from which it never fully recovered.”¹⁷

Although Allen makes a persuasive case the January 1993 report created a significant shift among U.S. policymakers, the American public remained largely immune to these changes, at least at first. The fact that many Americans continued to harbor palpable antipathy toward all things “Vietnam” only compounded the reality that the majority of Americans retained their belief in the existence of live POWs. Pete Peterson, a former POW, U.S. Congressman, and the first U.S. Ambassador to Vietnam, described the domestic political scene in the early and mid 1990s as “very difficult.”¹⁸ “At the time the American public was profoundly against the idea [of normalization],” he explained, recalling “a feeling within America that nobody wanted to do anything positive related to Vietnam.” The general mood, he remembered, “was not ‘no’ but ‘hell no’ are we going to have anything to do with Vietnam.”¹⁹ As a *Boston Globe* article reported just days before Washington and Hanoi established formal diplomatic relations, “Vietnam is not a dry issue of dollars and cents. The war...has never been fully resolved

¹⁶ Allen, *Until the Last Man Comes Home*, 282.

¹⁷ Allen, *Until the Last Man Comes Home*, 283. The American Legion was among those that continued their insistence that the U.S. government base its policy on the assumption that Vietnam continued to hold live American POWs. See: February 1993, American Legion “Legislative Priority Sheet” Box 211, Folder 9, Robert J. Dole Senate Papers—Legislative Relations, 1969-1996, 01/003, Subseries 6: Legislative Assistants, 1963-1996

¹⁸ Pete Peterson, Interview with Author, September 22, 2013.

¹⁹ *Ibid.*

in many Americans' hearts."²⁰ Even though U.S.-Vietnamese relations consistently thawed throughout Clinton's time in office, then, U.S. policymakers had to contend with an often openly hostile, or, at least, deeply ambivalent current of emotion running through broad swaths of the American public.

Hanoi, on the other hand, wanted formal ties and sent clear signals through increased cooperation during Clinton's first few years in office. In early January 1993, for example, Priscilla Clapp, the Senior Deputy Assistant Secretary of the Bureau of Refugee Programs, reported that her team recently visited Vietnam to "participate in U.S.-SRV technical talks" and that she "found the negotiation climate generally cooperative and Vietnamese officials seemingly anxious to pursue FPP [former political prisoner] processing in an expeditious manner."²¹ Clapp explained to FVPPA President Khuc Minh Tho that the Bureau of Refugee Programs would "continue to give top priority in processing the FPP caseload" and that she hoped to "increase the number of persons admitted in FPP cases this year to as many as 25,000."²²

The Vietnamese continued to live up to Clapp's favorable depiction. In mid January, Hanoi agreed to provide Washington with "all of the HO lists,"—that is, all of the individuals Vietnam approved for exit permits through the ODP.²³ Vietnam's willingness to provide American ODP officials with the names of individuals on HO reversed Vietnam's longstanding policy, and perhaps demonstrated a desire to satisfy the

²⁰ Jill Zuckman, "Kerry, McCain share a goal over Vietnam," *Boston Globe*, 9 July 1995, 1.

²¹ January 5, 1993 [letter is incorrectly dated 1992 in files], Letter from Priscilla Clapp to Khuc Minh Tho, FVPPAC Box 118 Folder 73, VCA.

²² January 5, 1993 [letter is incorrectly dated 1992 in files], Letter from Priscilla Clapp to Khuc Minh Tho, FVPPAC Box 118 Folder 73, VCA.

²³ January 25, 1993, Letter from Tho to John McCain, FVPPAC Box 130 Folder 13, VCA.

terms of the “Roadmap to Normalization” the U.S. had provided Hanoi in 1991.²⁴ While Hanoi still refused, and to this day refuses, to provide access to the official reeducation camp records, sharing of HO lists permitted resettlement countries, including the United States, to expedite processing. As FVPPA noted, the change enabled U.S. policymakers “to prioritize the HO interview schedule” for reeducation camp detainees “according to length of detention.”²⁵ Throughout early 1993, then, the Association worked to help ensure that the 100 longest held reeducation detainees received expeditious processing, maintained their close contact and cooperation with U.S. officials, and collaborated with other Vietnamese American organizations to provide new arrivals with a smooth transition to life in the United States.²⁶

As he swore the presidential oath of office, President Bill Clinton thus had reasons to be both optimistic and cautious about the scope and pace of U.S.-Vietnamese relations. Cooperation between the two governments on POW/MIA and reeducation affairs remained high and the American domestic political environment continued to shift, albeit slowly and unevenly, toward a more favorable position on normalization.²⁷ A main impetus for this shift was the business lobby. As Martini explains “business

²⁴ "Roadmap to U.S.-S.R.V. Normalization" 9 April 1991, OSS 91-2128, Box 61, Declassified Files, Record Group 46, Records of the United States Senate, Records of the Senate Select Committee on POW/MIA Affairs, 102d Congress, 1991-1993, National Archives, Washington, D.C.

²⁵ January 25, 1993, Letter from Tho to John McCain, FVPPAC Box 130 Folder 13, VCA.

²⁶ February 3, 1993, Letter to House and Senate Foreign Relations Committees, Office of Vietnam, Laos and Cambodian Affairs Director, Kenneth Quinn, Deputy Assistant Secretary [on 14th], FVPPAC Box 130 Folder 14, VCA; February 23, 1993, “Services Provided to the Vietnamese Community by the FVPPA,” Khuc Minh Tho, FVPPAC Box 136 Folder 5, VCA; March 16, 1993, Fax to Tom Raezer, Bureau for Refugee Programs, Department of State, from FVPPA, “List of FPP,” FVPPAC Box 130 Folder 15, VCA; June 20, 1993, Letter from Tho to Senator Edward M. Kennedy, Chairman, Subcommittee on Immigration and Refugee Affairs, FVPPAC Box 130 Folder 18A, VCA; July 20, 1993, Letter to President Bill Clinton from Tho, FVPPAC Box 130 Folder 20A, VCA; July 23, 1993 meeting with Department of State, proposed agenda, FVPPAC, Box 130 folder 20A, VCA.

²⁷ January 22, 1993, Letter from Congressional Human Rights Caucus to SRV Prime Minister Vo Van Kiet, Ginetta Sagan Papers, Box 178, Hoover Institution Archives; “Vietnam’s Lack of Commitment to Human Rights” January 26, 1993, Rohrabacher, 103rd Congress, 1st Session, Congressional Record, Vol. 1339 No. 8, Ginetta Sagan Papers, Box 183/179, Hoover Institution Archives.

interests were clearly overtaking the POW/MIA lobby as the primary source of testimony” at congressional hearings on U.S.-Vietnamese relations and also began to drown out POW/MIA inspired calls for caution in the popular press with equally exigent demands for access to Vietnamese consumers.²⁸ That Vietnam might also serve as a counterweight to China in the post-Cold War world added geopolitical justification to economic arguments.

While geostrategic and economic rationales mattered, it is clear that Clinton felt obliged to publically emphasize POW/MIA accounting and minimize any other concerns. To continue the positive momentum on the POW/MIA issue, Clinton reappointed Reagan and Bush’s personal emissary to Vietnam, General John Vessey, and Vessey made his first trip to Vietnam as a Clinton administration representative in April 1993. A congressional delegation led by Kerry, McCain, and Pete Peterson quickly followed on the heels of Vessey’s arrival.²⁹ By the time legislators departed in May, Hanoi repatriated twenty-one American remains.

The administration received additional positive signals from Hanoi throughout the spring and early summer. Another Roadmap requirement was fulfilled, for example, when U.N.-supervised elections took place in Cambodia in May.³⁰ Emigration through the ODP also proceeded apace in fiscal year 1992 (October 1, 1992-September 30, 1993) with 22,629 emigrating through the reeducation camp program, 17,646 through the Amerasian program and an additional 23,294 Vietnamese traveling to the United States through immigrant visas with 17,920 family members through the Public Interest

²⁸ Martini, *Invisible Enemies*, 189.

²⁹ Allen, *Until the Last Man Comes Home*, 283, 284.

³⁰ Allen, *Until the Last Man Comes Home*, 284; Martini, *Invisible Enemies*, 186.

Parole.³¹

In response to these overtures, Clinton made a three-part announcement on July 2. First, he explained that he “instructed all U.S. Government POW/MIA related documents to be declassified by Veterans Day of this year, except for that tiny fraction that could still affect our national security or invade the privacy of the families.”³² Charges of conspiracy, a la *Rambo*, had long plagued the U.S. government, and Clinton’s declassification order clearly intended to take away one of the conspiracy theorists’ most powerful weapons: claims that U.S. officials hid the truth of live POWs behind the smokescreen of classification. By giving POW/MIA families access to documents that would have otherwise remained unavailable for decades, the President attempted to foster trust between U.S. officials and POW/MIA families. Although some Americans would continue to believe the POW myth no matter what the government did, Clinton’s actions gave these extreme advocates less credible ground on which to stand.

To add weight to his first good-faith initiative, Clinton announced that in addition to retaining Vessey as his special emissary, he planned to send a high-level POW/MIA delegation to Vietnam. Clinton explained this decision as an effort “to press for further progress and send a clear message to the Vietnamese government.”³³ Led by Deputy Secretary of Veterans Affairs Hershel Gober, Assistant Secretary of State Winston Lord and Lieutenant General Michael E. Ryan, the delegation also included representatives from The American Legion, The Veterans of Foreign Wars and the Disabled American

³¹ June 30, 1993, Letter from Priscilla Clapp to President Khuc Minh Tho, FVPPAC Box 118 Folder 73, VCA.

³² July 2, 1993, “Statement by the President on U.S. Policy Toward Vietnam,” The White House Office of the President, National Security Council, Office of Press and Communications, and Philip “PJ” Crowley, “Vietnam [2],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48636>.

³³ July 2, 1993, “Statement by the President on U.S. Policy Toward Vietnam.”

Veterans. While Clinton invited the League to send a representative, it had not yet joined the other organizations in accepting the invitation and ultimately declined.³⁴ Although previous administrations had remained sensitive to veterans groups—Reagan gave his 1980 speech dubbing the Vietnam War a “noble cause” before the Veterans of Foreign Wars Convention, after all—Clinton’s inclusion of multiple veterans’ groups marked a subtle yet significant change. Rather than use the League of Families as an intermediary, Clinton’s administration engaged directly with veterans, which added legitimacy to his policymaking.

In terms of U.S.-Vietnamese normalization, the last part of Clinton’s announcement was the most important. Overturning years of U.S. policy, Clinton announced that he “decided to end our opposition to the efforts of other nations to clear Vietnam’s arrears in the IMF [International Monetary Fund].”³⁵ This decision had major consequences. Hanoi reported that it received \$500 million in foreign assistance in 1993, “up from an average of \$100 million during the late 1980s and early 1990s.”³⁶ At the fall 1993 IMF meeting, Vietnam “received aid pledges of nearly \$2 billion.”³⁷ While Clinton’s decision had major economic consequences, the administration consistently refused to justify its decision on an economic basis or as a response to the clamoring of American companies for access to the Vietnamese consumers.

Clinton framed his decision, indeed, the entire speech, as a step toward securing a full accounting of missing American servicemen. “I believe, as do former POWs John McCain and Douglas ‘Pete’ Peterson and other veterans such as John Kerry and others in

³⁴ Schulzinger, *A Time for Peace*, 55.

³⁵ July 2, 1993, “Statement by the President on U.S. Policy Toward Vietnam.” See also Martini, *Invisible Enemies*, 186; Schulzinger, *A Time for Peace*, 52; Allen, *Until the Last Man Comes Home*, 284-5.

³⁶ Martini, *Invisible Enemies*, 199.

³⁷ Martini, *Invisible Enemies*, 199.

Congress,” Clinton explained “that such action will best serve the goal of achieving further progress toward the fullest possible accounting.”³⁸ If Clinton’s name-dropping did not make the point clearly enough, the same day as the President’s announcement a group of twenty “Vietnam-era veterans in Congress” published a letter imploring Clinton to drop U.S. opposition to IMF loans to Vietnam in order to send “a strong signal that the United States recognizes Vietnam's efforts,” and urge them to continue their cooperation.³⁹ Senators Kerry and McCain, Congressman Wayne T. Gilchrest (R-MD), Lee Hamilton (D-IN) and Peterson also issued separate press releases supporting Clinton’s decision.⁴⁰

Clinton’s speech is noteworthy both for what the President said and what he did not say. Although Clinton belabored his commitment to “full accounting,” in the aftermath of the Select Committee’s Final Report, he did not once mention the possibility of the return of live American POWs. For the first time since the early 1980s, the official American definition of “tangible progress” necessary for “any further steps in relations

³⁸ July 2, 1993, “Statement by the President on U.S. Policy Toward Vietnam.”

³⁹ July 1, 1993, Letter from Vietnam-era Veterans in Congress to President Clinton, National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, “Vietnam [2],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48636>.

⁴⁰ July 2, 1993, “Peterson Supports U.S. Policy Change Toward Vietnam,” National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, “Vietnam [2],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48636>; July 2, 1993, “Gilchrest Agrees: Allow Vietnam to restructure its debts to help speed full accounting of American POW/MIA cases,” National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, “Vietnam [2],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48636>; July 2, 1993, “McCain Announces Support for Clinton Move on Vietnam,” National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, “Vietnam [2],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48636>; July 2, 1993, “Kerry Issues Statement on President’s Vietnam Announcement,” National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, “Vietnam [2],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48636>; “Hamilton Lauds Clinton Policy on Vietnam,” July 2, 1993, National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, “Vietnam [2],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48636>.

between our two nations” did not require the return of live American prisoners. Clinton demanded that Hanoi continue to cooperate in four key areas: recovery of remains, resolution of discrepancy cases, “further assistance in implementing trilateral investigation with the Lao,” and continued and “accelerated” access to all relevant archival materials.⁴¹ While Clinton carried on the American practice of requiring the Vietnamese to make herculean and unprecedented efforts to account for missing American servicemen, he also broke from previous policy by making demands that Hanoi could actually satisfy.

The President’s July 2, 1993 speech embodied the strategy he used throughout his time in office. The essence of Clinton’s approach was to work closely with Vietnam veterans in Congress and use the political cover their service provided to take steps toward normalization.⁴² In contrast to the Ford, Carter, and early Reagan years, during the Clinton administration the executive and legislative branches worked together to craft U.S. normalization policy. Of course, there were always a handful of legislators, especially the “Rambo faction,” that refused to support Clinton’s overtures and tried to undercut his policies. As Pete Peterson explained, “there weren’t many of us within Congress that were positively inclined” toward normalization, “but over time, and after about three visits to Vietnam by members of the House and of the Senate we ended up with a cadre, if you will, of individuals from Congress with like mind and we essentially began pressuring the State Department but really directly pressuring President Clinton into moving toward reconciliation.”⁴³ Historian Robert Schulzinger paints the same

⁴¹ July 2, 1993, “Statement by the President on U.S. Policy Toward Vietnam.”

