

## **“Unholy Cargo”**

*Golden Venture* and The Smuggling Saga of a New Alien, 1980-1993



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纪念 1993 年 6 月 6 日在金色冒险事故中遇难的 10 名无名乘客。

*For the 10 nameless passengers who died in the Golden Venture Crash on June 6, 1993.*

## Acknowledgments

This history of labor and immigration is built by the laborers of love in my own life. For a thesis on the informal mutual aid and labor institutions of ethnic enclaves, I am incredibly lucky to have them mirrored in my life. Without my communities of care, generosity, and love — where the distant possibility of acknowledging them got me through the writer blues — these last four years within this ivory tower that culminated in this thesis would not exist.

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During my research, I visited York twice. Both times, Reverend Joan Maruskin drove 40 minutes to pick me up, welcomed me into her lovely home, and nourished me. The first time I visited was a day after her 81st birthday. Even at the age of 81, Joan continued to be an active part of the York community and always had a packed schedule. As I sat in her living room looking at private collections, she was helping her neighbor with some documents. Before we met other advocates for dinner, we went to visit her friend to drop off pillows. Joan embodied the idea of understanding how simple relational dynamics can be transformed into the most beautiful and elaborate ecosystems of care. I am incredibly grateful to have a new friend and family, who, in responding to a text from a stranger, have

allowed me to experience a small glimpse of the kindness, grace, and wisdom the *Golden Venture* passengers experienced for almost four years.

I am also grateful to all the other advocates from the People of The Golden Vision, including Reverend Joe Derrick, Mary Studinski, Craig Trebilcock, and so many others, including Patrick Radden Keefe, who took the time to speak with me. More importantly, thank you for your advocacy in 1993 and your continued advocacy today. The Lobachs, Cindy and Jeff, kindly welcomed me to their beautiful home as I looked at the meticulous private collection Cindy had organized over the years. The exploration of archives is often a lonely pursuit, but their warmth and wonder (and their adorable two dogs sitting at my feet) gave me so much joy as I spent the whole day looking through more than 10 collections. As they showed me the dozens of sculptures they still had and so proudly displayed, it was clear to see how much they both cared about the *Golden Venture* passengers. When I visited them, they had just won the Penn-Mar Human Services Distinguished Humanitarian Award. There is no one more deserving than the Lobachs. Most importantly, I am still in awe of the continued bravery of the *Golden Venture* passengers as they trusted me with their stories. 30 years later, many still struggle with expressing their emotions, but I am honored to be able to tell a small portion of — though it can never be as beautiful as the poetry they wrote and the art they created.

My community from Flushing, Labor of Change, the Truman Foundation, Street Vendor Project, Fuzhou America, APAICS, Peer Defense Project, OCA-New York, IntegrateNYC, Intercultural Resource Center, Queens Organizing Alliance, and so many other organizations continued to teach me the models of social solidarity and relational organizing that this thesis explores. Thank you for watching me grow up and being my chosen 哥哥s, 姐姐s, elders, friends, and family. Queens, New York, and these organizing spaces raised me. The Fuzhounese workers at Columbia's Cafe East, whom I met freshman year, kept me full with 蛋撻, 北京酸奶, 滷肉飯, and fun conversations. In a typical Fuzhounese manner, they always offered food for free. Raised as a Fuzhounese daughter, I knew to reject them. I wrote much of my thesis there, surrounded by the familiarity and warmth of my home dialect.

Thank you to the Tuyucs for being my second family. My scholarship will always be in gratitude to my family and first educators: 妈妈, a Chinese literature teacher in her past life, and 爸爸, a vessel for political knowledge. With them, I write this thesis as the firstborn on American soil and the first generation in my family to graduate from an American university. From them, I understand that the dark sea can be transformed into a blanket of light from when my father first crossed it in 1993.

### **Note to the Reader**

Most of the *Golden Venture* passengers are still on humanitarian parole, so their names, as well as the names of the residents of ethnic enclaves, are intentionally changed or left anonymous.

All translations from Mandarin and Fuzhounese are my own. For primary sources and oral interviews, I have given the original versions in the footnotes.

## Timeline

|                    |   |
|--------------------|---|
| June 6, 1993       | The ship <i>Golden Venture</i> ran aground in New York Harbor with about 300 Chinese men and women aboard.  |
| June 7, 1993       | 110 Chinese men from the <i>Golden Venture</i> arrive at York County Prison.  |
| July 19, 1993      | The INS holds closed-door hearings at the county Prison. Attorneys seek asylum on political grounds. All are rejected.                                  |
| August 18, 1993    | In protest, the detainees started a hunger strike.  |
| August 25, 1993    | Members of the Red Lion, Dallastown, Yoe Chapter of York County United, and others gather outside the prison to hold a vigil in support of Chinese men. |
| August 26, 1993    | Lawyers for the detainees alleged the Clinton administration rushed the hearings and denied due process to the detainees.                               |
| August 29, 1993    | First interfaith service held outside the prison. About 100 people attended.  |
| September 2, 1993  | INS hearings were completed. Four of the detainees receive asylum.  |
| September 5, 1993  | After a Sunday vigil at the prison, the group of protestors organized and began calling themselves the “People of the Golden Vision.”                   |
| September 29, 1993 | Four detainees are indicted for smuggling-related violations and transferred to New York to face criminal charges.                                      |
| October 3, 1993    | The Rev. Joan Maruskin is permitted to meet with 15 of the Chinese detainees inside the York County Prison.   |
| October. 1993      | The first denial of an appeal was issued by the Board of Immigration Appeals. More denials follow in the succeeding weeks.                              |
| November. 4, 1993  | U.S. District Court Judge Sylvia H. Rambo grants the detainees a stay of deportation. The act prohibits the government from moving the detainees.       |



|                   |   |
|-------------------|---|
| November 1993     | The Board of Immigration Appeals grants new hearings to the detainees because of the improprieties in initial hearings.   |
| November 17, 1993 | A class-action suit is filed on behalf of the detainees asserting asylum claims on the basis of China's one-child rule.   |
| January 7, 1994   | Rambo dismisses the class action suit brought on behalf of the detainees opposing China's one-child rule as grounds for asylum. Lawyers appeal.   |
| April 20, 1994    | Another 43 Chinese detainees arrive at the York County Prison. The men were transported from the Lehigh County Prison in Allentown to the York facility as a cost-saving measure by the INS. It brings the total of detainees to 145.   |
| May 16, 1994      | After the Clinton administration softens its stance toward Haitian asylum-seekers, the Chinese detainees write letters asking for equal status and begging for their second hunger strike. About 40 detainees participated. The strike ended five days later.   |
| May 16, 1995      | Rambo rules that the Chinese officially entered the U.S. when the <i>Golden Venture</i> ran aground, so they are entitled to deportation hearings that provide more rights and privileges, including the possibility of release on bail.  |
| August 1995       | Four detainees were granted bail.   |
| September 1995    | Third U.S. Circuit Court of Appeals postpones deportation hearings, then reverses Rambo's decision that the detainees gained entry into the U.S. when the <i>Golden Venture</i> ran aground. Ruling raises the possibility that detainees' bail could be revoked. York County Prison houses 96 detainees. |
| January 1996      | Rambo rules the detainees' incarceration was not politically motivated and new asylum hearings will not be granted.   |
| October 1996      | Congress, with President Clinton's support, passes a law making resistance to China's population control policies a form of political opinion and a ground for asylum.  |

- January 31, 1997      The Golden Vision Foundation, an offshoot of the People of the Golden Vision, close to a house on West Market Street that will serve as transitional housing for immigrants released from York County Prison.
- February 14, 1997      President Clinton says the 40 *Golden Venture* detainees remaining in York County Prison and the 12 in Bakersfield, California, will be released on parole.

## Introduction

### Immigration Acts: The Making of Legal Personhood

At a quarter to two on the moonless Sunday morning of June 6, 1993, a Honduran hundred-and-fifty-foot tramp steamer ran aground in Rockaway Beach, Queens.<sup>1</sup> Named the *Golden Venture*, the ship's cargo was not bulk goods, but rather nearly three hundred Chinese immigrants smuggled from Fujian, China. As the boat ran aground, some of the 286 people on the ship jumped into the cold Atlantic currents. Immediately after, some of the ship's passengers were processed to be deported back to China, and others were held in INS detention facilities around the country for nearly four years.<sup>2</sup> Although this saga was the most publicized incident of undocumented migration from China in the 1990s, it had been part of a much larger 'second wave' of immigration undergirded by an elaborate operation of underground human smugglers called the "Snakeheads."<sup>3,4</sup> At its peak in 1994, the State Department projected that there were at least 100,000 Fujianese smuggled immigrants in New York and an expected increase of 10,000 immigrants smuggled each year.<sup>5</sup>

Although the law of the land had been to grant asylum hearings to those who sought it for political, religious, or humanitarian reasons, the passengers of the *Golden Venture* were criminalized by the Bill Clinton administration through their association with these smuggling operations and the fear

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<sup>1</sup> Robert D. McFadden, "Smuggled to New York: The Overview -- 7 Die as Crowded Immigrant Ship Grounds off Queens; Chinese Aboard Are Seized for Illegal Entry," *The New York Times*, June 7, 1993, <https://www.nytimes.com/1993/06/07/nyregion/smuggled-new-york-overview-7-die-crowded-immigrant-ship-grounds-of-f-queens.html>.

<sup>2</sup> Celia W. Dugger, "Dozens of Chinese From 1993 Voyage Still in Jail," *New York Times*, February 3, 1997, <https://www.nytimes.com/1997/02/03/nyregion/dozens-of-chinese-from-1993-voyage-still-in-jail.html>.

<sup>3</sup> Peter Kwong, *Forbidden Workers: Illegal Chinese Immigrants and American Labor* (New York: The New Press, 1997).

<sup>4</sup> Chinese smugglers are known as "Snakeheads" because the snake symbolizes a circuitous smuggling route, with its head leading the way. In Fujianese mythology and history, the indigenous Fujianese also venerated snakes as totems. The Fujianese were originally known as the Min, and the Mandarin character for the Min (閩) is composed of a symbol for a gate with a worm or a snake crawling underneath it.

<sup>5</sup> Bruce Einhorn, "Send your huddled masses, and a hot and sour soup," *Business Week*, 14 November 1994, p. 90.

of “gang behavior.”<sup>6</sup> Thus, a day after the *Golden Venture* passengers arrived, instead of allowing them to leave with the dates of pending asylum hearings, they were put behind bars as they waited during their asylum process.<sup>7</sup> For nearly four years while they were detained, a diverse coalition, *The People of the Golden Vision*, composed of advocates and town residents called for the release of these immigrants who had traveled some 17,000 miles in 112 days and arrived in New York via Southeast Asia, Africa, and Latin America.<sup>8</sup> Eventually, they were released, and some stayed in York while others relocated to ethnic enclaves like Flushing, Queens, and East Broadway in Manhattan’s Chinatown. These smuggled immigrants changed these localities and drew attention to a shift in the national political landscape on immigration.

Chinese immigration to the United States dates back to the middle of the nineteenth century, but its legal history has also been marked by exclusion with the Chinese Exclusion Act of 1882 and the Page Act of 1875.<sup>9</sup> Thus, after the Hart-Celler Immigration Act of 1965 was passed, lifting previous immigration quotas, it was revered by historians as a groundbreaking moment for opening the first wave of immigration from Asia in the 1960s. But, for whom was this inclusion for? The Hart-Celler Act certainly did alter the exclusionary period of the late 19th and early 20th century, but it did not overturn the apparatus of restriction. The question of “for whom was this inclusion for?” is a two-folded question of political economy: while the Hart-Celler Act did overturn previous

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<sup>6</sup> Bill Clinton, “Presidential Decision Directive 9 - Alien Smuggling,” June 18, 1993, Clinton Digital Library, National Archives, Washington D.C.

<sup>7</sup> Celia W. Dugger, “Dozens of Chinese From 1993 Voyage Still in Jail,” *New York Times*, February 3, 1997, <https://www.nytimes.com/1997/02/03/nyregion/dozens-of-chinese-from-1993-voyage-still-in-jail.html>.

<sup>8</sup> Maryalice Yakutchik, “People of the Golden Vision Unlikely activists take up the cause of imprisoned Chinese refugees,” *The Baltimore Sun*, June 23, 1995, <https://www.baltimoresun.com/news/bs-xpm-1995-07-23-1995204040-story.html>.

<sup>9</sup> Erika Lee, *At America’s Gates: Chinese Immigration During the Exclusion Era, 1882-1943*. (North Carolina: University of North Carolina Press, 2003).

immigration quotas, its language internationally 1) predominantly provided specific visas to those with high-skilled labor who 2) in turn could benefit the United States' labor market and economy.<sup>10</sup> Thus, lower-class Chinese migrants, who lacked access to education — including those from the rural villages of Southern China — were left with other avenues of immigration: for example, paying up to \$40,000 to be smuggled by Snakeheads.<sup>11</sup>

Compared to the first wave of immigration spearheaded by Hart-Cellar in the 1960s and 1970s that gave way to the immigration of pre-professionals or students, the second wave of immigration from China in the 1980s and 1990s is one of another story: of low-income or low-skilled individuals who were not granted visas and had to immigrate through illegal channels. As a result of their undocumented status and the arduous process of applying for permanent residency, many smuggled immigrants relocated to ethnic enclaves that allowed them to participate in the underground labor networks and other self-sustained institutions of ethnic enclaves that human smuggling was also a part of.

This thesis narrates the emergence of illegal immigration, human smuggling, and ethnic networks by charting the origins of the “Snakehead Trade” and its legal, political, and economic consequences. The Snakehead trade and human smuggling are part of the larger networks of self-sustained institutions in ethnic enclaves around New York — including Flushing and East Broadway — marked by informal economic and labor policies where immigrants actively participated and defended. This thesis also articulates the parallel between the ethnic networks of which human

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<sup>10</sup> *Hart-Celler Immigration Act of 1965*, Public Law 89-236, U.S. Statutes at Large 79 (1965): 913.

<sup>11</sup> Peter Kwong, *Forbidden Workers: Illegal Chinese Immigrants and American Labor* (New York: The New Press, 1997).

smuggling is a part of and the afterlives of the Golden Vision crash: where the self-sustained institutions of ethnic enclaves and the coalition of community members in York, Pennsylvania, who advocated against the unfair detention of the passengers, both embody alternatives to a dependence on the state.

### *0.1 Methodologies*

This research chronicles the different ways that immigration, economics, and mutual aid are theorized, implemented (or not) as policy or law, and how it is practiced. Many of the primary sources are federal immigration and labor laws, presidential directives from Bill Clinton's administration, meeting agendas, and correspondence between the federal government and local immigration offices. However, the core of my thesis arises from the gaps in the archives and the imagination essential to understanding how immigration and mutual aid happened through an exploration of private collections, ethnic newspapers, newsletters, and advertisements from the ethnic institutions of East Broadway and Flushing. This thesis also incorporated ten semi-structured interviews during the early months of 2025 with former Clinton administration officials, advocates from The People of the Golden Vision, and some of the *Golden Venture* passengers themselves. Most interviews were conducted in English, but interviews with the *Golden Venture* passengers were conducted in Mandarin and Fuzhouese before being translated into English. Since most *Golden Venture* passengers are still on humanitarian parole and do not have permanent residency or citizenship, most names have been changed or made into initials. The synthesis of institutionalized archives, private collections, ethnic publications, and oral interviews is a powerful testament to why we need to reimagine not just our labor, immigration, and economic systems — but especially the way we tell their history.

## 0.2 Literature Review and Historical Interventions

Scholarship on Chinese exclusion and Chinese immigration has increased greatly in the late 20th and early 21st century. Human smuggling, however, is not. Historian Mae Ngai's 2004 book, *Impossible Subjects*, details legal personhood and traces the origins of the "illegal alien" in American law and society until the 1920s.<sup>12</sup> Her book offers a close reading of the legal regime of restriction and methods for analyzing legal history. Ngai's analysis of the legal regime of immigration's statutory architecture, judicial genealogies, administrative enforcement, and long-term effects is essential to the ongoing contemporary scholarship on immigration restriction. In the last chapters of her book, Ngai analyzes the next era in immigration policy, which she suggests is embodied in the Hart-Celler Act. Ngai briefly concludes in her book that the immigration policies during the period after 1965 contributed to increased illegal immigration and heightened a seemingly unsolvable problem going forward, but specific mechanisms of illegal immigration are not explored.<sup>13</sup> Other studies have also articulated the changes in immigration policy before and after Hart-Celler 1965 that are relevant to my thesis. These books provide relevant discourse, timelines, and advocacy efforts to repeal exclusion.<sup>14</sup> They, however, don't articulate the human smuggling of illegal immigration that happened after 1965.

Although there is scholarship on smuggling in the 19th century – a result of strict legislation – there is little about smuggling post-1965. Peter Kwong's 1999 book *Forbidden Workers* fills this gap of

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<sup>12</sup> Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004).

<sup>13</sup> Ngai, *Impossible Subjects*, 264.

<sup>14</sup> Carolyn Wong, *Lobbying for Inclusion: Rights Politics and the Making of Immigration Policy* (Stanford: Stanford University Press, 2006); Reed Ueda, *Postwar Immigrant America: A Social History* (Boston: Bedford Books of St. Martin's Press, 1994); Jane H. Hong, *Opening the Gates to Asia: A Transpacific History of How America Repealed Asian Exclusion* (Chapel Hill: University of North Carolina Press, 2019).

the unsolvable problem and was an intervention in smuggling scholarship for several reasons. In *Forbidden Workers*, Peter Kwong focuses on the 1980s and 1990s and investigates the lives of undocumented Chinese immigrants and their role in the U.S. labor markets through ethnography. Calling it a “gripping exposé,” Kwong investigated how these immigrants navigated harsh working conditions and economic exploitation.<sup>15</sup> Combining the legal analysis methods of Ngai and the anthropological methods of Kwong, this suggests that the story of immigrant smuggling post-1965 is not a story easily told through motifs of exploitation or labor violations. Human smuggling and the operations it was a part of, did not simply “result... at a billion-dollar industry whose commodity is workers who labor under conditions approaching modern slavery.”<sup>16</sup> Instead, many immigrants actively participated in these institutions or responded to their new conditions through their ways of protest: in artwork, strikes, communal funds, and community spaces. Similar to Kwong’s investigation, journalist Patrick Radden Keefe explores the complex world of human smuggling in his non-fiction book, *The Snakehead*, focusing on Chinatown’s underground networks in the 1980s and 1990s and centering on Sister Ping, a key figure who smuggled thousands of Chinese immigrants to the U.S. Keefe also examines the *Golden Venture* crash and how U.S. immigration policies fueled demand for illicit services, suggesting that smuggling networks were not just criminal but also vital systems of care and opportunity for migrants. Keefe doesn’t, however, articulate this as bluntly. He also approaches these underground networks through an investigative journalism and law enforcement angle, providing important timelines, people, and events of arrest, prosecution, and community support.

