

REMARKS BY CONGRESSMAN JOE MOAKLEY

Mr. Speaker, for over four years I have been involved with this issue. I have talked with literally scores of Salvadoran and Nicaraguan refugees. Nearly every single one of these people have told me that they are afraid to return to their homeland at this particular time. And I believe them.

If I didn't believe them, I would not be here today debating this bill.

The fact remains that there are wars going on in both El Salvador and Nicaragua. It is no secret that these wars have, at times, been brutal, claiming the lives of thousands of people. There have been, and still continue to be, serious human rights violations by all sides in these conflicts. No one can claim that they have totally clean hands.

Mr. Speaker, the gentleman from Florida, Mr. Pepper, has eloquently presented to us the current situation in Nicaragua. I would only add that having had this issue debated on the floor so often and so recently, I cannot imagine Members unaware of the desperate state of affairs in that tiny country---caused by both Sandinista and Contra forces.

In El Salvador, we are fortunate that a decent and honorable man like Jose Napoleon Duarte is President. I know that there are many in this Congress who respect and admire President Duarte--and I share those sentiments. So let me make it perfectly clear right now, that this bill is not, in any way, an attack on President Duarte. Neither is this bill an attack on President Reagan or on his policies in Central America. We all have opinions on that which should more appropriately be aired during the debate on the foreign aid bill. H.R. 618 is politically neutral and there is not one word in the bill which condemns or supports any political or foreign policy position.

Mr. Speaker, there are, however, human rights problems as a result of the war in El Salvador that cannot be ignored. Both the military forces and the guerrilla forces have been responsible for targeted and, on occasion, indiscriminate killings. Guerrilla and Government land mines have blown off the limbs of young children. And the war the guerrillas have waged against the Government has also included economic sabotage, which has literally crippled El Salvador's economy. In fact, El Salvador now suffers with about a 50% unemployment rate.

We have also read about the resurgence of the feared death squads in El Salvador. Most recently, Salvadoran papers reported that one of that country's most feared death squads distributed a list of 14 students and teachers, warning that they would be executed for leftist sympathies unless they left the country.

Mr. Speaker, the war in El Salvador has forced nearly 600,000 people

into displaced persons camps within that country. The recent earthquake has also resulted in the displacement of nearly 350,000 more. That means that nearly 1 million people are displaced within their own country. Anyone who is familiar with the conditions of these camps, knows the desperate situation that these people are forced to deal with.

Not all Salvadorans who leave their country come to the United States. Many hundreds of thousands are in Mexico, Costa Rica, Belize and Honduras. Many are living in refugee camps within these countries. Some of these camps have security problems and in most of them, the Salvadorans are not allowed to venture beyond the gates. They are forced to live like prisoners.

Mr. Speaker, many Salvadorans and, likewise, many Nicaraguans have come to the United States. And it is those people who this bill primarily addresses.

Let me take a moment to clear up some frequent distortions about H.R. 618. First, this bill does not conflict with the recently passed Immigration Reform and Control Act. In fact, for the record, let me point out that myself, Mr. Pepper, Mr. Frank, Mr. Rodino and the majority of the cosponsors of H.R. 618 supported the Immigration Bill. Secondly, if you will recall, the House passed version of the Immigration Bill included the language of H.R. 618. Obviously, a majority of the Members of this House did not see protection for Salvadorans and Nicaraguans as undermining the Immigration Bill.

Second, opponents have claimed that H.R. 618 undermines the Refugee Act of 1980. This is simply not true. The Refugee Act does not even address the issue of EVD. It deals with asylum. They are two different things. Asylum is granted to those who can prove they have a "well-founded fear of persecution." This is often difficult to prove--as is illustrated by the fact that on average, 98 percent of all Salvadorans who apply for asylum get turned down. EVD is granted to national groups as a result of the generalized fears of violence, war or civil unrest. There are some who may not meet the strict criteria of asylum--but nonetheless have strong reasons to fear returning to their homeland.

One thing that puzzles me about this particular criticism is that since the Refugee Act of 1980 has passed, this Administration has extended or granted EVD to Ugandans, Afghans, Ethiopians and Poles. I do not recall any debates in Congress over whether the Refugee Act was violated in these instances. And I don't recall any concerns about the Immigration Bill being undermined when EVD was extended for Poles last month. Why all the fuss now? What makes Salvadorans and Nicaraguans so different?

Finally, I want to address the assertion that has been leveled so often against the Salvadorans--that they are solely economic migrants. Studies show, however, that virtually all Salvadorans in the United States came after the outbreak of the civil war. The U.S.

Census Bureau in testimony before Congress stated explicitly that "Salvadorans began fleeing their country en masse in April, 1980 as the conflict between government troops and opposition forces escalated after the assassination of Catholic Archbishop Oscar Romero."

Mr. Speaker, there are compelling reasons for all of us-- Democrat and Republican alike-- to support H.R. 618.

If this bill fails--everyone loses.

The refugees from El Salvador and Nicaragua, who this bill would protect, would be forced back to their war-torn countries where they face, at best, uncertain futures.

President Duarte, who is faced with 1 million internally displaced, a 50% unemployment rate, rising tensions and a civil war---cannot possibly absorb a massive repatriation of Salvadorans at this time and be expected to move forward on the human rights front. As the Catholic Archbishop of San Salvador, Arturo Rivera y Damas, warned in a recent letter to me " a massive return of Salvadorans would not only disrupt what has been achieved with great effort, but revert to a worse situation."

And other countries of the region--Mexico, Belize, Costa Rica and Honduras--countries that have severe economic problems of their own will be forced to absorb greater numbers of Salvadorans and Nicaraguans. In fact, large numbers of these refugees have already begun to go to these countries.

Mr. Speaker, to some of my colleagues it may seem a bit unusual that Joe Moakley is leading the charge on this issue. I'm basically known as a bread and butter Boston politician. But, I have been deeply moved by this issue.

The evidence clearly shows the urgent need for this bill. And I realize that there is sometimes a tendency to get overwhelmed with statistics and figures and lose sight of the human face that these facts represent. But, the Salvadorans and Nicaraguans who are now here in the U.S. are not merely statistics--they are human beings.

I urge my colleagues not to lose sight of this fact when casting their vote today.

Please vote YES on H.R. 618.