

lawyers from outside traditional political and legal circles. He has been picking fewer ex-prosecutors and more lawyers with experience in public-interest law, more who have been state or lower federal court judges and more law professors.

Many analysts believe people from such backgrounds are likely to be more liberal than most current judges. This supposition is supported by a study by the American Judicature Society. That survey found that of 63 persons nominated for appeals courts by Carter's commissions, 42 percent described themselves as liberal or very liberal, and 55 percent claimed to be moderate. Only 3 percent called themselves conservative.

Some observers, such as Ann K. Macrory, director of the Judicial Selection Project, say that it is risky to predict the philosophy a lawyer will follow once on the bench. Some judges have been surprises. One example is Supreme Court Justice Harry A. Blackmun, a Nixon nominee who pleases liberals with many of his opinions.

The liberal quotient also could be diluted by a number of nominations not yet acted upon by the White House. In many instances, senators or commissions are putting forward judicial candidates who are white, male and conservative.

But it will take a strong surge of such appointments to reverse early trends. Barring that, America's federal courts seem likely to be more liberal and activist for years to come. ●

VIETNAM REFUGEES FLEEDED OF POSSESSIONS

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1979

● Mr. LAGOMARSINO. Mr. Speaker, the following is an accounting of the forced departure of a Vietnamese refugee family, which appeared in the July 8, 1979, edition of the Los Angeles Times.

This exemplifies the pathetic situation in which the ethnic Chinese in Vietnam find themselves. They may either stay in the country and be sent to what are referred to as concentration camps, or pay the exorbitant fees charged for passage on flimsy boats to the high seas.

The testimony of these refugees confirms that the Vietnamese Government is realizing a great profit in deportation and other fees charged to the fleeing families—one of the most heinous government actions of all times.

VIETNAM REFUGEES FLEEDED OF POSSESSIONS, EXPELLED

(By Linda Mathews)

HONG KONG.—For the family of Haiphong dentist Kool Peih-kin, the midnight knock on the door came in early March.

Outside stood a Vietnamese police lieutenant and a squad of policemen. They pushed their way into Kool's house and the lieutenant announced, "All Chinese are now advised to leave Vietnam. They are not wanted here anymore. For the sake of security we must have a Vietnam free of Chinese."

Sitting in his undershirt last week, still wan and weak from a month at sea, Kool, 45, told the story of the long odyssey that took him, his wife and their five children from the security of their Haiphong neighborhood—the family's home for four generations—to a makeshift refugee camp on the Hong Kong waterfront.

"The first time the police came, I didn't know whether to take their threat seriously,"

Kool said. "But then they came once a week, and then once a day, to threaten us. It became clear there was no future for us or people like us in Vietnam. It was either leave or die.

"So we sold all our belongings, gave the police the money they demanded, and we left."

Kool's account echoes the stories related by the hundreds of thousands of ethnic Chinese who have been forced out to sea by the Vietnamese authorities over the last year. Theirs is a collective tale of being forcibly deported from the land of their birth, systematically fleeced by Vietnamese officials of practically everything they owned.

No one—not the international relief organizations or Western intelligence operatives or the refugees themselves—knows how much of the gold collected from the "boat people" goes into the pockets of corrupt policemen and soldiers, and how much ends up in the hands of the government in Hanoi.

What seems certain, despite Vietnamese denials, is that the deportation policy has been implemented nationwide and that it has at least the tacit consent of the Communist Party hierarchy in Hanoi. Its ultimate aim appears to be to rid Vietnam of its entire ethnic Chinese population, which stood at about 1.8 million when the Americans withdrew in 1975.

"There can no longer be any doubt that there's a well-organized refugee racket operating in Vietnam," James K. Reid, director of the Shamsuipo refugee camp here, said. "It may have originally been organized by private individuals, but now there is overwhelming official complicity," another relief official said. "This couldn't be happening without the blessing of the Vietnamese government."

Refugees here contend that the deportations are directed by Hanoi's Interior and Finance ministries, which have reportedly ordered local police to collect an "expatriate departure tax" from every refugee. This operates on a sliding scale, the tax is much higher in the south, where ethnic Chinese businessmen still have caches of gold hoarded since pre-Communist days, than in the northern region, which has been Communist for a generation.

American officials here and in Washington say they have no firm evidence that the refugee trade is directed by Vietnamese ministries. But Charles Freeman, deputy U.S. coordinator for refugee affairs, said that Vietnam has set up a boat-building industry specifically to move ethnic Chinese out of the country.