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<sup>15</sup> Peter Kwong, *Forbidden Workers: Illegal Chinese Immigrants and American Labor* (New York: The New Press, 1997).

<sup>16</sup> Peter Kwong, *Forbidden Workers*, 27.



This thesis works alongside Keefe and Kwong in articulating that Fuzhounese migrant workers did indeed navigate tense labor relations and finances. However, beyond portraying these workers as “unholy cargo,”<sup>17</sup> “smuggled into slavery,”<sup>18</sup> and “linked to Chinatown gangs,”<sup>19</sup> these individuals actively negotiated their economic and political landscapes. For example, while Fuzhou’s economic landscape pushed them to immigrate, America’s political landscape didn’t provide them with viable legal channels, and Chinatown’s employment did not provide them with many choices, they actively negotiated these landscapes. That is, they participated, created, and benefited from the self-sustained economics and mutual aid institutions of ethnic enclaves, including cooperatives, employment agencies, revolving loan funds, health clinics, and shared housing. Similarly, when the *Golden Venture* passengers were detained behind bars, they couldn’t speak to the media, but they boldly expressed themselves politically in other ways of. Alongside the People of The Golden Vision, they actively constructed their public messaging to the American people through powerful testimonies conveyed from their elaborate folded sculptures: a message that sensibly communicated their appreciation of America’s values, despite the state’s restriction and treatment of them. This thesis’s approach of legal analysis and bottom-up archival methodologies, alongside the argument that migrant workers in ethnic enclaves built alternatives to state control and were not bonded to labor, is also similar to Mae Ngai’s later book, *The Chinese Question* (2021). By far the most instructive in providing a paradigm shift is Ngai’s argument against the Western myth of the “coolie” laborer, calling it a racist stereotype used to drive anti-Chinese sentiment in the mid-19th century. Chinese labor was not simply to replace enslaved

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<sup>17</sup> Ying Chan, “China ships’ unholy cargo,” *New York Daily News*, May 18, 1993.

<sup>18</sup> Ying Chan, “Smuggled into Slavery,” *New York Daily News*, May 25, 1993.

<sup>19</sup> Mike McAlary, “Chinatown gang linked to voyage,” *New York Daily News*, June 8, 1993.

labor. Instead, she details the mutual aid institutions, cooperatives, and coalitions that arose in this period as separate from the administrative state — ones that paralleled those a century later in my thesis.

In lieu of simply rejecting the real labor exploitations of smuggled immigration or dismissing the generative policies that arose from Hart-Cellar leading to human smuggling, this thesis will position the migrant jail, ethnic enclave, and diverse coalitions as sites of understanding the complex institutions of mutual aid that offer alternative models to understand governance, kinship, and care.

### *0.3 Sources and Chapter Outline*

The *Golden Venture* crash highlighted how ethnic human smuggling networks emerged as strategic transnational pathways where Chinese migrants, particularly from Fujian province, actively negotiated limited immigration channels. It also exemplifies the fluidity of the legal-illegal immigration apparatus of the 20th century: one that is easily conceptualized and changed by administrative decisions, political strategy, and public media. Despite previous acts and executive orders that would have allowed many of the *Golden Venture* passengers to claim asylum, the Clinton administration changed immigration policy as they were acutely aware of the spectacle of this saga. Major media outlets like the *Daily News* heralded provocative titles calling the passengers “Unholy Cargo” or “Smuggled Into Slavery.” Thus, administrative decisions — the prosecution of Snakeheads as an elaborate gang, the immediate detention of the passengers, and the collaboration between the White House and the Department of Justice for expedited asylum hearing processes — produced new conceptions of the type of immigrant these passengers were: smuggled, criminals, “unholy cargo” —

not asylum seekers. In other words, the administrative state's executive ability to define who is legal and who is illegal was enlarged while the process of becoming a legal immigrant continued to be narrow.

**Chapter One** briefly looks at the change in legal personhood and immigration policy from the late 19th century to the Hart-Cellar Act of 1965. The exclusionary nature of the Hart-Cellar Act prevented “low-skilled” laborers from entering the United States, alongside other policy changes in the late ‘80s, created the conditions for human smuggling operations to flourish. In particular, this thesis argues that human smuggling operations and other ethnic institutions were in response to global migratory trends and the lack of codified policies on immigration and welfare. Chapter One also charts the immigration landscape before the 1993 *Golden Venture* Crash: the executive orders, legislation, and US-China relations that motivated and would have allowed many Fuzhounese immigrants to seek asylum in the United States. **Chapter Two** traces Bill Clinton's White House's reversal of these asylum processes. In appealing to political messaging, the Clinton administration consequently rendered the *Golden Venture* passengers as criminals before detaining them in Immigration and Naturalization Services (I.N.S.) detention facilities around the country for several years. Analyzing municipal budgets, I.N.S. contracts, and federal budgets, Chapter Two explores the political economy of detention facilities, noting how the localities of facilities like York, Pennsylvania, profited tremendously from the criminalization of asylum seekers and immigrants behind bars. Finally, in an unexpected way, the detention of the *Golden Venture* passengers changed these localities, like the city of York, in another way. **Chapter Three** highlights the advocacy of the People of The Golden Vision, a grassroots coalition in York, that provided a platform for the passengers as they shared their testimonies with the American People through paper sculptures, poems, and more. For almost 4 years, the People of the

Golden Vision, composed of more than 200 people with diverse political philosophies, tirelessly advocated in Congress, published a weekly newsletter, held vigils for the passengers demanding due process, provided legal support, and raised political consciousness about the lucrative business of York County Jail. The 153 passengers who had originally expected to find their communities in the ethnic enclaves their smugglers operated, instead, found their community while imprisoned in York — a city in South Central Pennsylvania previously regarded as conservative — whose residents opened their minds and hearts.

Thus, this is not simply a story of how immigration policies and exclusion produced a new immigrant. It is also a story of how in an unforeseen relationship between the People of the Golden Vision and the *Golden Venture* passengers, their intertwined advocacies and the afterlives of the *Golden Venture* crash — including the relocation to ethnic enclaves and the newly established institutions in York — narrates the possibilities of embodying alternatives separate from the state. They provide an imagining of new ways to build an inclusive world for migrants and workers.

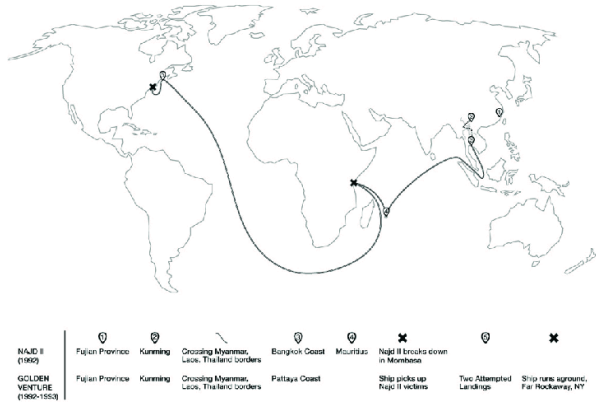
## I.

### Snakehead Queen, Sister Ping: The Rise of Human Smuggling Operations in Chinatown, 1981-1993

“You have no way out. 这是最后一次机会，我们必须用生命去冒险。(This is our only chance, and we have to use our life to risk it.) It's not just [about] money.”<sup>20</sup>

– Sean Chen (February 2025)

A year after Sean Chen had been smuggled from his village in Fuzhou in 1992, he woke up handcuffed to a hospital bed in New York City.<sup>21</sup> By then, he had already traveled half the world from Fuzhou through the mountains of Burma, walked through the bustling streets of Bangkok, and touched the sand of Mombasa, before boarding a Honduran cargo ship to New York.<sup>22</sup> The cargo ship, named the *Golden Venture*, would be home to around 300 passengers for about four months before it ran aground in Rockaway Beach, Queens.<sup>23</sup> They were part of an elaborate human smuggling operation led by “Snakeheads” who sought other channels for immigration separate from historic American laws.



**Figure 1:** The journey of the *Golden Venture* starting in Fuzhou City, Fujian Province, and ends in Rockaway Beach Queens. (Source: Michelle Fabiani, “Cumulative disruptions: interdependency and commitment escalation as mechanisms of illicit network failure,” *Global Crime*. Volume 22, September 2020).

<sup>20</sup> Interview with Sean Chen, in discussion with the author, Flushing, New York, February 2025.

<sup>21</sup> Interview with Sean Chen, in discussion with the author, Flushing, New York, February 2025.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

The Immigration and Nationality Act of 1965 appeared to have marked the end of an era of immigration restriction, but it was also the beginning of a new era in immigration: increased human smuggling. Scholars have positioned the 1965 Immigration and Nationality Act as a distinct turning point in immigration history, noting its repeal of the National Origins Quotas codified by the 1924 Johnson-Reed Act.<sup>24</sup> Others have celebrated its role in transforming the nation's demographic landscape, and though the law has also been critiqued, historian Mae Ngai agrees it is a "milestone in the telos of American liberal pluralism."<sup>25</sup> However, the technicalities and labor provisions of the act remain understudied by immigration and labor historians, as well as the consequences of these labor restrictions. This chapter explores how the restrictive provisions in the 1965 Hart-Cellar Act, alongside other acts in the next two decades, gave way to the emergence of global human smuggling operations. Through an examination of codified law, published writings, internal documents, and court cases, this analysis reveals that the lower-class and "low-skilled" laborers smuggled from China into the U.S. were subsequently rendered political and criminal subjects. To solidify its democratic values, the United States responded to increased tensions with China over policies like restrictive family planning models with amendments to its political asylum laws. By the late 1980s, existing human smuggling operations expanded and flourished because of this. Caught between George H. W. Bush administration's openness to political asylum seekers and the subsequent Bill Clinton administration's the criminalization of human smuggling, the passengers of the *Golden Venture* Crash illuminated the crisis post 1965 in confronting legal and illegal immigration apparatus of the late 20th century: one that was

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<sup>24</sup> Carolyn Wong, *Lobbying for Inclusion: Rights Politics and the Making of Immigration Policy* (Stanford: Stanford University Press, 2006).

<sup>25</sup> Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004), 263.

fluid and defined by different administrative states' political attunement to foreign relations and public sentiment.

### *1.1 A Closed Golden Door: Exclusionary Restrictions of the Hart-Cellar 1965 Act*

When the Hart-Cellar Act was passed in 1965, it was celebrated as a historical change for ending the exclusion of immigration to the United States. The Johnson administration reacted to intense lobbying in the '60s advocating for the removal of "the harsh injustice of the national origins quota system," which had previously limited the number of immigrants from specific countries.<sup>26</sup> On the afternoon of October 3, 1965, with the Statue of Liberty towering over him, Lyndon B. Johnson signed the legislation into law, and promised that America would return "to the finest of its [immigration] traditions today."<sup>27</sup> More importantly, referring to illegal immigration, he hoped "the days of unlimited immigration are past."<sup>28</sup> However, given the subtle language of exclusion in the Hart-Cellar Act, a new tradition of unlimited immigration had only started.

Since the period of codified immigration exclusion in the United States, "unlimited immigration" or human smuggling has also emerged. During the Chinese Exclusion era, due to exclusionary laws including the Chinese Exclusion Act of 1882 and the Page Act of 1875, the Chinese also explored other modes of immigration, including fictive familial relationships, border crossings, forged documents, smuggling rings, and posing as students or merchants.<sup>29</sup> With the strict labor and

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<sup>26</sup> Lyndon B. Johnson, "Remarks on Signing the Immigration Bill, Liberty Island, New York, October 3, 1965," from The Lyndon B. Johnson Presidential Library and Museum, <http://www.lbjlib.utexas.edu/johnson/archives.hom/speeches.hom/651003.asp>.

<sup>27</sup> Johnson, "Remarks on Signing the Immigration Bill."

<sup>28</sup> Ibid.

<sup>29</sup> Erika Lee, *At America's Gates: Chinese Immigration during the Exclusion Era, 1882-1943* (Chapel Hill: University of North Carolina Press, 2003).

family reunification parameters of the Hart-Cellar Act, where visas were predominantly provided for professionals, academics, doctors, and denied to those who were deemed “low-skilled” or not were not educated, these practices reemerged and expanded. In other words, inclusion was granted to a select few who either had family in the United States or were skilled labor who could benefit the labor economy. While LBJ had wished for “the days of unlimited immigration” to be a story of the past with “the golden door...gleaming more brilliantly...for the people from all the countries of the globe,” it was clear that America’s golden door was not open to all.<sup>30</sup> The passengers of the *Golden Venture*, who did not meet Hart-Cellar’s visa qualifications, were indicative of this as they sought alternative opportunities for immigration.

When Sean Chen left his home in 1992, China was in the midst of rapid development and change, but Fuzhou’s residents did not reap its benefits. Enacted a few years after one another, the impacts of Deng Xiao Ping’s economic reforms and family planning policies like the One Child Policy left their mark on rural China, including the villages in Fuzhou.<sup>31</sup> Fuzhou, a city in Southern China across the Taiwan Strait, would only reap the benefits of modernization much later, and much of its labor came from farm work. Compared to the earlier wave of Chinese immigrants that came to the United States because of the labor provisions in the 1965 Hart-Cellar Act, most of the Fuzhounese living in villages were not afforded opportunities to become skilled laborers, doctoral students, or professionals. Access to opportunity was also intertwined with the complex politics of Fuzhou with Taiwan, where many Fuzhounese would travel or settle their lives across the strait, but be reprimanded

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<sup>30</sup> Johnson, “Remarks on Signing the Immigration Bill, Liberty Island, New York, October 3, 1965.”

<sup>31</sup> Sulamith Heins Potter and Jack M. Potter, *China’s Peasants: The Anthropology of a Revolution* (Cambridge: Cambridge University Press, 1990).



generations later. Sean's grandpa, for example, had lived in Taiwan and was considered an "enemy administration kind of background person."<sup>32</sup> As a result, Sean's dad, who had a Taiwanese birth certificate, was rejected from attending college in Fuzhou.<sup>33</sup> Thus, a unique culmination of both political and economic conditions materialized in Fuzhou. In their own right, the Fuzhounese were predominantly farmworkers and factory workers who did not have access to opportunity and whose labor was not desired by the conditions laid out by the "groundbreaking and progressive" Hart-Cellar Act.

Although there is no doubt that Hart-Cellar was groundbreaking in reversing some of the century's earlier exclusionary immigration laws, it was exclusionary in its own unique ways because of the specific conditions it required for individuals to be granted visas. Visas were made available specifically to immigrants who held "professions" that would "substantially benefit...the national economy, cultural interests, or welfare of the United States."<sup>34</sup> In addition to the Hart-Cellar Act's visa requirements that would only grant access to "qualified immigrants" who would "substantially benefit the national economy prospectively," subclause six of Hart-Cellar articulates directly for visas to "be made available" to immigrants in industries where there was "a shortage of employable and willing person exists in the United States." These conditions of simultaneous exclusion and inclusion that are articulated in the exact language of Hart-Cellar parallel America's historical patterns in including Asian migrants only for the benefit of labor and capital in the United States. In 1965, the administrative state — in passing the Hart-Cellar Act — constructed a new standard of who was a legal immigrant:

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<sup>32</sup> Interview with Sean Chen, in discussion with the author, Flushing, New York, February 2025.

<sup>33</sup> Interview with Sean Chen, in discussion with the author, Flushing, New York, February 2025.【My dad, 我爸爸在他年轻的时候-他是参加了一中的学生。他考上了大学。他就可以直接不让你去读书啊。】

<sup>34</sup> Hart-Celler Immigration Act of 1965, Public Law 89-236, U.S. Statutes at Large 79 (1965): 913.

someone who had fulfilled visa requirements via labor. Others who did not have the opportunity to fulfill Hart-Cellar's requirements were not deemed legal. Without the skilled labor to receive work visas, the Fuzhounese sought other channels to immigrate to the "Golden Land."

### *1.2 Sister Ping, Father Bush: Increased Fuzhounese Immigration, 1981-1993*

Exactly 7 years after the *Golden Venture* Crash, on June 6, 2000, a federal grand jury in the Southern District of New York indicted Cheng Chui Ping with conspiracy to engage in alien smuggling, hostage taking, money laundering, and ransom proceeds.<sup>35</sup> Cheng Chui Ping, known as "Sister Ping" by the Chinese community, was alleged to be "one of the first," "most successful," and a leader in "an international alien smuggling ring."<sup>36</sup> As a prominent snakehead, Sister Ping ran her smuggling business from her front, the beloved Yung Sun seafood restaurant that served Fuzhounese specialities, at 47 East Broadway.<sup>37</sup> Almost every Fuzhounese person who immigrated to New York vaguely knew of Sister Ping — if they didn't eat at her restaurant, buy from her variety store, send money back to Fuzhou through her remittance bank, found employment through her, or received her snakehead services.

In the late 1960s and early 1970s, as a result of limited legal options for immigration and the small scale of the smuggling trade, the Fuzhounese population in New York remained small. In addition to the strict labor and family reunification parameters of Hart-Cellar, there were no

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<sup>35</sup>United States Attorney's Office, Southern District of New York, "Sister Ping Sentenced to 35 Years in Prison for Alien Smuggling, Hostage Taking, Money Laundering and Ransom Proceeds Conspiracy," press release, March 16, 2006, <https://www.justice.gov/archive/usao/nys/pressreleases/March06/sisterpingsentencingpr.pdf>.

<sup>36</sup>United States Attorney's Office, Southern District of New York, "Sister Ping Sentenced to 35 Years in Prison for Alien Smuggling, Hostage Taking, Money Laundering and Ransom Proceeds Conspiracy."