⁴² On political cover see Martini, *Invisible Enemies*, 193.

⁴³ Pete Peterson, Interview with Author, September 22, 2013.

picture, suggesting “Vietnam veterans in Congress took the lead in calling for dropping economic restrictions and normalizing relations with the SRV.”⁴⁴ While executive records that would confirm these assertions remain classified, it is logical that the Congressmen, who had developed relationships with the Vietnamese over many years, would be, if not the driving force, at least an equal partner in the combined legislative-executive effort to pursue normalization.

Later in July, Clinton’s delegation arrived in Vietnam, without a League representative. The Vietnamese officials thanked Clinton for demonstrating “goodwill” by permitting the direly needed flow of IMF funds and presented U.S. officials with a large cache of archival material. While the delegation discussed POW/MIA issues extensively, it also visited an Amerasian Transit Center and established a rehabilitation center in the south to treat former reeducation camp prisoners and ARVN officials still suffering from war-related maladies (with Hanoi’s blessing).⁴⁵ As the agenda of this brief visit makes clear, U.S. policymakers continued to require that Hanoi address all of its “humanitarian” concerns—including POW/MIA accounting, emigration through the ODP, Amerasians and reeducation camp prisoners. By the early and mid 1990s, the United States and Vietnam were collaborating closely on all of these issues, paving the way for formal normalization.

The Vietnamese also permitted the United States to establish a State Department office that would “assist American families in obtaining the appropriate travel documents to go to Vietnam to search for their relatives.”⁴⁶ Lord insisted “we are *not* opening a

⁴⁴ Schulzinger, *A Time for Peace*, 53.

⁴⁵ Schulzinger, *A Time for Peace*, 55-6.

⁴⁶ Schulzinger, *A Time for Peace*, 55.

diplomatic mission in Hanoi. We are *not* establishing a U.S. interest section there. What we *are* doing is strengthening our efforts to try to find the answers for the families of our missing men.”⁴⁷ Truth be told, the POW/MIA office was only the most recent in the establishment of American offices on Vietnamese soil to address “humanitarian” issues. As chapter four details, after Hanoi’s willingness to reengage with the United States on the Orderly Departure program in 1987, U.S. officials were stationed and conducted interviews directly in Ho Chi Minh City. As Phyllis Oakley, the Assistant Secretary of State of the Bureau of Population, Refugees and Migration, explained, the office “dealing with all of these questions of refugees was very much like a consular section.”⁴⁸ Although not an embassy, a consular office—usually located outside of the capital city where one finds formal embassies—provides services to individuals and businesses and still functions as a formal diplomatic office. Oakley, a Foreign Service Officer whose husband served as Ambassador to at least three different countries, certainly made this comparison from a well-informed position.

On the one hand, semantics were important. The United States remained unwilling to call these offices embassies or consular offices throughout the late 1980s and early 1990s, reflecting a larger American reluctance to publically proclaim it accepted Vietnam as a member of the community of nations. On the other hand, functionality remained, in other ways, equally as important. As Oakley argued, the existence of the refugee office and U.S.-Vietnamese cooperation on refugee concerns reflected “that they [the United States and Vietnam] could work things out and have orderly processes.”⁴⁹ In

⁴⁷ Quoted in Shchulzinger, *A Time for Peace*, 55-56.

⁴⁸ Phyllis Oakley, Interview with Author, September 12, 2013.

⁴⁹ Phyllis Oakley, Interview with Author, September 12, 2013.

other words, the two sides increasingly functioned as though they had official diplomatic relations, even in the absence of those formal ties. The creation of an additional office in 1993 only added to this trend.

President Clinton's response to his mandatory review of the Trading with the Enemy Act (TEWA) in September 1993 demonstrates these larger tensions between legal titles and de facto realities. TEWA was the legislation that perpetuated the U.S. embargo on Vietnam and handful of other "enemy" nations. In the fall of 1993, Clinton decided to maintain TEWA restrictions on Cuba, North Korea, Cambodia and Vietnam.⁵⁰ Yet, his Presidential Determination made clear distinctions between the "enemy" nations. Clinton castigated Cuba and North Korea, but took a much more conciliatory tone with Vietnam. While the president explained that he extended the U.S. embargo on Vietnam for another year in order to make clear "that more needs to be done" to achieve POW/MIA accounting, Clinton softened this decision—which labeled Vietnam as an "enemy" on par with North Korea—by announcing "an adjustment relating to international financial institution [IFI] lending."⁵¹ In addition to consenting to IFIs' lending to Vietnam, the new decision allowed "American companies to participate in development projects in Vietnam funded by International Financial Institutions."⁵² Clinton went another step further in November when he announced that U.S. companies could sign contracts "with Vietnamese nationals and organizations to facilitate commercial transactions at such time

⁵⁰ September 13, 1993, "Renewal of the Trading with the Enemy Act and U.S. Policy Toward the Embargo Against Vietnam," The White House Office of the Press Secretary, National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, "Vietnam [2]," *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48636>.

⁵¹ September 13, 1993, "Renewal of the Trading with the Enemy Act and U.S. Policy Toward the Embargo Against Vietnam."

⁵² September 13, 1993, "Renewal of the Trading with the Enemy Act and U.S. Policy Toward the Embargo Against Vietnam."

as the Vietnam embargo is modified to permit such transactions.”⁵³ While Clinton extended the embargo, then, he did so while simultaneously sending clear signals that the question was when, not if, his administration would ultimately remove the economic sanctions.

Human Rights Advocacy and the Beginning of Formal Talks

As if to reinforce the implication that formal relations would be imminent, Assistant Secretary of State Lord made another trip to Vietnam in December. In addition to participating in a remains repatriation ceremony, Lord also signed a U.S.-Vietnamese agreement to begin bilateral discussions on human rights. Washington and Hanoi formally announced this new initiative on January 11, 1994.⁵⁴ While the United States and Vietnam had been meeting for years to discuss what U.S. policymakers termed “humanitarian” issues, the December 1993 agreement marked an important change by signaling Vietnamese willingness to discuss the expansive issue of human rights conditions in Vietnam.

Scholars are beginning to disentangle the complex, intertwined, yet distinct roots between the histories of humanitarianism and human rights.⁵⁵ In the specific case of U.S.-

⁵³ February 2, 1994, “Addendum to Overview,” Department of the Treasury, National Security Council, Office of Press and Communications, and Philip “PJ” Crowley, “Vietnam [1],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48635>.

⁵⁴ May 20, 1994, Fax from Department of State EAP, VLC-Andrew Rothman, to Mrs. Tho, Jim Hall’s Remarks, “Human Rights and Vietnam,” FVPPAC Box 136 9A VCA; Allen, *Until the Last Man Comes Home*, 286; Jim Mann, “U.S. Plans Human Rights Dialogue with Vietnam Diplomacy: Meetings Will be among Last Steps Toward Lifting Trade Embargo. Officials Say Clinton Will Probably do that within a Month.” *Los Angeles Times*, Jan 11, 1994. 10; Marilyn Greene, “Vietnam Agrees to Talks on Human Rights.” *USA TODAY*, Jan 11, 1994. 06A.

⁵⁵ For example, the 2015 meeting of the Society for Historians of American Foreign Relations contained a lively roundtable entitled, “Humanitarianism and Human Rights: A State of the Field.” There is also an upcoming conference at George Mason University on “Humanitarianism and/or versus Human Rights:” <http://humanityjournal.org/blog/theses-on-humanitarianism-and-human-rights/>

Vietnamese relations after 1975, U.S. policymakers meant overlapping but different things when they spoke of “humanitarian” issues and Vietnamese “human rights.” As chapters three and four demonstrate, “humanitarian” issues, according to the United States, were those that involved family reunification: POW/MIAs, Amerasians, reeducation camp prisoners and emigration through the ODP. While this definition of “humanitarian” included hundreds of thousands of people, the term also had its limits. When U.S. policymakers referred to “human rights” issues in Vietnam, however, they were referring to the much more expansive span of civil, political, economic and social rights of the entire Vietnamese population.

While Washington and Hanoi had been cooperating for years on “humanitarian” issues, “human rights” concerns only entered into the equation in the late 1980s and early 1990s. In the late 1980s, FVPPA and various human rights organizations began to raise red flags about human rights conditions in Vietnam, especially, in FVPPA’s case, regarding treatment of former reeducation camp prisoners and their families. Yet, especially in the early 1990s as more and more foreign observers gained access to Vietnam, international criticisms of Hanoi’s human rights policies (or, according to many observers, lack thereof), grew exponentially. The case of Dr. Nguyen Dan Que, a fifty-one year old human rights activist that Amnesty International adopted as a “prisoner of conscience,” for example, drew international attention, especially among the United States’ Virginia-area Vietnamese community, where Dr. Que’s family lived.⁵⁶ Hanoi’s harsh treatment of the Unified Buddhist Church, which refused a government order to

⁵⁶ Michael Shear, "Refugees Champion Political Prisoner." *The Washington Post (1974-Current File)*, Sep 30, 1993. 1; Philip Shenon, Special to The New York Times. "Hanoi is Accused of Abusing Critic," *New York Times (1923-Current File)*, Nov 08, 1993. 1.

disband, also continued to make international headlines throughout Clinton's first term.⁵⁷

The State Department's "Vietnam Human Rights Practices, 1993" Report offered some cautious praise, but mostly condemned Hanoi. The Report noted that Vietnam adopted "a new constitution in 1992 that provides for the rule of law and respect for human rights" but that, in practice, "the Government continued to restrict individual rights on national security and other grounds."⁵⁸ Two bright spots in an overall pessimistic report included Hanoi's compliance with multilateral emigration programs: the ODP and CPA. The Report noted, for example, "the SRV permitted international visitors to monitor implementation of its repatriation commitments under the Comprehensive Plan of Action" which included the pledge "to waive prosecution and punitive measures for illegal departure from Vietnam of persons who return under the UNHCR voluntary repatriation program." Additionally, Vietnam "continued to permit emigration" through the ODP "including Amerasians, former reeducation detainees and family reunification cases."⁵⁹

Human rights issues certainly mattered to U.S. policymakers when crafting the nation's normalization policy, but the four issues American officials deemed "humanitarian" mattered more. While administration officials often mentioned the importance of human rights, its statements and actions reflected the assumption that normalization itself would help address human rights issues, while humanitarian issues served as preconditions. The approach of major human rights organizations like Asia

⁵⁷ Jim Mann, "U.S. Plans Human Rights Dialogue with Vietnam Diplomacy: Meetings Will be among Last Steps Toward Lifting Trade Embargo. Officials Say Clinton Will Probably do that within a Month." *Los Angeles*, Jan 11, 1994. 10; PHILIP SHENON Special to The New York Times. "Vietnam Said to Arrest 2 Protesting Buddhist Monks." *New York Times*, Jan 09, 1995. 1; "Faith in Hanoi." *Asian Wall Street Journal*, Jan 19, 1995. 10.

⁵⁸ "Vietnam Human Rights Practices, 1993," January 31, 1994, U.S. Department of State,

⁵⁹ Ibid.

Watch added legitimacy to this approach. In August of 1993, for example, Asia Watch published a report entitled “Human Rights in US-Vietnam Relations.”⁶⁰ “Although Vietnam’s human rights problems...are serious, Asia Watch is convinced that at least some sectors of the government are genuinely committed to making progress,” the report noted after spending nine pages detailing those “serious” problems.⁶¹ “Asia Watch takes no position on normalization or the trade embargo,” the report explained in the “Recommendations” section.⁶² “At the appropriate time,” the report suggested, “we would favor linking Most Favored Nation status for Vietnam to specific progress on human rights, should the problems we have discussed today persist.”⁶³ Major human rights organizations thus bolstered the administration’s position that while important, human rights conditions need not be considered a precondition for official U.S.-Vietnamese ties.

U.S. policymakers did, however, continue to emphasize the importance of what they had long called “humanitarian” concerns. For example, in January 1994, General John Vessey made a statement on U.S. policy toward Vietnam before the National Security Council (NSC). “In the past six years, Vietnam has made huge leaps in the direction we wanted them to go, many of them moves that we in Washington thought would never be made,” Vessey began.⁶⁴ As had been the case since the second half of the Carter administration, Vessey discussed Vietnamese cooperation on POW/MIA and

⁶⁰ “Human Rights in US-Vietnam Relations,” August 17, 1993, *Human Rights Watch: Asia*, vol. 5. no. 12. http://dosfan.lib.uic.edu/ERC/democracy/1993_hrp_report/93hrp_report_eap/VietNam.html

⁶¹ “Human Rights in US-Vietnam Relations,” 10.

⁶² “Human Rights in US-Vietnam Relations,” 10.

⁶³ “Human Rights in US-Vietnam Relations,” 10.

⁶⁴ January 26, 1994, “Statement by John W. Vessey,” National Security Council, Office of Press and Communications, and Philip “PJ” Crowley, “Vietnam [1],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48635>.

refugee issues together, as evidence of positive steps toward normalization. Hanoi, Vessey explained: “agreed to joint field investigations of ‘discrepancy cases.’... agreed to live sighting investigations; returned several hundred sets of remains of missing Americans; got out of Cambodia and supported UN sponsored elections; released all re-education camp inmates; helped re-unite about 300,000 separated Vietnamese families; let us get Amerasian children out of Vietnam; let the US set up a POW/MIA office in Hanoi; agreed to State Department officer in Hanoi with no reciprocal move; accommodated a variety of intrusive requests (such as going through prisons) by the USG and members of Congress; [and,] have allowed US researchers unlimited access to the Defense Ministry Library.”⁶⁵ “Lifting the trade embargo and moving forward in relations,” Vessey argued, “is not rewarding a heinous communist regime for past crimes” but responding to years of cooperation on many “humanitarian” concerns.⁶⁶

The Senate and a growing number of Americans agreed with Vessey. As Edwin Martini notes, the results of a January 1994 poll “revealed that a small plurality of those questioned favored lifting the embargo (46 percent in favor versus 40 against)” while “56 percent believed that Americans were still being held prisoner in Southeast Asia.”⁶⁷ In other words, the American people were still buying what Hollywood and the League had been selling for years, even if U.S. officials were not. For this reason, emphasis on POW/MIA accounting and support from veterans in Congress remained essential for Clinton to enhance U.S.-Vietnamese ties.