"The Vietnamese government has clearly expanded its policy of assisted departures for those it no longer considers desirable participants in Vietnamese society," Freeman testified before a congressional committee.

Considerable light has been shed on Vietnam's role in the refugee trade by testimony given in the Hong Kong trial of the captain and crew of the freighter Huey Fong, one of the first big ships to ferry ethnic Chinese out of Vietnam. The defendants face up to four years in jail and \$3.5 million in fines for smuggling illegal immigrants into Hong Kong.

One of the organizers, Kwok Wah-leung, testified under a grant of immunity last week that he arranged the ship's departure at a government building in Ho Chi Minh City, where clerks routinely processed the passengers' exit forms and weighed the gold collected from them. The 3,318 passengers later boarded the freighter through a barbed-wire security area, where policemen checked off their names on an official manifest, Kwok said.

Other refugees say that anyone who tries to avoid this formal processing, and escape without paying the departure tax, does so at great peril. Last December, Vietnam's marine

police reportedly sank a boat loaded with 220 refugees off the coast of Haiphong, then machine-gunned the survivors. The reason for the massacre? The boat had slipped out of Haiphong before paying off the authorities.

The refugee racket is so lucrative that it has established itself as Vietnam's only growth industry.

Hong Kong police uncovered \$1 million in gold hidden in the engine room of the Huey Fong and calculated that it represented only a sixth of the gold paid by the passengers for their escape. By demanding up to 12 taels of gold worth \$3,500 from each refugee, Vietnam stands to earn nearly \$3 billion by the end of the year, according to a Hong Kong government spokesman, David Ford.

Refugees have already overtaken coal as the leading export of Vietnam's threadbare economy, Ford said, and the money continues to pour in.

International banking sources here report, that overseas Chinese desperate to help their relatives in Vietnam remitted \$242 million to the Bank of Vietnam in April, the last month for which figures are available. Much of that money was designated to pay the boat passage for fleeing ethnic Chinese.

The importance of the refugee trade to Vietnam's economy is apparent from the statistics. The April bank remittances from overseas represented more than half of the revenue from Vietnam's total exports for all of last year—\$416 million.

Money extorted from the refugees has apparently been used to pay for Soviet arms and machinery. An intelligence source here said that the Vietnamese last month made a down payment of \$100 million, in gold, to the Soviet Union for armaments and other supplies that are being pumped into Hanoi at the rate of \$3 million a day. Another possible sign of the Soviet connection in the refugee racket is that gold still bearing faint Vietnamese government markings has cropped up in Soviet gold sales in Europe, according to a European banker here.

Vietnam's avarice, however, does not seem to be the primary motivation for the purge. The millennia-old racial animosity between Vietnam and neighboring China has always made many Vietnamese suspicious of the ethnic Chinese spread throughout their country. For the xenophobic Vietnamese government, China's invasion this spring provided the final excuse needed to eliminate the troublesome Chinese minority.

"Ever since the blood flowed between Vietnam and China, all Chinese in Vietnam have been regarded as a fifth column," Haiphong bricklayer Xie Chengguan said. "Although most of us had lived our entire lives in Vietnam, and our fathers, too, we were told that we were traitors. The government has stirred up so much hatred against the Chinese that an ordinary man cannot survive."

More than 200,000 ethnic Chinese fled or were forced across the border in China last summer, when Sino-Vietnamese relations began to deteriorate. New pressures were applied to eliminate the ethnic Chinese as soon as the month-long border war ended in March.

All Chinese, even Communist Party members and military veterans, were sacked from their government jobs. Ethnic Chinese were no longer permitted to work in factories or mines, or operate a business of any sort, or work at any of 12 occupations, from barbering to fishing, in which they might constitute a security risk.

Why were Chinese barbers considered security risks? "Because the authorities said they might slit the throats of their Vietnamese customers," said Pan Yuanan, a young barber who escaped from the town of Mong Cai with his wife, small son and newborn baby.

The noose tightened further around Vietnam's ethnic Chinese in April, when all

Chinese-language schools were shuttered and a nationwide nighttime curfew was imposed on the ethnic Chinese.

