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(January 1984) (1 of 3)

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WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name Executive Secretariat, NSC: Country File

Withdrawer

MJD 12/23/2011

File Folder CHINA, PRC (JANUARY 1984) (1 OF 3)

FOIA

F00-173/5

Box Number 007R

TUCKER

46

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
126578	NSC/S PROFILE SHEET	RE CASEFILE 8400310	1	1/11/1984	B1
126577	MEMO	CHARLES HILL TO ROBERT MCFARLANE RE CHINA	1	1/11/1984	B1
126579	MEMO	DAVID LAUX TO ROBERT KIMMITT RE USIA REQUEST (ANNOTATED)	2	7/17/1984	B1
126581	DRAFT MEMO	ROBERT KIMMITT TO CHARLES HILL, ET AL RE USIA/IMMIGRATION ISSUE	2	ND	B1
126582	MEMO	CHARLES WICK TO ROBERT MCFARLANE RE IMMIGRATION QUESTION	2	1/13/1984	B1
126583	MEMO	TO NORMAN POIRIER RE IMMIGRATION QUESTION	1	12/28/1983	B1
126590	FORMS	RE IMMIGRATION ISSUE	23	ND	B6
126585	MEMO	TO JONATHAN SLOAT RE IMMIGRATION QUESTION	2	9/7/1982	B1

The above documents were not referred for declassification review at time of processing

Freedom of Information Act - [5 U.S.C. 552(b)]

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ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
126586	MEMO	TO NORMAN POIRIER RE IMMIGRATION QUESTION	1	12/12/1983	B1
126587	MEMO	TO NORMAN POIRIER RE IMMIGRATION QUESTION (W/ATTACHEMENTS)	6	2/24/1983	B1
126580	MEMO	DAVID LAUX TO ROBERT KIMMITT RE USIA REQUEST	2	7/17/1984	B1
126588	MEMO	ROBERT KIMMITT TO CHARLES HILL, ET AL RE USIA/IMMIGRATION ISSUE	2	ND	B1
126589	MEMO	SAME AS # 126582	2	1/13/1984	B1

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	David Laux to William P. Clark, re question on Anna Chennault [4078]	6/13/83	P1
2. cable	Secstate to Amembassy Beijing, re condolences	6/10/83	P5 , P1
COLLECTION: NATIONAL SECURITY AFFAIRS, OFFICE OF ASS'T FOR: Records (Country File)			kdb
FILE FOLDER: China PRC Vol. VIII 1/1/83-12/31/83 [ID 8304078] Box 4 7			11/7/95

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

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Freedom of Information Act - [5 U.S.C. 552(b)]

- F-1 National security classified information [(b)(1) of the FOIA].
- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
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126577	MEMO CHARLES HILL TO ROBERT MCFARLANE RE CHINA	1	1/11/1984	B1

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NSC/S PROFILE

~~SECRET~~

ID 8304078

RECEIVED 13 JUN 83 20

TO CLARK FROM LAUX

DOCDATE 13 JUN 83

KEYWORDS: CHINA P R

CHENNAULT, ANNA

CHENGCHIH, LIAO

SUBJECT: ANSWER TO CLARK QUESTION RE CHENNAULT & CHENGCHIH

ACTION: FOR INFORMATION

DUE:

STATUS IX FILES

FOR ACTION

FOR CONCURRENCE

FOR INFO

CLARK

COMMENTS

UNCLASSIFIED UPON REMOVAL OF
CLASSIFIED ENCLOSURE(S)

NSP 4/6/48

REF#

LOG

NSCIFID

(M /)

ACTION OFFICER (S)

ASSIGNED

ACTION REQUIRED

DUE

COPIES TO

JUN 15 1983

Clark noted

Lx

DISPATCH

W/ATTCH

FILE

(C) *MB*

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WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

**National Security Council
The White House**

701

ED

Package # 4078

85 JN 15 P 6 30

	SEQUENCE TO	HAS SEEN	ACTION
John Poindexter	<u>1</u>	<u>X</u>	<u>I</u>
Bud McFarlane	<u>2</u>	<u>M</u>	
Jacque Hill	<u>3</u>	<u>✓</u>	
Judge Clark	<u>4</u>	<u>✓</u>	<u>I</u>
John Poindexter			
Staff Secretary			
Sit Room			