On January 27, McCain and Kerry introduced a resolution calling on President

⁶⁵ January 26, 1994, “Statement by John W. Vessey,” National Security Council, Office of Press and Communications, and Philip “PJ” Crowley, “Vietnam [1],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48635>.

⁶⁶ January 26, 1994, “Statement by John W. Vessey.”

⁶⁷ Martini, *Invisible Enemies*, 193.

Clinton to lift the embargo. Senators Bob Smith (R-NH), one of the longtime members of the congressional “Rambo faction” and Bob Dole (R-KA), who was gearing up for a presidential run against Clinton, offered a counter amendment that would make “the lifting of sanctions on the Socialist Republic of Vietnam contingent upon a resolution of all cases or reports of unaccounted for United States personnel lost or captured during the war in Vietnam.”⁶⁸ While the McCain-Kerry Amendment would be a nonbinding resolution, the Smith-Dole Amendment would codify their position as part of the Foreign Relations Authorization Act.

The ensuing debate reflected the full spectrum of differing opinions on the relationship between POW/MIA accounting, U.S.-Vietnamese relations and human rights. Senator Bob Kerrey, for example, expressed his hope that “along with our concern for the men that we left behind...I hope that we can now begin to talk about the freedom of the Vietnamese people as well.”⁶⁹ Senator DeConcini, on the other hand, used the same two issues to censure the Kerry-McCain Amendment and support the Smith-Dole measure: “I cannot in good conscience vote for the Kerry amendment,” he explained, “I think it is an abrogation of our promises to the POW/MIA families and an abrogation of our responsibilities to the Free world in the area of human rights.”⁷⁰ In other words, both those that opposed lifting the embargo and supported lifting the embargo argued that they were operating out of a concern for the American POW/MIA families and the Vietnamese people. Despite the vociferous debate, the Kerry-McCain nonbinding

⁶⁸ “Foreign Relations authorization Act” Congressional Record Volume 140 No. 3, January 27, 1994, Government Printing Office, Congressional Record Online. <https://www.gpo.gov/fdsys/pkg/CREC-1994-01-27/html/CREC-1994-01-27-pt1-PgH4.htm>

⁶⁹ Ibid.

⁷⁰ Ibid.

resolution passed by a vote of 62-38.⁷¹ Although POW/MIA advocates in Congress, the League, and the American public more broadly remained vocal, they were also a minority.

One week later, on February 3, 1994, Clinton announced the end of the embargo. Citing tangible progress in the four areas he outlined in July of 1993 and the conviction that “lifting the trade embargo... offers the best way to resolve the fate of those who remain missing,” Clinton announced not only the end of economic sanctions but also his decision to “establish a liaison office in Vietnam to provide services for Americans there and help us to pursue a human rights dialogue with the Vietnamese government.”⁷² “Whatever the Vietnam War may have done in dividing our country in the past,” Clinton concluded, “today our nation is one in honoring those who served and pressing for answers about all those who did not return... I am absolutely convinced, as are so many in the Congress who served there and so many Americans who have studied this issue, that this decision today will help to ensure that fullest possible accounting.”⁷³

As they had done in July of 1993 with the IMF decision, numerous Vietnam veterans in Congress published press releases supporting the President’s decision.⁷⁴ This time, the Vietnam-era commanders outside of Congress like General Westmoreland

⁷¹ Martini, *Invisible Enemies*, 194; Allen, *Until the Last Man Comes Home*, 286.

⁷² February 3, 1994 “Remarks by the President in Announcement of Lifting the Trade Embargo on Vietnam,” 5:06PM, The White House Office of the Press Secretary, National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, “Vietnam [1],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48635>.

⁷³ February 3, 1994 “Remarks by the President in Announcement of Lifting the Trade Embargo on Vietnam.”

⁷⁴ February 3, 1994, News from John McCain, U.S. Senator, Arizona, National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, “Vietnam [1],” *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48635>;

joined the legislators in voicing their support for lifting the embargo.⁷⁵ The administration included all of these statements and letters in the information packets it provided to the press.

Refugee Concerns & Normalization

While Clinton's February 3 announcement involved economic changes couched in POW/MIA language, his lifting of the embargo also had major consequences for FVPPA. Thereafter, the U.S. government began transitioning the policies that facilitated emigration from Vietnam to align with other U.S. emigration programs around the world. In April, for example, the State Department reported that the most recent list of Hanoi-approved individual for departures, HO-44, and those previously filed, would be "the final lists" under the reeducation camp program.⁷⁶ Thus, the U.S. government planned to continue "direct registration" until "September 30, 1994 to ensure a smooth conclusion to this humanitarian program."⁷⁷ While FVPPA lobbied to have the September 30th deadline extended, the "standardization of immigrant visa processing of Vietnamese" in mid 1994 shifted some of the financial burdens and responsibilities from the U.S. government to

⁷⁵ February 3, 1994, "Statement by General William Westmoreland in Support of Lifting the Embargo Against Vietnam," National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, "Vietnam [1]," *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48635>; February 3, 1994, Letter to President Clinton from E. R. Zumwalt Jr. Admiral U.S. Navy (Ret), National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, "Vietnam [1]," *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48635>; February 3, 1994, "Accounting for Our Vietnam POW/MIAs," Defense Prisoner of War/Missing in Action Office, National Security Council, Office of Press and Communications, and Philip "PJ" Crowley, "Vietnam [1]," *Clinton Digital Library*, accessed September 20, 2016, <http://clinton.presidentiallibraries.us/items/show/48635>.

⁷⁶ April 20, 1994 US Department of State "Talking Points for Meeting with Vietnamese Political Prisoners Association," FVPPAC, Box 130, Folder 29, VCA. Underline in the original.

⁷⁷ Ibid.

Vietnamese applicants, but did not otherwise substantially change the program.⁷⁸

This general trend changed dramatically in December 1994. On the 6th Theresa L. Rusch, the Migration Director of the Office of Admissions Bureau of Population, Refugees and Migration, wrote Tho to inform her that “As of February I, 1995, re-ed cases proposed for interview will include in addition to the principal applicant only spouses and unmarried children who have not yet attained the age of twenty-one. Children over twenty-one will no longer be eligible for interview.”⁷⁹ In addition to citing high incidence of fraud, which did plague both the Amerasians and reeducation programs, Rush explained that “in refugee admissions programs for other nationalities, only spouses and unmarried children under the age of twenty-one are considered for admission along with principal applicants. Thus, the change to be instituted in February is a continuation of U.S. Government efforts to bring ODP processing more into line with worldwide refugee and immigrant visa processing standards.”⁸⁰

If the December 1994 policy shift seemed to be a common sense decision to U.S. policymakers, it was a bombshell for FVPPA. The Association immediately wrote to its contacts in the State Department to challenge the decision, including Charles Sykes, the Deputy Assistant Secretary for the Bureau of Population, Refugees and Migration. “This decision,” Tho explained “was indeed a shock and cause for dismay...and appears

⁷⁸ On new policies: April 20, 1994 US Department of State “Talking Points for Meeting with Vietnamese Political Prisoners Association,” FVPPAC, Box 130, Folder 29, VCA. On lobbying for deadline extension: September 9, 1994, Letter from Tho to Phyllis Oakley, FVPPAC Box 130 Folder 33, VCA; September 20, 1994, Letter from Tho to Theresa L. Rusch, Office of Admissions Director, Bureau for Refugee Programs, FVPPAC Box 130 Folder 33, VCA.

⁷⁹ December 6, 1994, Letter to Tho from Theresa L. Rusch, Office of Admissions Bureau of Population, Refugees and Migration Director, FVPPAC Box 130 Folder 36, VCA.

⁸⁰ Ibid.

contrary to the spirit of our October 26th meeting.”⁸¹ “This dramatic change in eligibility is disadvantageous to those who have put their faith in the integrity of the program and its promise that family unity would be sustained,” FVPPA argued. Tho also requested “a review and revision of this new rule” and to “be given the opportunity to comment before it is issued on February 1, 1995.”⁸²

FVPPA did not remain content to challenge the new decision regarding unmarried sons and daughters over twenty-one years of age within the Department of State. The Association also reached out to friends in high places on the National Security Council and in Congress. Tho wrote to Eric Schwartz, the Director of Human Rights, Refugees and Humanitarian Affairs on the NSC and to Senator John McCain, both longtime FVPPA supporters. In nearly identical letters to the two men FVPPA lambasted the decision, which it characterized as “arbitrary, illogical, unfair and contrary to the spirit of the admissions program for former political prisoners as administered since 1989.”⁸³ “What is the logic of excluding this group, at this stage when most of the children from the Vietnam era of the former political prisoners are over 21 years of age?” Tho lamented, “What is the fairness in disadvantaging those families who have waited for their turn in the processing queue?”⁸⁴

Tho also rejected the State Department’s claims that the change only temporarily delayed, rather than permanently prohibited, children over twenty-one years of age from joining their parents in the United States. “Ms. Rusch also states that sons and daughters

⁸¹ December 16, 1994, Letter from Tho to Charles Sykes, FVPPAC Box 130 Folder 36, VCA.

⁸² Ibid. See also: December 28, 1994, Letter from Tho to Mrs. Lavinia Limon, Office of Refugee Resettlement Director, FVPPAC Box 130 Folder 36, VCA.

⁸³ January 6, 1995 Mr. Eric Schwartz, Director, Human Rights, Refugees and Humanitarian Affairs, National Security Council, Executive Office of the President, The White House, FVPPAC, Box 131, Folder 1A, VCA; January 9, 1995, Letter from Tho to John McCain, FVPPAC, Box 131, Folder 1B, VCA.

⁸⁴ Ibid.

can wait for their fathers to file second preference petitions after they resettle,” in the US Tho explained to McCain. “However, the resettled refugee cannot file a petition until after one year and then the son or daughter faces another 3-4 years of waiting until the second preference petition is current. I think further consideration will reveal that this is not a reasonable alternative.”⁸⁵ After noting that the original provisions of the Amerasian program stood throughout the program’s existence, despite the high existence of fraud, Tho argued that family reunification and moving beyond the Vietnam War were mutually supportive, even linked phenomena. As she put it: “If we are truly committed to moving forward with the healing process brought about because of senseless war that caused so much death, suffering and sadness, then we should be moving towards uniting those who have suffered the hardships and loss of their families and loved ones.”⁸⁶

Both Schwartz and McCain used their positions of power to help FVPPA challenge the new modification. McCain wrote the head of the Bureau of Refugees, Population and Migration three days after receiving Tho’s letter and noted “Mrs. Tho raises some very important questions... I would appreciate your responses.”⁸⁷ Schwartz met with FVPPA leaders on January 19 to personally hear the Association’s concerns, and facilitated a meeting between FVPPA and Phyllis Coven, Director of the Office of International Affairs at the Immigration and Naturalization Service (INS).⁸⁸ Coven offered “the possibility that exceptions could be made for hardship cases” but informed

⁸⁵ January 9, 1995, Letter from Tho to John McCain, FVPPAC, Box 131, Folder 1B, VCA.

⁸⁶ Ibid.

⁸⁷ January 12, 1995 letter from John McCain to Phyllis Oakley, FVPPAC, Box 131, Folder 1A, VCA.

⁸⁸ January 19, 1995, Agenda for Meeting with Eric P. Schwartz, FVPPAC Box 131 Folder 1A, VCA; January 23, 1995, Agenda for meeting with Ms. Phyllis Coven, Director, Office of International Affairs, INS Department of Justice, FVPPAC Box 131 Folder 1A, VCA.

Tho that the decision “was not reversible.”⁸⁹ FVPPA refused to give up, but the outlook remained bleak in early 1995.

Although the over twenty-one issue frustrated FVPPA, the genesis of the policy change, bringing U.S.-Vietnamese relations in line with international—i.e. “normal”—relations, continued apace. While the end of the embargo mattered, it did not unilaterally remove all obstacles to U.S.-Vietnamese trade. As Edwin Martini explains, “many of the legal safeguards to which American firms working overseas had grown accustomed could not be put in place without further measures.”⁹⁰ Although the remaining legal obstacles were numerous and complex, unresolved claims stemming from the Vietnam War remained one of the most pressing problems.⁹¹ On the one hand, the United States froze Vietnamese assets worth approximately \$70 million in 1975, and by the early 1990s they had appreciated to a value of \$290 million.⁹² Washington, on the other hand, argued that Hanoi assumed responsibility for the \$150 million in unpaid loans that South Vietnam had owed private Americans in 1975 *and* the additional \$220 million the South Vietnamese government owed to American companies.⁹³

“In effect,” Martini concludes, “the U.S. was negotiating political and economic normalization with the Vietnamese from the stance that it was *owed* tens, if not hundreds, of millions of dollars.”⁹⁴ Despite President Nixon’s 1973 secret promise to pay the Vietnamese “\$2.5 billion of grant aid over five years,” the actual pre-normalization

⁸⁹ January 26, 1995, Letter from Tho to Eric Schwartz, NSC, FVPPAC Box 131 Folder 1A, VCA.

⁹⁰ Martini, *Invisible Enemies*, 199.

⁹¹ On the legal basis of other problems see: Martini, *Invisible Enemies*, 199-200.

⁹² Martini, *Invisible Enemies*, 201.

⁹³ Martini, *Invisible Enemies*, 200-1.

⁹⁴ Martini, *Invisible Enemies*, 201.

transfer of funds ran the other direction.⁹⁵ On January 28, 1995, Hanoi and Washington signed the Agreement Concerning Settlement of Certain Property Claims, a settlement Martini describes as “historic.”⁹⁶ Under the Agreement Hanoi agreed to pay \$208,510,481 in private claims to U.S. nationals (the South Vietnamese debts owed to the U.S. were dealt with separately in a 1997 agreement).⁹⁷

In more ways than one, then, the United States continued to fight the Vietnam War insofar as American policymakers remained determined to “win the peace.” The fact that the United States demanded and won, from the position of military defeat, \$208 million dollars in post-war concessions without paying anything to the military victor is unheard of in the history of modern warfare. When one adds the onerous demands U.S. officials made on Hanoi to pursue a “full accounting” of missing Americans (even as hundreds of thousands of Vietnamese remained unaccounted for), it is easy to see why Martini terms the years from 1975 to 2000 “the American war on Vietnam.”⁹⁸ Taking into account refugee issues both supports and complicates Martini’s thesis. On the one hand, some U.S. policymakers—though by the early 1990s a vocal minority—used refugee issues to bolster continued conflicts with Hanoi by using refugees’ plight as an example of American beneficence and Vietnamese oppression. On the other hand, others argued that pursuing humanitarian methods and cooperating with Hanoi paved the way forward for a new relationship between the two former foes.