What finally induced the Kooi family to leave were the ominous nighttime visits by the police. "They wouldn't leave us alone," Kooi said. "They told us we could either leave or be sent to a concentration camp. They were determined to push all of us Chinese out of Vietnam . . . With no job, no schools and not enough to eat, it seemed to me that we had no prospects in Vietnam."

Kooi said that once he told the police, with resignation, that he would leave, they put him in touch with another local Chinese delegated to organize the exodus from his neighborhood. To collect the 500 dong (about \$150) the police demanded from each family member, Kooi sold his house and all his possessions. A self-trained dentist, typical of those who practice in Chinese communities all over Southeast Asia, Kooi had very little savings.

The elaborate system of payoffs depleted the family's finances, he said. Besides paying off the police, Kooi also kicked in for the old fishing junk that the organizers bought, for \$6,000, from a government-run fishing cooperative. A government-supervised grocery wholesaler demanded a bribe before he would supply the boat with rice and other rations for the voyage, and the naval vessel that escorted Kooi's boat beyond Vietnamese territorial waters demanded a cut, too, he said.

Kooi said that, in his mind, there is little doubt that the deportation is officially sanctioned. "On the day of departure, the police stood around and watched us board, taking our photographs and checking off our names," he said. "And the navy ship followed us for some distance as we left and shot over our heads . . . I suppose they wanted to be sure that we were really gone."

What the Kooi family got, in exchange for all their belongings, was passage on a leaky 40-foot wooden junk that "always seemed in danger of sinking," the dentist said. He estimated that it could have comfortably held about 100 people, but the authorities loaded 223 aboard. "There was not even space for all of us to lie down," he recalled. "We sat up most of the way."

The boat, powered by a single sail, left May 1 and took exactly a month to reach Hong Kong. Fearful that the craft might be swamped by high seas, the passengers steered it close to the Chinese coast and sometimes bought water and supplies from passing Chinese fishing boats. Hong Kong authorities here suspect that, like other refugee craft, it probably put ashore in Chinese fishing villages. The passengers apparently fearful that they might be sent to China, will not say whether they stopped in China.

To back up their threats, the Vietnamese reportedly have set up two camps for Chinese who are too stubborn to leave their homeland, too frightened to risk their lives at sea or too poor to pay the fare. The camps, almost always described by refugees as concentration camps, are said to be at Vinh Bao, near Haiphong, and at Nghe An.

"I have heard of people who have been sent to those camps," said He Zhongbiao, a noodlemaker from northern Vietnam. "But I never heard of anyone who got out."

Vietnam's tactics seem to be having the desired effect. A Hanoi-based diplomat recently estimated that 200,000 Chinese have been expelled from northern Vietnam in the last 12 months, leaving about 50,000 there. Nearly half a million have fled the southern part of the country since 1975, roughly 300,000 in the last year.

As many as 1 million Chinese may remain in the south, though Cholon, once the bustling heart of Ho Chi Minh City's Chinese community, is said to be a ghost town.

"Buses are boarded up, schools are closed and no one dares venture out after curfew,"

a recent arrival said. "The police say curfew violators will be shot."

Despite all evidence to the contrary, Vietnam denies that it is trafficking in human lives.

"There are quite a few people—the bourgeoisie, the capitalists, the land owners and some of the high officials of the former regime—who detest our Socialist system," Nguyen Trong Vinh, Hanoi's ambassador to China, said. "If these people want to go elsewhere, we cannot force them to stay . . . It is not within our capacity to completely control 2,000 miles of coast."

The Vietnamese Foreign Ministry has cast the blame elsewhere.

"The U.S. imperialists and the Beijing expansionists are . . . the engineers of the exodus of hundreds of thousands of Vietnamese, Laotians and Kampuchians (Cambodians)," the ministry said on June 20, "and they must be held fully responsible for the difficulties caused by the flow of illegally outgoing refugees, a burden that Vietnam and other Southeast Asian countries must bear."

Under direct questioning, Hanoi officials insist that they are making no money from refugees, in an interview in Asia magazine, Vietnamese Minister of State Nguyen Co Thach said. "That has not been our policy." He acknowledged that some "low-level cadres" might be profiting a little from the refugee trade but said that higher authorities were not involved. "In our country, the administration is very clean," he added.

To the refugees here, who monitor every scrap of news from Vietnam, the official denials are the source of many mirthless jokes. They are skeptical, too, of the promises Vietnam has made to U.N. officials to set up an orderly emigration process that will not endanger so many lives. Nearly half of the boat people drown or die of dehydration before they can land, according to U.N. officials.