☒ I-Information
 ☐ A-Action
 ☐ R-Retain
 ☐ D-Dispatch
 ☐ N-No further Action

DISTRIBUTION

cc: VP Meese Baker Deaver Other _____

COMMENTS



Chairman
National Republican Heritage Groups Council
1511 K St., N.W., Suite 1020, Washington, D.C. 20005 (202) 347-0517

Vice Chairman C. C. Liao

Vice Chairman People's Congress

Deputy Chairman of the Central Communist Executive Committee

Chief negotiator for Hong Kong settlement

Chief negotiator for PRC-ROC future arrangement

Died June 11 1983 at 5 a.m. from heart attack

Uncle of Anna C. Chennault

Tel 347-0516

PRC Embassy
Called

Mr. C. to inform
& asked her to
attend funeral. She
will go.
Feier

Her card &
telephone is
enclosed.

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WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

NSC/S PROFILE

~~SECRET~~

ID 8400510

RECEIVED 18 JAN 84 12

TO

McFARLANE

FROM WICK, C

DOCDATE 13 JAN 84

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ENCLOSURE(S)

mn
12/23/11

KEYWORDS. CHINA P R

USIA

IMMIGRATION

EXCHANGES

SUBJECT WICK 13 JAN LTR / REQUEST RULING RE TWO EXCHANGE STUDENTS FM CHINA TO
REMAIN IN US

ACTION: PREPARE REPLY FOR MCFARLANE DUE: 23 JAN 84 STATUS S FILES

FOR ACTION

FOR CONCURRENCE

FOR INFO

LAUX

SIGUR

RAYMOND *WR*

SIMS

LENCZOWSKI

CHILDRESS

THOMPSON

COMMENTS

REF# LOG NSCIFID (HW)

ACTION OFFICER (S)	ASSIGNED	ACTION REQUIRED	DUE	COPIES TO
<i>Kim H</i>	<i>X 7/18</i>	<i>for sig</i>		
<i>LAUX</i>	<i>5 JUL 19 1984</i>	<i>further action</i>	<i>7/19</i>	
<i>SECRETARIAT</i>	<i>11/19/84</i>	<i>No further action - SEE info MEMO ^{INSIDE} ON top.</i>		
<i>C</i>	<i>11/19</i>	<i>Close-out per laux</i>		

DISPATCH

W/ATTCH FILE *SA* (C)

5

510

MEMORANDUM

NATIONAL SECURITY COUNCIL

November 19, 1984

INFORMATION

MEMORANDUM FOR SECRETARIAT

FROM: DAVID N. LAUX *DJ*
SUBJECT: Action #510 of January 13, 1984

Per Kimmitt's request, a follow up interagency meeting was held, including representatives from Justice and INS. At that meeting, Justice and INS were able to assure us that the case could be settled without further interagency work, dealing directly with USIA, and this has evidently taken place. Case ~~was~~ closed.

15

National Security Council
The White House

uml

System # I

Package # 0510

8 JUL 18 12:37

1258

	SEQUENCE TO	HAS SEEN	DISPOSITION
Paul Thompson	<u>1</u>	<u>✓</u>	
Bob Kimmitt	<u>2</u>	<u>K</u>	
John Poindexter			
Tom Shull			
Wilma Hall			
Bud McFarlane			
Bob Kimmitt			
NSC Secretariat			
Situation Room			
<i>have</i>	<u>3</u>		<i>further action</i>

I = Information A = Action R = Retain D = Dispatch N = No further Action

cc: VP Meese Baker Deaver Other _____

COMMENTS Should be seen by: _____
(Date/Time)

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126579	MEMO DAVID LAUX TO ROBERT KIMMITT RE USIA REQUEST (ANNOTATED)	2	7/17/1984	B1

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126581	DRAFT MEMO ROBERT KIMMITT TO CHARLES HILL, ET AL RE USIA/IMMIGRATION ISSUE	2	ND	B1

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126582 MEMO

2 1/13/1984 B1

CHARLES WICK TO ROBERT MCFARLANE RE
IMMIGRATION QUESTION

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January 6, 1984

MEMORANDUM FOR: D - The Director

FROM: GC - T. E. Harvey

SUBJECT: Waiver of the two-year foreign residency
requirement for two nationals from the People's
Republic of China

Attached are copies of the files maintained by this Agency on two nationals of the PRC.

