

STATEMENT BY CONGRESSMAN JOE MOAKLEY  
TUESDAY, OCTOBER 4, 1988

Mr. Speaker, I would like to take a few minutes to speak on an issue of great personal importance. As my colleagues know, I am the sponsor of a bill to provide temporary protection to Salvadoran and Nicaraguan refugees who are currently in the United States. I have fought for this measure since 1983---and, as my colleagues know, the House has passed my bill twice; most recently on July 28, 1987.

Regrettably, the Senate has not seen fit to act on this legislation which has been waiting on the Senate calendar for nearly one year. The purpose of my bill is decidedly humanitarian. It would simply provide for limited relief from deportation of persons who would otherwise be forcibly returned to conditions of civil war.

In the case of El Salvador, the war has claimed over 60,000 lives since 1979. In the case of Nicaragua, 25,000 people have died in the war since 1981.

My bill, which congressionally mandates a suspension of deportation, is only necessary because the Administration refuses to grant Salvadorans and Nicaraguans extended voluntary departure (EVD). Time and again, we have requested the Administration to pick up a pen, and with a single stroke, provide relief. But, they refused to act. This lack of response continued even after the Congress passed and the President signed into law (P.L. 98-164), a bill containing a sense of the Congress that the deportation of Salvadorans be suspended.

Some in the Administration and in Congress have suggested that my bill is unnecessary because refugees from El Salvador and Nicaragua who meet the criteria of the Refugee Act of 1980 can be considered for asylum. However, notwithstanding the availability of political asylum under the Refugee Act, the asylum process has not adequately protected all those who legitimately fear returning to El Salvador or Nicaragua. In fact, the Refugee Act has not proven to be a particularly effective remedy for Central Americans.

Requests for the passage of this legislation have come from a wide variety of people and organizations. And, most recently, the ailing President of El Salvador, Jose Napolean Duarte, sent a letter to the U.S. Senate in which he stated, "that temporary safe haven is the single most important initiative the United States can now take to help my nation..."

President Duarte's plea, and the appeals of others, have apparently gone unheeded. I find it particularly disheartening that President Duarte's unusual and compelling appeal for help was virtually ignored. Perhaps if the Salvadoran President included in his letter a request for UH 1-M attack helicopters and M-16's, the Administration and Congress might have been more eager to accommodate him. But, President Duarte did not ask for more military aid. Instead, he asked for humanitarian assistance--he asked for the protection of his people. And we said no.

Mr. Speaker, it is my firm belief that this Administration has deliberately engaged in a cynical and duplicitous game with the lives of Central American refugees. The Administration seems to value human life only if it fits into its geo-political plans.

For example, we read in Saturday's New York Times that the Administration wants to call the Contra forces "refugees." President Reagan has indicated that the US "accepts responsibility" for thousands of Nicaraguan refugees living in Honduras and is considering admitting some of them to the US.

Mr. Speaker, if the President is willing to accept responsibility for the contras---why isn't he willing to accept responsibility for thousands of Salvadorans and Nicaraguans who have fled wars that have, in large part, been funded by the United States?

The issue here is one of equal treatment.

Mr. Speaker, the Administration has not and will not be fair in the use of its discretionary powers. While Salvadorans and Nicaraguans clearly qualify for a suspension of deportation, according to the criteria used in previous grants of EVD, the Administration, for political reasons, will not afford Central Americans the same benefits given to Poles or Afghans.

Mr. Speaker, I am left appalled at the lack of fairness and compassion shown by the Administration and the lack of will on the part of the Senate to pass my bill.

Mr. Speaker, I have fought long and hard on this issue. And quite frankly, during these last hours of Congress, I tried to work on a compromise that might be acceptable to my critics.

I thought perhaps to continue this uphill battle into the next Congress might prove fruitless. However, as I thought of the many refugees who I have met with over the years; as I recalled the horror stories they told me; and as I thought of the hopes they have put into this bill--I could not, in good conscience, give up this fight.

The Salvadorans and Nicaraguans who have fled the wars in their homelands deserve and are entitled to protection. And I will be back next Congress to fight for them.