The contradictory meanings different U.S. officials ascribed to U.S. refugee

⁹⁵ Message, from the President of the United States to the Prime Minister of the Democratic Republic of Vietnam, February 1, 1973, Folder “Vietnam (1),” Box 18, The National Security Adviser. Presidential Country Files for East Asia and the Pacific, 1974-77. Gerald Ford Library.

⁹⁶ Martini, *Invisible Enemies*, 202.

⁹⁷ Martini, *Invisible Enemies*, 202.

⁹⁸ Martini, *Invisible Enemies*, 2.

policy are clearly visible in a debate that erupted over the CPA in 1995. As chapter 5 details, the CPA drastically changed preexisting policy in Southeast Asia by revoking the automatic refugee status that the United Nations High Commissioner for Refugees (UNHCR) conferred on land and oceanic migrants. Under UNHCR supervision, first asylum nations screened incoming migrants that arrived after March 14, 1989 to determine whether they warranted refugee status or should be classified (and treated) as illegal immigrants.⁹⁹ While the CPA guaranteed that refugees be resettled in third countries, it presented voluntary repatriation as the best option for those screened-out migrants. If such individuals would not leave willingly, the CPA prescribed forced repatriation. While the United States had objected to the CPA's repatriation component since 1989, American officials also championed the programs' effort to address the continued boat people migration. Maintaining this precarious balance between supporting the CPA while opposing one of the program's most central tenets became increasingly untenable in the mid 1990s.

From the CPA's implementation in late 1989 to early 1995, approximately 31,000 migrants received refugee status and resettled in the West, while 72,000 screened-out migrants voluntarily returned to Vietnam.¹⁰⁰ The only groups remaining before the CPA could officially terminate were just over 20,000 screened-out migrants remaining in camps throughout ASEAN countries with an additional 20,000 in Hong Kong. Although the UNHCR and first asylum nations put incentives in place to encourage "voluntary" repatriation, the key question became how to deal with the remaining migrants if they refused to go voluntarily. In early 1995, answering this question remained the CPA's

⁹⁹ Davies, *Legitimizing Rejection*, 194.

¹⁰⁰ Congressional Record—House, May 24, 1995, 104th Congress, Frist Session, Vol. 141, No. 87, H5538, <https://www.congress.gov/crec/1995/05/24/CREC-1995-05-24.pdf>

only unfinished task.¹⁰¹

In March, the Steering Committee, the body in charge of monitoring the CPA's implementation, met to discuss the program's final phase in Geneva. Charles Sykes, the Deputy Assistant Secretary of State for the Bureau of Population, Refugees and Migration, headed the U.S. delegation. In a major reversal of existing American policy, Sykes made clear that the United States' understanding of a "just and humane conclusion" to the CPA included forced repatriation, if necessary.¹⁰² While he emphasized the United States' commitment to "voluntary return," he also acknowledged "those who are not refugees should return to Vietnam and can no longer retain the false hope of resettlement directly from the camps to the United States or elsewhere."¹⁰³

The shift in U.S. policy toward repatriation reflected a larger effort to bring "humanitarian" programs to an end and to normalize relations with Hanoi. The previous U.S. position opposing forced repatriation was based on the assumption that the lack of basic human rights protections in Vietnam was severe enough to prevent repatriation from being a viable option. As U.S.-Vietnamese cooperation increased and the two moved closer to formal relations, however, many U.S. officials in the State Department and Congress abandoned their previous harsh rhetoric toward Vietnam and instead adopted a much more reconciliatory tone. This process, however, was neither universal nor uniform, and many American officials refused to go along with the shift even though the United States had been a participating member of the CPA since 1989.

¹⁰¹ "Talks Hold Key to Question of Repatriation," Scott McKenzie, *South China Morning Post*, Feb 21, 1995. <http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/265162640?accountid=14612>.

¹⁰² "Statement by Deputy Assistant Secretary of State Charles Sykes, Head of the United States Delegation to the Sixth Steering Committee Meeting Of the Comprehensive Plan of Action," Geneva, March 16, 1995, US Department of State, Bureau of Population, Refugees and Migration, http://dosfan.lib.uic.edu/ERC/population/press_releases/950316.html

¹⁰³ Ibid.

Even though CPA member nations agreed to the target date of June 1995 to end the program, the CPA did not actually terminate until a year later, thanks mostly to U.S. domestic politics.¹⁰⁴ The month before the CPA was set to end, the program faltered because U.S. legislators publically expressed reservations about endorsing forced repatriation.¹⁰⁵ U.S. qualms became increasingly pronounced throughout May, which encouraged screened-out refugees to refuse to accept “voluntary” repatriation in hopes that a new resettlement program might materialize. As the *South China Morning Post* put it: “a radical move in the United States Congress could hijack the international plan on the Vietnamese boat people.”¹⁰⁶ This is precisely what happened.

On May 24, 1995, a raucous debate erupted in the House over the CPA. The immediate reason for the passionate clashes were two competing amendments offered to an appropriations bill offered by Congressmen Christopher Smith (R-NJ), on the one hand, and Doug Bereuter (R-NE), Lamar Smith (R-TX) and Dave Obey (D-WI), on the other. While the former “called for all screened-out Vietnamese boat people to be allowed another chance to make their case for refugee status and resettlement in the United States, a proposal that both the U.S. Department of State and UNHCR strongly opposed,” the later called for the U.S. to comply with the CPA’s original terms.¹⁰⁷ As had been the case since the Ford administration, however, debates about the United States’

¹⁰⁴ “U.S. Committee for Refugees: World Refugee Survey 1997, Viet Nam,” United States Committee for Refugees and Immigrants, January 1, 1997, <http://www.refworld.org/docid/3ae6a8b728.html>

¹⁰⁵ “Timetable Doubts on Returning Viets,” Scott McKenzie, *South China Morning Post*, Mar 24, 1995. <http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/265167294?accountid=14612>; Grover Joseph Rees, “End the Suffering of the Boat People.” *Wall Street Journal*, May 01, 1995, Eastern edition.

<http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/398470859?accountid=14612>.

¹⁰⁶ “Boat People Plans Come Under Threat,” Scott McKenzie, *South China Morning Post*, May 18, 1995. <http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/265194891?accountid=14612>.

¹⁰⁷ United States Committee for Refugees and Immigrants, *U.S. Committee for Refugees World Refugee Survey 1997 - Viet Nam*, 1 January 1997, available at: <http://www.refworld.org/docid/3ae6a8b728.html> .

Indochinese refugee policy were about more than allocating funds or admissions quotas (although those certainly mattered).

It is clear that some in the House attempted to use the boat people to continue fighting the Vietnam War in memory while still others suggested that the issue needed to be resolved before there could be full reconciliation or normalization. Both groups employed wartime rhetoric to make their point, although the former much more explicitly so. To add to the complexity, both sides harbored very different pictures of 1995 geopolitical realities.

Those that demanded the United States withdraw its financial support for forced repatriation through the CPA framed the current decision using Vietnam War and Cold War worldviews. “It is a matter of honor,” Henry Hyde (R-IL) argued, “they worked for us, they fought with us... We are not asking that they be repatriated to America. We are asking only that they not be forcibly returned to the places from which they fled.”¹⁰⁸ As Dan Burton (R-IN) put it: “the fact of the matter is there are still people in this world who are fleeing Communist dictatorships, and to send them back to death or worse is a horrible thought. It is analogous to [not] taking people who came across the Berlin Wall. It is a wrong-headed move.”¹⁰⁹ To make this point even stronger, Benjamin Gilman (R-NY) cited “our military men and women who fought in Vietnam and Laos,” especially those in the American Legion, who, Gilman suggested, “unanimously oppose any effort to abandon our allies.”¹¹⁰

Use of wartime rhetoric ran both ways. For example, when arguing that the

¹⁰⁸ Congressional Record—House, May 24, 1995, 104th Congress, Frist Session, Vol. 141, No. 87, H5534, <https://www.congress.gov/crec/1995/05/24/CREC-1995-05-24.pdf>

¹⁰⁹ Congressional Record—House, May 24, 1995, H5535

¹¹⁰ Congressional Record—House, May 24, 1995, H5537. See also H5536 and H5538

United States must see the CPA through to its completion, Congressmen Bereuter noted that “at least 12,000” of the screened out refugees were “North Vietnamese [sic]” that, using the logic of wartime military alliances, ostensibly had no claim to special American assistance.¹¹¹ Still others suggested the shelf life of Vietnam War obligation had expired. “Yes, we should help these people in the camps. We should look out for them. They did stand with us,” Bill Roth (R-DE) conceded, “But the war was 20 years ago. How many more are we going to bring into this country? Yes, we would like to bring everybody into America, but that is not possible.”¹¹² As Jim Moran (D-VA) argued, many policymakers were still “looking upon Vietnam with the blinders of the past.”¹¹³ Efforts to continue to use emigration policies to perpetuate old hostilities, he argued, are vested “too much in the past and past bigotries” and fail to acknowledge “the enormous progress that has been made in the last few years.”¹¹⁴

Members on both sides of the aisle and on both sides of the CPA debate also stressed 1995 realities. As Congressmen Obey put it: “I think the committee provision really breaks an international agreement which was made by the United States with 78 other countries.”¹¹⁵ Abrogating the United States’ obligations abroad, this line of thinking argued, would be a national embarrassment, not to mention create tension between the United States and its ASEAN allies. “By continuing our agreement,” Donald Payne (D-NJ) argued “we encourage additional cooperation with Vietnam which will lead to increased cooperation on the POW issue and” also take a step toward the effort to

¹¹¹ Congressional Record—House, May 24, 1995, H5532

¹¹² Congressional Record—House, May 24, 1995, H5542

¹¹³ Congressional Record—House, May 24, 1995, H5543

¹¹⁴ Congressional Record—House, May 24, 1995, H5543

¹¹⁵ Congressional Record—House, May 24, 1995, H5534

“complete the normalization of relationships between our two countries.”¹¹⁶

Those that opposed and supported the CPA also emphasized their concern for the lives of screened-out Vietnamese on the ground. CPA supporters argued that abandoning the agreement would create “false expectations” and make “shambles of what an orderly refugee process is supposed to be.”¹¹⁷ This step, Obey argued, would create “an artificial incentive” for screened-out refugees to refuse voluntary repatriation and might also encourage additional migrants to flee Vietnam in hopes of getting a coveted resettlement slot.¹¹⁸ Because the international community had promised ASEAN nations for years that they would not be saddled with screened-out refugees, it was safe to assume that first asylum nations would take matters into their own hands and force the migrants out. As Congressman Bereuter argued, “the bloodshed, the tragedies that will result from this reversal of policy are just going to be extraordinary” and “the blood is going to be on our hands.”¹¹⁹

CPA opponents agreed there would be bloodshed on American hands, but gave a different justification. Those against forced repatriation argued that human rights conditions in Vietnam remained dire enough to both qualify the migrants for refugee status and to eliminate forced repatriation as a viable alternative. Dan Burton (R-IN), for example, argued “if there is any doubt about these people being sent back to possible death, or worse, at the hands of the Vietnamese Communists, then we should err on the side of safety. That is the reasonable and humanitarian thing to do.”¹²⁰ “I do not enjoy

¹¹⁶ Congressional Record—House, May 24, 1995, H5535

¹¹⁷ Congressional Record—House, May 24, 1995, H5534

¹¹⁸ Congressional Record—House, May 24, 1995, H5534

¹¹⁹ Congressional Record—House, May 24, 1995, H5539

¹²⁰ Congressional Record—House, May 24, 1995, H5537

calling people like our State Department or the UNHCR liars,” Steve Gunderson (R-WI) said much less diplomatically, “but let us not kid ourselves,” forced repatriation, especially for those with ties to South Vietnam or the United States, would lead to “torture and in many cases eventual death”¹²¹ Once again, the human rights conditions in Vietnam became entangled with debates about the American cause in Vietnam and the construction of current American policy.

The Smith amendment to provide migrants with another opportunity to acquire refugee status passed in the House with 266 ayes, 156 noes and 12 abstentions.¹²² The same day as the vote, riots erupted in camps in Hong Kong when officials arrived to forcibly repatriate Vietnamese refugees, and U.N. officials blamed the Smith Bill for fanning the flames of unrealistic expectations for resettlement.¹²³ While there was never any doubt that Clinton would veto the bill if it arrived on his desk, it was clear by late June that the measure would fail in the Senate and therefore would not become official U.S. policy.¹²⁴

The tense, multilayered debate over the end of the CPA served as a microcosm for debates about U.S.-Vietnamese relations. While more and more policymakers supported official ties, a minority who continued to fight the Vietnam War in memory vocally opposed normalization. It is difficult to ascertain whether these legislators’ opposition

¹²¹ Congressional Record—House, May 24, 1995, H5542

¹²² Congressional Record—House, May 24, 1995, H5544

¹²³ “U.N. Links G.O.P. to Boat People’s Riots,” Philip Shenon, *New York Times*, May 24, 1995, <http://www.nytimes.com/1995/05/24/world/un-links-gop-to-boat-people-s-riots.html>; “Riots by Vietnamese Erode Plans to Send Them Home,” Philip Shenon, *The New York Times*, 9 June 1995, A3.

¹²⁴ “Senate Support Low for Viet Plan.” *South China Morning Post*, Jun 21, 1995.

[http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/265224057?accountid=14612.;](http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/265224057?accountid=14612.) “Relief as Dole Forced to Shelve Bill on Viets,” Simon Beck and Scott McKenzie, *South China Morning Post*, Aug 03, 1995. [http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/265266391?accountid=14612.](http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/265266391?accountid=14612) On other calls for the U.S. to comply with the CPA see: “Don’t Make the Boat People Suffer More,” Phyllis E. Oakley, *Wall Street Journal*, 6 June 1995, A19.

was born of conviction or political opportunism, although the two were by no means mutually exclusive. The fact that the United States stood on the eve of an election year almost inevitably amplified Republican criticisms, although the battle lines did not align perfectly with party allegiances. While divisions about the Vietnam War and POW/MIA rhetoric still resonated deeply with the American people, by 1995 an entire generation of Americans and Vietnamese Americans had come of age that possessed no living memory of the conflict. Geopolitical changes, collaboration between key legislators and the Clinton administration and years of U.S.-Vietnamese cooperation had substantively and decisively weakened arguments that opposed official diplomatic recognition.