<sup>37</sup> There are many other snakehead operations from Fuzhou to New York, but I focus on Sister Ping because there is the most information on her.

diplomatic relations between Beijing and Washington. The few Fuzhounese who were in the city were either part of the few hundred who were granted residency for serving in the U.S. Merchant Marine during World War II or sailors who had jumped ship upon arrival.<sup>38</sup> Sister Ping's father, Cheng Chai Leung, for example, was one of them: leaving his family and joining the crew of a merchant ship bound for New York. Fewer than 10 percent of individuals living in rural Fuzhou had completed high school, and even less had family members in New York. Chinese census bureau figures indicate that in the early 1980s, only 2 percent of China's emigrant population was from Fujian.<sup>39</sup> This dramatically changed in the late 1980s through major players like Sister Ping and shifts in economic mobility in Fuzhou. While this thesis's project is not to defend Sister Ping's operations or investigate the complex mechanisms of her business, Sister Ping and other snakeheads developed other processes to enter the United States because of the limited legal processes to do so. Fuzhounese individuals, seeing the lack of economic mobility in Fuzhou, strict family planning models, and other political considerations, were given little choice but to immigrate through the Snakeheads' smuggling services.

As thousands of Fuzhounese people wanted to immigrate to the United States, Sister Ping certainly wasn't the only snakehead in Chinatown, but she *was* one of the pioneers. Her services were effective, celebrated, and expensive. In the early 1980s, Ping charged about \$18,000 per person, and by

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<sup>38</sup> Guest, Kenneth J. "From Mott Street to East Broadway: Fuzhounese Immigrants and the Revitalization of New York's Chinatown." *Journal of Chinese Overseas* 7, no. 1 (2011): 24-44.

<sup>39</sup> Judith Banister, Christina Wu Harbaugh, and Ellen Jamison, "Population and Migration Characteristics of Fujian Province, China," *Center for International Research, U.S. Bureau of the Census*, CIR Staff Paper No. 70 (November 1993).

the 1990s, she charged up to \$45,000.<sup>40,41</sup> Ironically, Sister Ping immigrated to New York in 1981 on a legal visa and started her smuggling service from her variety store on East Broadway shortly after. As evident by Sister Ping's other services and institutions, she provided — including a legitimate travel agency, real estate company, remittance bank, and restaurant — human smuggling was part of many other institutions of ethnic enclaves. The evidence at trial demonstrated that Sister Ping had started her career in the early 1980s by smuggling fellow villagers by airplane with fake identification documents. A few years later, into her business, and as relations between China and the United States improved, Sister Ping expanded her business to have more complex mechanisms.

In 1990, then President George H. W. Bush signed Executive Order 12711 titled “Policy Implementation with Respect to Nationals of the People’s Republic of China” as a response to the student protests at Tiananmen Square Protests and as information was being released about China’s strict family planning model. The Executive Order directed the Secretary of State and the Attorney General “to provide for enhanced consideration” for individuals from any country who expressed a fear of persecution upon return to their country related to that country’s policy of forced abortion or coerced sterilization.<sup>42</sup> Fuzhounese immigrants and snakeheads like Sister Ping saw the changes as an opportunity for immigration, especially as the Executive Order gave way to Chinese individuals to claim political asylum against China’s family planning policies like the One-Child policy. With the

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<sup>40</sup> United States Attorney's Office, Southern District of New York, "Sister Ping Sentenced to 35 Years in Prison for Alien Smuggling, Hostage Taking, Money Laundering and Ransom Proceeds Conspiracy," press release, March 16, 2006, <https://www.justice.gov/archive/usao/nys/pressreleases/March06/sisterpingsentencingpr.pdf>.

<sup>41</sup> For reference, according to the U.S. [Census](#), the median family income in the United States in 1980 was \$21,020. The [Ministry of Agriculture](#) reported that the average income of each rural inhabitant in China in 1980 was 155 yuan per year. In 1980, 155 yuan was equivalent to approximately \$106.75.

<sup>42</sup> George H. W. Bush, “ Executive Order 12711 titled “Policy Implementation with Respect to Nationals of the People’s Republic of China,” Federal Register, April 13, 1990, [https://archives.federalregister.gov/issue\\_slice/1990/4/13/13897-13898.pdf](https://archives.federalregister.gov/issue_slice/1990/4/13/13897-13898.pdf).

Bush administration's executive decision, individuals who sought asylum simply had to find a way to reach American soil.<sup>43</sup> Snakeheads were the answer. It's no surprise that in Fuzhounese, there is a saying that "The Fuzhounese thank two people." "One is Cheng Chui Ping, the Queen of Snakeheads. And the other is George Bush, the father."<sup>44</sup> By Sister Ping's arrest in April of 2000, she had smuggled more than "one thousand aliens" into the United States and expanded her business further by collaborating with other snakeheads to buy cargo ships that would be able to hold more than 300 passengers.<sup>45</sup> In the later years of the investigation of Sister Ping and the snakeheads, the federal government and local authorities alleged these passengers were part of the many other migrants in East Broadway, who were exploited by the organized crime of the Snakeheads and bound by a contract, which they linked to enslaved labor.<sup>46</sup> In reality, human smuggling operations were part of a much elaborate ecosystem of the self-sustained institutions of ethnic enclaves built on kinship, solidarity, and mutual aid.

### 1.3 “美国的老乡”:<sup>47</sup> *Self-Sustained Economies of New York's Ethnic Enclaves*

East Broadway, a two-way east-west street in Chinatown, New York City, lined with businesses with colorful storefronts and Chinese characters, offers diverse services for newly arrived immigrants. All in one place were services for employment, banking, housing — as well as the darker underworld of Chinatown. For the undocumented Chinese immigrants and later, also immigrants of various

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<sup>43</sup> George H. W. Bush, "Executive Order 12711 titled "Policy Implementation with Respect to Nationals of the People's Republic of China."

<sup>44</sup> Interview with S.H., in discussion with author, Flushing, New York, January 2025.

<sup>45</sup> United States Attorney's Office, Southern District of New York, "Sister Ping Sentenced to 35 Years in Prison for Alien Smuggling, Hostage Taking, Money Laundering and Ransom Proceeds Conspiracy," press release, March 16, 2006, <https://www.justice.gov/archive/usao/nys/pressreleases/March06/sisterpingsentencingpr.pdf>.

<sup>46</sup> United States Attorney's Office, Southern District of New York, "Sister Ping Sentenced to 35 Years in Prison for Alien Smuggling, Hostage Taking, Money Laundering and Ransom Proceeds Conspiracy."

<sup>47</sup> Interview with S.H., in discussion with author, Flushing, New York, January 2025. 【“我们都是老乡。东百老汇大街是美国的老乡。” *We are all kin. East Broadway is our kin in America*】

countries of origin, the businesses that provided services including employment, housing, medicine, and banking, like Sister Ping's and those that lined East Broadway, were institutional alternatives to the lack of state and city support. Beautifully, ethnic enclaves and their self-sustained institutions were both survival and resistance to assimilation.<sup>48</sup> Beyond having “no other option for resources,” a resident of East Broadway for 38 years, P.C., explained that these institutions were culturally responsive and provided spaces of community “in [their] own dialect, values, and norms.”<sup>49</sup> With little welfare apparatus or social services supporting them, the self-sustained economies of ethnic enclaves — composed of institutions like employment agencies, health clinics, remittance banks, co-op housing, and other mutual aid organizations run by immigrants themselves outside of federal regulation — allowed for both newly arrived and settled immigrants to negotiate their limited conditions.<sup>50</sup>

In the 1990s, it was true that there were realities of exploitation with the procedures of these employment agencies, remittance banks, and housing systems; however, these undocumented immigrants, like the Chinese residents of East Broadway, were not “slave labor” as some historians may suggest. Peter Kwong writes in *Forbidden Workers* of Chinese labor in the 1980s working “under subhuman conditions” as parallel to the use of Chinese “coolie” labor post emancipation in the mid 19th century.<sup>51</sup> Senate hearings on “Asian Organized Crime” also questioned if “illegal [Fuzhou] immigrants [were] being kidnapped” and had “any thought been given to applying the current federal

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<sup>48</sup> Zhou, Min. *Chinatown: The Socioeconomic Potential of an Urban Enclave* (Philadelphia: Temple University Press, 1992).

<sup>49</sup> Interview with P.C., in discussion with author, East Broadway, January 2025. 【“我们不仅没有其他选择，而且这些服务还具有文化响应能力，并以我们自己的方言、价值观和规范提供亲属关系的空间。”】

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<sup>51</sup> Peter Kwong, *Forbidden Workers: Illegal Chinese Immigrants and American Labor* (New York: The New Press, 1997), 189.

involuntary servitude and slavery statutes in these situations?”<sup>52</sup> Senate members, staff, and witnesses passionately argued that snakeheads were in the business of “anything illegal,” including “extortion, narcotics trafficking, gambling, labor racketeering, money laundering, loan sharking, murder for hire, and even political assassination.”<sup>53</sup> For many who do not understand the intricacies of ethnic institutions, and for officials eager to prosecute snakeheads like Sister Ping, the narrative that snakeheads were criminals is an easy one. Instead, the Senate members on the U.S. Senate Committee on Governmental Affairs’ Permanent Subcommittee on Investigations struggled more with articulating the active participation of immigrants themselves in these operations. The logics of snakeheads tricking immigrants “to pay over \$20,000” to be smuggled into East Broadway and “bound by contracts, enforced by gang partners, working under minimum wage, and living in horrible conditions,” was not as coherent to them and it was evident in the fluidity of which they treated the passengers.<sup>54</sup>

Whether or not these immigrants had agency is far too simple a question. It was clear that the lack of economic mobility in Fuzhou was not within the control of immigrants, nor was the lack of welfare policies that would have provided services for immigrants arriving in the United States. With economic and political tensions in China and the lack of policies in the United States to support them, the Fuzhounese had deliberately chosen to seek asylum and take the risk of settling in a new home. With the lack of resources from the state for employment, healthcare, housing, or other welfare programs, they were obligated to “take on the jobs from employment agencies that paid low wages or

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<sup>52</sup> U.S. Senate Committee on Governmental Affairs, Permanent Subcommittee on Investigations. *Asian Organized Crime: Hearing Before the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs*, United States Senate, One Hundred Second Congress, First Session, October 3, November 5-6, 1991. Washington, DC: U.S. Government Printing Office, 1991.

<sup>53</sup> U.S. Senate Committee on Governmental Affairs, *Asian Organized Crime: Hearing*.

<sup>54</sup> U.S. Senate Committee on Governmental Affairs, *Asian Organized Crime: Hearing*.

live in small rooms with [five] other immigrants.”<sup>55</sup> At the very least, “it was with kin.”<sup>56</sup> Thus, in that sense, they had no agency. However, many of the Chinese workers learned to develop their own political and economic systems of mutual support, entrepreneurship, kinship, and transnational networks. Without much state support, Chinese immigrants living in ethnic enclaves like East Broadway developed unique economic strategies and community institutions, particular to their community needs, while also integrating into the broader New York political economy. Many subsequently used the wealth accumulated to build more elaborate associations and community life: sites that resisted assimilation and offered alternatives to the lack of state support.

Akin to the economic and political networks that developed during the mid-19th century that disputes the “coolie myth,”<sup>57</sup> As historian Mae Ngai writes, Chinese migrant workers in the 1980s and 1990s also frequently formed partnerships, associations, and other collective arrangements to negotiate their workplaces and economic systems. *Huiguans* (会馆), for example, were mutual aid organizations based on common regional origins that also served as political spaces. These associations date back to China's Ming dynasty and were established when the Chinese emigrated. For example, the first *huiguans*, Siyu Company, and Sanyi Huiguan were organized in 1851 in California.<sup>58</sup> Huiguan served dual roles as organizations of solidarity and social control for Chinese immigrants. Upon arrival in America, new immigrants were met by representatives who provided immediate assistance, including lodging, meals, and job information.<sup>59</sup> These associations also helped collect debt payments, had

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<sup>55</sup> Interview with P.C., in discussion with author, East Broadway, January 2025. 【“我们别无选择，只能做些低薪工作，或者和其他移民住在狭小的房间里。还好是和老乡一起。”】

<sup>56</sup> Interview with S.H., in discussion with author, Flushing, New York, January 2025. 【“还好是和老乡一起。”】

<sup>57</sup> Mae M. Ngai, *The Chinese Question: The Gold Rushes and Global Politics* (New York: W. W. Norton & Company, 2021).

<sup>58</sup> Mae M. Ngai, *The Chinese Question: The Gold Rushes and Global Politics*, 37.

<sup>59</sup> Ibid.



remittance systems, resolved disputes, cared for sick members, and handled burial arrangements.”<sup>60</sup>

Huiguan leaders also represented the Chinese community beyond the enclave, participating in public discourse and legal matters.<sup>61</sup> For many Chinese immigrants, membership in huiguans was viewed as an essential part of their trust networks based on shared origins and clan ties.

Almost a century later, the Fukien Benevolent Association of America (FBAA) was founded in 1942 for similarly being a synthesized resource hub for immigrants from the Fujian province.<sup>62</sup> Located on 125 East Broadway, the FBAA still serves as a collective arrangement and community resource today and was integral in the late 20th century as the Fuzhounese immigration boomed. Many of these associations, like FBAA, were not just resource centers, but centralized spaces for building political power and consciousness.<sup>63</sup> For example, in 1982, when the garment workers' strike took the streets of Chinatown, with predominantly Fuzhounese and Cantonese women demanding for changes to hazardous working conditions, long hours, and payment systems, FBAA supported them in translation efforts for the International Ladies Garment Workers Union (ILGWU) as they negotiated a new contract.<sup>64</sup>

Similarly, and perhaps even more interesting, were the formation of ethnic institutions that came out of the student movements of the '60s, providing both community support and political power building. Formed in 1969, I Wor Kuen (义和拳), or IWK, were a group of “Marxist-Lenin”

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<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> The Fukien Benevolent Association of America (FBAA), “Mission Statement.” Private Collection of *The Fukien Benevolent Association of America (FBAA)* 美国福建同乡会.

<sup>63</sup> Interview with S.H., in discussion with author, Flushing, New York, January 2025.

<sup>64</sup> The Fukien Benevolent Association of America (FBAA), “FBAA Newsletter 通讯: July 13th, 1982.” *Private Collection of The Fukien Benevolent Association of America (FBAA)* 美国福建同乡会.

“Asian-American revolutionaries from diverse backgrounds, including students, workers and working class youth” who worked on campaigns against “against poor living conditions in the community as well as struggles against harassment and repression of the masses by the state.”<sup>65</sup> Many of its community programs answered to the needs of the Chinatown community, taking up problems like the “horrible health care facilities in Chinatown: as a way of organizing the masses in the community to take up collective political struggle against those conditions.”<sup>66</sup> Its community programs like the childcare school program, open health fair, and political cooperative have transformed into institutions that still exist today like A Place for Kids, the Charles B. Wang Community Health Center, and the Chinese Progressive Association.<sup>67,68,69</sup> These ethnic institutions — built on the intergenerational labor of community members, young students, and in solidarity with other groups — embodied alternatives to the state and also strategically served as political agitation and public education.

Community cooperatives worked so effectively in building political and community power because they emphasized a strong egalitarian ethic — built on foundations of shared native origins and kinship ties. These associations — sometimes as large as FBBA or as small as a village association — operated similarly to other ethnic institutions already discussed; they were additional indications of the egalitarian nature of how immigrants actively constructed kinship and negotiated political power while navigating the shortcomings of the state. For example, the organizational structure of associations and

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<sup>65</sup> “History of I Work Kuen,” *Statements on the Founding of the League of Revolutionary Struggle (Marxist-Leninist)*, 1978.

<sup>66</sup> “History of I Work Kuen,” *Statements on the Founding of the League of Revolutionary Struggle (Marxist-Leninist)*, 1978.

<sup>67</sup> Walter Sullivan, “Youths in Chinatown Open Health Fair,” *New York Times*, August 1, 1971, <https://www.nytimes.com/1971/08/01/archives/youths-in-chinatown-open-health-fair.html>.

<sup>68</sup> Dorothy Hooper and Thomas (2011). “From Street Fair to Medical Home,” *HSU+Associates*, March 27, 2015, p. 71.

<sup>69</sup> *East Wind: Politics and Culture of Asians in the U.S.* Vol 7. no 1.

*huiguans* allowed for economic opportunities to immigrants where local merchants acquired or leased the claim and provided space for other migrants.<sup>70</sup> Instead of paying wages to individual storefronts within the space, these companies operated on a profit-sharing model and would sustain, for example, a local mall.<sup>71</sup> The merchant-investor received a portion of the output, while the shop owners divided the remainder among themselves.<sup>72</sup> Cooperatives also worked on shares, but with equal shares for both profits and expenses, and they typically had no boss or headman.<sup>73</sup> On East Broadway, these alleyway malls or larger ones like East Broadway Mall are easy to find: lined with stores selling Fuzhounese fish balls next to a banking service. Similarly, revolving loan funds (做馆) were practices that allowed for immigrants to negotiate the lack of access to traditional bank financing. A pool of money collected by a group of immigrants is made available to borrowers, and as those loans are repaid, the funds are recycled back into the pool to make new loans to other borrowers.<sup>74</sup>

Examining the economic practices of Chinese immigrants in late 20th-century New York's ethnic enclaves challenges simplistic categorizations of "legal" versus "illegal" or "agency" or "no agency." Despite characterizations by Peter Kwong in *Forbidden Workers* and Senate hearings on "Asian Organized Crime" that framed undocumented Fuzhounese immigrants as victims of "slave labor," the reality was far more nuanced. While these immigrants faced structural constraints, including the lack of legal status, language barriers, and limited access to mainstream institutions, they

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<sup>70</sup> Anonymous author, "'东百老汇购物中心空间 (*available spaces in East Broadway Mall*)'" Flyer. East Broadway: Chinatown Supermarket of Manhattan 新中華超市, 2024.

<sup>71</sup> Interview with H.D.R., in discussion with author, East Broadway, December 2025. H.D.R. owns a small tailor shop in one of the malls on East Broadway.

<sup>72</sup> Interview with H.D.R., December 2025.

<sup>73</sup> Interview with S.H., in discussion with author, Flushing, January 2025.

<sup>74</sup> Interview with S.H., in discussion with author, Flushing, January 2025.

were not "unfree" or "lacked agency" in the conventional sense of how America conventionally understands immigration or labor rights. They received compensation, had shares, maintained mobility, and established sophisticated economic and social systems — as alternatives to state support — to navigate their circumstances. The East Broadway corridor, with businesses like Sister Ping's, offered multiple services under one place, exemplifying how immigrants created self-sustaining economic ecosystems through partnerships, profit-sharing arrangements, revolving loan funds (做馆), and mutual aid associations like the Fukien Benevolent Association of America. Many were built on the logic of kinship and an egalitarian ethos. These institutions provided essential services ranging from employment and housing to banking, community support — and sometimes, the more complex underworld of China that dealt with human smuggling.

