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Cooperation on Humanitarian Issues

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 US-Vietnamese Issues." Although thirteen years had elapsed since the American evacuation from South Vietnam, the United States had not established economic or diplomatic ties with Hanoi. Yet, as part of the review, Sigur argued that "there is no dearth of communication. ... 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 ties, on the one hand, and Sigur's description, on the other? Sigur himself provides the answer: while US-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 official ties, these concerns, which US officials described as "humanitarian issues," became the basis of ongoing US-Vietnamese relations.

While American policy makers could publicly proclaim their intent to address each "urgent humanitarian issue," facilitating the migration of individuals and remains from Vietnam required SRV assistance. The struggle to attain Hanoi's cooperation forms the crux of this chapter. Until late 1986, the SRV held the upper hand. This is not to suggest that Hanoi was able to impose its will; it was not. Rather, SRV leaders largely

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rebuffed American demands and decided to cooperate or, most often, not cooperate, based on Vietnamese national interest. By 1987, the grounds upon which Hanoi had been able to reject increasingly outlandish American requests began to wither. Thanks to developments outside American control, like Mikhail Gorbachev's glasnost policy in the USSR, the ascension of a new, younger generation of leaders in Hanoi more willing to work with the United States, and a disastrously low yield rice harvest across Indochina, SRV officials assigned a high priority to normalization with the United States and other nations.[3] American policy makers used the SRV's desire for rapprochement to set the normalization agenda on American terms.

Nongovernmental advocacy remained crucial to the development and implementation of Washington's normalization policies. The relative need for nonstate advocacy, however, shifted noticeably. 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. Thus, once American policy makers committed to Amerasians' migration, the need for nongovernmental advocacy decreased significantly, although domestic political actors still mattered. Likewise, by the mid-1980s, the National League of POW/MIA Families had become, in effect, a quasi-governmental organization, and the "full accounting" campaign was firmly backed by the corridors of power.[4] POW/MIAs and Amerasians, in other words, would likely have remained on Washington's agenda without new NGO campaigns.

Reeducation camp detainees, however, did not fit this pattern. Hanoi refused to even begin working with the United States on this particular issue until 1988. Reeducation camp prisoners, moreover, were far less visible than Amerasians or missing American servicemen in US popular culture. In the cold calculus of bottom lines and public perception (with Vietnamese American communities standing as a notable exception), the resettlement of reeducation camp prisoners and their close family members offered little upside. Nevertheless, American policy makers consistently fought for the detainees' release and followed through on promises to resettle former political prisoners and their families. Why did US officials labor so steadily for a population whose plight and arrival registered little among the general American population? While there are always multiple contributing factors, Ginetta Sagan's Aurora Foundation and Khuc Minh Tho's Families of Vietnamese Political Prisoners Association (FVPPA), deserve the lion's share of the credit.

Congressional advocacy also played a vital role in formulating US normalization policy in the late 1980s. In addition to arguing that the loci of negotiation leverage switched hands in 1987 and that the Aurora Foundation and the FVPPA were the most important players in solidifying and maintaining the US commitment to reeducation camp prisoners, this chapter also demonstrates that congressional actors expanded their already considerable efforts to influence US-Vietnamese relations during the second half of the 1980s.[5] Throughout the decade, films like *Rambo: First Blood Part II* (1985) and *Top Gun* (1986) both reflected and propelled larger cultural changes by recasting Vietnam War veterans and US service members as honorable heroes who deserved their nation's admiration and respect. Many legislators used the political and moral capital their veteran status afforded to exert considerable influence on US-SRV normalization. The ongoing contentiousness of the Vietnam War and the ambiguity inherent in the normalization process also lent themselves to growing congressional assertiveness, as did the fact that nongovernmental actors maintained close, frequent contacts with well-positioned legislators, ensuring that nonexecutive actors continued to work collaboratively toward their shared objectives.

Throughout the 1980s, US policy makers insisted that Hanoi address humanitarian questions (to American satisfaction) before the two sides could proceed with formal relations. While demanding that the SRV work with the United States to facilitate family reunification, US policy makers also led an international effort to isolate the SRV on a global stage. As the decade came to a close, the contradiction between these two approaches became increasingly unsustainable; cooperation on humanitarian issues was normalizing US-Vietnamese relations, despite American assertions to the contrary.

1985–1986: HANOI REBUFFS AMERICAN DEMANDS

In late February 1985, a US delegation departed for a trip to Vietnam, Laos, and Thailand. The meetings that took place in Hanoi foreshadowed the tone and nature of US-SRV cooperation throughout the mid-1980s. First, US policy makers discussed South Vietnamese migration and POW/MIA accounting together and framed these causes as humanitarian concerns.[6] American policy makers insisted that Hanoi separate humanitarian issues, as defined by the United States, from political concerns. At the very same time, US officials made it abundantly clear that failure to cooperate on humanitarian concerns would have severe political consequences.

As they had the preceding year, in 1985 Washington and Hanoi agreed on the desirability of Amerasian migration but disagreed about the means. US officials argued that the best way to facilitate Amerasian emigration was to create a special subprogram through the preexisting Orderly Departure Program (ODP). Hanoi, on the other hand, argued 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.[7]

Questions about national responsibility and culpability, much more than the legal definition of refugee, defined Hanoi's stance. "These are not refugees. These are your children," Vietnamese Foreign Minister Nguyen Co Thach explained in 1985, "I would welcome anyone to come and take them away."[8] In other words, Thach wanted the Americans to follow the French example. France 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.[9] Because Paris "enacted a policy of national paternal responsibility," Hanoi likely expected American leaders to do the same.[10] From the SRV's perspective, then, it was absurd to suggest that Amerasians warranted refugee status because of Hanoi's actions when real responsibility for the Amerasians' suffering rested with the United States.

Larger clashes over the ODP exacerbated disagreements about refugee status. SRV leaders repeatedly expressed their displeasure with a growing bottleneck in the American processing queue. By April 1985 there was a logjam of 17,000 individuals who had been interviewed but were still waiting to hear whether or not they were approved for resettlement in the US.[11] This backlog stemmed from a particularly inefficient American screening process. While other nations who maintained diplomatic relations with the SRV housed official staffs in embassies and consular offices for ODP processing, the United States did not have this option. Rather, the closest American officials, who were stationed in Bangkok, had to rely on UNHCR representatives to act as intermediaries, which only added another step to an already cumbersome bureaucratic process. The backlog prompted Hanoi to submit a formal complaint in April 1985.[12] Given the inefficiency of the American program, it is likely that SRV leaders viewed the US 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 migration in principle if not yet in policy, vast disagreements separated the two sides regarding current and former reeducation camp prisoners. SRV officials claimed that 16,000 people remained incarcerated in 1985, although NGO estimates remained much higher.[13] Two years later, for instance, an Aurora Foundation publication argued a "conservative" estimate of the reeducation camp population was "at least 25,000."[14] When in Hanoi in February 1985, American officials registered their desire for an migration program specifically for former detainees and their families.[15] Thach responded by noting "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 SRV leader expressed fear that Washington "could officially organize these people as a counterrevolutionary force."[16]

SRV officials repeated this concern throughout the 1980s. 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. If Vietnamese leaders could express concern about former reeducation camp prisoners leading a US-backed military campaign with a straight face, minute meetings reveal that Americans "laughed out loud" at the idea.[17] While they had very little chance of succeeding, however, there were "counterrevolutionary" groups that attempted to topple the government in Hanoi, including organizations founded by members of the Vietnamese diaspora in the United States. The most well-known of these was the National United Front for the Liberation of Vietnam, or, as it was known, "the Front."[18] This and other organizations unsuccessfully sought aid and support from the US government throughout the late 1980s.[19] There was therefore just enough plausibility behind Hanoi's claim to permit SRV leaders to use the counterrevolutionary rationale as justification for refusing to work with the United States.[20] While talks on reeducation detainees stalled, there was reason for cautious optimism regarding collaboration on Amerasians and POW/MIAs. The cause of missing American servicemen, which was already the most widely recognized and championed issue among the American public, surged even more in the middle of the decade.

