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The Honorable Robert J. Mrazek
House of Representatives



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The Honorable Thomas J. Ridge
House of Representatives

In your request letters of October 11, 1991, and April 21, 1992, you expressed your belief that it was an appropriate and useful time to assess the progress and results of the Amerasian Homecoming Act (P.L. 100-202), and you posed particular issues you felt would be important for us to address in any review we undertook. These issues helped us in designing a study that has two major thrusts. One is to review the process whereby eligible Amerasians and their families first become participants in the program in Vietnam, then receive language training and cultural orientation in the Philippines, and finally get resettled here in the United States. The other is to look carefully at the outcomes for Amerasians and their families after resettlement has taken place. The purpose of this letter is to share with you some preliminary information we have developed regarding the first of these efforts.

We plan to complete our work and report on further analysis of the resettlement process, as well as the second phase of the study, early next year. Before presenting our observations and findings, we review the program process and describe our method of collecting information.

PROGRAM PROCESS

Amerasians have faced special hardships in Vietnam because of their mixed national and racial backgrounds. The Amerasian Homecoming Act, which passed into law in December of 1987, provides all Amerasians born between the years 1962 and 1975, and their close family members, the opportunity to resettle in the United States. Under the Act, eligible Amerasians and their family members who depart Vietnam are admitted to the United States as immigrants and also receive refugee benefits, in the form of cash and medical assistance. Prior to resettlement, Amerasians complete a 6-month course consisting of English language training and cultural orientation at the Philippines Refugee Processing Center.

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Amerasian cases are then resettled in the United States by private voluntary agencies under contract to the State Department.

The process to register, approve, and move Amerasians out of Vietnam was set up to operate in the following sequence of steps: (1) the Vietnamese government informs the population about the special program for Amerasians; (2) Amerasians and family members register through local Vietnamese officials; (3) the Vietnamese government provides officials of the Orderly Departure Program (ODP) with lists of those who can be interviewed; (4) ODP creates applicant files and schedules interviews in Ho Chi Minh City; (5) ODP teams interview Amerasians and family members in person and approve or reject cases; (6) approved cases take a required medical exam; and (7) cases are processed for departure.

METHOD OF COLLECTING INFORMATION

To learn about the process that potential program participants go through, we collected information from various government and voluntary resettlement agency officials and from Amerasians themselves. We met with officials from the State Department and nongovernment contractors--especially the International Catholic Migration Commission (ICMC)--who are responsible for the implementation of the program. We arranged site visits to Bangkok, Ho Chi Minh City, and the Philippines Refugee Processing Center (PRPC) in Bataan, where we also interviewed officials and reviewed relevant documents. In Bangkok, we met with ODP and INS officials. In Vietnam, we observed some of the interviews that determine whether an applicant will be accepted, met with members of the Vietnamese government working group, visited the Amerasian Transit Center, and interviewed a small number of Amerasians. In the Philippines, we interviewed various camp and training program administrators, teachers, and caseworkers. In addition, we conducted structured interviews at the camp with a randomly chosen sample of 67 Amerasians and a comparison group of 36 non-Amerasians, as well as administered a short questionnaire to another group of 353 Amerasians and family members at the camp who were chosen on the basis of their placement in different level training classes. Our objective in collecting information directly from Amerasians was to learn about their recent experiences in Vietnam and the PRPC, as well as something about their background and expectations about life in the United States.

One special characteristic of our method is that we tried to understand and present the perspective of the Amerasians. However, this approach has certain limitations. First, most

of the Amerasians we met had left Vietnam. We did not have the opportunity to survey widely among those who did not or could not leave Vietnam. Second, many Amerasians may feel either too insecure to tell their whole story or be tempted to exaggerate their hardships in order to get more help. To encourage truthful disclosure, we did assure them of confidentiality. The strength of our data came from the cooperation of officials in Bangkok, Vietnam, and particularly in the PRPC, where ICMC officials helped us recruit assistance from among the residents of the camp, gave us access to a large and representative sample of Amerasians and non-Amerasians, and enabled us to establish rapport with them more quickly.