Official Diplomatic Relations & Continued Normalization

While the House almost derailed the CPA and succeeded in delaying the program, the Senate and State Department took great pains to ensure that U.S.-Vietnamese normalization came to fruition. As the fight over the CPA made clear, it was still not an easy task. The administration took various steps in the spring and early summer of 1995 to clear the way for normalization. For example, State Department officials suggested that while Vietnam's human rights record remained far from perfect "it's going in the right direction."¹²⁵

More importantly, however, throughout the first half of 1995, Vietnam veterans in the U.S. Senate made increasingly explicit and public calls for normalization. As Senator John Kerry said in late June 1995, continued U.S. refusal to extend full diplomatic

¹²⁵ Bruce Stanley, "US Sees Vietnam Heading 'Right Direction' on Rights." *The Christian Science Monitor*, May 17, 1995. 6.

recognition to Vietnam would be “crazy.”¹²⁶ “Surely,” Kerry argued, “we can take this country, 60 percent of whose people were born after the war, and treat it like a country and not a war.”¹²⁷ McCain, whose status as a former POW let him speak on the issue in a way that few others could, argued: “we should remember that there were 8,000 missing in action in Korea, 78,000 in World War II. One of the very terrible casualties of war is that a lot of people are not always fully accounted for.”¹²⁸ “We are down to a very small number,” McCain noted of Vietnam War MIA/POWs, “there is only a limited amount of additional work we can do in this area.”¹²⁹

On July 11, 1995, President Bill Clinton announced “the normalization of diplomatic relations with Vietnam.”¹³⁰ As he had throughout his presidency, Clinton took pains to emphasize the continued importance of POW/MIA accounting. “Never before in the history of warfare,” the President noted proudly, “has such an extensive effort been made to resolve the fate of soldiers who did not return.”¹³¹ Clinton also acknowledged U.S. efforts to “develop trade with Vietnam consistent with U.S. law.” “As you know,” Clinton explained, “many of these programs require certifications regarding human rights and labor rights before they can proceed. We have already

¹²⁶ Randolph Ryan, “Kerry makes case for establishing full ties with Vietnam,” *Boston Globe*, 27 June 1995, 6.

¹²⁷ Randolph Ryan, “Kerry makes case for establishing full ties with Vietnam,” *Boston Globe*, 27 June 1995, 6.

¹²⁸ Michael Dobbs, “Two POWs, Two Views on Vietnam: Lawmakers McCain and Johnson at Odds in Normalization Debate” *The Washington Post*, 9 July 1995, A.01. For others who make the same comparison see: Peter Grier, “Clinton move marks a turning point in nation’s inner strife” *Christian Science Monitor*, 12 July 1995, 1; Allen E. Goodman, “PERSPECTIVES ON VIETNAM The War Can Finally End Now” *Los Angeles Times*, 30 January 1994, 5.

¹²⁹ Michael Dobbs, “Two POWs, Two Views on Vietnam: Lawmakers McCain and Johnson at Odds in Normalization Debate” *The Washington Post*, 9 July 1995, A.01.

¹³⁰ “Remarks Announcing the Normalization of Diplomatic Relations with Vietnam,” July 11, 1995, Public Papers of the Presidents of the United States, 1995 Book 2 (U.S. Government Publishing Office), 1073.

¹³¹ “Remarks Announcing the Normalization of Diplomatic Relations with Vietnam,” 1073.

begun discussing human rights issues with Vietnam, especially issues regarding religious freedom. Now we can expand and strengthen that dialogue.”¹³² In other words, human rights conditions in Vietnam would now become, as dictated by general U.S. policy and the specifics of U.S. law, an official part of the continued development of U.S.-SRV bilateral relations.

Clinton also suggested that official diplomatic recognition itself would improve the human rights situation in Vietnam. “I believe normalization and increased contact between Americans and Vietnamese will advance the cause of freedom in Vietnam, just as it did in Eastern Europe and the former Soviet Union,” he argued.¹³³ Thus, when the President announced that Secretary of State Warren Christopher would go to Vietnam in August to “discuss all of these issues,” he meant both American POW/MIAs and human rights.¹³⁴ Christopher delivered on the President’s promise, and during his first official visit after normalization the Secretary of State gave a human rights speech that the *South China Morning Post* remarked was sure to “rile Vietnam's Communist Party leaders.”¹³⁵

Clinton ended the July 11th press conference with the hope that his announcement would help Americans “consign to the past” their Vietnam-era divisions. The war, Clinton suggested, “has separated Americans from one another for too long now.” “We can now move on to common ground,” he argued, “let this moment, in the words of the Scripture, be a time to heal and a time to build.”¹³⁶ Despite Clinton’s optimism, his normalization announcement predictably sparked a backlash. Opponents inside and

¹³² “Remarks Announcing the Normalization of Diplomatic Relations with Vietnam,” 1074.

¹³³ “Remarks Announcing the Normalization of Diplomatic Relations with Vietnam,” 1074.

¹³⁴ “Remarks Announcing the Normalization of Diplomatic Relations with Vietnam,” 1074.

¹³⁵ “Christopher in Plea for Democracy,” *South China Morning Post*, Aug 07, 1995. 12

¹³⁶ “Remarks Announcing the Normalization of Diplomatic Relations with Vietnam,” 1074.

outside of government portrayed Clinton's decision as an economically driven decision that abandoned hopes for "full accounting" and human rights in Vietnam. Bruce Herschensohn, who was an aide to President Nixon at the time of the Paris Peace Accords, observed after Clinton's announcement that "many business people in the U.S., it seems, ignore the moral aspects of recognizing Vietnam and look at it only as a means to fatten their wallets."¹³⁷

Similar criticisms came from within the halls of Congress. As Representative Sam Johnson (R-TX), a former POW argued, "I see normalization as an attempt on their [the Vietnamese's] part to gain access to American markets. They are not to be trusted."¹³⁸ Representative Dana Rohrabacher (R-CA) suggested that the "force behind Clinton's decision was business people who want access to Vietnam's growing market" and he condemned the administration for "moving forward with relations" with a "dictatorship that has still not given us full accounting of our POWs or respected the rights of their own people."¹³⁹ Senate Majority Leader Bob Dole, who was challenging Clinton for the presidency, also characterized recognition as "a strategic, diplomatic and moral mistake."¹⁴⁰ Opponents of normalization were powerful, persistent and often had political incentives to assume the positions they took. These critics, however, were also a minority. As the *New York Times* reported on the day of recognition, "a new CNN/USA Today/Gallup poll shows 61 percent of the public backing recognition and

¹³⁷ Bruce Herschensohn, "Don't Reward Vietnam" *Wall Street Journal*, 11 July 1995, A16.

¹³⁸ Michael Dobbs, "Two POWs, Two Views on Vietnam: Lawmakers McCain and Johnson at Odds in Normalization Debate" *The Washington Post*, 9 July 1995, 01.

¹³⁹ Normal Kempster. [No Title] *Los Angeles Times*, 12 July 1995, 7

¹⁴⁰ Doyle McManus, "Clinton Recognizes Vietnam to 'Help Extend Reach of Freedom' Diplomacy.." *Los Angeles Times* 12 July 1995, 1.

only 27 percent opposing it.”¹⁴¹

Clinton’s speech and the establishment of formal diplomatic relations undoubtedly marked a major moment in U.S.-SRV normalization. The process of normalization, however, began long before 1995 and continued thereafter. As Allen argues, “normalization of relations did not bring an end to the MIA issue or the politics of loss.”¹⁴² The black prisoner of war/missing in action flag remains the only other banner besides the stars and stripes that has ever flown over the White House, and the same image still adorns bumper stickers all over the United States. Moreover, as Robert D. Schulzinger explains, “the reality of the new relationship between the two countries proved far less glamorous” than many expected.¹⁴³ “Much of the excitement over Vietnam’s potential to become another Asian tiger,” Schulzinger notes, “ignored the reality of the country’s traditional, agricultural way of life. Over 70 percent of Vietnam’s workforce in the 1990s was engaged in agriculture.”¹⁴⁴ Furthermore, for years after the establishment of formal economic and diplomatic relations “the crushing burden of official red tape and corruption” slowed economic development and frustrated American and international investors.¹⁴⁵ In short, economic “normalization” remained far from complete.

Refugee concerns reflected and constituted an integral part of this larger trend. After Clinton’s normalization announcement, preexisting efforts to bring U.S.-Vietnamese emigration policies in conformity with worldwide standards only gained

¹⁴¹ R. W. Apple Jr., “OPNEING TO VIETNAM: IMPLICAITONS; Finally, Opening the Door All the Way” *New York Times*, 12 July 1995, A1.

¹⁴² Allen, *Until the Last Man Comes Home*, 289.

¹⁴³ Schulzinger, *A Time for Peace*, 64.

¹⁴⁴ Schulzinger, *A Time for Peace*, 65. See also Martini, *Invisible Enemies*, 235.

¹⁴⁵ Schulzinger, *A Time for Peace*, 64.

momentum. Throughout 1995 and 1996, FVPPA continued to meet with INS officials, corresponded with McCain and Schwartz and reached out to other trusted allies like Senator Kennedy to assist in their effort to help return U.S. policy to reflect “its original purpose of resettlement of the former political prisoners and their families as family units.”¹⁴⁶ In July of 1996, John McCain offered Amendment No. 5064 to the Foreign Operations Appropriations bill HR 3540—also known as the “McCain Amendment”—which proposed to reestablish the eligibility of unmarried children of former reeducation detainees over twenty-one years old. The Senate passed the bill in August and President Bill Clinton signed the McCain Amendment into law October.¹⁴⁷

Knowledgeable individuals credited FVPPA for a large part of the McCain Amendment’s success. On October 1, 1996 Shep Lowman, Director of International Refugee Affairs at the powerful United States Catholic Conference and former Deputy Assistant Secretary in the State Department Bureau of Refugee Programs, wrote to Tho to express his “congratulations on your work on the McCain Amendment.” “The McCain language,” Lowman noted with satisfaction, “was one of the last pieces needed to bring the Vietnamese refugee program to an honorable and compassionate end.”¹⁴⁸ “This was the most effective advocacy efforts by the Vietnamese American community that I have ever seen and your efforts were the key ones” Lowman applauded, “It was a good show, Tho, and thousands of families have been helped to reunify.”¹⁴⁹

The problem of how to bring the CPA to a humane and final conclusion also

¹⁴⁶ May 6, 1996 letter to Edward M. Kennedy from FVPPA, FVPPAC Box 131 Folder 17A VCA. On this process see Martin, “*Freed Vietnamese Have Her to Thank*,” 60-62.

¹⁴⁷ See August 5, 1996 letter from FVPPA to John McCain and August 9, 1996 letter to Robert Funset, both FVPPAC Box 131 Folder 3 VCA. For Martin’s analysis of the McCain Amendment see: “*Freed Vietnamese Have Her to Thank*,” 59-61.

¹⁴⁸ October 1, 1986 letter from Shep Lowman, Director, International Refugee Affairs, United States Catholic Conference Migration and Refugee Services, to Tho, FVPPAC Box 132 Folder 5B VCA.

¹⁴⁹ *Ibid.* Underline in the original. See also: Martin, “*Freed Vietnamese Have Her to Thank*,” 57, 62.

remained. UN officials conceded they were “at a loss” with how to proceed after the unexpected events of the previous summer.¹⁵⁰ Winston Lord, the United States’ Assistant Secretary of State, arrived in Hanoi in mid-January to try to reach an agreement.¹⁵¹ Efforts to bring the longstanding CPA to a close were, in some ways, made even more difficult by the increasing recognition that refugees and displaced people had become a constant geopolitical reality, rather than a temporary “crisis.” Although the structure of the Refugee Act of 1980 implicitly recognized this reality by setting a baseline entry of 50,000 refugees a year, confronting ceaseless refugee migrations with limited resources first hand was an entirely different experience. As Barry Wain explained in an op-ed that coincided with Lord’s visit, “In an ideal world, all Vietnamese boat people would be able to make a fresh start in a third country. In the real, post-Cold War world, 50 million people are displaced, 27 million of them being cared for by the UNHCR... There simply isn't enough money or compassion to go round.”¹⁵²

The United States and Vietnam finally reached an agreement in principle in March. The US-Vietnamese agreement coincided with the Steering Committee’s final meeting, which set a target date of June 30 for sending back the remaining 36,000 screened-out Vietnamese.¹⁵³ The U.S.-SRV agreement, which was formally announced in April, accepted the CPA’s requirement that all screened-out boat people be returned to Vietnam—by force if necessary. The program, however, also gave forcibly repatriated

¹⁵⁰ “Viet Question Stumps UN,” Jonathan Hill, *South China Morning Post*, Jan 01, 1996. <http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/265317207?accountid=14612>.

¹⁵¹ “US Pushes Boat People ‘final Interview’ Plan.” *South China Morning Post*, Jan 14, 1996. <http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/265303304?accountid=14612>.

¹⁵² “Pragmatism on the Boat People,” Barry Wain, *Asian Wall Street Journal*, Jan 26, 1996. <http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/315639049?accountid=14612>.

¹⁵³ “Comprehensive Plan of Action for Indochinese Refugees to End in June,” 6 March 1996, REF/1135, United Nations Press Release, <http://www.un.org/press/en/1996/19960306.ref1135.html>

peoples one more chance to apply for resettlement in the United States. This new, U.S.-Vietnamese bilateral program was called Resettlement Opportunities for Vietnamese Refugees (ROVR).¹⁵⁴

Vietnamese migrants continued to arrive in the United States throughout the late 1990s. For example, in FY1996, “nearly 27,000 Vietnamese departed for the United States through the Orderly Departure Program (ODP), including 14,948 former re-education camp detainees and their families admitted to the United States as refugees, and 9,058 persons granted immigrant visas.”¹⁵⁵ Indeed, FVPPA remained open until 1999 to help facilitate the emigration and resettlement of the over 167,000 former reeducation camp prisoners and their former families that used the special subprogram of the ODP.¹⁵⁶ By 2004, the Bureau for Population Refugees and Migration noted that over 900,000 Vietnamese refugees had come to the United States, with significant additional individuals arriving through family reunification immigrant visas.¹⁵⁷ More than 89,700 Amerasians and their close family members resettled in the United States, and the ROVR program was still operational almost a decade after the close of the CPA.¹⁵⁸

Conclusion

During the Clinton administration, the United States and Vietnam established official bilateral ties. The series of economic policy agreements and the establishment of

¹⁵⁴ May 8, 1996, Minutes of meeting with Bureau for Population, Refugees and Migration and FVPPA, Washington Area League of Vietnamese Associations, National Congress of Vietnamese in America, FVPPAC Box 131 Folder 17A, VCA.