In the summer of 1985, Americans' belief in the possibility of the return of live prisoners of war – what H. Bruce Franklin calls "the POW myth" – 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

possible but something that the US government could achieve quite easily if it 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."[21] As 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.[22] *Rambo*, Martini observes, "became a new reference point in American culture" and set off a wave of "'Rambomania' in the summer of 1985."[23]

That *Rambo* fell on such receptive ears in the mid-1980s demonstrates the extent to which the US military, reconfigured as an All-Volunteer Force since 1973, had been resurrected in the American mind.[24] Films like *Rambo* and *Top Gun*, Andrew Bacevich demonstrates, "depicted soldiers, military life, and war itself in ways that would have been either unthinkable or unmarketable in the immediate aftermath of the Vietnam War."[25] If films like *Top Gun* glamorized the military and helped recast soldiers as heroes, *Rambo* suggested that Americans had erred in chastising Vietnam War veterans when the real blame rested with Vietnamese communists and unaccountable US government officials.

Families of the missing were not the only ones buying what *Rambo* was selling. Six weeks after the film opened, Reagan, a former Hollywood star and avid movie watcher, 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 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, suggested the return of live American prisoners might be a possibility. In October 1985, at the height of Rambomania, National Security Advisor Robert C. McFarlane walked through the door Reagan had opened by asserting, "there *have* to be live Americans there."[28] Statements like these gave hope to POW/MIA families but also created impossible expectations by contradicting the reality, which US officials acknowledged as early as December 1975, that "no Americans are still being held as prisoners in Indochina" and "a total accounting . . . is not now, and never will be, possible."[29]

Leaders in Hanoi, 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 1 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 to SRV leaders. Americans, in turn, were encouraged by a perceived breakthrough in Hanoi's willingness to cooperate. In November, SRV officials permitted their American counterparts to conduct an excavation for MIA remains on Vietnamese soil. These efforts yielded the return of thirty-eight American remains in 1985 and thirteen more in 1986.[31] The fact that US government officials conducted excavations for missing US servicemen at all is remarkable. The fact that such operations took place in the absence of formal diplomatic ties demonstrates the extent to which humanitarian issues – as defined by the United States – became the basis of, and helped lay the groundwork for, official US-SRV relations.

American officials met with SRV leaders again in Hanoi in August to discuss the Two-Year Plan. US participants described the meeting as "relaxed and cooperative ... better by a wide margin than any prior US-Vietnamese discussion on the subject."[32] 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."[33] Although encouraged, then, US policy makers were also suspicious of Hanoi's proposal and wanted to "prevent it from publicly appearing to be a joint plan" in order to maintain "political flexibility in the future" should the Vietnamese announce prematurely "that the issue has been solved."[34]

Although American officials focused their attention on populations within Vietnam's borders, the eyes of Southeast Asia remained fixed on the lingering populations in first asylum camps and those who continued to flee Vietnam by boat. In 1986, 154,000 migrants remained in first asylum camps, and an additional 250,000 congregated on the Thai-Cambodian border.[35] Contemporaries referred to these groups as "long-stayer" populations. Long-stayers are more accurately understood as what Yen Le Espiritu calls

"protracted refugees," individuals who existed for years "on the margins of sovereign space" in "prison-like camps, encircled by barbed wire and armed military guards."[36] From burying loved ones in a foreign, hostile land to rearing young children who knew no other life than one lived inside a refugee camp, the South Vietnamese (and others) continued to pay an inordinately high cost for the US/RVN defeat in the Vietnam War.

As hundreds of thousands of migrants forged ahead with their lives while their legal status and future resettlement prospects remained in limbo, clashes between the governments in Hanoi and Washington continued to worsen the prospects Vietnamese migrants faced. In December 1985, Hanoi announced it was suspending American ODP interviews, citing disagreements over the nature of the Amerasian program and the growing backlog, which by then rested at 22,000.[37] This decision removed the only legal means through which migrants might safely leave the SRV for the United States. Predictably, the number of oceanic migrants increased the following year.[38]

At the same time, the world witnessed a significant about-face in US Cold War policy. After campaigning in 1980 on a belligerent platform of anticommunism and getting reelected in 1984 after drastically expanding the defense budget and branding the Soviet Union an "evil empire," Reagan shocked the world by participating face-to-face negotiations with the new leader of the Soviet Union, Mikhail Gorbachev, in November 1985. The discussions included "American concern for divided families," among other topics.[39] This abrupt willingness to negotiate with a nation the president had previously lambasted as a communist foe quickly, to borrow a phrase from the administration's economic philosophy, trickled down into other aspects of US policy, including US-SRV relations. The implied hierarchy in this language is important and, from the administration's perspective, accurate. Reagan devoted a great deal of personal time and attention to negotiating with Gorbachev in the second half of the 1980s. The president made no such personal overtures toward Vietnam. As the White House focused on Moscow, nonexecutive actors, especially legislators who had served in the Vietnam War, filled the vacuum and provide personal, visible leadership on US-SRV normalization.

In the wake of larger reorientations in American policy, US officials responded to the stalemate over Amerasian migration with more imaginative proposals that facilitated heightened cooperation. By late 1986, US policy makers abandoned their insistence that Amerasians travel through an ODP subprogram and instead offered to negotiate a separate bilateral agreement, which set the stage for rapid improvement. Vietnamese

Minister of State Vo 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." US officials' willingness to meet Hanoi's demands, Giang noted contentedly, amounted to an implicit American recognition that Amerasians were "also a legacy of war and US responsibility."[40]

By the fall of 1986, then, Washington and Hanoi were cooperating in multiple areas as dictated by the SRV's willingness, or lack thereof, to respond to US proposals. Likely because Hanoi recognized that POW/MIA accounting posed a significant potential threat to US-Vietnamese normalization (especially in light of Rambomania in the summer of 1985), SRV negotiators 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 bilateral agreement. 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.[41] As Hanoi dug in its heels, Vietnamese American NGOs rose to ensure that US officials did not forget or rescind their commitment to reeducation camp prisoners, even while the issue remained at a diplomatic impasse.