OBSERVATIONS AND FINDINGS

The main points of our review of the Amerasian resettlement program components in Vietnam and the PRPC can be summarized as follows:

- The program has successfully processed a large number of Amerasians and family members. However, we are aware that there are some Amerasians who have not yet been reached, and these individuals may be difficult to reach because of their location and poor education.
- Future registration of applicants is currently uncertain because Vietnamese and U.S. officials have not reached agreement on whether registration will continue to take place as it has in the past (i.e., through the control of local Vietnamese officials), or change to more direct registration with U.S. officials.
- One consistent aspect of the program has been the high costs which participants have to pay, though the United States has already paid the Vietnamese government for all participants' expenses. These costs include both direct costs, such as transportation to the interview site in Ho Chi Minh City, and indirect costs, such as payments made by Amerasians to local government officials in order to get placed on interview lists.
- Another serious problem that has emerged for U.S. officials is the large number of fraud cases, particularly those involving so-called "fake families."¹ Stringent

¹A "fake family" tries to emigrate to the United States by paying an Amerasian (or his/her family) to support their fraudulent claim of being the genuine family of that Amerasian. The advantage for the Amerasian in such a case is that the fake family pays for all expenses associated with participating in the program.

efforts to prevent such fraud are being implemented by U.S. officials, leading to a large majority of current-applicant cases being rejected. There is some risk, however, that valid cases could be rejected, and there has been no evaluation conducted of the techniques used to adjudicate cases.

-- Finally, the issue of fraud has surfaced both in the PRPC and among U.S. resettlement agencies that receive cases. Effective policies to deal with this issue have not yet been developed.

Program Participation

From one perspective, the program has had a considerable degree of success. Announcements through the media and other information dissemination efforts have generated about 50 lists with over 100,000 names of Amerasian applicants and family members. More than 88,000 of these have been interviewed, with approximately 66,000 now actually resettled in the United States. This is more than twice the number that was predicted at the time the Act was passed. There are indications that lists presently being generated by the Vietnamese government contain some 20,000 more names for processing.

We have been unable to precisely determine whether information about the program has reached all Amerasians in Vietnam, nor can we put a number on the eligible population remaining who would like to participate. However, there is evidence from various sources that, in fact, not every Amerasian has been informed of the program and that even of those who are aware of it, not all have been able, for a variety of reasons, to move into the processing stream. Those Amerasians remaining in Vietnam may be the most difficult to reach because many of them live in rural and mountainous areas of the country and are likely to have very minimal language skills and education. Recently, a former resettlement agency worker from the United States toured sections of Vietnam and estimated that only about 50 percent of Amerasians have left those areas. We asked Amerasians and their families in the PRPC whether they knew of Amerasians in Vietnam who could not participate in the program, and why: 14 percent of our respondents mentioned that they knew some Amerasians who were deterred by Vietnamese officials and/or high program costs, and another 13 percent said that they knew some who had been disqualified by American interviewers. Although these numbers are small, they are likely to be conservative because many of our interviewees came from rural areas where the population is sparse and they knew of few, if any, Amerasians.

About a year ago, the Vietnamese government announced that January 1992 would mark the end of the program, supposedly to encourage eligible Amerasians to take the initial steps. It is not clear at this point whether the Vietnamese government is continuing to accept applications from Amerasians, but it appears that their announcement has had some effects that are difficult to measure. There is now considerable confusion and some evidence that Amerasians who missed the deadline are not aware that they can still apply. The U.S. policy as to the duration of the program is open-ended, and it was anticipated that, although most people would have been processed out by sometime early in 1993, a small number might be expected to apply over the next several years.

The announcement by the Vietnamese government was in part a response to an initiative proposed by ODP at about the same time that involved changing the registration process from one which relied on the Vietnamese government to generate applicant lists, to a system that would allow applicants to register directly with ODP. ODP's proposal was made largely because of U.S. concerns about increased program fraud and abuse, a subject we address in the next section of this letter. Vietnamese government officials have not agreed to the ODP proposal; however, further discussions on the matter are expected to take place over the next several months. Vietnamese government officials pointed out to us that direct registration would require considerable U.S. effort and expense, without a guarantee of success.

Costs to Participants

Since the start of the program, the U.S. government has paid about \$140 to the Vietnamese government for each Amerasian and family member who qualify and depart the country under the program. The payment is intended to cover costs incurred by the Vietnamese government in processing applicants and to reimburse applicants for program expenses such as transportation to the interview site.