In both cases the Federal Bureau of Investigation has requested, as an interested government agency, that the USIA recommend that each of the aliens be given a waiver. Such a recommendation by this Agency is authorized by law and will lead to the Immigration and Naturalization Service granting the waiver. The net effect would be that neither alien would return to the PRC.

Requests for waivers of the two-year home country residency requirements from sister government agencies are normally handled on a routine basis by the Office of the General Counsel. There are no legal problems with these requests although we will ensure that the request has been cleared by the Director of the FBI.

We are submitting the cases to you for a determination of the political issues involved. To our knowledge there has been no publicity concerning these two aliens. You are aware, of course, that the granting of asylum to the Chinese tennis player, Ru Na, last year provoked the PRC to cancel cultural exchanges under our Agreement with it (although it did not cancel the Agreement itself). A favorable recommendation by this Agency on the waivers could have unfavorable consequences on the President's proposed trip to China and the pending renegotiation of the Agency's Implementing Accord with the PRC.

We would appreciate your recommendations.

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126583	MEMO TO NORMAN POIRIER RE IMMIGRATION QUESTION	1	12/28/1983	B1

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126590	FORMS RE IMMIGRATION ISSUE	23	ND	B6

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Freedom of Information Act - [5 U.S.C. 552(b)]

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CHINA, PRC (JANUARY 1984) (1 OF 3)

FOIA

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126580 MEMO

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DAVID LAUX TO ROBERT KIMMITT RE USIA
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UNCLAS SECTION 02 OF 02 USIA 19778

USIA

EO 12356 N/A

TECHNICAL EXCHANGES. A DELEGATION OF VOA CHINESE
BROADCASTERS WAS SCHEDULED TO VISIT CHINA IN APRIL. (RADIO
BEIJING BROADCASTERS VISITED THE U.S. IN 1982.)
8. THE DIRECTOR OF THE VOICE OF AMERICA AND THE DIRECTOR OF
RADIO PEKING EACH WERE SCHEDULED TO LEAD A DELEGATION OF
THREE TO FIVE PERSONS FOR TWO WEEK VISITS.
9. CHINA HAD SENT A FOREIGN LANGUAGE PUBLISHING DELEGATION
TO VISIT THE UNITED STATES. THE UNITED STATES WAS TO SEND A
SIMILAR DELEGATION TO VISIT CHINA. (THE CHINESE GROUP WAS
ACTUALLY IN THE U.S. WHEN THE ANNOUNCEMENT CURTAILING

CULTURAL EXCHANGES WAS MADE. THEY ELECTED TO CUT SHORT THEIR
VISIT AND RETURNED TO CHINA).

THE ALL CHINA SPORTS FEDERATION ALSO ANNOUNCED THAT PRC
CONTESTANTS WOULD NOT PARTICIPATE IN ANY SPORTS ACTIVITIES IN
THE U.S. IN 1983. STUDENT EXCHANGES AND SCHEDULED VISITS OF
AMPARTS WERE NOT MENTIONED AND PRESUMABLY WILL BE ALLOWED TO
CONTINUE.

AT THE NOON BRIEFING, A STATE DEPARTMENT SPOKESMAN SAID THAT
THE UNITED STATES REGRETS THE CHINESE UNILATERAL DECISION AND
CONSIDERS IT INAPPROPRIATE AND AN OVER-REACTION TO THE
SITUATION. THE DECISION TO GRANT ASYLUM WAS WEIGHED AND MADE
IN ACCORDANCE WITH U.S. LAW AND SHOULD BE VIEWED AS A
SPECIFIC CASE WITHIN THE LARGER FRAMEWORK OF U.S.-CHINA
RELATIONS. IT IS NOT KNOWN WHETHER A NEW ACCORD WILL BE
RENEGOTIATED.

