

THE LE XUAN KHOA CASE, "CONTINUED" (1) :

MEMBERS OF CONGRESS LAUNCH INVESTIGATIONS INTO THE LE XUAN KHOA CASE

*Dornan Requests ORR to turn over All Records
relating to IRAC, SEARAC, NAVASA, and Affiliated Agencies;
Senator Charles Robb, others, order investigations;
Khoa Praises Dornan's Human Rights Record -- Call Mr. Dove?*

By LE KIM DINH

With Congressman Robert K. Dornan (R-Orange County) taking the lead, Republicans and Democrats in Congress have launched separate investigations into the case of Le Xuan Khoa, head of a Washington-based non-profit Vietnamese American organization, for his alleged attempt to use American taxpayers' money to turn the sizable Vietnamese community in the U.S. into an asset of and a base from which to build a powerful lobby for the benefit of the Vietnamese government.

The allegations against Mr. Khoa, president of the Southeast Asia Resource Action Center, or SEARAC -- which has been receiving federal grant money for various projects -- were based on his public statements to the same effect, as reported recently in a communist newspaper.

"It is now high time for us to build a strong Vietnamese community in the U.S. in order to

(1) See previous issue.

serve the interests of the fatherland..." declared Mr. Khoa in a recent interview with a reporter from the "People's Army Daily," the official organ of the Central Political Commission of the People's Army of Vietnam.

Elsewhere in the same article published in the mass-circulation daily, citing the case of other Asian communities in the U.S. which Mr. Khoa apparently believed are all working along same line, he said: "We (also) want to build a strong Vietnamese community that is capable of navigating the American system so as to forcefully lobby for the sake of the fatherland whenever the situation demands."

The statements are causing a furor in Vietnamese American communities across the nation, drawing sharp rebukes from certain community leaders, and particularly angry reactions from a coalition of service agencies and community-based organizations which immediately called for investigations into the matter.

Khoa -- variously described by critics as "an individual of

confused allegiance" to something close to a national security risk -- has dismissed reports in the communist press as generally unreliable, but he has not specifically denied his reported statements.

In a letter dated January 22 to Lavinia Limon, Director of the Office of Refugee Resettlement (ORR), Dornan requested the Department of Health & Human Services' agency to turn over all records concerning SEARAC and its affiliated agencies, and a host of other related documents by February 8. ORR is an important funding source for SEARAC.

Named specifically in the request, beside SEARAC -- the umbrella organization which sometimes acts as a fiduciary for the benefit of the other groups associated with it -- were the National Alliance of Vietnamese American Service Agencies (NAVASA) and its member agencies; the Cambodian Network Council; the Indochinese Community Center; and the Indochina Resource Action Center (IRAC).

IRAC, which is actually the former name of SEARAC until a few years ago, was established in the late 70s, which means that certain records may go as far back as 15 or more years ago.

ORR was given less than 16 days to comply with the request.

According to the latest information (Feb. 8) from Congressman Dornan's office in Washington, ORR has asked for a 2-day extension and the request has been granted.

But both ORR, which over the years has done an admirable job assisting Vietnamese and other Indochinese refugees in the United States, according to community leaders, and SEARAC, which has forged a close working relationship with ORR -- perhaps even too close, critics say -- and is now the principal target of the probe, may be facing many more investigations than they can handle in the days ahead.

Senator Charles Robb (D-Virginia), and several other prominent legislators from both parties, including Sen. Phil Gramm (R-Texas), Sen. David Pryor (D-Arkansas), and Sen. Jesse Helms (R-North Carolina) have also announced separate investigations into the matter, congressional documents and sources familiar with the case indicated.

"We are certainly grateful for the quick and energetic intervention by Republican members of Congress," said Ms. Kim Cook, Executive Director of the Mutual Assistance Associations Consortium, Inc., the coalition of agencies that brought up the issue involving Mr. Le Xuan Khoa.

"But we are equally happy to learn that other official inquiries are also being independently conducted in our behalf," said Ms.

Cook, referring in particular to Sen. Charles Robb, a leading member of the Senate's Foreign Relations and Intelligence committees, and Vice Chairman of the Democratic Policy Committee.

In his letter dated February 1, in response to a request from Ms. Kim Cook, Senator Charles Robb assured Ms. Cook that he is "making inquiries in (her) behalf and will share the results with (her) when they become available."

Congressman Frank Wolf (R-Virginia) also informed Ms. Cook in his letter dated February 7 that Mary Jo Bane, Assistant Secretary for the Administration for Families and Children, had been instructed to take up the investigation into the case.

Sources from the coalition also indicated that Sen. Phil Gramm, Sen. David Pryor, and others, have been looking seriously into the matter. In addition, federal intelligence and security services also appeared to have been alerted.