NONEXECUTIVE ADVOCACY AND THE RISE OF THE FVPPA

Policy makers' failure to win Hanoi's cooperation on the migration of reeducation detainees did not stop nongovernmental advocates from lobbying for the cause. The Aurora Foundation and its 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 reeducation detainees' inclusion in Secretary of State Shultz's 1984 announcement. Even after *Violations*' publication, Aurora and its founder, Ginetta Sagan, worked tirelessly to document human rights violations in the SRV, with a focus on the reeducation camp system. In fact, Sagan set out to conduct additional interviews and publish a new edition of *Violations* almost immediately.[42] Her 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 *Violations* multiple times.[43]

On December 10, 1986, the thirty-eighth anniversary of the signing of the Universal Declaration of Human Rights, Reagan gave a speech to

highlight the document's continued importance. The White House invited Sagan to attend the ceremony and the president spoke about her at length:

> Ginetta Sagan, who is with us today, 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 kind of hero every American can be proud of.[44]

That one of the most important figures in the American human rights movement argued that Hanoi violated its citizens' human rights proved incredibly useful to Reagan's efforts to rebrand the Vietnam War as a "noble cause." The administration's official commitment to securing the detainees' release and resettlement, however, was just as useful to Sagan, who could not hope to extract concessions from Hanoi without sustained commitment from the US government. Although Sagan and the administration adopted the same cause for decidedly different reasons, each aided the other. While we often frame nongovernmental human rights advocacy and official US diplomacy as oppositional forces, Sagan's activism demonstrates the extent to which nonstate human rights advocates and government officials could work in tandem, even when motivated by different impulses.

If Sagan framed her advocacy on behalf of reeducation detainees as a human rights imperative, Khuc Minh Tho and the FVPPA emphasized, above all else, family reunification. Explaining the Association's name, Tho said, "we put the family first, the *Family* of Vietnamese Political Prisoner[s] ... family first."[45] Framing the organization in ways that highlighted familial relationships, moreover, gave the FVPPA an emotionally poignant way to sell its cause that did not need any translation. This emphasis helped to transcend any potential cultural barriers that separated newly arrived South Vietnamese refugees and the American officials whose support the FVPPA needed to achieve its goals.

Shultz's 1984 call for the creation of a special ODP subprogram for reeducation camp detainees marked a key turning point for the FVPPA. Although South Vietnamese women had been meeting in Tho's living room since 1977, the month after Shultz's statement the Association received official non-profit corporation status and increased its lobbying efforts dramatically. On September 15, four days after Shultz's announcement, Tho wrote identical letters to the White House and State

Department expressing her gratitude and offering the FVPPA's services: "With our capability, our devotion and our tract [*sic*] record," she explained, "our association endeavors to be a clearing house for the political prisoners and their family members ... to ensure family reunification."[46] The FVPPA certainly made good on this promise, as American policy makers would soon attest.

Shultz and Reagan's responses to the FVPPA's September 15 letter demonstrate the limits – but also the potential – of the Association's power in 1984. Shultz responded in four days and emphasized the objectives the State Department and the FVPPA shared. "I can assure you," he 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."[47] That Tho received such a fast and positive response demonstrated both the Department's enduring commitment to the admissions of South Vietnamese stemming from the Ford administration and the position of key FVPPA allies, like Shep Lowman, in the agency. The Association's return letter from the White House, however, inspired far less optimism. It took a month for the administration to respond and the Office of Public Liaison incorrectly addressed the letter to "Mr. Tho."[48] While beginning to make connections and solidify itself as an important lobbying force, then, the FVPPA remained far from demanding the attention the White House consistently awarded to the League of POW/MIA Families.

The Association recognized that it was not operating in a cultural vacuum. The prevalence of the POW myth and Rambomania proved incredibly useful to the FVPPA's members, who had irrefutable proof that their loved ones, who were 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," the FVPPA informed Secretary of State Shultz in September 1985. "In a sense, our husbands and fathers are POWs too."[49] When writing to Congressmen 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."[50] As she put it in an August 1986 letter to 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!"[51] POW/MIA rhetoric, which was both culturally powerful and a significant basis of US policy, helped the FVPPA consolidate official backing by speaking to American officials in a language they understood.

Discussing their family members, incarcerated ARVN troops, on par with American POWs also provided a means for FVPPA members to insist the Republic of Vietnam have a place in understandings of the Vietnam War in the United States. Espiritu has shown how "commemorating the lives and deaths of ARVN officers simultaneously mourns another death: that of the nation of the Republic of Vietnam."[52] The FVPPA's ongoing advocacy served the same function. South Vietnamese reeducation camp detainees "are POWs in the truest sense," Tho argued. "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."[53] At the same time that the dominant trends in the United States depicted the Vietnam War as "an *American tragedy* that had badly wounded and divided the nation," the FVPPA insisted that the South Vietnamese people in general and ARVN servicemen in particular not be relegated to the historical footnotes.[54] There was perhaps no more powerful way to recenter South Vietnam and ARVN troops than by comparing them directly with missing American servicemen.

Amerasian advocates also appropriated POW/MIA rhetoric. As Jana K. Lipman argues, when no American POWs returned from Vietnam, "US politicians and the media transferred 'homecoming' from POW/MIAs onto Vietnamese Americans."[55] 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.'"[56] Thus, when US officials linked these issues as "humanitarian" concerns, they were both echoing and catalyzing tendencies that began in 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 US policy makers' commitment to the cause succeeded. The Association developed and maintained close relationships with key US officials in Congress, the White House, and the State Department.[57] One striking example of this is the FVPPA's rapport with Robert F. Funseth, Senior Deputy Assistant Secretary of State for the Bureau of Refugee Affairs. Before she met Robert Funseth, however, Tho had met his wife, Marilyn, by chance. Although Tho devoted every spare moment she had to FVPPA's activities, she retained her day job working for the Department of Human Services (DHS) in Arlington, Virginia, out of financial necessity. Marilyn volunteered at the DHS, where the two women crossed paths

from time to time, and Tho recalled that Marilyn occasionally "came to my office to talk to me."[58] When she sat down to meet Robert Funseth for the first time, then, Tho was immediately struck by the picture of Marilyn on his desk. Tho did not know Marilyn's last name was Funseth and, with the realization that she was Robert's wife, Tho suspected that Funseth knew "everything about me already."[59] Tho and the Funseths went on to form an incredibly close, collaborative working relationship that lasted for the better part of a decade.

In October 1984, Funseth met with SRV officials in Geneva at a UNHCR meeting and thereafter served as the primary American negotiator on the reeducation issue throughout the 1980s. The contacts the FVPPA developed with Funseth and his staff proved to be mutually beneficial. As Tho explained, especially in the Association's early days, Funseth's office "continuously kept us appraised" of "information that would not have been otherwise available to us."[60] The FVPPA also returned the favor. Because the SRV had to approve individual applications for exit permits under the ODP, the only way former reeducation camp detainees could depart is if their names appeared on both the American and Vietnamese lists. This requirement gave Hanoi a considerable amount of power, which it wielded not only by suspending ODP interviews in December 1985 but also by refusing to publish the reeducation detainees' names. In theory, Hanoi's policy should have tied American policy makers' hands by leaving them unable to advocate on the behalf of specific individuals. The FVPPA filled this information gap, however, because it earned the trust of South 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 would receive "three to four times" more by 1991.[61] The Association regularly met with Funseth and his team to exchange information, often on Saturdays, an arrangement which gave the Senior Deputy Assistant Secretary, in Tho's words, "more time to work with us."[62]

The FVPPA thus established itself as a vital link in the release and resettlement process. By dedicating large amounts of their time, employing their language skills, tapping their vast transnational network, and developing their legal knowledge, FVPPA members provided US officials with constantly updated lists of current and former detainees and also sent out regular bilingual newsletters informing Vietnamese families about the many procedures and constantly changing paperwork required for migration.[63] Just as the Citizens Commission on Indochinese Refugees

and the Aurora Foundation played central roles in the politics of information, so too did the FVPPA.