SUGGESTED TALKING POINTS:

1. THE U.S. HAS TRADITIONALLY GRANTED ASYLUM TO THOSE
APPLICANTS WHO MAY SUFFER POLITICAL PERSECUTION IN THEIR HOME
COUNTRIES.
2. ACCORDING TO THE DEPT. OF JUSTICE, HU NA MADE A WELL
FOUNDED CASE FOR HER FEAR OF PERSECUTION. THIS IS NOT THE
SAME AS SAYING SHE WOULD OR MAY ACTUALLY SUFFER PERSECUTION.
THE DEPARTMENT HAS BEEN CAREFUL TO STRESS THAT THE HU NA
DECISION DOES NOT CONSTITUTE A JUDGEMENT OF CHINA'S POLITICAL
SYSTEM NOR DOES THIS DECISION CREATE A PRECEDENT FOR FUTURE
ASYLUM APPLICATIONS FROM PRC NATIONALS.

3. THE U.S. REGRETS THE CHINESE UNILATERAL DECISION. WE
ACTED IN ACCORDANCE WITH OUR LAWS AND REGULATIONS WHICH ARE
APPLIED ON A CASE BY CASE BASIS.

4. THE U.S. ACTED IN ACCORDANCE WITH OUR GENERAL SUPPORT FOR
THE HUMAN RIGHTS OF ALL INDIVIDUALS.

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UNCLAS SECTION 01 OF 02 USIA 19778

USIA

EO 12356 N/A

SUBJECT: POLITICAL ASYLUM FOR HU NA
ISSUES ANALYSIS

NEARLY NINE MONTHS AGO ON JULY 26, 1982, HU NA, CHINA'S
TOP-RANKING WOMAN TENNIS PLAYER, FORMALLY REQUESTED POLITICAL
ASYLUM IN THE UNITED STATES. MS. HU WAS IN THE U.S. TO
COMPETE IN THE FEDERATION CUP TENNIS TOURNAMENT. SHE WALKED
OUT OF HER HOTEL ROOM LEAVING ALL HER LUGGAGE BEHIND AND
RETAINED SAN FRANCISCO LAWYER, EDWARD Y. LAU, TO REPRESENT
HER BEFORE THE IMMIGRATION AND NATURALIZATION SERVICE.
HU NA BASED HER REQUEST FOR POLITICAL ASYLUM ON HER FEAR OF

PERSECUTION ONCE SHE RETURNED TO CHINA. SHE STATED THAT SHE
HAD RECEIVED INCREASINGLY URGENT "INVITATIONS" TO JOIN THE
COMMUNIST PARTY AND DID NOT WISH TO DO SO. SHE BELIEVED THAT
IF SHE WERE TO JOIN, SHE WOULD THEN BE IDENTIFIED WITH THE
PROVINCIAL PARTY LEADER AND WOULD INEVITABLY BE CAUGHT UP IN
FACTIONAL STRIFE. SHOULD THE PROVINCIAL LEADER FALL INTO
DISFAVOR, HU NA BELIEVED SHE WOULD BE PERSECUTED. SHE CITED
THE CASE OF ZHUANG ZEDONG, FORMER WORLD CHAMPION PING-PONG
PLAYER AND PROTEGE OF JIANG QING, MAO'S WIDOW. HE WAS SENT
TO A LABOR CAMP WHEN JIANG WAS STRIPPED OF HER POLITICAL
INFLUENCE.