¹⁵⁵ “U.S. Committee for refugees World Refugee Survey 1997-Viet Nam,” United States Committee for Refugees and Immigrants, 1 January 1997, <http://www.refworld.org/docid/3ae6a8b728.html> .

¹⁵⁶ “Refugee Admissions Programs for East Asia,” Bureau of Population, Refugees and Migration, January 16, 2004, U.S. Department of State Archive, <https://2001-2009.state.gov/g/prm/rls/fs/2004/28212.htm>; Martin puts the figure at 300,000: “Freed Vietnamese Have Her to Thank,” 85.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

official diplomatic relations marked a major turning point in the long process of postwar reconciliation and normalization. So too did tangible progress on “humanitarian” issues, which, although winding to a close, maintained their relevancy throughout the Clinton years. While the National League of Families’ influence dwindled considerably, FVPPA’s close relationship with U.S. policymakers continued to pay dividends, and the Association still could wield definitive influence, as the McCain amendment illustrates.

As Washington and Hanoi continued their longtime collaboration on what U.S. policymakers called “humanitarian” issues, human rights concerns became increasingly important. Although Ginetta Sagan’s Aurora Foundation had long reported on the human rights conditions in reeducation camps, the United States and Vietnam did not officially begin talks on a much broader understanding of human rights until July 1993. The importance of this dialogue expanded considerably after July 1995 in Hanoi’s quest to obtain the low tariffs and trade benefits that accompany Most Favored Nation status.

By many measures, then, the status of U.S.-Vietnamese relations changed dramatically during the Clinton years. In other ways, however, the way we understand the Vietnam War and U.S.-Vietnamese postwar relations has largely remained impervious to the events that culminated in the Clinton era U.S.-Vietnamese policy changes. As Martini suggests, “for twenty years, the American war in Vietnam had proved itself singularly resistant to all attempts at closure—at least in the United States, where there was still no definitive ending to the multiple narratives the war had produced. The period after 1995 would continue that trend.”¹⁵⁹ Martini, Allen, Schulzinger and others have persuasively traced the narratives of official U.S.-Vietnamese bilateral negotiations, POW/MIA

¹⁵⁹ Martini, *Until the Last Man Comes Home*, 204.

accounting, and U.S. cultural productions about the Vietnam War.

Because refugee concerns have been almost entirely absent from these accounts, however, our understanding of these issues has been at best incomplete. U.S. policies that addressed the boat people, Amerasians, and reeducation camp prisoners played a central role in the scope, nature and pace of official U.S.-Vietnamese bilateral relations, were linked with POW/MIA accounting as family-reunification based humanitarian issues, and were one of the many means through which U.S. policymakers pursued both continued hostilities and postwar reconciliation. A focus on refugees in post-1975 U.S.-Vietnamese relations challenges the neat temporal boundaries we affix to the Vietnam War and to warfare itself.

CONCLUSION

Between 1975 and 1996, U.S.-Vietnamese relations transformed dramatically. With the implementation of the Resettlement Opportunities for Vietnamese Refugees (ROVR) in April 1996, the *New York Times* argued, “the final chapter to the Vietnam War is quickly coming to a close.”¹ While the Vietnam War’s “final chapter” had been ongoing for decades and would continue beyond 1996, it is unmistakable that refugee concerns were a central part of that narrative.

Vietnamese emigration to the United States—to say nothing of Cambodian and Laotian emigration—began before the last U.S. helicopters left Saigon in 1975 and continued on long after Clinton’s normalization announcement. The Indochinese diaspora, in addition to constituting a major moment in global migration history, was also, from its very beginning a key facet of U.S.-Vietnamese bilateral relations. While U.S. policymakers consistently emphasized the importance of POW/MIA accounting—mostly to placate domestic audiences—refugee issues were not only as important to U.S.-Vietnamese normalization, but, as the previous chapters demonstrate, became deeply intertwined with POW/MIA concerns under the umbrella of “humanitarian” concerns.

Non-state actors played a crucial role in the long-term, highly contested process that brought over one million Vietnamese refugees to the United States. Even when the boat and land people migrations reached their peak numbers in the late 1970s, NGOs like the Citizens Commission on Indochinese Refugees were absolutely crucial to mobilizing an American response, as chapter two demonstrates. Non-state actors were even more

¹ “U.N. Negotiates to Send Vietnamese Home, Quietly, From Asian Camps,” Steven Erlanger, March 4, 1996, *New York Times*, http://www.nytimes.com/1996/03/04/world/us-negotiates-to-send-vietnamese-home-quietly-from-asian-camps.html?pagewanted=all&_r=0

vital for less visible populations like Amerasians and especially former reeducation camp prisoners. While other actors mattered, the Aurora Foundation and Families of Vietnamese Political Prisoners Association exerted a formidable, if focused, influence over U.S. policy. Undoubtedly, these organizations would not have reached the heights they achieved had U.S. policymakers not been predisposed to look upon their cause favorably. Nevertheless, Ginetta Sagan and Khuc Minh Tho spent a great deal of personal time, effort and resources into making the release and resettlement of former reeducation camp prisoners a major pillar of the United States' "humanitarian" policy toward Vietnam.

In September 1996, only months after the ROVR helped bring the CPA to a successful conclusion, President Bill Clinton awarded Ginetta Sagan the Presidential Medal of Freedom, the highest civilian award in the United States. "Ginetta Sagan's name is synonymous with the fight for human rights around the world," Clinton declared in recognition of Sagan's lifelong advocacy on behalf of political prisoners across the globe.² That same year, Amnesty International launched a new award to recognize "individual accomplishment" and serve "as a beacon of hope to women everywhere who are fighting for human rights." The prestigious award, which includes a \$20,000 grant and still exists today, is called the Ginetta Sagan Fund.³ While Sagan received these (and a staggering number of other) awards for the global reach of her human rights advocacy, her determination to report on Vietnamese reeducation camp detainees, even when she had to work outside of AIUSA auspices and form her own organization to do so, was a

² Medal of Freedom Award Presentation," September 9, 1996, CSPAN Coverage, <https://www.c-span.org/video/?74889-1/medal-freedom-award-presentation>.

³ "Ginetta Sagan Fund," Amnesty International, <http://www.amnestyusa.org/about-us/grants-and-awards/ginetta-sagan-fund>.

significant, if largely over looked, component of Sagan's lifelong human rights activism.

After announcing the resumption of official economic and diplomatic relations, negotiating the ROVR and awarding Ginetta Sagan the Presidential Medal of Freedom, the Clinton administration continued to further normalize U.S.-Vietnamese relations. In May 1997, Secretary of State Madeline Albright visited Ho Chi Minh City, where she officially opened the U.S. consulate, with Pete Peterson serving as the first U.S. ambassador to the SRV.⁴ In November the Vietnamese opened a consulate in San Francisco and in December President Clinton took another step forward in U.S.-Vietnamese relations by beginning to waive the Jackson-Vanik Amendment.⁵ As historian Barbara Keys explains, the 1974 Jackson-Vanik Amendment marked a key moment in the articulation of a conservative vision of human rights.⁶ Jackson first offered the amendment in September 1972 to "link trade concessions to the freedom to emigrate without prohibitive exit taxes [like those the Soviet Union levied]. It stipulated that in order for a country to gain MFN [Most Favored Nation] status, the president would have to submit a report on the country's adherence to standards of free emigration" as enshrined in the Universal Declaration of Human Rights.⁷ When Jackson reintroduced his amendment at the next session in the following spring, the bill had "an astonishing 75 cosponsors in the Senate and 272 in the House."⁸ The bill's ability to draw widespread bipartisan support foreshadowed the ability of migration issues to influence official

⁴ Schulzinger, *A Time for Peace*, 66, 64.

⁵ Schulzinger, *A Time for Peace*, 66; "U.S. Moves Toward Normal Economic Ties with Vietnam; Business: Clinton Will Lift Legal Obstacle to Trade and Investment in Response to Hanoi's Improving Emigration Policies. some Congressional Opposition is Expected," Jim Mann, *Los Angeles Times*, Dec 18, 1997. <http://libproxy.unh.edu/login?url=http://search.proquest.com/docview/421364322?accountid=14612>.

⁶ Barbara J. Keys, *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* (Harvard University Press, 2014), 104.

⁷ Keys, *Reclaiming American Virtue*, 121.

⁸ Keys, *Reclaiming American Virtue*, 122.

bilateral relations, as had been the case with U.S.-Vietnamese relations after 1975.

Although clearly born of a specific Cold War moment, the legislation remained on the books until 2012, thus formally requiring President Clinton to report on Vietnam's migration (and, by extension, human rights conditions) throughout his presidency.

Because of these requirements, it took the United States five years after the establishment of formal diplomatic recognition to award Vietnam most favored nation (MFN) status, making Washington the last industrialized nation to do so.⁹ As Martini notes, from 1997 to 2000, “the Clinton administration granted Jackson-Vanik waivers to Vietnam, lessening the effects of the tariffs by granting temporary MFN status in regard to some Vietnamese goods.”¹⁰ “On each occasion, Congress was required to approve the waiver,” Martini explains, and many U.S. legislators used their role in the process to “criticize Vietnam for human rights violations, lack of transparency in economic matters, and, of course, for not producing the remains of American service personnel.”¹¹ Vietnamese and American diplomats finally signed the Bilateral Trade Agreement (BTA) on July 13, 2000—almost five years to the day after Clinton's normalization announcement—which awarded Vietnam MFN status.¹² As Martini points out, however, in an election year the U.S. Congress refused to receive the bill, although the measure passed overwhelmingly by a 88-12 vote in the Senate and President George W. Bush signed the agreement into law in 2001.¹³

Despite Congress' refusal to consider the BTA, in November 2000, President Bill

⁹ Martini, *Invisible Enemies*, 236.

¹⁰ Martini, *Invisible Enemies*, 236.

¹¹ Martini, *Invisible Enemies*, 236.

¹² Schulzinger, *A Time for Peace*, 68; Martini, *Invisible Enemies*, 236.

¹³ Martini, *Invisible Enemies*, 236-237.

Clinton visited Hanoi. He was the first sitting American president to visit the Socialist Republic of Vietnam, and the first to set foot on Vietnamese soil since President Nixon's 1969 visit to South Vietnam.¹⁴ Ahead of Clinton's visit, the *New York Times* observed that the American president "will arrive in a country that is increasingly linked to the United States by a web of migrants who journey from teeming cities like Ho Chi Minh City, formerly known as Saigon, to cities and towns across America."¹⁵ "One result" of this massive, decades-long migration, the article continued, "is that 26,000 Vietnamese a year now emigrate to the United States" a migration that in 2000 constituted "one of the half-dozen largest flow of immigrants into America from any country in the world."¹⁶

In addition to the 26,000 Vietnamese per year arriving as immigrants, Vietnamese refugees continued to land on American shores. "Remarkably a quarter-century later," the *Times* explained, some migrants "are still technically refugees fleeing the distant echo of a war. At a rate of nearly 2,000 a year, these refugees include the aging survivors of Communist 're-education camps' and the grown children of American soldiers, as well as hundreds of participants in a little known program [the ROVR] that is still cleaning up the last lingering cases of what became a huge refugee-processing bureaucracy."¹⁷

As Clinton traveled from the United States to Vietnam in 2000, then, 28,000 Vietnamese made the trip in the opposite direction that same year. Although the vast majority were immigrants, approximately 2,000 refugees per year continued to arrive on American shores through programs that nongovernmental advocates and their allies in

¹⁴ "Clinton Makes Historic Visit to Vietnam," Ann Compton and Mark Lite, Hanoi, November 16, 200, <http://abcnews.go.com/International/story?id=82119&page=1>

¹⁵ Seth Mydans, "25 Years Later, Vietnamese Still Flock to the U.S." *New York Times*, November 7, 2000. <http://www.nytimes.com/2000/11/07/us/25-years-later-vietnamese-still-flock-to-the-us.html>

¹⁶ Ibid.

¹⁷ Ibid.

Congress, the State Department and the White House labored so tirelessly to bring into existence in the late 1970s and 1980s. In many ways, the volume and character of this migration was symbolic of larger trends; even though Washington and Hanoi continued to pursue postwar reconciliation and move “beyond” the Vietnam War, the war continued to linger, with very real, individual consequences as well as much broader implications for American understandings of war, Vietnam, and the Vietnam War.

These trends and tensions characterized the Clintons’ time in Vietnam as well. The President and First Lady received an “extraordinarily warm welcome” and in what Martini calls an “unprecedented move,” Vietnamese officials permitted Clinton’s address “to be carried on national television.”¹⁸ While Clinton’s speech made the requisite references to accounting for American servicemen and congressional support for closer U.S.-Vietnamese ties, the President also discussed other “humanitarian” issues and the ongoing issue of human rights in Vietnam. “Because of the conflict,” the President explained, “America is now home to one million Americans of Vietnamese ancestry.”¹⁹ This reality was by no means inevitable, and a coalition of non-state and official actors worked tirelessly for decades to make this simple remark a reality. As Clinton’s comments implied, this major migration, and the series of bilateral and multilateral policies that underwrote them, not only constituted one of the most lasting human consequences of the Vietnam War, but became a central means through which Washington and Hanoi pursued “normal” relations by creating literal and figurative human ties between the two former adversaries.

“Today,” Clinton proclaimed for at least the third time in his presidency, “the

¹⁸ Martini, *Invisible Enemies*, 238.

¹⁹ William J. Clinton, “Remarks at Vietnam National University in Hanoi, Vietnam,” November 17, 2000, <http://www.presidency.ucsb.edu/ws/?pid=1038>.

United States and Vietnam open a new chapter in our relationship.”²⁰ Noting the increasingly interdependent world in an era of globalization, Clinton called especially to Vietnam’s youth to seize the new world available to them. Without much subtlety, the President explained, “we Americans believe the freedom to explore, to travel, to think, to speak, to shape decisions that affect our lives enrich the lives of individuals and nations in ways that go far beyond economics.”²¹ While he conceded “America’s record is not perfect in this area” and he quickly added “we do not seek to impose these ideals, nor could we,” the President clearly implied that Hanoi should “weave individual liberties and human rights into the rich and strong fabric of Vietnamese national identity.”²² Although there is inevitably an argument to be made that every nation could improve its human rights record, the first visit by a U.S. executive to Hanoi illustrated that human rights would continue to be a strong point of emphasis for U.S.-Vietnamese dialogue.