The *Golden Venture* boat similarly operated on a cooperative basis, with different individuals investing in the purchase and operations of the boat. In addition to Sister Ping, other Chinatown figures and businessmen had a stake in *Golden Venture*. They all invested and were each paid by several passengers on the boat for smuggling services.<sup>75</sup> That had been the plan. However, on June 2nd, around 11 PM, when the ship reached the water off Rockaway and the captain tried calling the point person on shore, he couldn't make contact.<sup>76</sup> They couldn't just keep sailing in the waters, and the crew had to do something. After consulting the navigation chart to try to identify a portion of the beach, the captain panicked and decided to run aground on the beach. As the *Golden Venture* picked up speed, Sean Chen remembered his excitement: after nearly 222 days on the *Golden Venture*, he was

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<sup>75</sup> United States Attorney's Office, Southern District of New York, "Sister Ping Sentenced to 35 Years in Prison for Alien Smuggling, Hostage Taking, Money Laundering and Ransom Proceeds Conspiracy," press release, March 16, 2006, <https://www.justice.gov/archive/usao/nys/pressreleases/March06/sisterpingsentencingpr.pdf>.

<sup>76</sup> Interview with Sean Chen, in discussion with author, Flushing, March 2025.

going to be on American soil.<sup>77</sup> His excitement quickly changed when he realized people were beginning to panic and were told to jump off the boat into the Atlantic Ocean. He knew he had to get off the boat. He made his way to the front of the *Golden Venture*, took off his T-shirt and his pants, summoned his nerve, put a leg over the edge, and jumped into the cutting coldness of the water.<sup>78</sup> That night, around 300 passengers either jumped into the water, swam to shore, or were rescued. 10 passengers died. After more than 30 years, Sean still recalls the severe, terrible coldness of the water before he collapsed onto American soil. He woke up in a hospital room with his arms handcuffed to the bed.<sup>79</sup> For the next four years, the spectacle of this case and the investigation to uncover Chinatown's underworld followed the *Golden Venture* Passengers as they were criminalized, detained in facilities around the country, and denied asylum.

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<sup>77</sup> Interview with Sean Chen, in discussion with the author.

<sup>78</sup> Interview with Sean Chen, in discussion with the author.

<sup>79</sup> Interview with Sean Chen, in discussion with the author.

## 2.

### **The Dome Looming Above the Golden Door: Detention of Golden Venture**

#### **Passengers, 1993-1995**

“We tried like the dickens to get some of the Chinese ... but it didn’t pan out... If no immigrants are secured, some layoffs may be inevitable.”

— A local Perry County Commissioner quoted in  
“Prison Board Shopping for Immigrants to Prevent Layoffs,”  
*Harrisburg Patriot*, June 22, 1993

A month before the *Golden Venture* ran aground on American soil, the press heralded a “SMUGGLER SHIP INVASION”.<sup>80</sup> This ship, called the *Pai Chang*, had slipped beneath the Golden Gate Bridge at night and deposited two hundred and fifty passengers on the Western coast at a San Francisco pier. The Department of Justice declared an “immigration emergency.”<sup>81</sup> In addition to increased cases of ships arriving in the United States carrying smuggled immigrants and the uptick in asylum applications from China, other sensational examples of terror propelled by immigrants who “exploited” the immigration system alarmed the public. In January of 1993, six months before the *Golden Venture* arrived, a shooting spree outside the CIA headquarters was traced to an immigrant who, after applying for political asylum, used his work authorization documents to obtain a driver’s license and purchase an AK-47.<sup>82</sup> A month later, the World Trade Center was bombed by individuals

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<sup>80</sup> Pamela Burdman and Ken Hoover, “U.S. Organizing to Repulse Smuggler Ship Invasion,” *San Francisco Chronicle*, May 28, 1993.

<sup>81</sup> Department of Justice, “The Immigration Emergency,” July 8, 1993.

<sup>82</sup> Robert O’Harrow Jr. and Bill Miller, “CIA Suspect Left Trail of Conflicting Personal Data,” *The Washington Post*, February 17, 1993.

who had or were applying for political asylum.<sup>83</sup> Although the racial demographics were different, it was an immigration question: connecting these sensational examples of murderers who slipped through the system with the uptick in asylum applications from China, the press sounded the alarm, and political leaders agreed. The United States had an immigration problem, with a “new boom tide of political asylum seekers...swamping the process.”<sup>84</sup> Conducted in the same month of the *Golden Venture* crash, a poll indicated that only “32 percent said the country should welcome immigrants, while 60 percent said this was not practical because of hard conditions.”<sup>85</sup> With smaller ship accidents in the months leading up to the *Golden Venture* crash, media outlets had already been speculating about human smuggling and described the asylum seekers as “unholy cargo” and “sex slaves.”<sup>86</sup> It was clear that, in the early summer days of 1993 of Bill Clinton’s first presidency, the mood in the United States had noticeably shifted against immigration.

The public consensus, perpetuated by both the state and the American press, was that the United States had an immigration problem and asylum seekers were taking advantage of it. Further, highly covered events like the *Golden Venture* crash provoked the Bill Clinton Administration to suggest that the passengers were not asylum seekers — because of the nature of their smuggling — but rather criminals who engaged with “organized Asian crime.”<sup>87</sup> Unfortunately, the *Golden Venture*

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<sup>83</sup> Catherine S. Manegold, “Explosion at the Twin Towers: The Precautions; With Talk of a Bomb, Security Tightens,” *New York Times*, Feb. 28, 1993.

<sup>84</sup> Francis X. Clines, “After Bombing, New Scrutiny for Holes in Immigration Net,” *New York Times*, March 12, 1993.

<sup>85</sup> Thomas J. Espenshade and Katherine Hempstead, “Contemporary American Attitudes Toward U.S. Immigration,” *The International Migration Review* 30, no. 2 (1996): 535–70, <https://doi.org/10.2307/2547393>; this scholarship is written in response to the June 1993 New York Times poll: Seth Maydans, “Poll Finds Tide of Immigration Brings Hostility,” *The New York Times*, June 27, 1993, <https://www.nytimes.com/1993/06/27/us/poll-finds-tide-of-immigration-brings-hostility.html>.

<sup>86</sup> Ying Chan, “China ships unholy cargo,” *New York Daily News*, May 18, 1993.

<sup>87</sup> U.S. Senate Committee on Governmental Affairs, Permanent Subcommittee on Investigations. Asian Organized Crime: Hearing Before the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, United States

passengers arrived right on the heels of this and were portrayed as the perfect example.

From the start of the *Golden Venture* saga, the passengers were made into political subjects as the administration immediately saw an opportunity to send a message to both the American public and prospective asylum seekers: they had an apparatus for navigating immigration and part of the strategy was deterrence. When the *Golden Venture* passengers were transported from Rockaway Beach to Varick Street Service Processing centre, in a rejection of the passengers' constitutional rights and immigration law, community advocates, lawyers, and translators hoping to help the passengers were not allowed any contact. Without any notice, 110 of them were put on a corrections bus and brought from Varick Street to York County Prison overnight.

This chapter focuses on the *Golden Venture* as a locus in understanding how administrative decisions fueled the criminalization of the *Golden Venture* Passengers by connecting their participation in human smuggling to gang networks and criminal behavior. The decisions to change previous immigrant policy and detain asylum seekers allowed for the relationship between the carceral state and the immigration apparatus of the 1990s to flourish. Along with the increased attunement to public sentiment and the Clinton administration's desire to distinguish the Clinton administration from George H. W. Bush, the executive decision was to render the asylum seekers as criminals. These decisions facilitated the cooperation between social service agencies, including immigration and law enforcement, through the form of detainment. In other words, as anti-immigration and law

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Senate, One Hundred Second Congress, First Session, October 3, November 5-6, 1991. Washington, DC: U.S. Government Printing Office, 1991.



enforcement initiatives became intertwined, federal policymakers increasingly viewed immigration through the lens of crime control.

### *2.1 The Dance Between I.N.S. New York and the Clinton White House*

One man, Bill Slattery, the head of the Immigration and Naturalization Service (INS) office in New York at the time, saw the *Golden Venture* crash as an opportunity to reform the “broken asylum system.”<sup>88</sup> Slattery had been appointed as New York City's District director in 1990, a moment that coincidentally aligned with the Snakehead boom and a dramatic surge of Chinese immigrants flooding into the country. In the early 1990s, due to George H.W. Bush's Executive Order 12711 that gave way to Chinese immigrants to claim political asylum such as the “anti-democratic” crackdown amidst the Tiananmen Square protests and restrictive family planning measures, Slattery witnessed the overwhelming numbers of Chinese newcomers disembarking planes at JFK.<sup>89</sup> The number of Chinese nationals who arrived at JFK Airport in New York and requested asylum increased from 205 in 1988 to 1,287 in 1990—an increase of over 500 percent—and would continue to grow.<sup>90</sup> Slattery, however, thought he saw right through claims of asylum. They were not political asylum seekers, he said but individuals part of organized crime who exploited an existing asylum process that was fundamentally broken.<sup>91</sup> Slattery became a vocal critic, leveraging press interviews and Senate hearing committees to broadcast his vision of immigration control. A year and a half before the *Golden Venture* crash, Slattery had passionately argued for expanded detention powers before the Senate's Committee on Governmental Affairs on “Asian Organized Crime,” seeking the authority to immediately detain

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<sup>88</sup> Vivienne Walt, “Aliens at the Gate; New York's INS Director Cracks Down,” *Newsday*, November 29, 1993.

<sup>89</sup> Keefe, “The Snakehead,” 89.

<sup>90</sup> Vivienne Walt, “Aliens at the Gate; New York's INS Director Cracks Down.”

<sup>91</sup> Ibid.

undocumented immigrants upon arrival in New York and hold them until their asylum application made its way through the system.<sup>92</sup> He suggested that the current system which mandated local offices and airports to release asylum seekers pending claim resolution invited exploitation.<sup>93</sup> In passionate remarks to reporters, “The aliens have taken control,” he warned. “The Third World has packed its bag, and it’s moving.”<sup>94</sup>

Before the sun rose on June 6, 1993, the telephone rang in Slattery’s house in New Jersey, notifying him of a ship that had run aground in Queens — filled with smuggled immigrants.<sup>95</sup> Slattery was furious. A few hours later, he and a special agent sped down the streets of Queens. On his way, Slattery’s cell phone rang. This time it was from the White House. On the phone with him was a young National Security Council staffer, Eric P. Schwartz, who Slattery had called an “alien activist” for his sympathies to asylum seekers, immigrants, and refugees.<sup>96</sup> Bill Clinton had only been president for six months, so the operations of the INS lacked leadership without a commissioner and many top officials. Schwartz’s sympathies and role as a young National Security Council official are important to note as Slattery took control. Before he had even reached the beach, he had decided on behalf of the White House. “I’m detaining them, Eric,” he said. “I’m going to lock them all up.”<sup>97</sup> And no one was going to stop him. As a result of the bureaucratic void in the Clinton administration, the lack of leadership to decide on what to do with the *Golden Venture* passengers, and his personal philosophy, Slattery spoke for the White House. He later recalled, “I led. Washington followed,” adding, “Nobody

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<sup>92</sup> “Masses Find JFK Airport is Passageway to Illegal Entry” *Chicago Tribune*, February 23, 1992.

<sup>93</sup> “Masses Find JFK Airport is Passageway to Illegal Entry” *Chicago Tribune*, February 23, 1992.

<sup>94</sup> Tim Weiner, “Pleas for Asylum Inundate Immigration System,” *New York Times*, April 25, 1993.

<sup>95</sup> Interview with Eric P. Schwartz, in Zoom discussion with the author, New York, New York, March 2025.

<sup>96</sup> Interview with Eric P. Schwartz, in Zoom discussion with the author.

<sup>97</sup> Ibid.

in Washington ever told me not to detain them.”<sup>98</sup> A few days following the crash, the Oval Office — conscious of the political landscape at the time and wanting to send a message to both smugglers and the media — endorsed Slattery’s decision to detain the passengers despite previous immigration policies that would have allowed individuals to be released with a date to show up at immigration courts.

Especially as the country and the press grew addicted to the sensation of the story, the intention of the administration had been to treat the passengers differently to convey a message of political competency and deterrence.<sup>99</sup> Just a year earlier, JFK’s small immigration detention facility housed just over a hundred beds for asylum seekers who had arrived illegally but tended to be released pending resolution of their asylum claims.<sup>100</sup> “It’s not like they’re trying to avoid apprehension,” Slattery complained. Calling them “inadmissibles,” he argued to the Senate Subcommittee on Investigations that asylum seekers knew “they were going to be intercepted at the airport, and they also recognized that we’re not going to be able to hold them.”<sup>101</sup> It was true that within a matter of hours, migrants would arrive at JFK without a passport, request political asylum, and be questioned and processed before being released with a pending notice of a date for a hearing at immigration courts. It was also true that many, out of fear and the lack of legal support for their asylum claims, would not show up on the court notice date. Due to the weak legal apparatus and support for those seeking asylum, many did not want to take the risk to claim asylum, and would integrate into more

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<sup>98</sup> Keefe, “The Snakehead,” 23.

<sup>99</sup> In a rare case, for example the New York Times sent a dozen reporters to the beach on June 3, 1993.

<sup>100</sup> Hearing Before the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, United States Senate, One Hundred Second Congress, First Session, October 3, November 5-6, 1991. Washington, DC: U.S. Government Printing Office, 1991.

<sup>101</sup> Hearing Before the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs.

understood, supportive, and safe underground institutions of ethnic enclaves in New York — building their life out in their new homes. Thus, the ship of nearly 300 “inadmissible aliens” and the ethnic underground that they represented was a personal insult to Slattery.

Thus, on the early morning of June 3, 1993, when Bill Slattery denied the *Golden Venture* passengers legal counsel or community support when they arrived at the INS New York office, it began a precedent for the unconstitutional detention that the Clinton administration endorsed in their criminalization of the passengers. “We are making arrangements to hold them as long as we have to,” Slattery explained to the press the day the ship arrived. “We intend to make an example of this group.”<sup>102</sup> Sean explained that while the passengers were being processed on Varick Street, they had originally been offered to sign forms “allowing them to be bailed out for \$3,000 per person.”<sup>103</sup> A few hours later, however, they took away the signs and refused opportunities for bail. Analysis of the internal memos and correspondence between different federal agencies and figures explains the logic of these series of events.

In the administration’s attempt to send a political message, it proved the ability of administrative decisions, however illogical, to construct conditions for immigration. More importantly, the subsequent decisions of the Clinton administration indicated the malleability of how asylum and immigration claims are determined. In a memo to then Vice President Al Gore (Appendix B), three admin officials at the DPC and NSC working on the *Golden Venture* case including Eric Schwartz, proposed the use of “detention as a disincentive to illegal entry into the U.S.”<sup>104</sup> A Justice Department

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<sup>102</sup> Keefe, “The Snakehead,” 163.

<sup>103</sup> Sean Chen, in discussion with the author, Flushing, New York, March 2025.

<sup>104</sup> Donsia Strong, Eric Schwartz, and Randy Beers, “Immigration Issues,” Memorandum for the Vice President, The White House, Washington, DC, July 7, 1993.

document elaborated in a logic similar to Slattery and the senior staffers, noting that in previous years, the policy would have been that immigrants would gain “entry to the United States, establish [themselves], and enter the workforce.” Since the administration’s goal was to deter further immigration, they predicted that “if such persons are detained upon arrival, maintained in detention throughout the administrative hearing process, and ultimately removed from the United States without ever having been at large and able to work, illegal migration by others is discouraged.”<sup>105</sup> These changes in asylum policy were impactful: “in 1992, 85 percent of all Chinese applications for asylum were granted.” However, “since the arrival of the *Golden Venture*, only 7 percent in 1995 had been granted asylum.”<sup>106</sup> The law has not changed, only the policy, as the Clinton administration is applying it. The collaborative dance between the local I.N.S. office in New York and the Clinton administration illuminated how the *Golden Venture* passengers were caught between two administrations’ differing policies and made into subjects for a political agenda.

The White House did not just send a message of deterrence to prospective immigrants, but due to the immigration mishaps of Clinton’s earlier months, the American public was also an integral audience for their political message. During his 1992 US presidential campaign, Clinton accused the Bush administration of “immoral” and “cruel” repatriation of boat refugees from Haiti and promised to reverse their policy.<sup>107</sup> Shortly before taking office in 1993, he quickly switched up his policies when his inauguration was marred by reports of additional Haitian refugees arriving by boat, and instead

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<sup>105</sup> Department of Justice, “The Immigration Emergency,” July 8, 1993.

<sup>106</sup> Interview with Craig Triblock, in discussion with author on Zoom, New York, New York, April 2025.

<sup>107</sup> Nathan J. Robinson, “Haiti’s Clinton Problem,” *Jacobin*, October 2016, <https://jacobin.com/2016/10/haiti-clinton-guantanamo-hiv-aristide-constant>.

continued the Kennebunkport Order policy of forced repatriation.<sup>108</sup> With the immigration mishaps of his early months as president, Clinton was, above all, attuned to the political mood of the country and the political vulnerabilities that an appearance of being soft on immigration can create. Schwartz had been the lead staffer who made the decision “to permit a boat with something like over 400 Haitians to land.”<sup>109</sup> The public response was negative, and he “took a lot of s\*\*\* for it.”<sup>110</sup> Although the detainment of the *Golden Venture* passengers was in tension with Eric Schwartz, it was evident to him that “the imperative on the evening of the *Golden Venture*” was to demonstrate the “Clinton administration’s capacity to manage these issues” of immigration and smuggling.<sup>111</sup>

So, on Friday, June 11, six days after the arrival of the ship, when Bill Clinton convened a meeting in the Oval Office, he had these political considerations in mind. Senior staffers from the National Security Council, the Domestic Policy Council, the Coast Guard, and the I.N.S. to discuss the *Golden Venture* incident, one of the agenda items at the meeting was the “detention of smuggled aliens who do not have credible claims.”<sup>112</sup> The Snakehead business was being discussed not merely as an immigration issue but as a matter of national security. With Slattery, the VP memo, and the document from DOJ officials in mind, alongside political concerns, the Clinton administration established a justification for the sustained detention of the *Golden Venture* passengers.