"Clearly this is an issue that transcends partisan politics, since it threatens to destabilize the whole Vietnamese American community, and even poses a potential danger to the national security of the United States," Cook stated, echoing similar charges that had been made against Mr. Khoa.

In his letter to ORR Director Lavinia Limon, Congressman Dornan said he "supported the Vietnamese American community's opposition to U.S. Government funding for SEARAC, its off-shoot NAVASA or any individual or organization that seeks to be of service or seeks common cause with the tyrannical communist government in Vietnam, Laos or Cambodia."

"I believe that community development in America must be free of any organization's outside political agendas," Dornan wrote, adding that "given the amount of controversy and anguish that Mr. Le Xuan Khoa and his organizations have created I do not believe that they should be funded by American taxpayers or be in a position to use financial power to unfairly pressure or manipulate community-based agencies."

A copy of the Dornan letter to Lavinia Limon was forwarded to a member of the coalition, Dr. Truong Ngoc Tich, who also received the same assurances from Dornan in a separate letter from the Congressman officially informing him of the ongoing investigation.

(Separately, Dornan also called for democratization and respect for human rights in Vietnam in a letter to Vietnamese deputy Prime Minister Nguyen Khanh on February 6 -- See Box).

Tich, who is chairman of the Vietnamese Community of the U.S.A., a non-profit agency based in Dallas, Texas, had previously questioned the bidding process at ORR in connection with SEARAC's application for a multi-million-dollar community development grant.

The funding was subsequently withdrawn for lack of qualified proposals, according to ORR, and a smaller amount, about \$120,000 (or close to \$150,000, counting in-kind contributions), was granted to SEARAC to finance some of its continuing "domestic" operations, according to Khoa's own disclosures.

In a recent letter to members of Congress, Tich also called for denial of all future funding to Khoa and his organizations, on ground of questionable loyalty and "potential national security risk," arguing that Khoa could misuse the funds in his attempt to manipulate the Vietnamese

community in the U.S., turning it into an asset of and a base from which to build a strong lobby for the benefit of the Hanoi government, as his reported statements seemed to indicate.

For the last several years SEARAC has been engaged mostly in humanitarian programs under contract with the State Department to provide reintegration assistance to "boat people" returned from refugee camps in Southeast Asia. Until a few years ago, under its former name, IRAC, or Indochina Resource Action Center, it was an advocate of resettlement assistance for Indochinese refugees in the U.S.

In a first reaction several weeks ago with regard to criticism of his controversial statements, Khoa contented himself with a general comment about the communist press being unreliable without specifically condemning the article -- headlined "The Man Who Wants To Serve as A Bridge to Home," published in the "People's Army Daily" of August 12, 1995 -- or denying his reported statements.

But, some time after the investigations had been started, in a letter dated Feb. 5 "to all leaders of Vietnamese groups and associations in the U.S.," Khoa for the first time made a direct reference to the controversial article.

"Concerning the article in the People's Army Daily," he wrote, "we all know too well that communist reporters always report only what is good for them (their government), and therefore their reports cannot be truthful and complete. The article in question certainly could not be an exception to the rule..."

"It is too little, too late," observed Kim Cook, of the Mutual Assistance Associations Consortium, Inc.

Simultaneously, on Feb. 5 -- or about two weeks after Congressman Dornan ordered the investigation aimed principally at SEARAC -- Khoa also wrote a several-page-long letter to Congressman Dornan, affirming the integrity of SEARAC and praising Dornan's human rights record.

In his letter to Dornan, Khoa denied "any truth to Tich's allegations" and declared the latter to be "ignorant, naive, and malicious."

Calling Vietnamese Americans "overseas Vietnamese," Khoa pointed out that, in his political views, he conceived the role of "overseas Vietnamese" in the reconstruction of Vietnam as supportive of "a process of change, toward making the country a prosperous, civilized and democratic society."

"Mr. Khoa appeared to be trying to set himself in contrast to certain vocal elements in our community," commented Ms. Kim Cook. "But this is beside the point. He's only trying to evade the issue."

In the letter, which was written to Dornan in reference to the exchange of letters between Dr. Tich and the Congressman regarding the case, Khoa praised Dornan for his "good work on human rights" and reminded the congressman that he had been at one time a member of SEARAC's Honorary Advisory Committee.

Khoa also had copies of his letter to Dornan faxed to all community leaders on the same day.

In his letter to Congressman Dornan, Mr. Khoa pointedly announced that SEARAC would still go ahead with an ambitious "second National Indochinese Leadership Convention that will bring together representatives of Indochinese American communities, directors of social service providing organizations,

academics and researchers, etc. with representatives from the U.S. corporate and political leadership of this country... (as) a forum for dialogue among Vietnamese Americans from many different perspectives so as to promote better understanding and cooperation on issues of common concern." No approximate date was given for the event.