THE PRC IMMEDIATELY WARNED THE UNITED STATES THAT CULTURAL
EXCHANGES BETWEEN THE TWO COUNTRIES "WOULD SUFFER" IF HU NA
WERE GRANTED POLITICAL ASYLUM. ACCORDING TO THE PRC, MS. HU
HAD NO NEED TO FEAR PERSECUTION AND WOULD BE ALLOWED TO
TRAVEL ABROAD AGAIN IF SHE RETURNED TO CHINA. THE CASE
REMAINED PENDING UNTIL RECENTLY. MS. HU WAS REPORTEDLY
LIVING IN SECLUSION IN CALIFORNIA WITH A CHINESE-AMERICAN
FAMILY WHILE LAWYERS WERE WORKING VOLUNTARILY ON HER BEHALF.
THE DECISION TO GRANT POLITICAL ASYLUM IS THE RESPONSIBILITY
OF INS ACTING WITH ADVICE FROM THE STATE DEPARTMENT. (FYI,
ACCORDING TO INS, SINCE THE NEW IMMIGRATION LAW OF 1980, 27
APPLICATIONS FOR ASYLUM HAVE BEEN GRANTED AND 167
REJECTED.) ON APRIL 4, A SPOKESMAN FOR THE DEPARTMENT OF
JUSTICE (OF WHICH INS IS A PART) ANNOUNCED THE DECISION TO
GRANT MS. HU ASYLUM.

A SPOKESMAN FOR THE CHINESE FOREIGN MINISTRY IS QUOTED AS
SAYING "THE DECISION IS A GRAVE INCIDENT PREMEDITATED AND
DELIBERATELY CREATED BY THE U.S. THE U.S. HAS NO GROUNDS FOR
GIVING HU NA POLITICAL ASYLUM AND THE MOVE WILL IMPAIR
CULTURAL AND SPORTS EXCHANGES AND ADVERSELY AFFECT BILATERAL
RELATIONS."

THIS STATEMENT WAS FOLLOWED UP ON APRIL 7 BY AN ANNOUNCEMENT
FROM THE PRC THAT EIGHT PROVISIONS OF THE IMPLEMENTING ACCORD
FOR CULTURAL EXCHANGE IN 1982 AND 1983 (SIGNED SEPT. 5, 1981)
WOULD BE CANCELLED. ONE PROJECT REMAINING FROM THE 1980-81
ACCORD WOULD ALSO BE CANCELLED. THE CANCELLED EXCHANGES ARE:

1. A CHINESE ART EXHIBIT REMAINING FROM THE 1980-81 ACCORD
WILL NOT BE SENT.
2. AN OFFICIAL CHINESE CULTURAL DELEGATION SCHEDULED TO
VISIT THE UNITED STATES.
3. THE TWO COUNTRIES HAD AGREED THAT EACH WOULD SEND ONE
HIGH QUALITY SMALL SCALE PERFORMING ARTS GROUP TO THE OTHER
COUNTRY FOR VISITS AND PERFORMANCES. THE U.S. HAD PLANNED TO
SEND THE JULLIARD STRING QUARTET IN MAY.
4. THE UNITED STATES AND CHINA HAD AGREED THAT EACH WOULD
HOLD ONE HIGH QUALITY SMALL SCALE ART EXHIBIT IN THE OTHER
COUNTRY. AN EXHIBITION FROM THE BROOKLYN MUSEUM WAS
SCHEDULED TO GO TO CHINA IN SEPTEMBER.
5. THE TWO COUNTRIES EACH HAD AGREED TO HOLD A FILM WEEK FOR
THE OTHER COUNTRY, INCLUDING EXCHANGES OF SMALL DELEGATIONS
OF CINEMATOGRAPHERS TO PARTICIPATE IN THE FILM WEEK
ACTIVITIES. THE U.S. FILM WEEK IN CHINA WAS TENTATIVELY
SCHEDULED FOR JULY.
6. A DELEGATION FROM JOURNALISM CIRCLES IN THE UNITED STATES
WAS TO VISIT CHINA. A DELEGATION FROM THE ALL-CHINA
JOURNALISTS ASSOCIATION VISITED THE UNITED STATES IN 1982.
7. THE VOICE OF AMERICA AND RADIO PEKING HAD AGREED TO
EXCHANGE SCRIPTS AND MATERIALS. AND SEND SPECIALISTS TO THE
OTHER COUNTRY TO CARRY OUT SHORT TERM PROFESSIONAL AND
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Stakes High, Chinese Tennis Defector Speaks Out

By FOX BUTTERFIELD

Special to The New York Times

SAN FRANCISCO, March 19 — Hu Na, a 19-year-old Chinese tennis player who defected here last summer, says one of the reasons she decided to act was her feeling that Chinese officials were trying to coerce her into joining the Communist Party.