Many people who have gone through the process in Vietnam identify high costs as the main difficulty they experienced with the program. The Amerasians that we interviewed in the Philippines identified a wide array of different costs they paid to participate in the program. These included "official" costs, such as transportation to the interview site in Ho Chi Minh City and obtaining government papers normally required for leaving the country, and other "unofficial" costs or bribes, such as payments to local officials in order to get included on an interview list or to obtain various documents. About one third of the respondents gave an estimate of their official costs of between \$50 and \$5,000, with a median of \$350; another 17 percent of the

respondents indicated they paid between \$50 and \$4,000 in unofficial costs, with a median of about \$250. (By comparison, Vietnam's estimated per capita income in 1990 was \$230.) Amerasians reported to us that they received only a small reimbursement from the Vietnamese government and that it was made only after their case was approved by ODP. Amerasians also reported that there were often additional costs required even up to the time of their scheduled departure, such as an airport tax, a fee for wrapping baggage, and payments to airport security personnel or local officials who could delay their departure.

As mentioned earlier, the United States is pursuing one avenue that could have some positive effect on this problem, and that is asking the government of Vietnam to permit some form of direct application in lieu of the present system that starts with local officials and continues through a long string of officials before finally reaching the point of interview at the Center in Ho Chi Minh City. So far, however, this effort has resulted in little success.

Problem of Fraud Cases

The large number of fraudulent cases being presented for approval has emerged in the past year as a serious difficulty for U.S. officials and for the program. The problem takes a number of forms, ranging from the case where an Amerasian may be forced to join with a fake family to one in which an Amerasian, for a variety of reasons, may join willingly because he or she believes it is the only way to achieve success in reaching the United States. For example, the cost barrier discussed above might explain why a number of Amerasians have joined fake families who can pay for the program expenses. Another form of fraud that has occurred is the case where a Vietnamese individual pretends to be an Amerasian by changing his or her physical appearance to look more like an Amerasian.

Voluntary resettlement agencies in the United States have reported that fake families tend to split apart upon arrival in this country. This creates an additional burden on resettlement efforts. Many of the Amerasians who have been resettled with fake families have also claimed that their strongest desire from the beginning was to bring their real families to the United States. They do not realize, however, that by joining a fake family they have disqualified themselves, under U.S. law, from sponsoring their real family later.

To determine eligibility and prevent fraud, U.S. officials conduct interviews in Vietnam to assess whether the principal applicant is a true Amerasian, and whether the family members

are authentic. It is difficult to determine eligibility because official records on the population (birth and marriage certificates, registries, etc.) and other relevant documents (photos, letters, etc.) are for the most part nonexistent. Since the decision often has to be made subjectively in the absence of documentation, this situation can be very difficult for U.S. officials. Under these conditions, the decision on the Amerasian is based largely on the applicant's physical appearance.

ODP has reported a deterioration in the quality of cases presented to it for adjudication and has responded by increasing its efforts to weed out false cases. We have seen a shift from what was, a year ago, a 20 percent rejection rate of applicants at the interview stage of the process, to an 80 percent rate at the present time. This is a problem, of course, because the possibility exists that among the 80 percent of cases being rejected by ODP, some legitimate Amerasians may have been denied approval. In cases where it is determined by the interviewer that the family is fake but the Amerasian is real, ODP policy has generally been to allow the Amerasian to continue on to the next stage. It appears, however, that there have been a small number of such cases where a valid Amerasian was rejected along with the fake family on the grounds that he or she had committed fraud by attempting to "smuggle" a fake family into the United States. State Department officials have assured us that such rejections are not occurring at the present time.

The rejection of legitimate Amerasians could occur in other ways as a result of ODP's efforts to address the problems of fraud and abuse; however, it is difficult to determine to what extent such errors have occurred. One group of Amerasians who may be at some risk are those who have no clear physical features that would distinguish them as Amerasian, or who have distinguishing features that could be mimicked by a non-Amerasian Vietnamese (such as Afro hair). Although we were only able to observe a limited number of interview sessions, we did see a few cases where it was quite difficult to judge the origins of the applicant. In such cases, interviewers do confer with one another to try to reach some consensus on physical appearance--but ultimately, in the absence of other supporting evidence, decisions are based on subjective judgments.

