

Judge Declines To Ban Refugees

A federal judge ruled here yesterday that an estimated 113,000 Vietnam refugees may legally enter the United States.

U.S. District Judge Spencer Williams acted after listening testimony from a Public Health Service doctor, a U.S. State Department officer and an Immigration and Naturalization official that the refugees pose no health or security threat to the country.

Williams simultaneously denied requests for a preliminary injunction and a permanent injunction that would have halted the refugee influx.

The immigration ban was sought by a group of Sacramento area businessmen and farmers known as Delta Citizens Group. They claimed that no environmental impact statement had been filed on the effect of the refugees on the quality of life in the United States.

Last Wednesday, Williams denied a temporary restraining order but said he wanted to hear more evidence on health precautions and security checks.

Dr. David Sencer, director of the Center for Disease Control of the United States Public Health Service, explained to the court that as the refugees enter American territory at Gua, Wake Island, or other points, they are given a "visual check for signs of fever, rash, or jaundice."

He said all children under 10 are given chest X-rays for TB and all persons over 15 are checked for both TE and syphilis.

He said children are beX-

ing vaccinated for measles, rubella and polio. Sencer said the examinations on all the aliens "are as exhaustive and thorough as need to be done to prevent the introduction of disease into the United State."

Sencer pointed out that almost all of the communicable diseases had a maximum incubation period of 14 days and would logically manifest themselves before the refugee was processed and released.

Tom Mason, who is a regional officer for the Immigration and Naturalization Service at San Pedro, said a thorough background check is made of each refugee. He said this includes a biographical sketch, photographing, fingerprinting, a check with the FBI, CIA, Department of Defense, and American consular officials from Vietnam.

He pointed out that many of the refugees had worked for the American government in Vietnam and had personnel files.

In denying the injunction, Williams said, "This case is closer than a lot of people might think. As far as I am concerned, this is the type of case that the national Environmental Protection Act concerns itself with.

"This is a major federal action and it had a substantial effect on the environment."

But, the judge said, he was satisfied that the President had the authority to declare this an emergency situation and that this exempted his actions from control by the environmental act.