"I know a riddle," said a pretty, 20-year-old girl who came to Hong Kong from Ho Chi Minh City aboard the freighter Huey Fong. "What is the only country in the world that has broken every promise it has ever made?"

"The answer, I'm sorry to say, is my country, Vietnam." ●

PRESIDENT'S ENERGY ADVISERS

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1979

● Mr. COLLINS of Texas. Mr. Speaker, we have just seen the list of the top experts that President Jimmy Carter has called to Camp David. These advisers are to help him work out the new direction for the energy policy.

I have read the list published in today's Washington Star and only see names of three Republicans.

I am surprised to see 10 religious leaders listed along with the economists and energy advisers. I do not know what experience President Carter has had with the Baptist preachers in Georgia, but we have found in Texas that it is better not to put the preachers on the finance committee. There are no finer people in this world than the preachers, but, if you want to run a business on a solvent basis, you had better leave them out. Preachers can give you more suggestions in 10

minutes on how to achieve immediate bankruptcy than commonsense businessmen can give you in 24 hours on how to achieve a successful long-term economic solution.

I hope among this group of advisers that someone will remind the President that we need to keep a little money at home before he sends it all overseas paying for OPEC oil. Remember, 6 years ago the United States was importing \$3 billion of OPEC oil. Last year we were up to \$42 billion that the United States paid out for OPEC oil. This year we are looking at \$60 billion of U.S. money which will be paid for imported OPEC oil. The estimates already show that we will go over \$72 billion of this country's basic cash in order to pay for our overloaded oil imports. I hope that as the President listens to this group, he will lay aside political considerations and place the emphasis on the future economic strength of America. But as I read the list, my only thought is that he should call on the religious leaders to pray for the future of this country. With this group he has meeting at Camp David, this country needs all the prayers we can get.

The list follows:

EXPERTS INVITED TO CAMP DAVID BY THE PRESIDENT

INNER CIRCLE ADVISERS

Stuart Eizenstat, Jody Powell, Patrick Caddell, Gerald Rafshoon, Charles Kirbo, Hamilton Jordan, Walter Mondale.

GOVERNORS

James B. Hunt, Julian M. Carroll, Ella T. Grasso, Otis R. Bowen, Hugh L. Carey, Brendan T. Byrne, George L. Busbee, Dixy Lee Ray.

Jay Rockefeller, Hugh L. Gallen, Robert Graham, Russell Peterson, John Sawhill, Martin Ward, Jerry Weisner.

CIVIC LEADERS

Jesse Jackson, Clark Clifford, Lane Kirkland, John W. Gardner, Sol Linowitz, Robert Keefe, Barbara Newell, James T. McIntyre.

ENERGY ADVISERS

James Schlesinger, James Akins, Corinne Boggs, Thornton Bradshaw, David Freeman.

ENERGY LEGISLATORS

Lloyd M. Bentsen Jr., Dale Bumpers, Robert C. Byrd, Wendell H. Ford, Henry M. Jackson, J. Bennett Johnston Jr., Russell Long, Daniel P. Moynihan, Pete V. Domenici, Mark O. Hatfield, Ted Stevens, Jim Wright, Thomas P. O'Neill Jr., Thomas L. Ashley, John D. Dingell, Thomas S. Foley, Don Fuqua, Al Ullman, Toby Moffett, Morris Udall, Philip R. Sharp.

ECONOMIC LEGISLATORS

Edmund S. Muskie, Lawton Chiles, William Proxmire, Russell Long, Daniel P. Moynihan, Lloyd M. Bentsen Jr., Thomas P. O'Neill Jr., Robert N. Giammo, Paul Simon, Richard A. Gephardt, Parren J. Mitchell, William S. Moorhead, Joseph L. Fisher.

ECONOMIC ADVISERS

Lawrence Klein, Al Somers, J. Kenneth Galbraith, Arthur Okun, Walter Heller, Marina Whitman, Jesse Hill, Robert Aboud, Reginald Jones, John Gutfreund, Paul Hall, Douglas Fraser.

W. Michael Blumenthal, Juanita Kreps, Ray Marshall, James McIntyre, Alfred Kahn, Lyle Gramley, Dick Snelling.

RELIGIOUS LEADERS

Jimmy Allen, Robert Bellah, William R. Cannon, Terrence Cooke, Patrick Flores,