The Association's activism also adds another layer of depth to historians' understanding of the Vietnamese American community in the 1980s. Although often depicted as uncompromisingly anticommunist, critical refugee studies scholars have shown that Vietnamese Americans held more nuanced views than is often suspected.[64] Anticommunism, Vo Dang argues, functioned in diasporic communities not just as a political ideology but as a "cultural praxis," a means to "remember South Vietnam and the war/refugee dead, to connect with each other through (imagined) ties to a South Vietnam no longer there, and to inscribe their presence into spaces they inhibit."[65] Refugee identity, as Phuong Tan Nguyen explains, was crucial to this larger process:

> The noncommunist world's recognition of the boat people – and by extension other post-1975 emigres from communist Indochina – as "genuine" political refugees represented a bittersweet victory of sorts for Little Saigon. Only as refugees could they shame the world – especially former antiwar activists – into admitting that the Viet Cong had committed an alarming number of human rights violations.[66]

Thus, even though anticommunism existed in South Vietnam during the war, anticommunism among diasporic communities in the United States involved a "*remaking* of South Vietnamese anticommunism" to fit new circumstances.[67] This reimagining took on a much more militant edge in the 1980s through groups like the Front, whose members dreamed "of reclaiming their lost homeland," an attractive prospect which recast "the rescued" refugees as "the rescuers."[68] Although the US government did not endorse or fund the Front or similar entities, the increased militancy among diasporic communities occurred alongside a broader militarization in the United States, including the white power movement, which was intimately tied to disillusionment with the US government in the wake of the Vietnam War.[69]

Although the Reagan administration did not support the Front, then, domestic developments and the administration's foreign policies created an ideal environment for them to prosper. "Only in the context of neoconservatives and the increasing US dependence on secret counterrevolutionary guerillas to fight the Cold War can we more fully understand the meteoric rise of the resistance movement in Little Saigon," Nguyen explains.[70] As some South Vietnamese dreamed of liberating their homeland by force, this militancy reverberated in the wider community, where

any variation from the anticommunist line, especially support for Hanoi or US-SRV talks, was often met with violence.

The FVPPA and its cause stand as notable exceptions. The Association did not take a formal stand on US-Vietnamese relations until official ties appeared imminent in the early 1990s. Nevertheless, the fact that the migration of former detainees required Hanoi's cooperation was unavoidable. The urgency at the heart of family separation, where every day apart was another day family members could never get back, stood at odds with the general position of unequivocal opposition to closer ties between Washington and Hanoi. As one Vietnamese woman interviewed by the *Los Angeles Times* explained in the mid-1980s, "Of course we don't want to see the US government and the Vietnam government have a better relationship at all. But the priority now is the prisoners. They have to get out of the camps now, after 10 years. ... I think, as Vietnamese people, we are the same everywhere in the United States – waiting for something to happen for the prisoners very fast. We are waiting for our friends and relatives to join us here, before it is too late."[71] Efforts to secure the prisoners' release and migration, a quest that touched the hearts of so many South Vietnamese, required at least implicit acceptance of US-SRV collaboration, which was, in almost all other circumstances, viewed as anathema. While the FVPPA's voluminous records do not contain a written description of this position, the issue is moot insofar as actions speak far louder than words.[72] By successfully lobbying for reeducation camp prisoners' release, the FVPPA championed an issue that required cooperation between officials in Washington and Hanoi.

While it never achieved the cultural omnipresence that the League enjoyed, the FVPPA and its cause earned the ardent attention of US policy makers by 1987. As proof, one needs only to look at the guest list for the FVPPA's First Annual Reception on Capitol Hill in April 1987. Robert Funseth, Senators Bob Dole and Ted Kennedy, and Representative Stephen J. Solarz attended and gave supportive speeches to an audience of more than three hundred 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 quipped, "but this is certainly one that brings all Americans together."[73] "All of us Americans put a very strong emphasis on families," the prominent senator from Massachusetts continued, recognizing and echoing the FVPPA's emphasis on family reunification, adding that familial ties are the "bedrock of our strength."[74] Dole, who

had spent more than a decade advocating on behalf of POW/MIA wives and family members, suggested that US officials owed South Vietnamese families a similar debt: "We have a responsibility," the Senate Majority Leader 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."[75]

Dole and Kennedy backed their words with action. The very next day, they cosponsored a resolution, along with Senator Claiborne Pell (D-RI). Pell, who had supported parole programs for South Vietnamese in the late 1970s, was, by 1987, Chairman of the Senate Foreign Relations Committee. The resolution called on the SRV to not only release the prisoners but also "expedite all family reunification cases still outstanding."[76] When introducing the resolution, Kennedy noted that he intended for the measure "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."[77] 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."[78] And they did; the Senate passed S. Con. Res. 205 unanimously.[79]

Like many of Congress' efforts to set human rights standards for the appropriation of foreign aid in the early 1970s, this resolution was nonbinding and largely of symbolic importance. Yet, also like those earlier human rights resolutions, S. Con. Res 205 eventually became institutionalized in US policy and demonstrated Congress's determination to shape the nation's diplomacy in the last quarter of the twentieth century. The Senators' conflation of the language of family, human rights and humanitarian rhetoric, and refugee policy drew on decades of precedent and also reflected a unique, post-1975 US approach to Vietnam. The three Senators themselves, moreover, with their deep ties to refugee issues and the Holocaust, on the one hand, and military service, on the other, personified the type of legislators and alliances between members of Congress that underwrote Capital Hill's robust role in US-SRV normalization.

1987: PROGRESS ON HUMANITARIAN ISSUES

Hanoi increasingly coveted normalization in the late 1980s for both internal and international reasons. In July 1986, Le Duan, who had been the major architect behind Hanoi's war with the United States, died.[80] Le Duan's death cleared the way for the ascension of a younger, more reconciliatory generation of leaders to power in late 1986.[81] At the

Sixth Party Congress that December, key members of the old guard retired in the wake of a call for "'new thinking,'" or *doi moi* in both economic matters and foreign affairs.[82] These changes clearly echoed the shifts then occurring in the Soviet Union, where Gorbachev's *glasnost* and *perestroika* policies were liberalizing Moscow's economy and foreign policy. The Soviet leader met with Reagan in a series of widely publicized summits that culminated in the two heads of state signing the historic Intermediate-Range Nuclear Forces Treaty in December 1987.