Following the June 11th meeting, Presidential Decision Directive 9 was internally circulated (Appendix A). Its language was charged, referring to the *Golden Venture* case as not just “alien

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<sup>108</sup> Bill Frelick, “Haitian Boat Interdiction and Return: First Asylum and First Principles of Refugee Protection,” *Cornell International Law Journal* 26, 675 - 694.,

<sup>109</sup> Interview with Eric P. Schwartz, in Zoom discussion with the author.

<sup>110</sup> Ibid.

<sup>111</sup> Ibid.

<sup>112</sup> “Meeting on Alien Smuggling,” Memorandum, The White House, Washington, June 11, 1993, Bates No. 3043.

smuggling” but an elaborate “Asian criminal syndicate” that justified the criminalization of the asylum seekers who had allegedly actively defended their participation in it.<sup>113</sup> The National Security Council, with Clinton, writes in PPD 9 that they aim to disrupt the “criminal networks which traffic in illegal aliens,” referring both to the gangs that allegedly worked in collaboration with human smugglers and the possibility of emigrants joining gangs themselves.<sup>114</sup> The following week, Clinton declared in a speech at the White House: “Alien smuggling is a shameful practice of unspeakable degradation and unspeakable exploitation.”<sup>115</sup> By focusing on the smuggling operations, as Slattery had done earlier, Clinton had now shifted the narrative. With few remarks about the passengers themselves, he announced a new plan to combat the Snakehead trade characterized by “organized crime syndicates trafficking in alien smuggling” by “strengthening law enforcement efforts...[and] broadening prosecution strategies.”<sup>116</sup> By the latter half of June, the *Golden Venture* was no longer a story of refugees seeking political asylum from China, but rather of an exploitation of the immigration system: an exploitation that justified the passengers’ continued criminalization. As he concluded his remarks, the president announced the nomination of a new commissioner for the previously headless operation of the INS: Fifty-one-year-old immigration expert, Doris Meissner. Meissner had previously held positions in the Carter and Reagan administrations and was informed that the “halting abuse of the asylum system was her first-order immigration imperative.”<sup>117</sup>

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<sup>113</sup> Bill Clinton, *Presidential Decision Directive 9 - Alien Smuggling*, June 18, 1993, Clinton Digital Library, National Archives, Washington D.C.

<sup>114</sup> Bill Clinton, *Presidential Decision Directive 9 - Alien Smuggling*.

<sup>115</sup> Bill Clinton in a speech at the White House, “Clinton Immigration Policy,” C-SPAN video, June 18, 1993, <https://www.c-span.org/video/?c4756946/user-clip-clinton-immigration-policy>.

<sup>116</sup> “Clinton Immigration Policy,” C-SPAN video, June 18, 1993.

<sup>117</sup> Keefe, *Snakehead*, 156.

To the American public — fueled by the collaborative messaging between the local INS office in New York City and the Clinton administration — the *Golden Venture* passengers were not simply immigrants looking for refuge in America from restrictive family modeling, but individuals who were as punishable as the “criminal syndicate,” they actively chose to participate in. Just as Clinton had approached Haitian immigration a few months earlier and how he would approach policy issues in the following years, including welfare and crime, he approached the *Golden Venture* with a reactionary understanding of the perceptions of American voters. A few years later, Meissner would say, “There certainly was an atmosphere of urgency and an atmosphere of a new administration recognizing that it ended up confronting something that was not necessarily in the game plan.”<sup>118</sup> The game had changed for Clinton, and he had to win it a second time. The Clinton White House knew that equating the *Golden Venture* immigrants to participants of crime would be a powerful political message – and a lucrative one too.

## *2.2 Political Economy of the Migrant Jail*

The detention of the *Golden Venture* passengers also highlighted the lucrative business of detention centers. Of the 286 passengers, 154 were transported to York County Prison in Pennsylvania.<sup>119</sup> A year earlier, York County had just signed a contract with the INS.<sup>120</sup> It was conveniently close enough to New York City to transport individuals and had ample space in its recently expanded jail. By the end of 1995, the INS had transformed York County Prison into its

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<sup>118</sup> *The Golden Venture*, directed and produced by Peter Cohn (Hillcrest Films, 2016), 1:10, <https://www.goldenventuremovie.com/>.

<sup>119</sup> Mike Argento, “Golden Venture 20 years later today: Many lives remain in limbo,” *York Daily Record*, May 31, 2013.

<sup>120</sup> Brianna Nofil, *The Migrant's Jail: An American History of Mass Incarceration* (Princeton: Princeton University Press, 2024), 210.



detention hub of the Northeast: establishing a permanent office in the jail and converting a nearby two-hundred-year-old farmhouse into a federal immigration court.<sup>121</sup> The publicity of the detention of the *Golden Venture* passengers also inspired startling coverage of other detained immigrants. The New York Times highlighted the detained immigrants in Louisiana who were considered “cash crop” by the local administration.<sup>122</sup> In New York, an ACLU report on the Varick Federal Detention Center exposed that the INS had labeled detainees “human storage.”<sup>123</sup> The local York Dispatch also exposed the “millions of dollars [generated] for York County” through the increased number of federal detainees held in the York County Prison.<sup>124</sup> Dehumanized and criminalized by the immigration system, immigrants were first “unholy cargo,” and now commodified into “human storage” and a “cash crop” seen as profit for INS, the county, or the contract facility detaining them.

*The Migrant's Jail: An American History of Mass Incarceration* by Brianna Nofil provides a framework for understanding the essential data detailing the revenue and profits detention centers like the York County Prison make.<sup>125</sup> According to the *York Daily Record*, as of April 15, 1995, the INS had paid the York County Prison \$4,247,169.<sup>126</sup> Although it only cost the prison \$24.37 to maintain each prisoner, the federal government paid York County \$45.00 per detainee per day: a price that officials suggested might be enough to eliminate personal property tax for county residents, as extra money was a profit for the county general fund. As the Chinese asylum seekers entered the two-year

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<sup>121</sup> Scott Dodd, “Freedom Seekers Find Themselves Wearing Shackles,” *York Daily Record*, Dec. 27, 1996.

<sup>122</sup> Joan M. Maruskin, “Voices from around the country call for INS detention reform,” *Migration World Magazine* 23, no. 4 (1995), [https://link.gale.com/apps/doc/A17634060/AONE?u=nysl\\_oweb&sid=googleScholar&xid=9592b811](https://link.gale.com/apps/doc/A17634060/AONE?u=nysl_oweb&sid=googleScholar&xid=9592b811).

<sup>123</sup> Deborah Sontag, “Report Cites Mistreatment of Immigrants,” *The New York Times*, August 12, 1993.

<sup>124</sup> Dan Connolly, “‘Blood money’ for York?” *The York Dispatch*, May 15, 1996.

<sup>125</sup> Brianna Nofil, *The Migrant's Jail: An American History of Mass Incarceration* (Princeton: Princeton University Press, 2024)."

<sup>126</sup> Joan M. Maruskin, “Voices from around the country call for INS detention reform.”

mark of their detention at the York County Prison, the county's general fund boasted a profit of about \$1.5 million.<sup>127</sup> Indeed, local officials stressed how the detention of immigrants translated directly into taxpayer relief. The financial calculus was striking: while typical county investments yielded modest returns between 4.8 and 5.2 percent annually, housing INS detainees generated an astounding 56 percent return for York County.<sup>128</sup> Members of the community responded differently, with a unique coalition emerging advocating against detention. Representative William Goodling, a longtime Republican congressman from Pennsylvania, exclaimed in a House subcommittee meeting on International Operations and Human Rights, "We are balancing our county budget on the backs of people who are being incarcerated with no indication as to what their future will bring them."<sup>129</sup> Other community leaders championed immigrant detention as a cornerstone of sound fiscal management, arguing that profits from incarceration allowed them to reduce or eliminate various local taxes. The detention center had transformed from a mere holding facility into a crucial revenue generator, with the imprisonment of noncitizens effectively subsidizing local government operations.

Seeing the money York County Prison made, neighboring counties expressed their financial desires, too. In the neighboring county, the *Harrisburg Patriot* published a piece on June 22, 1993, titled "Prison Board Shopping for Immigrants to Prevent Layoffs." The Perry County commissioner, acutely aware of the political economy of detention, told the *Patriot*, "We tried like the dickens to get some of the Chinese ... but it didn't pan out.... If no immigrants are secured, some layoffs may be

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<sup>127</sup> Ibid.

<sup>128</sup> J. P. Kurish, "Prison Plan: Little Risk, Big Payoff?" *York Sunday News*, July 14, 1996.

<sup>129</sup> 114. U.S. Congress, House, Committee on International Relations, Coercive Population Control in China: Hearings before the Subcommittee on International Operations and Human Rights, 104th Cong., 1st sess., 1995, 47.

inevitable.”<sup>130</sup> Seeing the lucrative \$1,650 per day business York County had established for itself from the *Golden Venture* passengers, Perry County officials eagerly sought similar arrangements. The INS responded: if Perry County expanded its jail capacity, they had a deal.<sup>131</sup> This dynamic illustrated how the immigration system incentivized local communities to invest in carceral infrastructure, making jail expansion a prerequisite for securing federal detention contracts. The promise of steady revenue streams effectively transformed immigrant detention into a catalyst for prison growth.

A year after the *Golden Venture* crash, Bill Clinton signed *The Violent Crime Control and Law Enforcement Act* into Law, which allowed for the flourishing of the carceral system. Now popularly known as the Clinton Crime Bill, it allocated \$12.5 billion in federal funding to incentivize state-level carceral expansion.<sup>132</sup> Notably, the legislation reserved approximately half of these funds specifically for local jurisdictions implementing stringent “truth-in-sentencing” provisions that significantly curtailed parole eligibility. Given that state facilities housed approximately 90 percent of the nation’s incarcerated population, this federal funding mechanism precipitated a substantial expansion of state-level carceral infrastructure.<sup>133</sup> The legislation’s funding mechanisms functioned as a transformative force in reshaping America’s carceral infrastructure, simultaneously providing monetary resources and policy-based motivation for states to engage in prison expansion. This federal framework demonstrated how national policy directives could systematically alter state-level incarceration practices through strategic financial incentives. The legislative architecture thus

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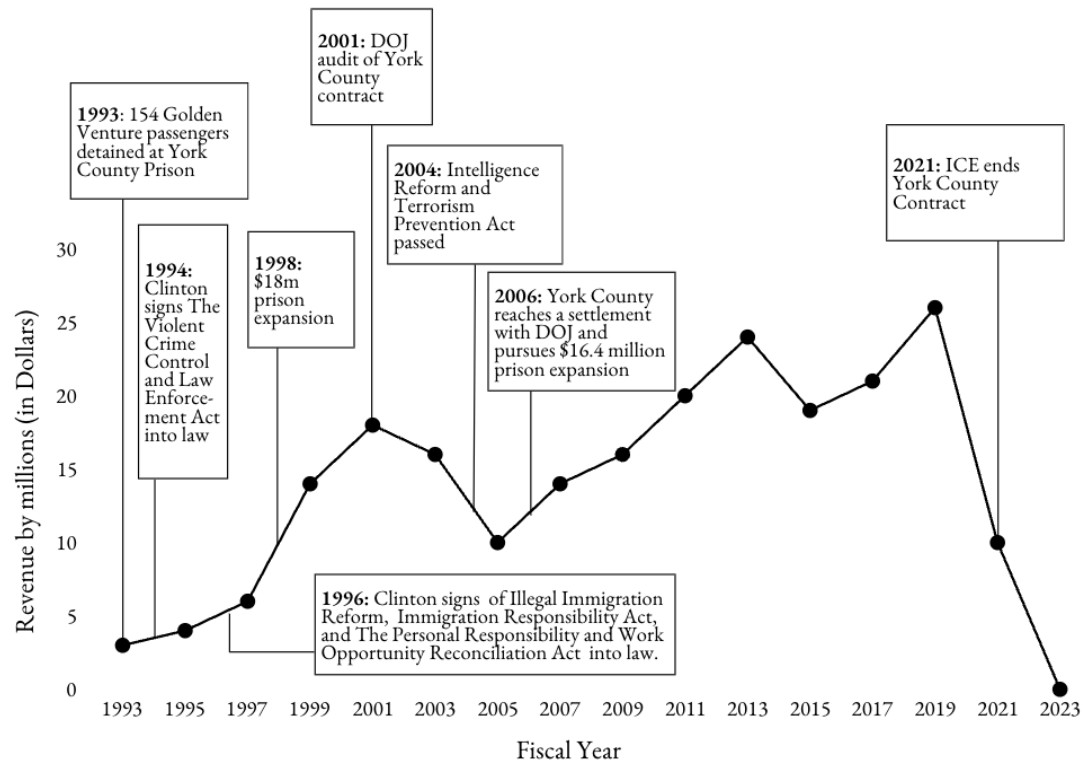
<sup>130</sup> “Prison Board Shopping for Inmates to Prevent Lay-Offs,” *The Patriot-News*, June 22, 1993.

<sup>131</sup> *Ibid.*

<sup>132</sup> United States, Public Law 103-322, Violent Crime Control and Law Enforcement Act of 1994, Statutes at Large 108 (1994): 1796.

<sup>133</sup> Nelson Lichtenstein and Judith Stein, *A Fabulous Failure: The Clinton Presidency and the Transformation of American Capitalism* (Princeton, Princeton University Press, 2023), 299.

exemplified a broader pattern of federal influence over state penal systems through fiscal policy, effectively nationalizing prison expansion through localized decision-making on carceral infrastructure.



**Figure 2:** Graph depicting revenue earned from federal prisoners at York County Prison, 1993 - 2022. (Source: York County Budgets, York County Municipal Archives).

Although the bill did not explicitly — through its language — put a focus on immigration, the incentives for local communities to expand carceral is nonetheless connected to the lucrative business of detaining immigrants. The 1994 Crime Bill effectively laid the groundwork for expanded state-level carceral infrastructures that would be essential when the Antiterrorism and Effective Death Penalty Act and Illegal Immigration Reform and Immigration Responsibility Act were enacted two years later in 1996. By mid-1996, the Immigration and Naturalization Service (INS) had emerged as the federal government's most substantial law enforcement body, surpassing even the Bureau of Prisons (B.O.P.)

in armed personnel with arrest authority—12,400 agents compared to the B.O.P.'s 11,300, as documented by the *Daily Record*. The Clinton administration's fiscal commitment to expanding carceral infrastructure was evident in the 1996 budget, which allocated \$171 million for doubling detention capacity and an additional \$15 million specifically for new detention facility construction.<sup>134</sup>

The 1996 enactment of the dual legislative measures also transformed immigration enforcement and detention protocols by expanding deportation criteria for legal permanent residents and instituting mandatory detention provisions. The legislation further mandated increased detention of asylum seekers and empowered low-level immigration officials with unprecedented authority through expedited removal procedures, effectively eliminating the INS's discretionary authority over release decisions for certain categories of immigrants. The impact was significant. Former INS official George Taylor aptly described this transformation as the agency's evolution into a "mini-B.O.P."<sup>135</sup> INS detention populations experienced a more than threefold increase between 1994 and 2001, rising from 5,532 to 19,533 daily detainees, including thousands of asylum seekers. This legislative framework catalyzed a fundamental shift in immigration enforcement, effectively reconfiguring the INS from an administrative agency into a carceral institution.

The impacts of the 1996 bills can be seen again in the jails of York. As they had the day after the *Golden Venture* Crash in 1993, every day, green-and-white INS buses sped down Interstate 78,

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<sup>134</sup> U.S. Office of Management and Budget, *Budget of the United States Government, Fiscal Year 1996* (Washington, DC: Government Publishing Office, 1995), <https://www.govinfo.gov/content/pkg/BUDGET-1996-BUD/pdf/BUDGET-1996-BUD.pdf>.

<sup>135</sup> Bethany Carson & Eleana Diaz, "Payoff: How Congress Ensures Private Prison Profit with an Immigrant Detention Quota," *GRASSROOTS LEADERSHIP 11* (2015), [http://grassrootsleader.org/sites/default/files/reports/quota\\_report\\_final\\_digital.pdf](http://grassrootsleader.org/sites/default/files/reports/quota_report_final_digital.pdf).

transporting migrant populations from New York City to southern Pennsylvania detention facilities. These facilities housed what INS officials termed a comprehensive "cross-section of detainees," encompassing asylum seekers, individuals apprehended during airport and workplace enforcement operations, and those transferred from criminal custody to immigration proceedings. The federal-local detention partnership motivated further carceral expansion in York, as seen by York County commissioners' 1998 decision to incur substantial debt financing for a \$19.9 million jail expansion project. This investment decision was predicated on sustained INS detention contracts. The Department of Justice's announcement of a \$4.2 billion INS budget allocation for 1999—representing a twofold increase within five years—reinforced local officials' confidence in their carceral investment strategy. York County thus positioned itself as an integral partner in the local operations of America's largest federal law enforcement apparatus. Analysis of York County highlights not only how federal immigration enforcement priorities increasingly intersected with local carceral expansion through fiscal incentivization, but also a broader national pattern wherein communities channeled INS detention revenues into expanded law enforcement capabilities, allocating funds for enhanced correctional equipment, including stun guns, shields, and transport vehicles. The county anticipated that the demand for space was so substantial that county officials projected their carceral investment would be relieved in just three years. By 2002, the INS contract brought more than \$17 million into York County annually.

The same toxic admixture of racialization, social panic, reactionary politics, and political considerations that had made Bill Clinton the architect of a draconian crime control regime would also propel Bill Clinton toward sponsorship of harsh immigration reform in a controversial break with

New Deal liberalism. In his criminalization and surveillance of poor Americans and people of color, he had similarly transformed the detainment and surveillance of immigrants like those from the *Golden Venture* Crash. It wouldn't be until four years later, in 1997, that the *Golden Venture* passengers would be released due to the advocacy of a unique coalition in York County. Every Sunday, the members of the Golden Vision, a coalition of pro-life conservative and Christian advocates, pro-choice advocates, attorneys, paralegals, liberal left refugee advocates, and other community members would meet at the local church — singing, researching, strategizing, and hoping for the freedom of their new Chinese friends.