Miss Hu, who spoke in her first interview since seeking political asylum last July, also said she feared becoming caught up in a factional political struggle in China.

She recalled that on one occasion she became particularly upset when her team captain told her that whenever she lost a tennis match it would be a sign "I had not sufficiently studied Marxist-Leninist thought."

Until this week Miss Hu had remained in seclusion in San Francisco since her defection during the 32-nation Federation Cup tournament in Santa Clara, Calif.

Leader Demands That She Return

In the interview, which was conducted in Washington, Miss Hu expressed frustration over what she said was the Reagan Administration's delay in deciding whether to grant her asylum, and indicated she was worried that the Government might bow to pressure from Peking to block her request.

Miss Hu's case has become a serious issue in United States-Chinese relations, which have already been strained by Peking's unhappiness over United States arms sales to Taiwan, quotas on Chinese textile imports and restrictions on the sale of American technology to China. China's paramount leader, Deng Xiaoping, has taken the unusual step of personally demanding Miss Hu's return in meetings with several United States officials, according to a ranking State Department official. And the Chinese Foreign Ministry has warned that cultural exchanges between the two countries could be adversely affected if she is granted asylum.

To add to the pressure, this week the Chinese Consulate here made public the texts of two letters from Miss Hu's parents pleading for her return. One was addressed to Miss Hu, the other to Secretary of State George P. Shultz. Both were originally delivered to Mr. Shultz while he was in Peking last month for talks.

Miss Hu, a tall, graceful woman, suggested in the interview that one reason for Peking's intense efforts to obtain her return was that she had often played tennis with Wan Li, a member of the Standing Committee of the Chinese Communist Politburo and a close associate of Mr. Deng. Mr. Wan, she said, liked to play doubles with her and had often lectured her on Communist ideology after their matches.

Effect on Family Feared

Edward C. Y. Lau, Miss Hu's lawyer in San Francisco, said Miss Hu did not want to hurt relations between China and the United States and was worried about the effect her actions would have on her family. Her father is an army basketball coach and her younger brother is a star junior tennis player.

But Mr. Lau said that because of the Government's procrastination over her efforts to gain asylum, he had decided to let Miss Hu end her seclusion and tell her story. Last weekend he took her to Washington, where she met with several senators and representatives who have expressed interest in her plight. These included Representative Stephen J. Solarz, Democrat of Brooklyn, chairman of the House Foreign Affairs Subcommittee on Asian and Pacific Affairs, who invited her to play tennis at his house with Zbigniew Brzezinski, President Carter's national security ad-



The New York Times / George Tames

Hu Na waiting outside the Washington office of Representative Tom Lantos, California Democrat, a Congressional supporter in her bid for asylum.

to school since she began playing tennis full time at the age of 14.

In the interview Miss Hu said she had decided to defect after the Communist Party leader of the tennis camp where she had trained wrote her a letter virtually demanding she join the party. She said he had frequently advised her, "The Communist Party has raised you and you owe your success to the party."

"I Didn't Feel Safe"

But she was afraid he only wanted to use her as a model for other young Chinese and as a pawn in his own factional battles in the party. She recalled that China's world champion table tennis player, Zhuang Zedong, who had risen to be Minister of Sports during the Cultural Revolution, was sent to a labor camp after the downfall of his sponsor, Jiang Qing, Mao Zedong's widow, in 1976.

"So I didn't feel safe," Miss Hu said. "You never know when one faction is going to be replaced by another."