This major thawing of the Cold War had profound ramifications for internal SRV politics and US-SRV dynamics. As Phuong Tran Nguyen explains, "the Hanoi government, now led by reformer Nguyen Van Linh – the Vietnamese Gorbachev – declared the revolution over and ushered in Doi Moi, the socialist world's version of the New Deal, introducing free-market reforms to save the communist state."[83] Seeking to end its intentional isolation and deescalate the Third Indochina War, leaders in Hanoi and Beijing held secret bilateral talks in 1990 that culminated in the resumption of full bilateral relations the following year.[84] Likewise, especially as the decade wore on, the SRV sought an improved relationship with the United States to end the American embargo and, especially, to begin a direly needed flow of investment from international bodies like the International Monetary Fund and World Bank, which would not lend to the SRV without American approval.[85]

These internal, regional, and international trends fueled Hanoi's increased willingness to cooperate. The Reagan administration also proved receptive to SRV overtures, at least for a time, and the tone and nature of US-Vietnamese relations changed noticeably in 1987. In February, the president appointed General John Vessey Jr., a former Chairman of the Joint Chiefs of Staff who had served in World War II, the Korean War, and the Vietnam War, as a "personal emissary" to Vietnam.[86] Like the growing visibility of veterans in Congress, this appointment owed a great deal to Reagan's insistence that the Vietnam War had been a "noble cause" and his wider celebration of the American soldier and US military.

Washington and Hanoi continued to collaborate throughout the spring. In May, both governments expedited the migration 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.[87] That following fall a 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."[88] The students then appealed to their local congressman and Huntington High alumni, Robert Mrazek (D-NY). After attending Huntington and graduating from Cornell University in 1967, Mrazek joined the US Navy. He was honorably discharged after a training accident at Officer's Candidate School left him disabled. Although only in the military for a brief time, Mrazek's hospitalization brought him face to face "with badly wounded Marines who had been evacuated from Vietnam," a visceral experience that confronted the twenty-three-year-old with "the human cost of the war in Vietnam," leaving him "deeply disheartened."[89] Mrazek added congressional muscle to the students' advocacy on behalf of Minh, as did Senator John McCain.

Of all of the Americans held as prisoners of war during the Vietnam War, McCain became among the most well-known, thanks to his decades of service in the Senate and 2008 presidential campaign. On October 26, 1967, while completing a bombing mission in North Vietnam, DRV troops shot down McCain's aircraft. Although he survived the crash, he was severely injured and, due to lack of proper medical treatment, never fully recovered. The challenges McCain endured went far beyond the physical, however; his six years as POW included torture and years in solitary confinement. As a newly elected Senator in 1987 (who had been serving in the House since 1982), McCain seized upon his status as a senator, a veteran, and a former POW to exercise a leadership voice in US-SRV normalization.

In addition to traveling to Hanoi with Mrazek in May 1987 to personally escort Minh to the United States, McCain repeatedly advocated for migration programs for Amerasians and former reeducation camp prisoners.[90] In a 2009 interview, for example, Tho recalled a very close relationship between the FVPPA and the Senator from Arizona. "We [were] always with him, always," Tho remembered with a palpable fondness in her voice. "I can always go to Senator McCain, anytime," she explained, adding that their encounters were "not formal" or forced. "I can wear anything, casual," she elaborated.[91] Although one might have expected McCain's time as a POW to harden his heart with hatred toward Vietnam, Tho suggested that their visceral wartime experiences created a powerful, if largely unspoken, bond between them. As a POW, Tho reasoned, "he [was] separate[d] from the family [*sic*], from his own children, when I talk to him, he get right away how we feel." The

profound connection of their experiences created instantaneous mutual understanding, Tho implied: "I look at his face, and he know." McCain's broader history of advocacy, in addition to his trip to Hanoi with Mzarek in May 1987 to escort Minh to the United States, demonstrate the variety of forms that legislative activism, especially that of Vietnam War veterans, could take in the US-SRV normalization process.

While Minh's resettlement tangibly illustrated increased US-SRV cooperation, a statement Secretary of State Shultz gave at a June ASEAN Post Ministerial Conference in Singapore sent the opposite message. Shultz argued it was "imperative" for Hanoi to end its "occupation" of Cambodia and suggested that "the continued isolation of Vietnam" was "essential."[92] "That isolation is a result of its [Vietnam's] own policies," Shulz reprimanded, concluding, "without a change in those policies, her people will continue to pay a heavy price."[93] The Cambodian people also paid a heavy price, as providing covert aid to the Khmer Rouge in exile – despite the fact that Congress had prohibited such aid – continued to be a cornerstone of the US policy.[94] In this way, then, the tensions in the US modus operandi from the late Carter administration continued a decade later; the United States publicly chastised Hanoi and celebrated the US-led effort to isolate the SRV, all the while demanding that Hanoi cooperate with the US on issues American policy makers deemed humanitarian.

The same month that Shultz gave this belligerent speech in Singapore, Reagan famously gave a powerful address at the Berlin Wall. The president, always attuned to "stagecraft as much as statecraft," insisted on delivering his remarks in East Berlin and rallied his right-wing supporters at home when he thundered "Mr. Gorbachev – Tear down this wall!"[95] The Secretary of State's confrontational remarks thus aligned with what was by 1987 clearly the administration's larger approach: talk tough to maintain appearances and credibility, all the while negotiating with communist countries. While the overall messages were similar, the fact that Reagan traveled to Berlin but not Singapore is revealing. US-Soviet relations were a much higher priority than US-Vietnamese ties. In these circumstances, nonexecutive actors dictated the scope and pace of US normalization policies, with the White House intervening at key moments.

Perhaps in response to uncompromising American rhetoric, SRV leaders announced the resumption of American ODP interviews in mid-July.[96] 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: "US Consular and Immigration officers" could henceforth go "directly to Ho

Chi Minh City to conduct interviews in person."[97] This change made the American ODP much more efficient, as UNHCR officials no longer needed to act as intermediaries for US officials stationed in Bangkok. Both Minh's emigration and the July 16 announcement were clear SRV efforts to court American favor and demonstrated that the two nations were taking real, albeit small, steps toward normalization, despite Shultz's comments in Singapore.[98]

It is within this context of compromise and political goodwill that Vessey made his first trip to the SRV in late July 1987. Before his departure, the desirability and goals of the general's mission sparked a great deal of discussion in Congress. There was very little debate. Every senator who had the floor on July 28, 1987 – including McCain, Dole, Rudy Boschwitz, Dennis DeConcini (D-AZ), Alan Cranston (D-CA), Mark Hatfield (R-OR), and others – spoke favorably about Vessey's imminent departure and agreed on the scope of his mission, arguing that he should seek Hanoi's cooperation on POW/MIA accounting, the ODP, emigration of Amerasians, and release and resettlement of reeducation detainees.[99] As had become common practice, US officials supported this four-part definition of humanitarian and insisted Hanoi address each issue apart from political concerns.

Although US-Vietnamese negotiations on the fate of current and former reeducation detainees remained at an impasse, and, indeed, perhaps because of this stalemate, the Senators took pains to emphasize the importance they attached to the issue. Pell, for example, mentioned the FVPPA by name and described Hanoi's reeducation policy as a "black mark on the image that Vietnam seeks to present to the rest of the world."[100] When Hatfield, who publicly opposed the Vietnam War as early as 1965, spoke, he emphasized the torment of family separation and the moral imperative of family reunification 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."[101] Although never occupying as central of a place in the American memory of the war as United States servicemen, Amerasians, reeducation camp detainees, and Indochinese migration issues more broadly inspired a level of congressional consensus usually unheard of for a Vietnam related topic.