### 3.

#### **Freedom Birds: The People of the Golden Vision, 1993-1997**

“God bless the warden... he had put somewhere between 15 and 26 guys with rifles lined up on top of the prison’s roof pointed at us as we prayed. It was the best media picture.”<sup>136</sup>

- Joan Maruskin

When Reverend Joan Maruskin drove up to York County Prison on a Sunday afternoon in August 1993 with 9 other faith leaders for a prayer session under a small maple tree across the prison, the warden greeted their arrival with around 20 rifles pointed at them.<sup>137</sup> With the press coverage of the first vigil, the second vigil had 50 adults and 10 children congregated outside the prison.<sup>138</sup> The support of York residents had been unexpected. Aside from the York County Prison being the fourth biggest in the country, some residents have speculated that the county officials had expected there to be no public interest or care in the *Golden Venture* passengers in York.<sup>139</sup> “York is not a bastion of civil liberties” or a place where “grassroots uprising and weekly demonstrations outside a prison are the norm,” said Jeff Lobach, then president of the York Bar Association and one of the key lawyers for the *Golden Venture* passengers.<sup>140</sup>

For the *Golden Venture* passengers, looking out the window of their correctional bus as they traveled throughout York would’ve been the perfect example of the American City. The Articles of Confederation had been drafted in York, homes and businesses built in the Early Republic still lined the streets, and Marquis de Lafayette toasted George Washington at the Golden Plough Tavern,

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<sup>136</sup> Interview Joan Maruskin, in discussion with the author, York, Pennsylvania, February 2025.

<sup>137</sup> Interview with Joan Maruskin, in discussion with the author.

<sup>138</sup> Brian Crenshaw, “Prayers go out to refugees,” *York Daily Record*, August 30, 1993.

<sup>139</sup> Interview with Joan Maruskin, in discussion with the author.

<sup>140</sup> Ron Braunfeld, “Freedom Birds,” *Philadelphia City Paper*, June 3, 1994.



cementing his support for Washington's presidency.<sup>141</sup> Predominantly conservative, the residents of York held a collective appreciation for the American flag, the values it represented, and were committed to Christian traditions.<sup>142</sup> However, a few decades earlier, in 1970, the "National Guard prowled the streets to stop" the second most violent race riot that took the streets of York, Pennsylvania: a period of racial unrest that influenced the perception of York and is still part of the history the city is grappling with.<sup>143,144</sup> A fairly active chapter of the Ku Klux Klan held rallies once or twice a year in front of City Hall, and when a local bookstore featured the works of Dr. Martin Luther King, Jr., they received death threats.<sup>145,146</sup> Local administrators were conscious of York's tense racial relations and expected no one to care about the Chinese immigrants locked up in their local prison.<sup>147</sup>

Yet, for nearly four years, an unexpected, but elaborate, advocacy movement of diverse political philosophies continued to fight against the unlawful detainment of passengers. In July of 1993, when Reverend Joan Maruskin read a piece in the *York Daily Record* about the *Golden Venture* passengers staging a hunger strike, she called up Craig Trieblock, who was the attorney quoted in the piece.<sup>148</sup> Joan, a pastor at Christ United Methodist Church and chapter president of York United, was inspired by both her Christian teachings and beliefs in peace, and wanted to help.<sup>149</sup> Craig explained that while they were appealing the asylum decisions, there needed to be public interest.<sup>150</sup> No one — Craig, Joan,

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<sup>141</sup> Interview with Joan Maruskin, in discussion with the author.

<sup>142</sup> Ibid.

<sup>143</sup> Ian Fisher, "A Town's Strange Bedfellows United Behind Chinese Refugees," *The New York Times*, February 21, 1997.

<sup>144</sup> Interview with Joan Maruskin, in discussion with the author.

<sup>145</sup> Ron Braunfeld, "Freedom Birds," *Philadelphia City Paper*, June 3, 1994.

<sup>146</sup> Interview with Joan Maruskin, in discussion with the author.

<sup>147</sup> Ibid.

<sup>148</sup> Ibid.

<sup>149</sup> Frank Bodani and Deborah Grace, "Showing support for detainees," *The York Dispatch*, August 25, 1993.

<sup>150</sup> Interview with Joan Maruskin, in discussion with the author.

the County Warden, or local officials — expected the public interest to come in the next four years or 183 weeks. On the first Sunday afternoon, it was just 10 of Joan’s friends: many of whom were faith leaders, including “a pastor... a rabbi...a Catholic priest... a Buddhist.”<sup>151</sup> Joan, who was acutely aware of public perception and the need for public interest, knew to call the local radio stations, TV stations, and newspapers to attract public interest.<sup>152</sup> Towards the end of the vigil, they announced the next vigil. For the first week, there was a vigil every day. More and more people started showing up. Long-term residents of York, a place many have perceived as xenophobic, instead, expressed that “they felt there was an injustice done against humanity”<sup>153</sup> Following the Sunday vigil on September 12, the participants decided to turn their interfaith vigils into a unique coalition called the People of the Golden Vision (POGV), “a grassroots support group working to gain asylum for the men and women of the *Golden Venture*.”<sup>154</sup>

In just a few weeks, The People of the Golden Vision (POGV) turned from a weekly vigil into an elaborate movement with various different moving parts. Although the group and its name was inspired by the Habakkuk 2:2-3 in the Bible, where “the Lord answered me: ‘write the vision make it plain on tablets, so he may run who reads it,’” the group’s main goal was not religious, but rather due process for the *Golden Venture* passengers.<sup>155</sup> In their minds, the “vision awaits its appointed time,” and they advocated week after week, knowing freedom for the passengers “will surely come; [and] it will

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<sup>151</sup> Interview with Joan Maruskin, in discussion with the author.

<sup>152</sup> Ibid.

<sup>153</sup> Ibid.

<sup>154</sup> “Flyer of Golden Vision Foundation,” *Private Collection of Joan Maruskin*, York, Pennsylvania.

<sup>155</sup> Joan Maruskin, in discussion with the author, where she references the Habakkuk 2:2-3 from the Holy Bible, English Standard Version 2016® (ESV®).

not delay.”<sup>156</sup> It told “us that it did not matter how long it took, we should continue because one day it would surely come, and it did with the help of Divine serendipity.”<sup>157</sup> For the next 183 weeks, or about four years, the People of the *Golden Venture* held interfaith vigils, appealed denied asylum cases in the courts, visited the men in prison, set up funds with the hope of their release, and continued to court the press. Together with the testimonies of the detainees, in the form of artworks that communicated their American dreams, they sustained a grassroots campaign that challenged 1990s immigration policy and sent a powerful message: despite the *Golden Venture* passengers risking everything to reach its shores, the United States had wrongfully imprisoned detainees who were seeking asylum in a place they perceived to have codified freedom and justice into the law of the land.

### 3.1 183 weeks of “Exodus, Freedom, and Justice”

Although the group grew to be a diverse coalition with over 200 members with different political philosophies: some were pro-life, pro-choice, asylum advocates, and more, the main goal, through and through, was justice for the passengers.<sup>158</sup> Composed of union members, farmers, clergy, retired senior citizens, college students, high schoolers, devout Republicans, liberals, and lawyers, POGV was “a hodgepodge of white people placing personal biases aside to support the Chinese.” as described by the *Philadelphia City Paper* on the first anniversary of the *Golden Venture* Crash.<sup>159</sup> While there was an understanding that many of the *Golden Venture* passengers were escaping strict family planning models, the main goal was not political. Rather, they were focused on ensuring justice for the

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<sup>156</sup> Interview with Joan Maruskin, in discussion with the author, where she references the Habakkuk 2:2-3 from the Holy Bible, English Standard Version 2016® (ESV®).

<sup>157</sup> Interview with Joan Maruskin, in discussion with the author, York, Pennsylvania, February 2025.

<sup>158</sup> Interview with Joan Maruskin, in discussion with the author, York, Pennsylvania, February 2025.

<sup>159</sup> Ron Braunfeld, “Freedom Birds,” *Philadelphia City Paper*, June 3, 1994.

passengers who should have been granted “ a fair justice system” and “fair trial system.”<sup>160</sup> Like the *Golden Venture* passengers and other advocates, they were confused by the administrative decision of the Clinton administration to detain the passengers. Based on existing American legislation, the passengers should have received asylum when they arrived on American soil. Yet, the Clinton administration had positioned the passengers as “political pawns in an international chess game,” said Trebilcock.<sup>161</sup>

Although the POGV was politically diverse, all shared a mutual understanding that the *Golden Venture* passengers had been wrongfully detained. Jeff Lobach, described as a “staunchly conservative lawyer in staunchly conservative York County,” was one of the lead attorneys working on the asylum cases.<sup>162</sup> His wife, Cindy Lobach, also joined the coalition and became the coordinator for the People of the Golden Vision. She proudly self-identified as a “Rush Limbaugh dittohead conservative.”<sup>163</sup> Before working with The People of the Golden Vision, she was not in the same circles as Rev. Joan, but quickly began to refer to Joan as her “crazy, left-wing, liberal wacko” friend.<sup>164</sup> For Joan, it was the best compliment, and the two were a magnificent team.

While Joan took to communicating with the press, Cindy coordinated the weekly vigils and established a weekly newsletter. The first newsletter (Appendix C) was published on September 15, 1993, with the headline *The Golden Vision: A Newsletter in Support of the Men of the Golden Vision*.<sup>165</sup>

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<sup>160</sup> Joan Maruskin, in discussion with the author, York, Pennsylvania, February 2025.

<sup>161</sup> Wendy E. Solomon, “Rabbi recalls past in vigil for jailed Chinese,” *The York Dispatch*, August 30, 1993.

<sup>162</sup> Ron Braunfeld, “Freedom Birds,” *Philadelphia City Paper*, June 3, 1994.

<sup>163</sup> Cindy Lobach, in discussion with the author, York, Pennsylvania, February 2025.

<sup>164</sup> Joan Maruskin, in discussion with the author, York, Pennsylvania, February 2025.

<sup>165</sup> “The Golden Vision: A Newsletter in Support of the Men of the Golden Venture,” *Private Collection of Cindy Lobach*, York, Pennsylvania, September 15, 1993.

The newsletter, written and edited on the Lobachs' personal home computer before being published on colorful construction paper, was distributed at weekly vigils. The newsletter brilliantly materialized their work, circulating updates to York residents, national allies, and even international supporters about the passengers' legal proceedings, letters from the detainees, and inspirational poems or scriptures.<sup>166</sup> The newsletter started with 16 subscribers and quickly grew to 600.<sup>167</sup> It was a true grassroots effort. Joan, who had been a special theater educator for two decades before becoming a pastor, glowed when telling the story of receiving her first microphone at her second-grade school play. She was a darling to the press. "The Bible is the ultimate immigration handbook," Joan Maruskin told the *Baltimore Sun*.<sup>168</sup> "Moses was a criminal alien who came back to Egypt to lead a nation of aliens into the promised land. Jesus was an undocumented refugee. What would have happened to Christianity if they had put him in an INS prison?"<sup>169</sup> With local organizing, a newsletter, and clever ways of engaging with the press, they appealed not merely to people's sense of religion but to a deeply ingrained conception of the United States as a country in which the system retains some degree of due process and transparency.

Many of the advocates, who grew up believing in these American ideals, so desperately hoped that even the most "misbegotten can still expect a fair shake."<sup>170</sup> Perhaps, especially because of their initial belief in the American justice system, they fought so hard. "It's injustice," Cindy Lobach told the *New York Times*. "It's a complete embarrassment to be an American when people are treated like

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<sup>166</sup> Cindy Lobach, "The Golden Vision: A Newsletter in Support of the Men of the Golden Venture," *Private Collection of Cindy Lobach*, York, Pennsylvania.

<sup>167</sup> Cindy Lobach, in discussion with the author, York, Pennsylvania, February 2025.

<sup>168</sup> Mary Corey, "Chinese refugees find allies in residents of York," *The Baltimore Sun*, February 21, 1997.

<sup>169</sup> *Ibid.*

<sup>170</sup> Keefe, *Snakehead*, 192.

this.” The arrival of the men from the *Golden Venture* had awakened something in the people of York, something that none of them knew they were looking for. By October of 1993, everyone was picking up the story of a group of York residents, growing larger every Sunday, who were praying for the justice of the *Golden Venture* passengers. For nearly three and a half years, the People of the Golden Vision held weekly services of “Exodus, Freedom, and Justice.”<sup>171</sup> For Caryl Clarke, a local reporter who covered almost every development in the *Golden Venture* case and marveled at the way the event had galvanized York, it seemed that the Chinese men “have brought the world into our rather cloistered community.”<sup>172</sup> Through the multilateral efforts of the POGV, people who had never been politically active in the past suddenly found themselves engaged in the most local and grassroots forms of civic expression: attending vigils, telephoning their congressman, and writing impassioned personal letters to President Clinton.<sup>173</sup>

From local acts of solidarity to marches around York, the movement grew national as people started to understand the POGV and the detention of the Chinese men as part of a larger immigration problem. Although most of the passengers were detained in York County Prison, the passengers were sent to four other detention centers in New Jersey, Florida, Louisiana, and New York.<sup>174</sup> Upon visiting the other prisons, learning about the lucrative prison industry, and seeing the inhumane conditions of

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<sup>171</sup> “Flyer of Golden Vision Foundation, History Statement” *Private Collection of Joan Maruskin*, York, Pennsylvania.

<sup>172</sup> Caryl Clarke, “Plight of Detainees Creates Circle of Friends,” *York Daily Record*, June 9, 1996.

<sup>173</sup> For example, Joan explains that because of the *Golden Venture* saga, her “life changed incredibly from drama teacher and small town pastor to helping coordinate the GV saga, to immigration activist and community organizer,” and then a CWS (Church World Service) Washington DC advocate for immigrants and refugees to “National Program Director of the DHS multi-faith religious services program, with a year thrown in as the Executive Director of the York County Council of Churches.” She also wrote a book titled, *Immigration and the Bible: A Guide to Radical Welcome*, as part of her Doctor of Ministry. This was “all a result of standing in front of the prison.” The Lobachs, who once never wanted to be called liberal, both expressed that they were becoming more center-left after their involvement with the People of the Golden Vision. To this day, the residents of York still celebrate the anniversary of the release of the *Golden Venture* passengers each year.

<sup>174</sup> Joan Maruskin, in discussion with the author, York, Pennsylvania, February 2025.

other prisons, they sought to see detention practices changed and the detention of asylum seekers stopped.<sup>175</sup> By the later months of 1993, what had started as a small prayer space became a national effort as the POGV joined the Detention Watch Network, a coalition of nongovernmental organizations around the country “concerned about the imprisonment of immigrants and the horrendous human rights abuses that take place in many of these detention centers.”<sup>176</sup> As some advocates toured the country, legal efforts continued for the passengers; however, case after case, attorney Craig Trebilcock and his network of forty immigration lawyers discovered that asylum appeals to the Board of Immigration Appeals were largely unsuccessful and had “foul play.”<sup>177</sup> As articulated in the last chapter, the lawyers also believed that the “high number of asylum denials was part of a political program by the [Clinton] Administration to curb Chinese immigration to this country.”<sup>178</sup> In November of 1993, they decided on a daring move: to sue the Clinton administration for its “top-level White House interference” in the handling of the *Golden Venture* case, where immigration laws and procedures for asylum hearings were violated.<sup>179</sup> Speaking with the *York Dispatch*, Jeffrey Lobach pointedly exclaimed, “whatever one’s position on immigration...the laws relating to asylum must be followed and fair hearings must be granted.”<sup>180</sup>

Although it was ultimately unsuccessful in preventing deportations, its lawsuit granted Trebilcock unprecedented access to depose Clinton administration officials about their decision-making in the critical period following the ship's arrival. Within the documents, they were

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<sup>175</sup> Interview with Joan Maruskin, in discussion with the author, York, Pennsylvania, February 2025.

<sup>176</sup> “Flyer of Golden Vision Foundation, History Statement” *Private Collection of Joan Maruskin*, York, Pennsylvania.

<sup>177</sup> Daily Record Staff, “Aliens’ lawyers suspect foul play,” *York Daily News*, November 11, 1993.

<sup>178</sup> Teresa Candori, “1st step for 2nd chance at freedom,” *The York Dispatch*, December 9, 1993.

<sup>179</sup> Rick Lee, “Lawyers will take on the U.S.A.,” *The York Dispatch*, November 18, 1993.

<sup>180</sup> Rick Lee, “Lawyers will take on the U.S.A.”

granted access to a detailed memorandum to then-Vice President Al Gore, from senior staffers from the Domestic Policy Council and National Security Council, including Donisa Strong, Eric Schwartz, and Randy Beers. Staffers cited Presidential Decision Directive 9 (PDD9) and outlined the “expedited exclusion” priorities of the administration, including “enhanced penalties and strengthened criminal law enforcement for alien smuggling” and reiterated PDD9’s goal in using “detention as a disincentive to illegal entry.”<sup>181</sup> Through access to internal documents, the case revealed that the administration had not followed established asylum and detention procedures given the highly publicized arrival of the *Golden Venture*, highlighting how policy was shaped in response to this pivotal moment in the spectacle of immigration history. The advocacy of The People of the Golden Vision, nevertheless, revealed that the passengers were asylum seekers for various reasons, but were rendered criminals by the Clinton Administration into criminals for their participation in the Snakehead Trade and spotlighted in the political arena.

### ***3.2 Made in America, Made in Prison: Folding until Freedom***

Alongside York residents’ local efforts of civic expression, the *Golden Venture* Passengers also expressed their political testimonies and solidarity through art and poetry. One week in October of 1993, the passengers surprised one member, Beverly Point, with elaborate paper sculptures of eagles, pineapples, vases, pagodas, and more.<sup>182</sup> The men, who had labored their entire lives in Fuzhou as farmers, merchants, weavers, technicians, stonemasons, and more, were painfully bored.<sup>183</sup> They

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<sup>181</sup> Donsia Strong, Eric Schwartz, and Randy Beers, “Immigration Issues,” Memorandum for the Vice President, The White House, Washington, DC, July 7, 1993.

<sup>182</sup> Interview with Joan Maruskin, in discussion with the author, York, Pennsylvania, February 2025.

