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NATIONAL SECURITY DECISION
DIRECTIVE NUMBER 93

May 13, 1983

REFUGEE POLICY AND PROCESSING REFUGEES FROM INDOCHINA

I have reviewed the reports and recommendations on processing refugees in Indochina from the Departments of Justice and State and the Coordinator for Refugee Affairs, as forwarded by the latter's memorandum of April 21.

The Immigration and Naturalization Service (INS) and the Department of State have taken significant steps over the past several months to improve the processing of these refugees. At the same time, it is clear that further steps are necessary to ensure proper and effective processing consistent with United States law and policy objectives, including steps to improve central guidance.

Accordingly, drawing on all necessary information including the views of the Secretary of State and the Coordinator for Refugee Affairs and after consulting with both, the Attorney General should determine whether there are categories of persons who, under the Refugee Act of 1980, share common characteristics that identify them as targets of persecution in a particular country. This review should focus initially on the following categories for Indochinese refugees: those who fled Cambodia because of occurrences during the Pol Pot regime, former members of the military, those with close relatives in the United States, and persons who refuse to work with the new regime in Cambodia. Other categories should also be reviewed, such as unaccompanied minors and those deserting from or evading military service with the forces of the Socialist Republic of Vietnam.

Applicants for refugee status who fall into any such categories of fact as may be determined by the Attorney General and who allege persecution will not have to present independent evidence regarding persecution. The establishment of such categories will not prejudice applications by those that may not fall within any category that is determined and applied through the above process.

Guidance on the initial and possibly other categories should be provided to INS officers as early as possible and no later than June 10, 1983. Relevant information from the concerned agencies should be provided to the Department of Justice by May 20.

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To further advance United States objectives in this area, the following actions should be instituted by the Department of Justice and INS, in consultation with the Department of State and the Coordinator's office:

- o discretionary review of special cases and additional guidance to the field on identifying such special cases;
- o review to check for indications of legally significant inconsistency in determinations (for example, by sampling rejections and/or acceptances); and
- o review of possible additional training and regular rotation of INS offices.

The concerned agencies should review and provide guidance to ensure full compliance with the objectives of this directive by all personnel involved in refugee processing from the Departments of State and Justice, INS, and the Joint Voluntary Agencies.

Given the important foreign policy, political, security and financial implications associated with refugee issues, I have decided to establish a Senior Interagency Group for Refugee Policy (SIG/RP) to assist and advise me and the heads of concerned agencies. The SIG/RP will be comprised of the Coordinator for Refugee Affairs (Chairman), and representatives of the Secretaries of State and Health and Human Services, the Attorney General, the Administrator of the Agency for International Development, the Director of Central Intelligence, the Director of the Office of Management and Budget, the Assistant to the President for National Security Affairs, and the Assistant to the President for Policy Development. Representatives from the Departments of Labor and Transportation and other agencies with responsibilities for specific matters to be considered by the SIG/RP will attend on invitation by the Chairman.

The SIG/RP will:

- o review and assist in the development of United States Government refugee policies, programs and activities;
- o ensure that important refugee policy or program issues requiring interagency attention receive full, prompt and systematic consideration, including the recommendations concerning the annual determination on refugee admission ceilings;
- o initiate an immediate review of the country condition reports to ensure that they are clear, accurate and useful in developing guidance for refugee processing;

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- o initiate a review of refugee processing in other areas of the world, similar to the completed review concerning refugees from Indochina, and of asylee processing in the United States;
- o establish subordinate interagency groups as necessary for the execution of its mandate; and
- o seek to resolve any differences among concerned agencies in the area and provide reports and recommendations to the heads of concerned agencies and, as appropriate, to me on issues warranting high level attention or decision.

The SIG/RP will oversee implementation of the decisions in this directive.

Ronald Reagan

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