Interviewers also question applicants and family members to try to establish the accuracy of family relationships; however, this too can be difficult due to language and cultural barriers between the interviewer and applicant. Although most ODP interviewers receive a year of Vietnamese language training, this may not be enough to discern different accents, dialects, and customs of the people. Most

interviewers must rely on interpreters supplied by the Vietnamese government. The inability to make decisions on other than subjective grounds can lead to differences in approval/rejection rates among interviewers. Vietnamese officials reported to us that they believe the ODP interviewers differ from 60 to 90 percent in overall rejection rates.

Some Amerasians pointed out to us how certain Vietnamese interpreters had manipulated the interview outcome. For an arranged fee, the interpreter would coach applicants ahead of time on how to answer the interviewer for whom he worked, and on the day of the interview he would pick up that particular file, as his function normally allows him to, and would translate it favorably. Since the rejection rate has been so high, even some true Amerasians with authentic family members have reported paying for such "services" in order to increase their chances of acceptance. Though we did not try to establish the extent to which this has happened, such practice is possible (i.e., it can occur) under the current system.

The Amerasian Transit Center (ATC)

The ATC was built with U.S. funds to provide Amerasians with a place to stay while in Ho Chi Minh City during the interview period and prior to their departure from Vietnam. ODP administration in Bangkok has been concerned for some time about the accountability of the ATC--about whether Amerasians were turned away from the Center, about whether non-Amerasians were allowed to live there long-term, and about whether the facility is underutilized. We spent several days and nights at the ATC. At that time, only 400 Amerasians and family members were housed at the facility, which was built to house more than 1,000 occupants. The low number was due in part to the high program rejection rate. A small number of Amerasians have stayed at the Center for up to 2 years, and their names have been submitted to ODP for processing.

We were generally impressed with the quality of food and housing, as well as the friendly relationship between ATC staff and residents. The Vietnamese director used funds from the Center to establish an educational center that has English classes, Vietnamese literacy classes, and skills training such as tailoring and jewelry making. All four English teachers were either college professors or college graduates with teaching experience.

Currently, the Amerasian families can only enter the Center after being approved at the interview. Since transportation throughout Vietnam is uncertain, most families arrive a few

days early. Also, the interviews are sometimes delayed, and it takes at least 2 days before a case is approved. During this time, the Amerasian family usually has to pay for room and board in relatively expensive Ho Chi Minh City. The ATC director has agreed to let them stay at the Center during this period if ODP so requests.

The Philippines Refugee Processing Center (PRPC)

The breakup of fake families often begins to happen at the PRPC, and currently there is no open discussion about the situation or support system in place to deal with it. Amerasians say they have been reluctant to report fake families because they were afraid that they would have to stay longer in the camp, that their real families in Vietnam might be hurt in some way, and that the camp administrators (including a number of neighborhood resident leaders who might be in fake families themselves) might not want to deal with the issue.

The Vietnamese government has agreed, in principle, to take back fake families, but has not accepted any particular case so far. Where fraud cases have been identified, U.S. visas have been revoked, thus preventing the fraudulent cases from entering the United States. However, because there is no process or precedent for sending such cases back to Vietnam, they become residents of the processing center indefinitely. Few fake families have been acknowledged and reported in the PRPC. The majority have gone to the United States and, once there, posed unexpected difficulties to the voluntary resettlement agencies.

Another difficulty for the PRPC and U.S. resettlement agencies is the group of unaccompanied Amerasians who had to leave families behind in Vietnam. The mental health service in the PRPC, Community Family Services International, has reported psychological and social adjustment problems among this group. In response, the Young Adults Support Unit has started a support program for them.

We could not obtain statistics on pregnancies, but different sources raised concerns about this topic. The chief medical officer at the PRPC was concerned about the high number of pregnancies and the lack of measures (e.g., family planning, birth control) to prevent unwanted pregnancies. Resettlement agencies in the United States also reported that such pregnancies greatly complicate the resettlement process. One U.S. official estimated that about one third of female Amerasians became pregnant during the 6-month residence in the camp and that the rate remained high after they arrived in the United States. There were multiple causes according to the officials we spoke with, including cases of outright

rape and assault, as well as cases where pregnancies resulted from relationships that developed between couples at the camp. A counselor at the PRPC strongly voiced the concern that a small number of camp residents who had remained in the camp after their visas had been revoked for criminal activities had continued to commit more crimes, including sexual assaults. One official visitor suspected that the living arrangement might have enhanced promiscuity. Another resettlement worker thought that lack of food led to prostitution. This issue requires further investigation.