<sup>183</sup> Interview with Sean Chen, in discussion with the author, Flushing, New York, February 2025.



wanted to express their gratitude to their new American friends with designs, but most interestingly, were the artist's perceptions of freedom and the artworks' reflections of the all-American city of York and its residents.<sup>184</sup> Many of the American bald eagles, vases, fruits, and pavilions made from newspapers, yellow legal pads, and old magazines frequently had the red, white, and blue of the American flag.<sup>185</sup> The men had also stamped their work with the "Made in America" stamps from Wal-Mart ads.<sup>186</sup>

As the passenger's days in prison increased, they became more ambitious and their art became bigger and more symbolic, becoming a mode of testimony for the detainees who had previously been silenced. The detainees discovered that combining toilet tissue with water and toothpaste created a malleable papier-mâché-like compound. Using a disposable utensil, one passenger shaped this mixture and applied color with markers to achieve a glossy, ceramic-like finish, crafting a One detainee crafted a stunning papier-mâché eagle with its tough claws holding firm, swooping down onto a snow-white branch. "Fly to Freedom" in both English and Chinese characters was etched onto the sculptures, and the York supporters were struck by the symbolism, lovingly calling all the sculptures "Freedom Birds."<sup>187</sup> Every week, as Cindy visited the men in prison, along with the updates she brought on their cases, she brought jugs of Elmer's Glue, children's scissors, and Sharpie markers.<sup>188</sup> After the warden complained the detainees were using up too much of the prison's toilet paper, Cindy updated her weekly supplies with wholesale bales of Charmin.<sup>189</sup> The art process, too, was organized and structured.

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<sup>184</sup> Ibid.

<sup>185</sup> Interview with Cindy Lobach, in discussion with the author, York, Pennsylvania, February 2025.

<sup>186</sup> Isabelle de Pommereau, "Chinese Refugees Turn Waiting into an Art Form," *Christian Science Monitor*, May 30, 1996.

<sup>187</sup> Ron Braunfeld, "Freedom Birds," *Philadelphia City Paper*, June 3, 1994.

<sup>188</sup> Interview with Cindy Lobach, in discussion with the author, York, Pennsylvania, February 2025.

<sup>189</sup> Interview with Cindy Lobach, in discussion with the author.

They organized an assembly line where some artisans worked on folding small components and others assembled these pieces into ever more impressive creations.<sup>190</sup> One day, they gifted a detailed twin-engine airplane entirely from folded legal paper to one of the paralegals working with The People of the Golden Venture, Beverley Church, with the word "Hope" inscribed on its nose.

The collection grew into a whole aviary of paper creatures— some caught in dramatic moments of flight, talons fiercely gripping at empty air, while others stood like silent guardians, peaceful and still. Many of these freedom-seeking birds were depicted trapped within delicate, ornamental cages — a reflection, perhaps, of their creator, and an act of simple protest. Sean explains their intentions, where, without understanding enough of the English language, the passengers did not know how to express themselves from prison, but the sculptures sent a powerful message to the American public: they dreamt of freedom and, like the POGV, still believed in these American ideals.<sup>191</sup> When I interviewed Sean almost 30 years later, he openly expressed the depression and emotions felt in prison; creating the sculptures was their way of navigating “the emotions deep down [in our] hearts that we didn’t know how to express, but had a desire to.”<sup>192</sup> In a rare case, a *Golden Venture* detainee’s poem that was translated from Chinese and published in the *York Daily Record*, articulated these complex feelings beautifully. The passenger writes,

“ To entrust our dreams to the fragility of paper.  
For paper is communication.  
It starts with a square, a rectangle, a small delicate sheet.  
Blank. White. Or color.

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<sup>190</sup> Interview with Sean Chen, in discussion with the author.

<sup>191</sup> Interview with Sean Chen, in discussion with the author, Flushing, New York, February 2025.

<sup>192</sup> Interview with Sean Chen, in discussion with the author, Flushing, New York, February 2025. 【“在那个监狱里面，很多人就像你爸爸一样，没有接受过什么education，他不懂怎么表达。但是当他心里面，他会有那种渴望。”】(In that prison, a lot of the people, like your dad, may not have had an education. They didn’t know how to express themselves, but the emotions deep down in their hearts, they had a desire to [express].”

You can fill the page with images and ideas and inks.  
Or you can cut it to pieces, break it down with its smallest parts, soak, and melt into pulp.  
Paper becomes the repository of who we are: the canvas for our symbols and records,  
Laden with the pictures of our desires.  
A letter from a lost voice.  
The foliage of a garden that could be.  
A legal document granting freedom,  
Or a warrant taking it away.  
It starts with a single small square.  
And then another. And another.  
It starts with the imagination of one person.  
And then another, and then another.  
Paper upon paper, sheet on sheet.  
A bird appears.  
A lotus blooms.  
A ship sets sail.”<sup>193</sup>

For the passengers, many of whom did not have an opportunity to finish school, articulated their communication of dreams through the “fragility of paper.”<sup>194</sup> A Statue of Liberty carefully and meticulously sculpted over three days from toilet paper also had a sense of poetic logic to it: grounded in the American values of liberty and freedom. Simultaneously, the sculptures were acts of protest from immigrants, who had been rendered mute and criminals. Yet despite the passengers’ detainment and criminalization, the sculptures were also testimonies to their fundamental belief in the American ideals of freedom that had originally motivated their journey.<sup>195</sup> For the first time since the *Golden Venture*, amongst the overcrowded arena — saturated by public opinion, the Clinton administration, and others — the freedom birds, stamped with “Made in America” tags from Walmart, articulated an intervention from the passengers themselves. It was a personalized message from the passengers: an intervention that articulated they were not criminals, as the Clinton administration had positioned them to be, but asylum seekers wishing to participate in the American dream.

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<sup>193</sup> Anonymous author, “Poem by Golden Venture detainee,” *Private Collection of Cindy Lobach*, York, Pennsylvania.

<sup>194</sup> Ibid.

<sup>195</sup> Interview with Sean Chen, in discussion with the author.



**Figure 3 (Above):** Paper sculptures made by the Golden Venture detainees in the York County Prison, including owls, eagles, and cranes, with a common motif of justice and freedom (Source: Museum of Chinese in America, New York, New York, October 5, 2017).



**Figure 4 (Right):** Cindy and Jeff Lobach with a tall Pagoda made from folded paper and Walmart “Made in America” tags (Source: Wena Teng, York, Pennsylvania, February 2025).

In another unexpected moment of solidarity between York residents and the *Golden Venture* passengers, the people of York were touched by the sincerity of the messages and brilliance of the sculptures made by the men in the prison; many inquired about how to purchase them. With the same cart that Cindy used to transport Elmer’s glue, scissors, and paper to the prison, she obtained permission to cart out the detainees’ work as they produced it.<sup>196</sup> One week, she decided to hold a sale at the local YWCA to help with some of their legal defense funds and resettlement plans.<sup>197,198</sup> At the first auction, the folded paper art show earned “almost \$3,000 was raised from the sale” and “ABC

<sup>196</sup> Interview with Cindy Lobach, in discussion with the author.

<sup>197</sup> Cindy Lobach, “Come One, Come All!!” *The Golden Vision: A Newsletter in Support of the Men and Women of The Golden Venture*, February 9, 1994.

<sup>198</sup> Marianne Clay, “CBS goes where Record photographers can’t,” *York Daily Record*, February 15, 1994.

Evening News arrived the next day to focus on the lovely display at the Historical Society.”<sup>199</sup> Everyone wanted more art. Soon, the People of the Golden Vision were hosting cultural nights with steaming plates of Chinese food, the elaborate artworks of the detainees, and passionate discussions about immigration and asylum in America.<sup>200</sup>



**Figure 5:** Other paper sculptures made by the detainees in the York County Prison included the *Golden Venture* boat, the Statue of Liberty, and birds in cages (Source: Museum of Chinese in America, New York, New York, October 5, 2017).



**Figure 6:** Cindy Lobach displays about 2,000 pieces of the artwork (Source: *York Today*, February 6, 1995)

A prestigious New York folk art gallery discovered these remarkable creations and began showcasing them. *Life* magazine highlighted the *Golden Venture* story across its pages, featuring

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<sup>199</sup> Cindy Lobach, “York Fine Arts Event: A Great Success,” *The Golden Vision: A Newsletter in Support of the Men and Women of The Golden Venture*, February 9, 1994.

<sup>200</sup> Cindy Lobach, “Come and Get It!!” *The Golden Vision: A Newsletter in Support of the Men and Women of The Golden Venture*, March 23, 1994.

profiles of the intricate sculptures with their creators.<sup>201</sup> The numbers were staggering: 16,000 sculptures emerged from those prison cells, generating \$135,000 through Cindy Lobach's tireless sales efforts that would be split amongst the passengers for resettlement.<sup>202</sup> The artworks found homes in the collections of media giants like Dan Rather and Peter Jennings.<sup>203</sup> It traveled the nation in exhibitions at one point gracing the halls of the Smithsonian in Washington, D.C.<sup>204</sup> The sculptures became powerful symbols of not just their artistic gifts, but of the desires and freedom dreams of the detainees: to leave the York County Prison and participate in their new American home of freedom birds and red, white, and blue.

For the next 4 years, the weekly Sunday vigils continued, and advocacy never stopped despite bleak prospects. Although the men were exhausted and they stopped making sculptures, they continued to fight for their freedom. In a letter to Clinton in 1996, they wrote:

"On behalf of all of the Chinese people of the *Golden Venture* ship, we wish to thank you in advance for your consideration in granting freedom to us freedom. We shall be good citizens, and we shall contribute much to America. We have been in prison for more than three years. We have committed no crime. We come from a land where exit documents are almost impossible to receive. We fled to America the only way we could. Please help us President Clinton. We will never forget you.

Very sincerely, The Remaining Passengers"<sup>205</sup>

They received no response. However, on February 3, 1997, after a visit by the New York Times writer, Celia Dugger, the *Golden Venture* landed a story on the cover of the *New York Times*. Celia

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<sup>201</sup> Charles Hirshberg, "Folded Dreams" *Life Magazine*, *Private Collection of Cindy Lobach*, York, Pennsylvania.

<sup>202</sup> Mary Corey, "Chinese refugees find allies in residents of York," *The Baltimore Sun*, February 21, 1997.

<sup>203</sup> Caryl Clarke, "From art, comes freedom," *York Daily Record*, February 20, 1997.

<sup>204</sup> Interview with Cindy Lobach, in discussion with the author.

<sup>205</sup> "Letter to Clinton 1966," *Private Collection of Cindy Lobach*, York, Pennsylvania.

Dugger reported on the numbers: a third of the passengers had been released or resettled in Latin America with the support of the Vatican, ninety-nine had given up and been deported to China, and a further fifty-five remained in American prisons. Only thirty-eight of them were in York.<sup>206</sup> As the lawyers of the case had been arguing, the *Times* article pointedly highlighted a critical shift in asylum policy between the Bush and Clinton administrations' handling of asylum cases. Dugger noted that, "...had [the passengers] come ashore a year earlier— when George Bush was President," the passengers would have been granted asylum.<sup>207</sup> Moreover, the article revealed a striking administrative oversight that the lawyers of the People of the Golden Vision had originally sued for: a Clinton official's admission that the government had failed to anticipate or plan for extended detention scenarios.<sup>208</sup> "Shame on this country," Beverly Church powerfully said.<sup>209</sup>

In a move like the early years of the saga of the crash, the media — seeing the response of the coalition movements, inspirational art, and lawsuit against the administration — influenced the Clinton administration's decisions again. The next day, after Clinton had given the State of the Union address for his second term, Bill Goodling introduced himself to the President.<sup>210</sup> Bill Goodling, a sixty-nine-year-old former school superintendent, had been the Republican congressman for York since 1974. "Mr. President," Goodling said, "you still have thirty-eight *Golden Venture* Chinese in my York County prison."<sup>211</sup> "Yes, that makes me angry," Clinton said. "I just read about it in the New York

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<sup>206</sup> Celia Dugger, "Dozens of Chinese From 1993 Voyage Still in Jail," *New York Times*, February 3, 1997, <https://www.nytimes.com/1997/02/03/nyregion/dozens-of-chinese-from-1993-voyage-still-in-jail.html>.

<sup>207</sup> Dugger, "Dozens of Chinese From 1993 Voyage Still in Jail," *New York Times*.

<sup>208</sup> Dugger, "Dozens of Chinese From 1993 Voyage Still in Jail," *New York Times*.

<sup>209</sup> Dugger, "Dozens of Chinese From 1993 Voyage Still in Jail," *New York Times*.

<sup>210</sup> Caryl Clarke, "Goodling uses the art of the deal," *York Daily Record*, February 13, 1997.

<sup>211</sup> Caryl Clarke, "Goodling uses the art of the deal."

Times.”<sup>212</sup> A week later, when Goodling, who was also the chairman of the Education and Workforce Committee, met with Clinton in their Oval Office, he brought two sculptures that the detainees had made: an eagle and a tree. When Clinton, whose favorite bird was the eagle, marveled at their beauty, Goodling pointedly said, “They had four years to sit in prison and do that.”<sup>213</sup> The next day, despite internal administrative opposition, Clinton exercised executive authority by signing the release order of the remaining *Golden Venture* passengers.<sup>214</sup>

The next week, on the front cover of the *New York Times* again, Celia Dugger wrote about the *Golden Venture* detainees’ release. Dugger quoted an official from the White House who said the decision had “taken a long time because of a lively debate” within the Administration about whether releasing the smuggled immigrants would encourage smugglers.<sup>215</sup> Until the very end, the *Golden Venture* was still a political question. From the grassroots advocacy to the media attention to the artwork, the spectacle that became the *Golden Venture* Crash was just one example of the fluidity in American immigration policy. With limited routes of immigration to the United States, the *Golden Venture* passengers had no choice but to be smuggled; nevertheless, they were still political asylum seekers asking for refuge from China’s family planning model and other reasons. Based on American laws, they should’ve been provided refuge. Instead, seeing the political consequences of allowing the passengers to claim asylum, the administration decided to imprison them for four years. Despite having diverse political views, the People of the Golden Vision and residents were committed to the same American ideals the detainees desired, and understood the injustice in the case: where the detainees

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<sup>212</sup> Celia Dugger, “U.S. Decides to Free Chinese Immigrants,” *New York Times*, February 14, 1997.

<sup>213</sup> Dugger, “U.S. Decides to Free Chinese Immigrants,” *New York Times*.

<sup>214</sup> Dugger, “U.S. Decides to Free Chinese Immigrants,” *New York Times*.

<sup>215</sup> Dugger, “U.S. Decides to Free Chinese Immigrants,” *New York Times*.



deserved “having a fair justice system” and a “fair trial system.”<sup>216</sup> Once the media picked up and the national perspective changed on the passengers, the Clinton administration responded politically once again.

On February 14, 1997 – exactly four years after the immigrants departed from Thailand – they were released. Some of the members of The People of The Golden Vision had been visiting the men at the prison when they heard the news: Beverly Church dropped to her knees.<sup>217</sup> The Freedom Birds had begun to take flight.

### *3.3 Afterlives of the Golden Venture: Golden Vision Foundation, International Friendship House, and the Pennsylvania Immigration Resource Center*

After the passengers were released and saw the lack of resources for them as they resettled, the People of the Golden Vision sought to create institutionalized and sustained support for asylum seekers. Through their interactions with the Immigration and Naturalization Service, POGV learned that when an asylum seeker is paroled, or a detainee wins their asylum, the INS takes no responsibility for ensuring that they successfully enter U.S. society.<sup>218</sup> Recounting occasions where the INS has simply pushed an individual out of the parking lot of the York County Prison, without money, a place to sleep, or even a minimum understanding of the English language, they wanted to do more.<sup>219</sup>

Established in 1997, The Golden Vision Foundation was a “humanitarian organization whose mission is to provide support and assistance to those seeking political asylum.”<sup>220</sup> A year later, in 1998,

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<sup>216</sup> Interview with Joan Maruskin, in discussion with the author.

<sup>217</sup> Interview with Joan Maruskin, in discussion with the author.

<sup>218</sup> “Letter to Penny,” *Private Collection of Joan Maruskin*, February 21, 2001.

<sup>219</sup> “Letter to Penny,” *Private Collection of Joan Maruskin*, February 21, 2001.

<sup>220</sup> Ibid.

the foundation acquired and renovated a building at 423 West Market Street to provide asylum seekers a successful transition to American life.<sup>221</sup> Opened in 1999, the International Friendship House provided short-term housing and resettlement assistance for as many asylum seekers and refugees released from detention in York County Prison.<sup>222</sup> Flyers promoting the house and letters to potential donors highlighted the services provided by the house, where asylum seekers were supported with their job search, enrollment into English language programs, a savings account, and more.<sup>223</sup> Alongside the Golden Vision Foundation and the International Friendship House, the residents also established the Pennsylvania Immigration Resource Center, which “provides high-quality legal services so that vulnerable immigrants and their families,” like the *Golden Venture* passengers, have access to justice and a more secure future.<sup>224</sup> Again, the local efforts of both the *Golden Venture* passengers and the People of the Golden Venture offered an imagination for alternative institutions outside the state.

Some of the *Golden Venture* passengers resettled in the nearby Pennsylvania area or similar towns in Ohio, Florida, and Virginia, and others found themselves back where they first landed. In New York, the ethnic enclaves around the city including East Broadway, Flushing, Sunset Park, Flushing, with its informal institutions provided the support they were supposed to receive upon arrival, but instead found through the advocacy of the POGV and in the resettlement programs that the Golden Vision Foundation provided locally in York.<sup>225</sup> East Broadway, also known as “Little Fuzhou,” is lined with brightly ornamented Fuzhounese businesses detailing different services and local

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<sup>221</sup> “Letter to Barbara Hodgett,” *Private Collection of Joan Maruskin*, January 31, 2001.

<sup>222</sup> “Letter to Penny,” *Private Collection of Joan Maruskin*, February 21, 2001.

<sup>223</sup> “Letter to Penny,” *Private Collection of Joan Maruskin*, February 21, 2001.

<sup>224</sup> Pennsylvania Immigration Resource Center, “Annual Report 2021,” December 2021.

<sup>225</sup> Interview with Sean Chen, in discussion with author, Flushing, New York, March 2025.

dishes in Mandarin. Like Sister Ping's bright yellow multi-service storefront, many of the businesses on East Broadway provide services for employment, housing, financial assistance, and more. From the risk to migrate to the United States, to their acts of protest, and now resettlement into different ethnic enclaves, the *Golden Venture* passengers — similar to many other immigrants — actively negotiated their circumstances and developed economic and political networks inside the ethnic enclave, with the People of the Golden Vision, and behind prison bars. The *Golden Venture* saga was one of double discovery: in forever shifting the landscape of Yorktown by opening the cloistered communities' hearts, the *Golden Venture* passengers had opened their own, too.