Vessey's mission marked a significant milestone in US-Vietnamese relations.[102] The general was the highest-ranking US official to visit

Vietnamese soil in over a decade and he brought a letter from Reagan.[103] During this initial delegation, Hanoi emphasized "humanitarian reciprocity" and secured a commitment from the general that the US government would permit NGOs to send limited medical supplies to Vietnam.[104] Vessey and Thach also signed "an agreement calling for the resumption of US-Vietnamese cooperation on searching for MIAs."[105] In the year and a half following Vessey's mission – the last eighteen months of Reagan's presidency – Hanoi repatriated the remains of seventy Americans, more than three times the amount in Reagan's entire first term.[106] 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."[107]

Additional progress quickly followed on the heels of Vessey's visit. On August 17, the SRV announced that it would "release, or reduce the detention terms of persons in prisons or in reeducation camps."[108] The following month, Hanoi released 480 prisoners who were "military and civilian personnel of the toppled South Vietnamese regime."[109] The FVPPA wrote to its contacts in Congress and the State Department that the release, was "'too late, too little,' particularly in view of the tens of thousands who remained incarcerated."[110] Others agreed, and legislators immediately passed another resolution calling for greater action.[111]

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. One 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.[112] "At the forefront of the effort to free the prisoners," the article continued, "are people such as human rights activist Ginetta Sagan" and "Khuc Minh Tho."[113] The article included comments given by US 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."[114] "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 US government."[115] Because the "Vietnamese grapevine" ran both ways, the FVPPA especially played a crucial role by

acting as a conduit of information between the American government and the Vietnamese American community. By providing tireless advocacy, quality information, and amassing valuable transnational networks, both the Aurora Foundation and the FVPPA played central roles in creating the awareness and momentum behind US 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 on opposite sides of the country and utilized mostly distinct transnational networks in the pre-internet era, the records of both NGOs contain evidence of their correspondence and mutual assistance. In the spring of 1986, for example, the FVPPA hosted Sagan while she was in Washington, and Sagan made a personal donation to the Association on at least two occasions.[116] Moreover, the two organizations exchanged information, with the FVPPA sending Sagan their annual newsletter and assisting the Aurora Foundation in verifying their lists of former and current reeducation detainees, and Sagan sending the FVPPA her organization's publications.[117] Although it would be an exaggeration to describe them as close partners, they were, at the very least, allies who used their comparative advantages – human rights training and networks and the Vietnamese grapevine, respectively – to advocate on behalf of reeducation camp detainees.

After the modest September 1987 release, the FVPPA hosted a fundraising dinner in November. More than 250 guests attended, including officials from Congress, the State Department, and Vietnam War veterans.[118] The previous month, the Association sent a compilation of "Proposals to Expedite the Resettlement of Former Vietnamese Political Prisoners" to many of its friends in the US government, and during his keynote address, Funseth responded directly to each of the FVPPA's proposals.[119] He vowed that he would continue his "steadfast efforts" on behalf of current and former reeducation detainees until they succeeded.[120] He assured his audience that Congress would appropriate any and all funds necessary for this purpose and that US policy makers would entertain the idea of creating a separate bilateral program with Hanoi, if necessary.

Three years after its official incorporation, the FVPPA clearly had the ears of key US policy makers. Not only did those in the State Department and Congress listen when the Association offered proposals; officials met with the Association's board on multiple occasions and with general membership at events like the November 1987 fundraiser to discuss the

Association's ideas.[121] Despite the increase in the FVPPA's visibility and prestige, however, US-SRV negotiations on the subject stalled. When Funseth met with SRV leaders in December 1987, Hanoi said that it would allow former reeducation camp prisoners to emigrate through the ODP but refused to establish a separate program particularly for that purpose. In reality, little changed.[122]

As negotiations on reeducation camp prisoners remained deadlocked, the United States and SRV achieved a breakthrough on Amerasian migration. In September, the two sides reached a "Resettlement Accord," that, although only an "agreement in principle" and not legally binding, laid the foundation for future policy.[123] Washington and Hanoi pledged, first, to regard the Amerasian issue as a bilateral concern. While Amerasians would emigrate through a subprogram of the ODP, Washington and Hanoi would negotiate the terms of that migration separately. This convoluted balance allowed both US policy makers, who had insisted that reeducation detainees should travel through the multilateral ODP, and SRV leaders, who repeatedly expressed their interest in a separate bilateral program, to save face. Second, negotiators agreed that American officials could be "*stationed directly* in Vietnam to conduct preliminary face-to-face interviews," an expansion of the already agreed-upon presence of US officials in Ho Chi Minh City to conduct exit interviews for the ODP.[124]

The third point of consensus involved similar acrobatics to permit American and Vietnamese negotiators to compromise without having appeared to capitulate. On the one hand, they agreed that Amerasians "must be given nonrefugee status," a clear American concession to Hanoi's position.[125] While the Amerasians would travel under immigrant visas, however, they would still be eligible for refugee benefits once they arrived in the United States. US policy makers thus accommodated Hanoi while at the same time ensuring that Amerasians had access to the more robust assistance afforded to refugees once they entered US territory.[126] The negotiators also agreed, fourth, that "family unity must be preserved." Agreement on this principle aimed to improve the much-maligned 1982 Amerasian Immigration Act, which did not permit Vietnamese mothers to travel with their Amerasian children. This provision also corrected, at least from a policy standpoint, the erroneous perception that all Amerasians were orphans. Finally, the two sides committed to "the need to expedite Amerasian processing" and the first new interviews began the following month.[127]

While the Resettlement Accord represented a strong commitment to principles for a future program, American officials needed to adjust US

laws to implement the agreement. In August, Representative Mrazek, who had been the key congressional actor behind Le Van Minh's emigration, and Thomas Ridge (R-PA), an army veteran who earned the Bronze Star while fighting in the Vietnam War, introduced legislation that would eventually be known as the Amerasian Homecoming Act (AHA).[128] Eight Senators, including John McCain and Claiborne Pell, introduced an identical bill to the Senate. Seven out of the eight Senate cosponsors were veterans, with service spanning from World War II to the wars in Korea and Vietnam.[129] As Americans regained pride in their military and veneration for their troops throughout the 1980s, veterans in Congress cashed in on this new political capital to exercise a leadership role in the normalization process.

Because the bill aspired to obviate legal obstacles and make it easier for Amerasians *and* their close family members to emigrate, the Reagan administration and especially the Immigration and Naturalization Service worried about the high potential for fraud, and the bill languished in committee.[130] However, Mrazek found a way around the problem by attaching the legislation to a 1,194-page appropriations bill. Reagan thus had no choice but to sign the Amerasian Homecoming Act into law in December 1987.[131] This congressional willingness to march out of step with the administration on issues pertaining to US-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 emigration of Amerasians *and* their close family members over the next two years.[132] 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.[133] The bill permitted all Amerasians fathered by Americans "born between January 1, 1962 and January 1, 1976" and their close family members to resettle in the United States.[134] As Lipman explains, the "burden of proof" diminished considerably under the AHA, which permitted "informal documents" and "physical appearance" to constitute "sufficient evidence" for exit visas.[135] 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.[136]

Although the US and SRV made tangible progress with regards to those populations "of special humanitarian concern" within Vietnam's borders,

concerns for those who had fled SRV sovereignty did not abate. In fact, as progress on POW/MIA, Amerasians, and reeducation camp prisoners improved (to varying degrees) after 1987, the rate of oceanic and overland departures surged. The SRV's suspension of the ODP from January 1986 to July 1987 also removed, at the very same time, the only legal means of emigrating from Vietnam to the United States. Many migrants took matters into their own hands, and the numbers arriving in Thailand and Hong Kong rose dramatically.[137] In March 1987 alone, the number of new arrivals was 300 percent more than the entire preceding year.[138]