Overall, however, many camp residents considered the camp a beneficial and necessary experience. There is evidence that they were taught realistic expectations of the life awaiting them in the United States, which helps resettlement. Some of the complaints that we heard about were: teachers' English pronunciation, lost mail, inadequate hospital care, insufficient food, and anxiety about delay of departure to the United States. The importance of these issues may not be apparent. For example, residents receive money in the mail from relatives or friends to supplement their food ration. Years ago the training programs had some evaluation and also some feedback from the resettlement sites as to what was helpful or not. Due to budget constraints, such evaluation and feedback have been eliminated; but, in the meantime, the characteristics of camp residents have probably changed significantly. We intend to provide additional information after conducting further analysis of the data collected in the PRPC and from Amerasians we are currently interviewing in the United States.

CONCLUSION

The Amerasian Homecoming Act has given hope to a group much discriminated against in the homogeneous Vietnamese society. Many have left for the United States to seek new opportunities. Unfortunately, the Amerasians still in Vietnam probably have fewer mental, social, and financial resources than those who have already come to the United States. In addition, they face more stringent interviews, which may disqualify them or their family members. Disqualified Amerasians suffer from both the financial costs and the personal stress of the procedure they have undergone. Amerasians with disqualified family members must either remain in Vietnam, as some have chosen to do, or leave on their own and face difficulties in the PRPC and the United States. Meanwhile, fake Amerasians and fake family members break U.S. immigration laws and consume some of the resources and privileges which are not properly theirs.

ODP, ICMC, and many other resettlement agencies have exerted creative efforts to adapt, negotiate, and change repeatedly

to assist a population that is hard to identify and difficult to serve. These agencies have collaborated fully with our study and have shown genuine desire to know the population better in order to help them more effectively. Due to the known difficulties involved in information dissemination, the costs of registration, the importance of the ODP interview decision, the challenge of resettlement preparation, the language and culture barriers, and the unpredictable environment, we find that the following issues require attention:

- How to disseminate the necessary information to all interested Amerasians in Vietnam so that they can know their rights and make appropriate decisions. Such information should include: which individuals are eligible, how they can enroll, what they have to pay, how interviewers will make decisions on their case, how they can know the status of their case, the penalties they will incur if they leave with a "fake family" (i.e. the inability to petition for their real family later), where they can ask further questions or get help, to whom they should report unfair practices, what services at the Transit Center are available to them, how they can appeal, etc.
- How ODP can work with the Vietnamese government to find the best way, or the best combination of competing ways, to enroll interested and qualified Amerasians.
- How ODP interviewers can validate the accuracy of their decisions regarding the eligibility of Amerasians and qualified family members. Some assessment methods might be: asking resettlement agencies for feedback on erroneous acceptance of fraudulent cases; asking some organization in Vietnam for feedback on erroneous rejection of eligible cases; asking for feedback from Amerasians about the fairness and the problems of the system, such as the undue influence of the Vietnamese interpreters; and using those who can provide additional linguistic, cultural, or medical information, such as whether the people in a particular case all speak Vietnamese with the same accent.
- How other resettlement agencies in the PRPC and in the United States can be evaluated regularly so that needs and issues can be promptly identified and resolved.
- How "fake families" in the PRPC and in the United States can be handled so as to assure the protection of Amerasians.

- How unaccompanied Amerasians can best be prepared for non-traumatic resettlement in the United States. One example might be a comprehensive program which includes literacy training at the Transit Center in Vietnam, supervised housing in the PRPC, and a tailored job training and resettlement program in the United States.
- How PRPC officials can determine whether unwanted pregnancies are a systematic problem and, if so, help Amerasians deal with the issue in the camp and eventually in the United States.

More information on Amerasian resettlement will be reported when data collection and analysis in the United States are completed.

If you have any questions or would like additional information, please call me at (202) 275-1854 or Kwai-Cheung Chan, Director of Program Evaluation in Physical Systems Areas, at (202) 275-3092.

Sincerely yours,



Eleanor Chelimsky
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