## Epilogue

While the *Golden Venture* passengers received support from the various ethnic enclave institutions, leaving York Prison County was not their last encounter with the hardships of the American immigration apparatus. 1997 was certainly also not the last time the United States reconvened with its criminalization and unlawful detainment of immigrants. Instead, immigration restrictions and inclusion in the United States, today, dance to the rhymes of history.

The *Golden Venture* crash demonstrates how illegal immigration networks emerged as strategic transnational pathways, particularly for Chinese migrants from Fujian province who actively navigated increasingly restrictive immigration channels. Ethnic enclaves in Flushing and East Broadway, where many of the *Golden Venture* passengers relocated to, were self-sustained through ethnic institutions of which human smuggling was a part. They were also characterized by informal economic and labor practices that immigrants both participated in and defended. Significantly, the *Golden Venture* incident illuminated how the administrative decisions of the Clinton White House criminalized the passengers rather than reconfigured the line between legal and illegal immigration: a transformation that exemplifies how executive authority expanded its power to define the boundaries of legal immigration while simultaneously constraining legitimate pathways to citizenship. The *Golden Venture* provides crucial insights into how immigration status is not merely a legal designation, but rather a fluid categorization shaped by political imperatives and administrative discretion.

The trajectory of Chinese immigration since the *Golden Venture* has been marked by dramatic shifts in both migration strategies and the transformation of ethnic enclaves into urban centers. While large-scale smuggling operations are no longer as expansive, human smuggling from Fujian has changed

from water transportation to elaborate walking trails. The Chinese migration phenomenon known as "Zouxian" (走线) has seen dramatic growth in recent years, with approximately 24,000 Chinese citizens encountered at the U.S.-Mexico border in fiscal year 2023, representing a more than twenty-fold increase from 2021 levels.<sup>226</sup> Similar to the transnational journey of the *Golden Venture*, the journey of 走线 typically began with flights to countries with relaxed visa requirements for Chinese nationals, such as Ecuador or Panama, followed by a northward progression through Central America, including the treacherous Darién Gap, before reaching Mexican border cities like Tijuana.<sup>227</sup> The route is facilitated by sophisticated information networks operating on platforms like WeChat and another surprising alliance, working alongside indigenous communities and knowledge, where intelligence about border conditions, reliable guides, and successful crossing strategies were shared.<sup>228</sup> Although a different route, similar to the *Golden Venture*, given the continued lack of immigration channels, ethnic networks, and unexpected alliances, also facilitated this land-based migration strategy, operating as informal civil society structures.

The ethnic enclaves that once provided infrastructure for newly arrived *Golden Venture* passengers have also undergone profound changes. As ethnic enclaves have gotten more gentrified, and formerly cooperative businesses became commercialized, institutions like East Broadway Mall, once a

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<sup>226</sup> House Committee on Homeland Security. "Startling Stats Factsheet: Encounters of Chinese Nationals Surpass All Fiscal Year 2023 at the Southwest Border." April 18, 2024.  
<https://homeland.house.gov/2024/04/18/startling-stats-factsheet-encounters-of-chinese-nationals-surpass-all-fiscal-year-2023-at-the-southwest-border/>.

<sup>227</sup> Li Yuan, "Why More Chinese Are Risking Danger in Southern Border Crossings to U.S." *The New York Times*, December 3, 2023.  
<https://www.nytimes.com/2023/12/03/business/darien-gap-china-immigration.html>.

<sup>228</sup> Anonymous, in conversation with the author, April 2025.

vital economic hub for Fujianese immigrants, became embroiled in lease disputes.<sup>229</sup> Similarly, once a receiving community for many *Golden Venture* passengers, Flushing has experienced intense gentrification pressures that have altered its character of being a hub for Chinese immigrants. The diverse waves of immigration post the Hart-Cellar Act of 1965 — which found its way into the smuggling saga of the *Golden Venture* crash — reemerged in the gentrification of these ethnic enclaves, with wealthier and more settled immigrants building luxury developments and displacing newer and lower-class migrants. Developments like Tangram, a \$700 million mixed-use complex, have dramatically reshaped the neighborhood's landscape, replacing many of its previous small businesses and affordable housing options that made Flushing once accessible to new immigrants.<sup>230</sup>

However, the same vision for grassroots advocacy and community activism highlighted in the *Golden Venture* saga remains vibrant in East Broadway and Flushing today. From groups like CAAAV Voice, Flushing Worker Centers, 89Street Tenants Unidos, Eastern Queens Alliance, Guardians of Flushing Bay, and more, many have rallied against a proposed casino in Flushing or the creation of a mega-jail on East Broadway. The *Golden Venture* solidarity networks and the evolution of its institutions — as outside the view of the state and despite policy changes from the state — is evident in how contemporary immigrant and labor advocacy groups build solidarity beyond racial, ethnic, and class boundaries.

Lastly, much of the current immigration debate is around the labor question, and yet, this

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<sup>229</sup> "Katie Honan, "Alleged Lease Forger Scores \$13 Million Chinatown Mall Property," *THE CITY*, August 31, 2023, <https://www.thecity.nyc/2023/08/31/chinatown-east-broadway-mall-lease-lam-chan/>."

<sup>230</sup> "Vivian Wang, "The 'Gentrification of Flushing': Why the NIMBYs of Queens Are Pushing Back," *The Guardian*, August 13, 2020, <https://www.theguardian.com/us-news/2020/aug/13/flushing-queens-gentrification-luxury-developments>."

thesis exemplifies that the informal institutions of ethnic enclaves like employment agencies, housing agencies, remittance banks, revolving loan funds, and more offer alternative models of mutual aid. Immigrants don't steal your job, they create their own. Ethnic enclaves offer a genealogy of "corruption" that is continually used to criminalize them<sup>231</sup> Given the nuances of informal institutions and policies in ethnic enclaves, they also serve as a framework for rethinking "corruption" as a mode of transgressing normative conceptions of historical progress within transitional governance. Perhaps, welfare scholarship can explain the lack of codified welfare policy for undocumented immigrants, but ethnic enclaves embody the possibilities of embodying alternative ways to imagine what an inclusive society for migrants and workers can look like. As a response to the lack of welfare and codified policies, immigrants and workers have developed alternative models of mutual care, economic mobility, and work — which can be generative of new codified institutions. The variety of immigrant self-sufficient institutions in ethnic enclaves, informal labor practices, kinship, entrepreneurship, and the development of sites of home, community, and mutual support challenge the rigid welfare period categorization of work/labor as essential for "deserving" or "not deserving" of welfare.

Perhaps, this is precisely the paradoxical aspect of the American values the *Golden Venture* passengers and *The People of the Golden Vision* were locating themselves in: those who sought asylum should be granted justice, exodus, and freedom, and those who are criminals or illegal should be restricted access. How clear, then, is the distinction between asylum and crime? The line between legal and illegal continues to be blurred and dictated by statutory structures and haughty administrative

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<sup>231</sup> Dieter Haller and Cris Shore, "Rethinking the Anthropology of Corruption: An Introduction to Supplement 18," *Current Anthropology* 46, no. S5 (2005): S3-S6.

decisions — with the latter becoming more evident in the present moment. When Ai, one of the few women *Golden Venture* passengers detained in Louisiana writes in her poetry, “and they can never take away a person’s dreams,” (Appendix D) perhaps, she is conscious of the frameworks in which she, other immigrants, the *Golden Venture* passengers, and even Americans should locate themselves in.<sup>232</sup> Holding on to the dream of change amid historical devastation: looking beyond one’s value in labor work, politics, and the myths and grip of history towards collective organizing and community. In this sense, the *Golden Venture* passengers were “American” even before they left home.

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<sup>232</sup> Ai, “Poem to Demian,” *Private Collection*, 1994.



APPENDIX A  
PRESIDENTIAL DECISION DIRECTIVE/NSC-9, June 18, 1993 (5 pages)

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~~CONFIDENTIAL~~

20667

THE WHITE HOUSE  
WASHINGTON

June 18, 1993

PRESIDENTIAL DECISION DIRECTIVE/NSC-9

MEMORANDUM FOR THE VICE PRESIDENT  
THE SECRETARY OF STATE  
THE SECRETARY OF THE TREASURY  
THE SECRETARY OF DEFENSE  
THE ATTORNEY GENERAL  
THE SECRETARY OF LABOR  
THE SECRETARY OF TRANSPORTATION  
DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET  
CHIEF OF STAFF TO THE PRESIDENT  
ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY  
AFFAIRS  
DIRECTOR OF CENTRAL INTELLIGENCE  
ASSISTANT TO THE PRESIDENT FOR DOMESTIC POLICY  
CHAIRMAN OF THE JOINT CHIEFS OF STAFF  
THE COMMISSIONER, UNITED STATES CUSTOMS SERVICE  
DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION  
DIRECTOR OF U.S. INFORMATION AGENCY  
THE COMMISSIONER, IMMIGRATION AND NATURALIZATION  
SERVICE  
THE COMMANDANT, UNITED STATES COAST GUARD

SUBJECT: Alien Smuggling (U)

The recent increase in Asian criminal syndicate smuggling of Chinese nationals illegally into the U.S. by air, sea and across land borders is a matter of serious concern. At least until completion of the tasks set forth below, I direct that criminal-syndicate alien smuggling be dealt with in the following fashion:

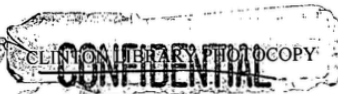
Policy

The U.S. Government will take the necessary measures to preempt, interdict and deter alien smuggling into the U.S. Our efforts will focus on disrupting and dismantling the criminal networks which traffic in illegal aliens. We will deal with the problem at its source, in transit, at our borders and within the U.S. We will attempt to interdict and hold smuggled aliens as far as possible from the U.S. border and to repatriate them when appropriate. We will seek tougher criminal penalties both at home and abroad for alien smugglers. We will seek to process smuggled aliens as quickly as possible. ~~(U)~~

At the same time, we will also attempt to ensure that smuggled aliens detained as a result of U.S. enforcement actions, whether

~~CONFIDENTIAL~~

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## APPENDIX B

### MEMORANDUM FOR THE VICE PRESIDENT, July 7, 1993 (5 pages)

#### Implementation.

1. Expediting procedures for swifter repatriation of illegal aliens .

Legislation which will provide for expedited exclusion of undocumented or fraudulently documented aliens while maintaining U.S. concerns for human rights and refugee protection has been drafted and is ready for congressional introduction upon the President's return.

2. Enhanced penalties and strengthened criminal law enforcement for alien smuggling

Legislation which would provide for increased penalties for criminal alien smuggling -fines and imprisonment of up to 20 years; expanded seizure and forfeiture authority in the context of such offenses; and establishing criminal alien smuggling as a RICO predicate is also ready for introduction.

3. Expeditious adjudication of asylum claims of criminally smuggled aliens

DOJ has developed a plan to complete adjudication of asylum claims of smuggled aliens currently held in INS custody (1300) within 120 days. This details steps to assist in the expeditious and efficient handling of these cases, while preserving full due process protections for the aliens involved.

4. Use detention as a disincentive to illegal entry into the U.S.

As required in the Presidential Directive issued on June 19, INS is detaining all criminally smuggled aliens until their asylum claims are adjudicated. Therefore, the aliens are being denied work authorization which is a primary rationale for their undertaking the voyage to the U.S.

- B. The following are efforts which are continuing in development. Many of these have both anti-terrorism and immigration applicability.

**Employer Sanctions:** DOL and INS are setting up special workplace strike forces to step up employer sanctions in hot spots for smuggled aliens. Stepped up law enforcement leading to employer sanctions will deter employers from hiring and exploiting illegal aliens. This plan also could be expanded to address illegal immigration concerns on the west coast.

**Clamp Down on Non-Immigrant Visa Abuse:** Non-immigrant visas are being used for purposes other than that for which the visa was issued. Improper visa usage is a form of illegal immigration. We plan to tighten the regulations which govern business visas. This measure may be ready for announcement on July 19.

2758



## APPENDIX C

"The Golden Vision: A Newsletter in Support of the Men of the Golden Venture," *Private Collection of Cindy Lobach*, York, Pennsylvania, September 15, 1993

# The Golden Vision

A Newsletter in Support of the Men of  
The Golden Venture

September 15, 1993

## DAILY PRAYER VIGIL TO CONTINUE

A daily prayer vigil outside the prison continues at 7:00 a.m. each day. Please feel free to stop by under the maple tree across from the prison any or all mornings for a brief time (only about fifteen minutes!) of prayer for the Chinese detainees.

## RIBBONS SIGNIFY SUPPORT AND CONCERN

Gold and white ribbons are currently being prepared for anyone who cares to show support for our Chinese brothers. Wear them or display them on your car! They'll show our support as well as inform others of what is happening. Pick up a ribbon at the Sunday evening service, or call Rev. Joan Maruskin at 244-8188 to find out how to obtain one.

## COMMITTEE MEETS TO FILL NEEDS OF CHINESE UPON RELEASE FROM PRISON

A group met last Sunday evening following the worship service to determine future needs of the refugees upon their release from prison and how to best meet those needs.

The Chinese men are being canvassed this week to determine which have relatives in the U.S., how many would require transportation to New York City or elsewhere, and how many may require temporary housing in York and/or employment opportunities.

There have been offers from individuals as well as organizations to help fill any required temporary housing needs. If you care to help, please call Rev. Joan Maruskin at 244-8188.

## SUNDAY SERVICE TO BE HELD AT 6:30 P.M.

The fourth weekly Sunday evening service in support of the refugees will be held at 6:30 p.m. on the 19th of September across the street from the prison. In addition to prayer and song, it is a good chance to hear informed speakers updating the situation and discuss new items of interest reported in the press. Beginning this Sunday evening, candles will be provided for use at the conclusion of the service.

Anyone wishing to participate in the service in the form of speaking, music, prayer or any form of worship is invited to do so. Please contact Rev. Joan Maruskin at 244-8188 and you will be happily included!!

## WORK TOWARD INFORMING OTHERS OF PLIGHT

We hope all of you will continue to keep friends, relatives, co-workers and even strangers informed and up-to-date on the Chinese refugees' situation and the harsh treatment these men are sure to encounter should they be forced to return to China.

Also, continue writing letters and/or making telephone calls to keep this situation in the forefront and elicit some action on the part of our politicians who have the ability and power to see that justice is done and these men receive fair hearings.

Finally, you can have your individual churches announce the 7:00 a.m. daily prayer vigil as well as the 6:30 p.m. Sunday services and continue to pray for the imprisoned Chinese men.

YOU CAN MAKE A DIFFERENCE!

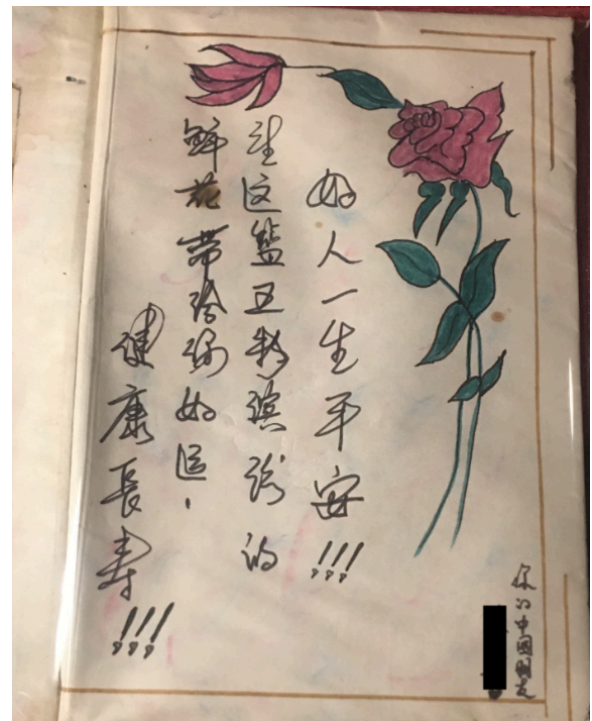
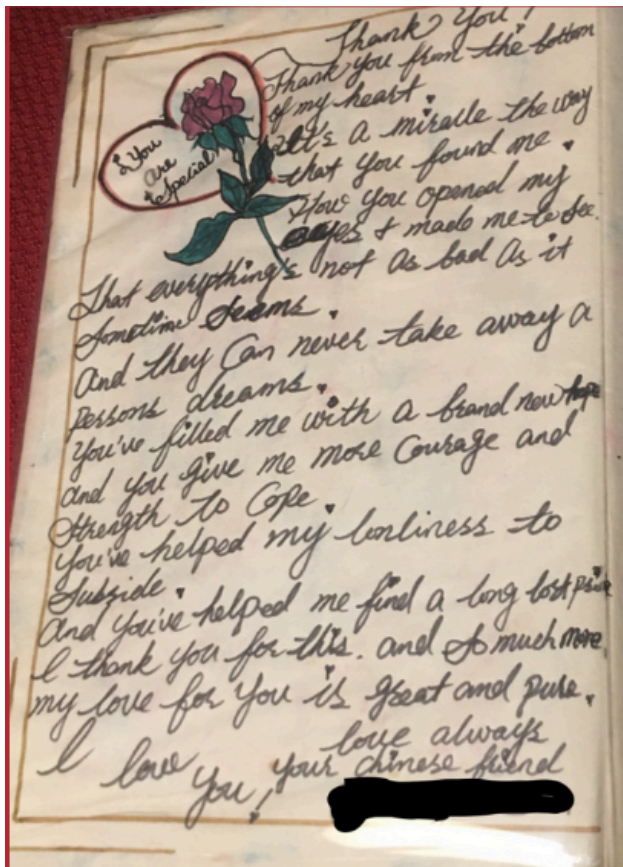
## APPENDIX D

Front of Ai's card, Private Collection of Demian Yumei.





Back of Ai's card with poetry, Private Collection of Demian Yumei.



好人一生平安!!!  
让这篮五彩缤纷的  
鲜花带给你好运,  
健康长寿!!!  
你的中国朋友,  
[signature redacted]

Translation:  
Good people live a peaceful life!!!  
Let this basket of colorful flowers bring you good luck,  
health and longevity!!!  
Your Chinese friend,  
[signature redacted]

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#### **Private Collections of Jeff Lobach**

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Clinton Digital Library

Public Laws (Public Law 89-236, Public Law 103-322)

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