Sometime after the request from Congressman Dornan has become known, an official from ORR had told a member of Ms. Cook's coalition that "everything is now on hold."

A source within the coalition also said they have received hundreds of calls and letters expressing sympathy and support, and dozens of agencies have come out and made clear that they had and would have nothing to do with Mr. Khoa and his organizations.

Concerning allegations that he was attempting to use federal money for the purpose of lobbying for a foreign power, Mr. Khoa, for his part, said he was confident he could "leave it to be more adequately addressed by ORR Director Lavinia Limon."

(Note: Ms. Limon has addressed it by writing an emotional letter to our editor. Please read in this issue Limon's letter to Community News, and our response).

"This is no longer about money, and certainly not politics," said Kim Cook. "This is about something much more important than that. This is about the integrity of our community. We cannot afford to sit still and be left with a *post facto* situation where our loyalty and allegiance toward this country can be put into question for the mistake of one man or one small group of people. We don't forget our roots but, as American citizens, we have to give first priority to our community and

to the United States of America. There simply is no other choice."

Added Ms. Cook: "Let me make clear and emphasize one more time that this is not a case of simple difference of political points of views between "anti-Communism" in the style of the old Cold Warriors and the so-called theory of 'peaceful evolution.' We are neither Hawks nor Doves. We are not involved in that kind of politics. We only serve the community."

In any case, the "Dove issue" is creating some real commotion in the Vietnamese American community, with the FBI also coming into the picture, quietly, but in a big way -- like a strong undercurrent in the ocean.

Seemingly unrelated to the issue involving Mr. Khoa, a communique in Vietnamese from the FBI seeking tips to combat spies

and subversive elements planted by the Hanoi government among the Vietnamese American population has been published in virtually all Vietnamese-language papers across the nation after first appearing for several weeks last month in Vietnamese papers in California. (See Communique in Vietnamese in Box in this issue).

People who came into contact with communist officials while traveling in Vietnam, and accepted orders from them to carry out subversive activities in the United States would be particularly welcomed to tell their stories, the communique said.

Additionally, in a telephone conversation last month, an FBI official also told an interested coalition member that the Bureau had information indicating that the communist government in Hanoi has attempted to infiltrate subversive agents into the

Vietnamese community in the U.S. by supplanting qualified refugees or immigrants with their agents who were then allowed to "resettle" in the U.S. through the Orderly Departure Program (O.D.P.) or the Humanitarian Operation Program (H.O.) designed for former detainees of concentration camps.

And the Le Xuan Khoa case did not escape the watchful eye of the FBI after all.

"We have indeed read, with great interest, the 'People's Army Daily' article, and have been monitoring the situation closely" confirmed the unnamed official -- Call him Mr. Dove. "This is part of our work to ferret out foreign subversive agents," he said.

"Help us help you," the official said. "If anybody has a tip that he or she thinks is useful, please call Mr. Dove."

There is an 800 number.

DORNAN AGAIN THREATENS TO WITHHOLD FUNDING FOR EXPANDED U.S. PRESENCE IN VIETNAM

Human Rights, Democratization & POW/MIA at Issue

Congressman Robert K. Dornan (R.-Orange County) reiterated his threat to withhold funding for expanded U.S. diplomatic presence in Vietnam and called for democratization and respect for fundamental human rights as a basis for further political and economic relations between the two countries.

The human rights issue in Vietnam has received added emphasis since the presidential election in 1992.

In a letter seeking a meeting with Nguyen Khanh, the Vietnamese deputy Prime Minister, Dornan said as a co-sponsor of the congressional provision to withhold funding for expanded U.S. diplomatic presence in Vietnam -- made contingent on Hanoi's full cooperation in the issue of POW/MIA -- he intends to maintain the same language in all subsequent Continuing Resolutions related to State Department funding.

As part of the 1996 Commerce, State, Justice Appropriations Bill, the congressional provision had been blocked by presidential veto in the continuing budget tug-of-war between Congress and the Executive.

Dornan also expressed his "belief" that "democratization and respect for fundamental human rights should be the basis for expanded political and economic relations between (the U.S. and Vietnam)." In particular, he called for the release of several "political prisoners and dissidents" including Dr. Nguyen Dan Que, professor Doan Viet Hoat, Ha Si Phu, and Nguyen Ho, among others. In recent months, according to press reports, the Vietnamese government has released a number of prisoners and allowed them to return to or to resettle in the U.S. but still kept others in detention.

Dornan said he wished to meet with Khanh, "even on short notice," to "discuss key matters in U.S.-Vietnam relations." He also declared his intention to visit Vietnam "during late Spring or early Summer to conduct oversight of the MIA investigative process" in his capacity as Chairman of the Military Personnel Subcommittee of the House's National Security Committee.