The Unending Vietnam War

Predictably, Clinton’s physical steps on Vietnamese soil and the legal steps his administration took—bestowing official economic relations, diplomatic recognition and MFN upon Vietnam—did not end scholarly or public disputes about the Vietnam War. The war continues to be a lightning rod issue with the potential to provoke passionate emotional responses among certain segments of American society. Yet, it is also true that, as was so frequently observed when President Barack Obama traveled to Vietnam in May 2016, the majority of people in both countries now have no living memory of the conflict

²⁰ Ibid.

²¹ Ibid.

²² Ibid.

that Americans call the Vietnam War.

This shift has begun to provide scholars and students with the space to study the conflict as *a* war, not *the* war. Although many in the United States remain obsessed with the Vietnam War's exceptionality, "The Last Chapter of the Vietnam War" reminds us about some of the quintessential, if often overlooked, truths about warfare itself. The first is that, as Mary Dudziak has observed generally and Michael Allen and Edwin Martini have noted with respect to the Vietnam War specifically, the neat temporal boundaries we often assign to wars are nebulous at best.²³ As Viet Thanh Nguyen has argued, the allure of assigning definitive temporal (and geographic) boundaries to war emanates from the assumption that the soldier is "the face and body of war, when in truth he is only its appendage."²⁴ If we are to truly look upon the body of war, Nguyen and Yen Le Espiritu have demonstrated, we must also examine refugees, despite the tendency of American scholars to separate "war studies and refugee studies into different fields."²⁵ By recognizing the importance of refugee concerns to U.S.-Vietnamese relations from 1975 to 1995, in other words, we can contextualize the U.S. experience in Vietnam with a long history of war-spurred migrations. Going back to the Loyalist diaspora that accompanied the American Revolution and continuing, with predictable if tragic consistency, to the wars of today, refugee migrations have constituted a central aspect of the U.S. wartime experience.²⁶

While the existence of war-induced migrations and the complicated questions

²³ Mary L. Dudziak, *Wartime: An Idea, Its History, Its Consequences* (Oxford University Press, 2010)

²⁴ Nguyen, *Nothing Ever Dies*, 225.

²⁵ Yen Le Espiritu, *Body Counts: The Vietnam War and Militarized Refuge(es)* (University of California Press, 2014). See also: Viet Thanh Nguyen, *Nothing Ever Dies: Vietnam and the Memory of War* (Harvard University Press, 2016).

²⁶ Maya Jasanoff, *Liberty's Exiles: American Loyalists in the Revolutionary World* (Knopf Doubleday Publishing Group, 2012).

about how to respond to this reality have challenged American policymakers throughout history, the scope and nature of U.S.-Vietnamese relations between 1975 and 1995 also remains a product of the specific context of the late twentieth century. In other words, the American effort to deal with the war's multilayered legacies and postwar realities became implicated and intertwined with larger challenges and phenomena. The first of these is the global human rights moment. The international process through which "human rights went from an exotic aspirational language to an everyday vernacular" that formed a "global human rights imagination" deeply influenced the scope and nature of the U.S.-Vietnamese normalization process.²⁷ Indeed, it is hard to imagine the narratives contained in these pages without the transnational institutions, moral aspirations and global language that the human rights moment precipitated.

Because of larger trends in human rights advocacy and the space opened by the lack of formal U.S.-Vietnamese relations, non-state actors possessed the intellectual, moral and structural capacity to play a definitive role in U.S.-Vietnamese relations after 1975. Some organizations, like the Citizens Commission on Indochinese Refugees, filled the void left by government inaction and bureaucratic stalemate to help spur major policy changes. That the CCIR began at the behest of frustrated government officials and included many current and future policymaking elites among its members demonstrates the elastic nature of the term "nongovernmental organization." As Michael Allen and Bruce Franklin have shown, the National League of POW/MIA Families similarly pushed the boundaries of its status as an NGO.

While elite tier organizations like the CCIR, National League of POW/MIA

²⁷ Bradley, *The World Reimagined*, 3.

Families and Amnesty International played central roles in the last chapter of the Vietnam War, so too did grassroots activists. The Aurora Foundation and Families of Vietnamese Political Prisoners Association exerted an influence that belied their modest resources and helped make a largely invisible issue with little political upside a consistent and central feature of U.S. policy. What makes the Aurora Foundation and especially FVPPA stand out from other similar NGOs, however, is that these organizations became indispensable to U.S. policymakers. When the Families of Vietnamese Political Prisoners Association's Collection opened in a special ceremony at the Vietnam Center and Archive in Lubbock, Texas in 2008, for example, some of the most important figures and organizations in late twentieth century American politics wrote letters of congratulations and support. President George H. W. Bush, Senators Bob Dole, John McCain and John Kerry, Robert Funseth, the United Nations High Commissioner for Refugees and International Committee of the Red Cross all wrote glowing letters about FVPPA to accompany the Association's records.²⁸

The obvious harmony and mutual respect these letters convey runs against the way we usually conceptualize the relationship between late twentieth century NGOs and government officials. Often, historians depict non-state actors and American policymakers as oppositional forces. While a focus on non-state actors in some contexts certainly can decenter the nation-state as an organizing principle of historical analysis, study of nongovernmental actors involved in the U.S.-Vietnamese normalization process highlights the importance of traditional corridors of power. Presidential attention and Congressional support remained absolutely crucial for the CCIR, Aurora Foundation and

²⁸ All of these letters are featured under the "Letters of Support" subheading that is featured on the collection's electronic finding aid. See: <https://www.vietnam.ttu.edu/vahp/fvppa.php#opening>.

FVPPA to achieve their goals. Indeed, the non-state actors I have highlighted worked with government officials in an ongoing dialogue to achieve their humanitarian ends.

Just as the global human rights moment substantively impacted the nature of U.S.-Vietnamese normalization, the American effort to cope with Vietnam War legacies and post-1975 U.S.-Vietnamese realities also coincided with major changes in American refugee law. As chapter two demonstrates, the U.S. inability to respond to the massive oceanic and overland migrations out of Indochina is what helped spur American legislators to codify a new definition of “refugee” based on universal human rights principles in the Refugee Act of 1980. The fundamental tension between the new, universal legal definition and the need to apply the law in specific contexts with high geopolitical stakes reveals much about the contested nature of U.S. refugee policy more broadly in the last decades of the twentieth century.

Although other regions of the world experienced similar shifts and contributed to this larger process, Southeast Asia was at the vanguard of American efforts to apply their new law to global realities. After the Refugee Act of 1980, debates about human rights conditions had real on-the-ground implications for migrants’ legal status and whether or not they would get the coveted protections formal refugee status conferred. Yet, as the case study of U.S.-Vietnamese relations from 1975 to 1995 so readily demonstrates, debates about refugee status also became intertwined with foreign policy considerations. Whether or not those fleeing Indochina warranted “refugee” status and resettlement abroad had substantive implications for U.S.-ASEAN relations, U.S.-Vietnamese relations, and the perception of U.S. leadership on a global stage.

While scholars have long noted the politicized nature of refugee admissions or

quotas, refugee *status* is another, paradoxically overlooked means through which nation states with divergent aims and objectives clashed on the international stage. That Hanoi repeatedly demanded that Amerasians be considered as immigrants and not as refugees, and that American policymakers ultimately conceded on this point, for example, shows just one way that the new human rights infused definition of “refugee” became, like human rights itself, a language of power in international relations. Although these issues transcended U.S.-Vietnamese relations, they also defined much of the structural and linguistic terrain within which Washington and Hanoi clashed and cooperated after the military phase of the Vietnam War.

U.S.-Vietnamese normalization thus became deeply intertwined with the global human rights “moment” and the legal changes codified by the Refugee Act of 1980. While much work remains to be done to understand how “normalization of relations” functioned as a tool in the American diplomatic arsenal, a close examination of the last chapter of the Vietnam War makes clear that normalization was a long, contested process, not a moment that occurred suddenly in 1995. Even as formal normalization talks remained suspended from 1978 to 1991, the personal, governmental and nongovernmental ties between Washington and Hanoi increased considerably thanks to the former foes’ collaboration on what American officials called “humanitarian” issues. While scholars and pundits have long recognized the powerful grip the POW/MIA cause had on American public opinion and U.S. policymakers, refugee concerns dominated the American approach to Vietnam after 1975 far more than current studies acknowledge.

A focus on Indochinese refugee policy in what is conventionally understood as the “postwar” period dramatically transforms our understanding of the Vietnam War.

Although the famous photograph of American helicopters evacuating Saigon on April 30, 1975 seemed to symbolize a larger American disengagement from Vietnam and Indochina as a whole, it is more appropriate to think of Hanoi's military victory as beginning a new phase in the long conflict Americans call the Vietnam War.

The last chapter of the Vietnam War defies easy categorization. During this complex period, efforts to perpetuate wartime animosity through non-military means coincided with efforts to move beyond the conflict and pursue postwar reconciliation. To complicate matters further, an incredibly wide range of U.S. officials were involved in formulating, negotiating, and implementing U.S. policy regarding POW/MIAs, boat and land people, Amerasians and reeducation camp prisoners. Those in Congress, the State Department, the Oval Office, the National Security Council, the Immigration and Naturalization Service and the Department of Defense inevitably viewed the same "humanitarian" policies as means to achieve disparate ends.

While the question of intent is often difficult to untangle, implementation of "humanitarian" policies clearly increased the amount of U.S.-Vietnamese contact and cooperation and helped propel normalization of relations, even as formal normalization talks remained suspended. This process was neither linear nor immediate; as the preceding chapters demonstrate, the pace of negotiation and agreement was one of fits and starts, trial and error, and without question there were moments when American officials (and policies) were openly hostile. Yet, the sum total of U.S.-Vietnamese dialogue on "humanitarian" issues involved compromise and, ultimately, collaboration. American efforts to address what U.S. policymakers called the "refugee question," and the multilateral and bilateral cooperation between Washington and Hanoi on refugee

issues was, far more than current studies acknowledge, a driving narrative, of the last chapter of the Vietnam War. Recognition of the United States' consistent though contested commitment to refugees is crucial not only in the pursuit of a more accurate historical record, but also because the Vietnam War continues to cast such a long shadow over American culture, politics and policy. Despite the colossal amount of scholarship on the topic, we still have much to learn about the Vietnam War and its “lessons.”

BIBLIOGRAPHY

Archives

Vietnam Center and Archive. Lubbock, Texas
Families of Vietnamese Political Prisoners Association Collection

Hoover Institution and Archive. Stanford, California.
Families of Vietnamese Political Prisoners Association Collection
Preliminary Inventory to the International Rescue Committee Records

Gerald R. Ford Presidential Library

Jimmy Carter Presidential Library

Ronald Reagan Presidential Library

George Bush Presidential Library

William J. Clinton Presidential Library

American Presidency Project, Digital Archive
<http://www.presidency.ucsb.edu/index.php>

Robert J. Dole Institute and Archive

Minnesota Historical Society Library
Rudy Boschwitz Papers

University of Rhode Island Library, Special Collections and Archives.
The Senatorial Papers of Claiborne Pell

Published Primary Sources

Baez, Joan. *And a Voice to Sing With: A Memoir*. New York: Summit Books, 1987.

Carter, Jimmy. *White House Diary*. New York: Farrar, Straus and Giroux, 2010.

Childress, Richard T. and Stephen J. Solarz. "Vietnam: Detours on the Road to Normalization" in Richard Nelson and Kenneth Weisbrode, eds., *Revising Relations with Former Adversaries: U.S. Foreign Policy After the Cold War*. University Press of Florida, 1998.

Dawson, Alan. *55 Days: The Fall of South Vietnam*. Englewood Cliffs, N.J.: Prentice-Hall, INC., 1977.

- Ford, Gerald R. *A Time to Heal: The Autobiography of Gerald R. Ford*. New York: Harper & Row, 1979.
- Isaacs, Arnold R. *Without Honor: Defeat in Vietnam and Cambodia*. John Hopkins University Press, 1983.
- Kissinger, Henry. *Ending the Vietnam War: A History of America's Involvement in and Extrication From the Vietnam War*. New York: Simon & Schuster, 2003.
- Levenstein, Aaron. *Escape to Freedom: The Story of the International Rescue Committee*. Westport, CT: Greenwood Press, 1983.
- Mondale, Walter F. with David Hage Mondale, *The Good Fight: A Life in Liberal Politics*. New York: Scribner & Co.: 2010.
- Nessen, Ron. *It Sure Looks Different from the Inside*. Chicago: Playboy Press, 1978.
- Reagan, Ronald, and Douglas Brinkley. 2007. *The Reagan Diaries*. New York: HarperCollins.
- Sagan, Ginetta and Stephen Denney, *Violations of Human Rights in the Socialist Republic of Vietnam, April 30, 1975-April 30, 1983*. Atherton, CA: The Aurora Foundation, 1983.
- Snepp, Frank. *Decent Interval: An Insider's Account of Saigon's Indecent End Told by the CIA's Chief Strategy Analyst in Vietnam*. New York: Vintage Books, 1977.
- Solarz, Stephen J., and Norman Ornstein. *Journeys to War & Peace A Congressional Memoir*. Waltham, Mass: Brandeis University Press, 2011.
- The Aurora Foundation. *Report on the Violations of Human Rights in the Socialist Republic of Vietnam, April 1975-December 1988*. Atherton, CA: The Aurora Foundation, 1989.
- Solomon, Richard H. *Exiting Indochina: U.S. Leadership of the Cambodian Settlement & Normalization of Relations with Vietnam*. Washington, D.C.: United States Institute of Peace Press, 2000.
- “Vietnam and the Presidency” Conference Hosted by the Kennedy Library, March 11, 2006,
http://www.lbjlib.utexas.edu/johnson/press.hom/Vietnam_Presidency/Transcripts/IntroductionbyCarolineKennedyandVietnamInterviewwi.pdf

Interviews

Phyllis Oakley, Interview with Author, September 12, 2013.

Pete Peterson, Interview with Author, September 22, 2013.

Secondary Literature

Allen, Michael J. *Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War*. Chapel Hill: University of North Carolina Press, 2009.

Appy, Christian G., *American Reckoning: The Vietnam War and Our National Identity*. New York: Penguin Books, 2016.

Asselin, Pierre. *Hanoi's Road to the Vietnam War, 1954-1965*. Berkeley: University of California Press, 2001.

Bass, Thomas A. *Vietnam: The War Comes Home*. New York: SOHO, 1996.

Bradley, Mark Philip. *The World Reimagined: Americans and Human Rights in the Twentieth Century*. New York: Cambridge University Press, 2016.

Bon Tempo, Carl J. *Americans at the Gate: The United States and Refugees During the Cold War*. Princeton: Princeton University Press, 2008.