The refugee consultation process for the fiscal year 1988, as required by the Refugee Act of 1980, was thus especially contentious. In late September 1987, the Senate Judiciary Committee wrote to Reagan about the administration's proposal. While the Committee ultimately concurred with the 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" and attached a number of "recommendations and requirements."[139] Most importantly, the Committee lamented the lack of "new initiatives" to "deal with the continuing flow of Southeast Asian refugees – especially voluntary repatriation and local settlement."[140]

The Committee's willingness to entertain repatriation, or return to Vietnam, marked a major departure from previous American policy. Throughout the late 1970s and early 1980s, US policy makers argued that conditions in the SRV made repatriation an unviable alternative to resettlement abroad and therefore emphasized resettlement over other potential responses.[141] Article 33 of the Convention Relating to the Status of Refugees states that "no Contracting State shall expel or return ('refouler') a refugee" to the territory from which he was fleeing from persecution.[142] The principle of nonrefoulment was thus a key pillar of international refugee law during this era. If a migrant was not a genuine refugee, however, then there were no legal prohibitions against repatriation. In asking the administration to consider supporting repatriation, the Judiciary Committee was therefore challenging the administration to reevaluate its opinion of internal SRV conditions and the legal status of Vietnamese migrants.

Many legislators quickly rose to condemn the Judiciary Committee's position. Sixteen senators wrote to Reagan to rearticulate the US position against repatriation.[143] The Senate sent Reagan an even stronger message when it passed the Hatfield Amendment on October 7, 1987. The Amendment made a three-year commitment to Indochinese refugees by

establishing an admissions "floor" of 28,000 for fiscal year 1988–1990, a directive that mandated continued resettlement opportunities.[144] Those who supported the measure, known formally as the Indochinese Refugee Resettlement and Protection Act of 1987, suggested that "the continued occupation of Cambodia by Vietnam and the instability of the governments of Vietnam, Cambodia and Laos" made the possibility of "safe repatriation ... negligible for the foreseeable future."[145] The strong disagreement among US senators regarding the desirability and possibility of repatriation foreshadowed what would become open rifts over the topic in the years ahead.

While condemning repatriation involved criticizing Hanoi, the Hatfield Amendment also conceded American responsibility to assist the South Vietnamese. "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."[146] That the bill passed by a 66–33 vote demonstrates the longevity of Ford's original argument about a "profound moral obligation" to the South Vietnamese and the continuing persuasiveness of the claim that those fleeing Vietnam deserved refugee status.[147] As 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."[148]

1988: THE LIMITS OF COOPERATION

In 1988, the number of Vietnamese who fled their country by boat spiked notably. 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."[149] By February, Thailand began a push-back policy, reminiscent of its actions during the apex of the oceanic departures during the late 1970s.[150] That same month, Roger Winter, the president of the US Committee for Refugees, testified before Congress about a major "failure ... of the United States to lead the world community."[151] Other powerful NGOs like the American Jewish Committee and Indochina Action Resource Center made similar statements.[152] In another echo from the Carter years, these initial calls for heightened awareness and international leadership went unheeded for over a year. In the midst of the lack of an adequate response to the growing oceanic departures, the United States and SRV continued to take small

steps throughout 1988 to address the fate of current and former reeducation camp detainees. In February, Vice Minister Phan Quang announced the release of "6,406 people held in jail and reeducation camps, including 1,014 officers and supporters of the former South Vietnamese government arrested in 1975."[153]

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 made the transition from the former to the latter a time-consuming, difficult undertaking. The 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 US," similar to the "program for Amerasian children."[154] Tho expressed a keen sense of gratitude for US policy makers' efforts on behalf of the prisoners, especially given that her second husband "was among the group most recently released."[155] Tho's enthusiasm, however, was tempered by the reality that release was only half of the FVPPA's mission. As she 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."[156]

FVPPA allies in the State Department and Congress soon made similar appeals. Boschwitz wrote to Reagan, urging him to "take advantage of 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."[157] Kennedy and Pell also wrote to Shultz to explain that "the families of these men are relieved . . . but they are concerned that no special initiatives are being made to expedite their movement from Vietnam."[158] Just as the sacrifice and suffering of American military families served to justify the high priority US officials awarded to POW/MIA accounting, US policy makers also used the pains of Vietnamese family separation to justify calls for action on the reeducation camp issue.[159] "We believe now is the time," Kennedy and Pell 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 US 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."[160] The Senate Foreign Relations Committee also wrote Shultz

in May to make the same point, adding 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."[161]

These letters reveal Capitol Hill's determination to see its input incorporated into US normalization policy. Moreover, these letters were not merely private missives from one branch of government to the other; each of the letters excerpted herein also appeared in the FVPPA's *Special Issue Newsletter of 1988*, which the Association distributed to a wide array of US government officials, other NGOs, and South Vietnamese families in the United States and abroad.[162] While the inclusion of the legislators' letters illustrated the close ties between these nonexecutive actors, the publication of letters authored by high-ranking US officials on key committees also made it clear that if the US government failed to implement policies to assist detainees, Congress would not be to blame. Like nonbinding resolutions, then, published letters functioned as both carrot and stick for the administration. If the White House made a robust commitment to reeducation detainees, it could be assured of congressional support and the political cover that high-ranking legislators, especially Vietnam War veterans, could provide. If, on the other hand, the White House failed to act, it would be obvious to any attentive observer that it was indeed the Oval Office, and not Capitol Hill, hindering progress on the issue.

Congressmen also attempted to play a leadership role in the normalization process by proposing structural changes to US-Vietnamese relations. In March 1988, John McCain and Thomas Ridge proposed the creation of interest sections.[163] As an article in *Indochina Issues* explained, McCain "dramatically announced the interest sections proposal to a press conference on the fifteenth anniversary of his release from harsh imprisonment as a prisoner of war in Vietnam." Interest sections, McCain clarified, were a "seldom-used diplomatic device" that would be an "informal" way to "help regularize communications and develop mutual confidence in addressing bilateral issues," though he emphasized that "such arrangements fall short of diplomatic relations."[164] The proposal received strong support from both houses of Congress.[165] Hanoi also "quickly endorsed the plan" and announced that it planned to withdraw fifty thousand of its troops from Cambodia by December 1988, a move clearly intended to show "flexibility on the other major hurdle to normalization with the United States ... and signaling its determination to end Vietnam's international isolation."[166]

US policy makers took notice. In May 1988, Reagan approved a National Security Study Directive (NSDD) for US policy toward Indochina.[167] "In light of recent developments that could potentially

affect United States interests in the region," a White House memorandum explained, the NSDD would provide an opportunity to review US policy with "all three Indochinese states, with particular focus on the Cambodian policy."[168] 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])."[169]

US-SRV negotiations on the release and resettlement of reeducation camp detainees also turned a corner in July 1988. Although they had been discussing the issue for years, it was not until 1988 that Washington and Hanoi had bilateral talks earmarked solely for this topic. Funseth met with Vice Foreign Minister Tran Quang Co for what a joint-press release called "two days of frank, friendly and constructive talks."[170] Like early US-Vietnamese talks on Amerasian migration, initial bilateral negotiations led to a modest agreement in principle. Both sides "reaffirmed" their willingness to send and receive "released reeducation centre detainees who were closely associated with the United States or its allies."[171]