Miss Hu's case presents an embarrassing situation for the Reagan Administration, which risks offending either the Chinese or the President's conservative supporters in the United States. Her application for asylum also raises the question of whether the United States has one standard for dealing with defectors from the Soviet Union and another for those from

China. A State Department official familiar with Miss Hu's case said it had touched off prolonged wrangling between the China desk, which opposed the request, and the Bureau of Human Rights and Humanitarian Affairs, which favored it. The Human Rights Bureau won the argument and made a favorable recom-

mendation to the Immigration and Naturalization Service last November. But some officers on the China desk have continued to lobby out of channels with the Immigration Service, the official said. By law, the Immigration Service makes the final determination on requests for asylum, though it usually follows the recommendation of the State Department.

Mr. Lau said the Immigration Service had repeatedly assured him since early January that a decision on Miss Hu's request was imminent. But last week, Mr. Lau said, the Immigration Service submitted further questions to the State Department about Miss Hu, and the State Department official said the Immigration Service itself was now divided over what to do.

Other Requests Pending

The Immigration Service appears to be worried that granting Miss Hu asylum would set a precedent that could affect the more than 1,000 pending applications from other Chinese citizens now in this country. That figure is about 10 percent of the 10,000 or so Chinese on extended visits here, mostly students and scholars. So far fewer than a dozen of these requests have been approved.

Last July, at a hearing before an Immigration Service judge in San Francisco for a Chinese meteorologist, Xia Yuren, a State Department official advised the judge that the Chinese scientist would not be in danger of persecution if he was deported to China. Mr. Xia, who had come to the United States to conduct research at the New Mexico Institute of Mining and Technology, had applied for asylum after jumping out of a window at the Chinese Consulate in San Francisco, where he had been taken by the Chinese authorities.

The State Department official, Lawrence L. Arthur, chief of the Asylum Division of the Bureau of Human Rights and Humanitarian Affairs, said in written testimony that he was sure Mr. Xia was in no danger because the State Department had checked with the Chinese Embassy in Washington.

In response, Chalmers Johnson, a professor of political science at the University of California at Berkeley and a specialist on China, told the judge that if a Foreign Service officer gave similar assurances about a Soviet defector after getting in touch with the Soviet Embassy he would probably be "fired on the spot."

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126588	MEMO ROBERT KIMMITT TO CHARLES HILL, ET AL RE USIA/IMMIGRATION ISSUE	2	ND	B1

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TAGS: N/A

SUBJ: CANCELLATION OF U.S. CHINESE CULTURAL AGREEMENT
IMPLEMENTING ACCORD PROJECTS

1. EMBASSY DCM CHARLES FREEMAN CALLED TO MEETING AFTERNOON
APRIL 7 WITH CHINESE MINISTRY OF CULTURE BUREAU FOR FOREIGN
CULTURAL EXCHANGES HEAD DING GU. CAO ALSO ATTENDED.
DING ANNOUNCED THAT BECAUSE OF THE GRANTING OF POLITICAL
ASYLUM TO CHINESE TENNIS STAR HU NA, THE CHINESE GOVERNMENT
WAS CANCELLING ALL REMAINING ACTIVITIES IN THE 1982/83
IMPLEMENTING ACCORD (AND ONE RESIDUAL FROM 1981/82). THESE
ARE, IN TERMS OF TEMPORAL PRECEDENCE: ALL VOA-RADIO PEKING
EXCHANGES, INCLUDING VOA CHINESE BROADCASTER DUE IN
BEIJING APRIL 11, 1983; PERFORMANCES OF THE JULLIARD STRING
QUARTET; THE AMERICAN FILM WEEK; THE CHINESE FIVE PAINTERS
EXHIBITION IN LOS ANGELES AND WASHINGTON; THE BROOKLYN
MUSEUM ART EXHIBITION; AND THREE DELEGATIONS, THE CHINESE
CULTURAL DELEGATION SCHEDULED TO GO TO THE U.S. IN THE FALL,
AND TWO AMERICAN DELEGATIONS, ONE IN JOURNALISM AND ONE IN
FOREIGN LANGUAGE PUBLISHING.

2. ACTION REQUESTED: AGENCY SHOULD IMMEDIATELY CANCEL
ALL PREPARATIONS FOR THE ABOVE ACTIVITIES. FULL REPORT
FOLLOWS SEPTTEL. KNOPE

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C. Closed in accordance with restrictions contained in donor's deed of gift.