Borgwardt, Elizabeth. *A New Deal For the World: America's Vision For Human Rights*. Cambridge: Harvard University Press, 2005.

Buchanan, Tom "The Truth Will Set You Free": The Making of Amnesty International," *Journal of Contemporary History* 37.4 (2002): 575-97

Chollet, Derek and Samantha Powers, eds. *The Unquiet American: Richard Holbrooke in the World*. New York: Public Affairs, 2011.

Cmiel, Kenneth, "The Emergence of Human Rights Politics in the United States" *Journal of American History* 86.3 (1999): 1231-50.

----- "The Recent History of Human Rights" *American Historical Review* 109 (2004): 117-135.

Clark, Ann Marie. *Diplomacy of Conscience: Amnesty International and Changing Human Rights Norms*. Princeton and Oxford: Princeton University Press, 2001.

Clymer, Keyton. *The United States and Cambodia, 1969-2000*. London and New York: Routledge Curzon, 2004.

- Dang, Thuy Vo. "The Cultural Work of Anticommunism in the San Diego Vietnamese American Community." *Amerasia Journal* 31.2 (2005): 65-86.
- Daniels, Roger. *Guarding the Golden Door: American Immigration Policy and Immigrants Since 1882*. New York: Hill and Wang, 2004.
- Davies, Sara E. *Legitimising Rejection: International Refugee Law in Southeast Asia*. Liden and Boston: Martinus Nijhoff Publishers, 2008.
- DeMars, William E. *NGOS and Transnational Networks: Wild Cards in World Politics*. Pluto Press: 2005.
- DeMonaco, Mary Kim, "Disorderly Departure: An Analysis of the United States Policy Toward Amerasian Immigration" *Brooklyn Journal of International Law* (1989) 15(3): 641-709.
- Dower, John W. *War Without Mercy: Race and Power in the Pacific*. New York: Pantheon Books, 1986.
- Dudziak, Mary L. *Wartime: An Ideal, It's History and Its Consequences*. Oxford University Press, 2013.
- Espiritu, Yen Le, *Body Counts: The Vietnam War and Militarized Refuge(es)*. Berkeley: University of California Press, 2014.
- Franklin, H. Bruce. *M.I.A. or Mythmaking in America*. New Brunswick, NJ: Rutgers University Press, 1992.
- Gabaccia, Donna R. *Foreign Relations: American Immigration in Global Perspective*. Princeton and Oxford: Princeton University Press, 2012.
- Glad, Betty. *An Outsider in the White House: Jimmy Carter, His Advisors, and the Making of American Foreign Policy*. Ithaca: Cornell University Press, 2009.
- Glendon, Mary Ann. *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*. New York: Random House, 2001.
- Haley, Edward. *Congress and the Fall of South Vietnam and Cambodia*. London and Toronto, Associated University Press, 1982.
- Hagopain, Patrick. *The Vietnam War in American Memory: Veterans, Memorials, and the Politics of Healing*. University of Massachusetts Press, 2009.
- Hanhimaki, Jussi. *The Flawed Architect: Henry Kissinger and American Foreign Policy*. Oxford University Press, 2004.

- Hawley, Thomas M. *The Remains of War: Bodies, Politics, and the Search for American Soldiers Unaccounted for in Southeast Asia*. Durham: Duke University Press, 2005.
- Hellmann, John. *American Myth and the Legacy of Vietnam*. New York: Columbia University Press, 1986.
- Herring, George. *America's Longest War: The United States and Vietnam, 1950-1975*; Ninth Edition. McGraw-Hill Higher Education, 2013.
- Hughes, Ken. *Fatal Politics: The Nixon Tapes, the Vietnam War, and the Casualties of Reelection*. University of Virginia Press, 2015.
- Hurst, Steven. *The Carter Administration and Vietnam*. Houndmills, Basingstoke, and Hampshire: Macmillan, 1996.
- Iriya, Akira, Petra Goedde, and William I Hitchcock, eds., *The Human Rights Revolution: an International History*. Oxford University Press, 2012.
- Isaacs, Arnold S. *Vietnam Shadows: The War, Its Ghosts, and Its Legacy*. John Hopkins University Press, 1997.
- Jasanoff, Maya. *Liberty's Exiles: American Loyalists in the Revolutionary World*. Knopf Doubleday Publishing Group, 2012.
- Jespersion, Christopher T., "The Bitter End and the Lost Chance in Vietnam: Congress, the Ford Administration, and the Battle Over Vietnam, 1975-76" *Diplomatic History* 24.2 (2000): 265-293.
- Joes, Anthony James *The War for South Vietnam 1954-1975*, Revised Edition. Westport, CT and London: Praeger, 2001.
- Keck, Margaret E., and Kathryn Sikkink. *Activists Beyond Borders: Advocacy Networks in International Politics*. Ithaca: Cornell University Press, 1998.
- Keys, Barbara. *Reclaiming American Virtue: The Human Rights Revolution of the 1970s*. Harvard University Press, 2014.
- Kumin, Judith. "Orderly Departure from Vietnam: A humanitarian alternative?" PhD diss., Tufts University Fletcher School of Law and Diplomacy, 1987.
- "Orderly Departure from Vietnam: Cold War Anomaly or Humanitarian Innovation?" *Refugee Studies Quarterly* 27.1 (2008): 104-117.
- Lam, Lawrence. "Comprehensive Plan of Action (CPA) for Vietnamese Asylum Seekers: Some Reflections" *Refuge* vol. 13 no. 5 (September 1993):12-14.

- Landerman, Scott. *Tours of Vietnam: War, Travel Guides and Memory*. Durham, NC: Duke University Press, 2009.
- and Edwin A. Martini, eds. *Four Decades On: Vietnam, the United States and the Legacies of the Second Indochina War*. Durham and London: Duke University Press, 2013.
- Mark Atwood Lawrence. *The Vietnam War: A Concise International History*. Oxford University Press, 2008.
- Erica Lee, *The Making of Asian America: A History*. New York and London: Simon & Schuster, 2015.
- "The Chinese Exclusion Example: Race, Immigration, and American Gatekeeping, 1882-1924" *Journal of American Ethnic History* 21 (2002): 36-62.
- Lembcke, Jerry. *The Spitting Image: Myth, Memory, and the Legacy of Vietnam*. New York and London: New York University Press, 1998.
- Lepore, Jill. *The Name of War: King Philip's War and the Origins of American Identity*. New York: Vintage Books, 1998.
- Lipman, Jana K. "The Face is the Road Map": Vietnamese Amerasians in U.S. Political and Popular Culture, 1980-1988" *Journal of Asian American Studies* 14(1) 2011: 33-68.
- Logevall, Fredrik. *Choosing War: The Lost Chance for Peace and the Escalation of War in Vietnam*. Berkeley: University of California Press, 2001.
- Loescher, Gil and John A. Scanlan. *Calculated Kindness: Refugees and America's Half-Open Door, 1945 to the Present*. New York: Free Press, 1986.
- Martin, Frances P. "Freed Vietnamese Have Her to Thank: Khuc Minh Tho, the FVPPA, and the Use of Grassroots Diplomacy in the Release, Immigration, and Resettlement of Vietnamese Re-Education Camp Prisoners, 1977-2011." M.A. Thesis, Texas Tech University, 2015."
- Martini, Edwin A. *Invisible Enemies: The American War on Vietnam, 1975-2000*. Amherst: University of Massachusetts Press, 2007.
- Maynard, Christopher. *Out of the Shadow: George H. W. Bush and the End of the Cold War*. College Station: Texas A&M University Press, 2008.
- McKelvey, Robert S., *The Dust of Life: American's Children Abandoned in Vietnam*. Seattle and London: University of Washington Press, 1999.

- Menetrey-Monchau, Cecile. *American-Vietnamese Relations in the Wake of War*. Jefferson, N.C.: McFarland & Company, Inc., 2006.
- Murachik, Joshua. *The Uncertain Crusade: Jimmy Carter and the Dilemmas of Human Rights Policy*. New York: Hamilton Press, 1986.
- Neuringer, Sheldon. *The Carter Administration, Human Rights, and the Agony of Cambodia*. Lewiston: The Edwin Mellen Press, 1993.
- Ngai, Mae E. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton University Press, 2014.
- Nguyen, Lieng-Hang T. *Hanoi's War: An International History of the War for Peace in Vietnam*. Durham, NC: University of North Carolina Press, 2012.
- Nguyen, Van Canh with Earle Cooper, *Vietnam Under Communism, 1975-1982*. Stanford, CA: Hoover Institution Press, 1983.
- Nguyen, Viet Thanh. *Nothing Ever Dies: Vietnam and the Memory of War*. Cambridge, M.A.: Harvard University Press, 2016.
- Oh, Arissa. *To Save the Children of Korea: The Cold War Origins of International Adoption*. Stanford University Press, 2015.
- Olson, James S. and Randy Roberts, *Where the Domino Fell: America and Vietnam, 1945 to 1990*. New York: St. Martin's Press, 1991.
- Oyen, Meredith. *The Diplomacy of Migration: Transnational Lives and the Making of U.S.-Chinese Relations During the Cold War*. Cornell University Press, 2015.
- Powers, Samantha. *A Problem from Hell: America and the Age of Genocide*. New York: Basic Books, 2013.
- Ramirez, Zachary Steven. "International Human Rights Activism in the United States During the Cold War." PhD Diss., University of California, Berkeley, 2013.
- Robinson, W. Courtland, "The Comprehensive Plan of Action for Indochinese Refugees, 1989-1997: Sharing the Burden and Passing the Buck," *Journal of Refugee Studies*, vol. 17 no.3 (2004): 320-333
- . *Terms of Refugee: The Indochinese Exodus & the International Response*. London and New York: Zed Books, 1998.
- Sachs, Dana. *The Life We Were Given: Operation Babylift, International Adoption, and the Children of War in Vietnam*. Boston: Beacon Press, 2010.

- Sahara, Ayoko. "Globalized Humanitarianism: U.S. Imperial Formation in Asia and the Pacific Through the Indochinese Refugee Problem." PhD diss., University of California, San Diego, 2012.
- Salyer, Lucy. *Laws Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law*. University of North Carolina Press, 1995.
- Schmitz, David F. and Vanessa Walker, "Jimmy Carter and the Foreign Policy of Human Rights: The Development of a Post-Cold War Foreign Policy," *Diplomatic History* 28.1 (January 2004): 113-43
- Schulzinger Robert A., *A Time for War: The United States, and Vietnam, 1941-1975*. New York: Oxford University Press, 1997.
- , *A Time for Peace: The Legacy of the Vietnam War*. New York: Oxford University Press, 2006.
- Shum, Keane. "A New Comprehensive Plan of Action: Addressing the Refugee Protection Gap in Southeast Asia through Local and Regional Integration," *Oxford Monitor of Forced Migration*, Vol. 1 number 1: 60-77
- Schwenkel, Christina. *The American War in Contemporary Vietnam: Transnational Remembrance and Representation*. Bloomington: Indiana University Press, 2009.
- Sikkink, Kathryn, *Mixed Signals: U.S. Human Rights Policy and Latin America*. Ithaca: Cornell University Press, 2004.
- Simpson, Bradley R., "Denying the First Right": The United States, Indonesia and the Ranking of Human Rights by the Carter Administration," *International History Review* 31.4 (2009): 798-826.
- Smith, Andrew F. *Rescuing the World: The Life and Times of Leo Cherne*. Albany, NY: State University of New York Press, 2002.
- Snyder, Sarah B. *Human Rights Activism and the End of the Cold War: A Transnational History of the Helsinki Network*. Cambridge University Press, 2011.
- Stern, Lewis M. *Defense Relations Between the United States and Vietnam: The Process of Normalization, 1977-2003*. Jefferson, NC: McFarland & Company, Inc., Publishers, 2005.
- Stur, Heather Marie. "'Hiding Behind the Humanitarian Label': Refugees, Repatriates, and the Building of America's Benevolent Image After the Vietnam War" *Diplomatic History* 39:2 (2015): 223-244.

----- *Beyond Combat: Women and Gender in the Vietnam War Era.*
Cambridge University Press, 2011.

Sutter, Valerie O'Connor. *The Indochinese Refugee Dilemma.* Baton Rouge and London:
Louisiana State University Press, 1990.

Thomas, Sabrina. "The Value of Dust: Policy, Citizenship, and Vietnam's Amerasian
Children." PhD diss., Arizona State University, 2015.

UNHCR, *State of the World's Refugees 2000: Fifty Years of Humanitarian Action*,
January 1, 2000, e-book: [http://www.unhcr.org/en-
us/publications/sowr/4a4c754a9/state-worlds-refugees-2000-fifty-years-
humanitarian-action.html](http://www.unhcr.org/en-us/publications/sowr/4a4c754a9/state-worlds-refugees-2000-fifty-years-humanitarian-action.html)

Valverde, Kieu Linh Caroline. "From Dust to Gold: The Vietnamese American
Experience," in *Racially Mixed People in America*, ed. Maria P. P. Root.
Newbury Park, C.A.: Sage Books, 1992.

----- *Transnationalizing Viet Nam: Community, Culture, and
Politics in the Diaspora.* Philadelphia: Temple University Press, 2012.

Vong, Sam. "'Compassion Gave Us a Special Superpower': Vietnamese Women
Leaders, Reeducation Camps, and the Politics of Family Reunification, 1977-
1991," *Journal of Women's History*, forthcoming.

APPENDIX A: IRB APPROVAL LETTER

University of New Hampshire

Research Integrity Services, Service Building
51 College Road, Durham, NH 03824-3585
Fax: 603-862-3564

22-Jul-2015

Demmer, Amanda
History, Horton SSC
10 Ham Street, Apt. 4
Dover, NH 03820

IRB #: 5791

Study: The Role of Vietnamese Americans in the Normalization of Relations between the United States and the Socialist Republic of Vietnam

Study Approval Date: 25-Jul-2013

Modification Approval Date: 20-Jul-2015

Modification: Add subjects and revise questionnaire

The Institutional Review Board for the Protection of Human Subjects in Research (IRB) has reviewed and approved your modification to this study, as indicated above. Further changes in your study must be submitted to the IRB for review and approval prior to implementation.

Researchers who conduct studies involving human subjects have responsibilities as outlined in the document, *Responsibilities of Directors of Research Studies Involving Human Subjects*. This document is available at <http://unh.edu/research/irb-application-resources> or from me.

If you have questions or concerns about your study or this approval, please feel free to contact me at 603-862-2003 or Julie.simpson@unh.edu. Please refer to the IRB # above in all correspondence related to this study.

For the IRB,



Julie F. Simpson
Director

cc: File
Dorsey, Kurk