In addition to a mutual commitment to the detainees' migration, the most significant obstacle the July 1988 meeting resolved was the SRV concern about former detainees launching military campaigns against Hanoi. Although there was never any real threat of the US mobilizing former detainees as a counterrevolutionary force, consistent SRV repetition of this concern had made it a genuine obstacle, as thereafter Hanoi had to demonstrate it took appropriate measures to prevent this outcome. While US negotiators repeatedly refuted the claim, Funseth made as many promises as US law allowed. In addition to addressing what had been at least a major rhetorical obstacle, 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."[172]

Progress on the Amerasian, reeducation camp prisoner, POW/MIA, and ODP issues beginning in 1987, coupled with Hanoi's withdrawal of 50,000 troops from Cambodia, fueled the optimism of those who hoped for the resumption of formal US-Vietnamese relations. Expanded cooperation 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 ending that conflict."[173] Sigur also rejected the idea that interest sections "would facilitate the resolution" of migration issues by "increasing communication and cooperation between the United States and Vietnam."[174] 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."[175] While the White House, State Department, and Department of Defense opposed interest sections, many prominent Republicans in Congress still supported the move.[176] Clearly, the Republicans in Congress and the Republican in the White House had strong disagreements about the best way forward for US-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 extensive ties. The distinctions US policy makers drew between "humanitarian" and "political" issues were nebulous at best, and the frequent contact and cooperation between Hanoi and Washington on humanitarian issues advanced the political relationship by establishing institutional, personal, and operational ties.[177] Whether or not American officials were willing to admit it, progress on humanitarian questions was normalizing US-Vietnamese relations, even as official talks remained suspended.

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.[178] While some activists supported Vessey's mission and applauded the upswing in the return of remains, others viewed these same developments as a failure. For those who believed the POW myth, securing the remains of an American servicemen decades after they went missing constituted not a near-miraculous feat or an opportunity for closure but "a death sentence."[179] To make matters more complicated, there was also a "Rambo faction" in Congress led by Jesse Helms (R-NC) and Bob Smith (R-NH), who argued SRV leaders were swindling American officials too eager to move on from the Vietnam War.[180] Allen suggests that Reagan's "political instincts . . . made it impossible for him to confront the League," and thus "over his last two years in office," the president's "stance toward Vietnam vacillated" as the administration tried to "show progress on the MIA issue without further alienating MIA activists."[181]

If Sigur's testimony satisfied the League, it seemed tone-deaf to SRV leaders. Hanoi immediately protested, arguing that despite its increased cooperation on humanitarian issues, "the US State Department obviously advocates a continuation of its hostile policy vis-à-vis Vietnam," an approach SRV leaders suggested "obstructs a settlement of humanitarian questions."[182] In response, Hanoi suspended its cooperation with the United States on POW/MIA accounting and creating a migration program for former reeducation camp detainees. When explaining the decision in a letter to Vessey, Thach cited Sigur's testimony directly, noting his remarks "caused indignation of the Vietnamese people and created obstructions to the implementation of the agreement between you and myself."[183] Hanoi's decisions prompted McCain and Ridge to withdraw their support for interest sections, and the proposal died without implementation.[184]

Just as there were tangible limits to the extent of US-Vietnamese cooperation, there were also meaningful qualifications on the influence that the FVPPA could wield. As the Soviet Union liberalized its emigration policies in late 1988, the US refugee bureaucracy was suddenly overwhelmed with requests for entry. Although American officials had been advocating for these changes for over a decade, the number of admissions slots earmarked for the Soviet Union was not high enough to handle the influx.[185] US officials had allocated a large percentage of the annual refugee quota to the ODP in hopes that Hanoi would understand the move "as a sign of our continued willingness both to negotiate and to resettle." Hanoi's suspension of talks undercut US hopes, however. American officials thus proposed reallocating some of the numbers from Southeast Asia to satisfy the exigent needs of Soviet émigrés.[186] Although the FVPPA protested the measure on pragmatic levels and on principle, the administration moved forward with the reallocation for FY 1989.[187]

At the same time, oceanic migrants fled the SRV at accelerated rates. The number that reached nations of first asylum in 1988 almost doubled 1987 arrivals, and the increase in departures "was accompanied by alarming incidences ... of violence, including pushbacks, deaths, rape, and abduction."[188] While new arrivals spiked, the long-stayer population remained over 145,000.[189] Despite all of the progress of the preceding years, the status of first asylum in Southeast Asia, the possibility of providing a full accounting of POW/MIAs, and the migration of former reeducation camp detainees all remained in doubt as George H. W. Bush began preparing to occupy the Oval Office.

CONCLUSION

Throughout the 1980s, issues that American policy makers labeled as humanitarian became the basis for ongoing US-SRV relations. US officials from both parties supported and furthered efforts to secure a full accounting of missing American servicemen and enacted migration programs for South Vietnamese. Because these concerns required SRV cooperation, Hanoi was able to mostly frustrate US initiatives in 1985 and 1986 by suspending ODP interviews and refusing to release or allow the migration of reeducation camp detainees. Despite Hanoi's unwillingness to alter its policies regarding reeducation camp detainees, the FVPPA expanded its lobbying and networking efforts dramatically. 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 US-SRV relations. After rapidly escalating the Cold War during his first term, Reagan deescalated the conflict with a series of highly publicized summits in his second, a change which helped accelerate closer US-Vietnamese ties. For reasons beyond direct American control, SRV policy makers once again deeply coveted normalization with the United States and other nations, a shift that played into Washington's hands. US leaders demanded that the two sides address humanitarian issues, as defined by the United States, before discussing political questions. Hanoi reinstated ODP interviewing and permitted US officials to be stationed in Ho Chi Minh City. By the end of the decade, American officials were conducting extensive excavation operations in Vietnam in their search for POW/MIAs, the United States had signed a bilateral agreement with Hanoi on Amerasian processing, and both governments had issued a joint-resolution regarding reeducation camp detainees. At several key moments, negotiators in Washington and Hanoi permitted their counterparts to save face in order to reach migration program goals.

While US policy makers 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 sizeable gap between full normalization and the status of US-Vietnamese relations during the late 1980s, the personal relationships between American and Vietnamese officials and the concomitant bureaucratic connections that developed in pursuit of humanitarian programs laid the groundwork for more formal ties.

Hanoi's willingness to collaborate had its limits, however. As SRV leaders' decision to terminate cooperation with the United States in

August 1988 demonstrates, the Vietnamese rejected Americans' insistence that the two sides could collaborate on humanitarian issues while remaining stark political adversaries. The high number of oceanic migrant departures continued throughout 1988, moreover, which strained American ties with the nations of first asylum throughout Southeast Asia. These developments also put pressure on US refugee admission spaces and financial resources at the very same time American policy makers became increasingly keen to admit those emigrating from the Soviet Union. As former vice president George Bush prepared for his term as Commander in Chief, then, he had reason to be both optimistic and deeply concerned about the status of US relations with Vietnam. What is clear, however, is that despite the general perception that US-SRV relations remained frozen during the 1980s, the scope and frequency of the ties between the two nations increased considerably from 1980 to 1988.