

DEPARTMENT of JUSTICE IMMIGRATION and NATURALIZATION SERVICE

RECEIPT NUMBER SRC-96-169-51033		CASE TYPE I-730 REFUGEE ASYLEE RELATIVE PETITION	
		APPLICANT A74 509 372 LUU, NANG TH	
NOTICE DATE FEBRUARY 08, 1997	PAGE 1 of 1	PRINCIPAL ALIEN A74 640 386 LUU, THANH	
NANG LUU 3620 16TH STREET NW APT 409 WASHINGTON DC 20010		Notice Type: Change in Service Policy concerning I-730 Refugee relative petitions	

On August 27, 1996, the Immigration and Naturalization Service issued a policy memorandum which may affect your previously denied I-730 Refugee Relative Petition that you filed on behalf of your spouse and/or children.

The new policy changes the previous requirement that your relationship with your spouse and/or children must have existed at the time of the APPROVAL of your refugee status in order to make them eligible to join you in the United States. Specifically, the new policy provides:

The relationship of a spouse and child as defined in the Immigration and Nationality Act, must have existed prior to the refugee's **admission** to the United States and must continue to exist at the time of filing for following-to-join benefits and admission to the United States. If the refugee proves that the refugee is the parent of a child who was born after the refugee's admission as a refugee, but who was in utero on the date of the refugee's admission as a refugee, the child shall be eligible to follow-to-join the refugee. The child's mother, if not the principal refugee shall not be eligible to follow-to-join the principal refugee unless she was the principal refugee's spouse on the date of his admission as a refugee.

The policy also broadens the category of those eligible to file I-730 petitions to include some who were previously not considered principal refugees. If you were admitted to the United States as a relative of a principal refugee, but you were not the principal's spouse or unmarried child, under 21 years of age, at the time of your admission, you may be eligible to file an I-730 petition on behalf of your own spouse and children.

Accordingly, if you believe you may benefit from this new policy, you should file a new I-730 petition, with accompanying documentation **and a copy of this notice**, to this office at the below listed address. If you have any questions, you may call the customer service number listed below.

You will be notified separately about any other cases you have filed.

IMMIGRATION & NATURALIZATION SERVICE
 TEXAS SERVICE CENTER
 P O BOX 152122 - DEPT A
 IRVING, TX 750152122
Customer Service Telephone: (214) 767-7769



An Giang, ngày ... 18 ... tháng 01 ... năm 1997.

XÁC NHẬN TRÍCH LỤC BỘ KHAI SINH

SỐ HIỆU ... 307 ...

Họ tên : ... Lưu Thành Giao ...		nam, nữ : ... nam ...
Sinh ngày ... 11 ... tháng ... 11 ... năm 1972 ... (Năm mốt chín bảy hai)		
Nơi sinh : ... Thị trấn An Châu, Châu Thành ...		
Dân tộc : ... Kinh ...	Quốc tịch : ... Việt nam ...	
Họ tên Cha : ... Lưu Thế Năng ...		năm sinh : ... 1946 ...
Họ tên Mẹ : ... Nguyễn Thị Văn ...		năm sinh : ... 1950 ...
Người khai : ... Lưu Thế Năng ... năm sinh : ... 1946 ...		
Cấp tại : ... Thị trấn An Châu ... ngày ... 24 ... tháng ... 08 ... năm ... 1995 ...		
Do Ông, Bà : ... Phạm Minh Thanh ...		chức vụ : ... Chủ tịch ...
đã ký.		

Sử dụng thay thế bản sao khai sinh.

SỞ TƯ PHÁP AN GIANG

GIÁM ĐỐC



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I, (*)
 am an (name)
 and that is my
 translation.

Date 10/10/84

Signature of translator

John Doe
 (signature)

Agency DOE

Washington, D.C. (city) DC (state) 20585 (zip)

(*) Printed or typed, name of the translator in (name)

(**) Language of the original document -- Spanish, French, Chinese, German, etc.

--- The original document, and copy of it if you wish original returned, should be attached to this summary translation form and certification.

--- Title 8 of the CFR, Part 292.1 (a) (3) forbids private individuals to charge any fees for filling out this form.

UBND TỈNH AN GIANG
SỞ TƯ PHÁP

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc Lập - Tự Do - Hạnh Phúc

An Giang, ngày 18 tháng 01 năm 1997.

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307

Trong số 01/200

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TRANSLATION OF A "BIRTH CERTIFICATE"

(print or type)

1. NAME: GIAO THANH LUU
 (first) (middle) (last)

2. BIRTH: - Place: CHAU THANH AN GIANG VIET NAM
 (city or town) (state or province) (country)

- Date : - / - / 1972
 (month) (day) (year)

3. FATHER'S NAME: NANG THE LUU
 (first) (middle) (last)

4. MOTHER'S NAME: VAN THI NGUYEN
 (first) (middle) (last)

5. CERTIFICATE ISSUED: - Date: AUGUST / 24 / 1995
 (month) (day) (year)

Place: AN CHAU AN GIANG VIET NAM
 (city or town) (state or province) (country)

Magistrate: THAM MINH PHAM
 (full name)

6. CERTIFICATE FOUND: Archive or Register: Birth Certificate Page 307

7. NOTATIONS OF IMPORTANCE:

CERTIFICATION OF TRANSLATOR'S COMPETENCE

I, (*) Ngoc Huong Le, hereby certify that the above is an accurate translation of the original "birth certificate" in (**) Vietnamese, and that I am competent in both English and (**) Vietnamese to render such translation.

Date February / 12 / 1997Ngoc Huong Le
(signature of translator)Agency Indochinese Community 1628 16th Street, N.W.
(address)Center Phone (202) 462-4330 Washington, D.C. 20009
(city) (state) (zip)

(*) Printed or typed, name of the translator in full.

(**) Language of the original certificate -- Spanish, French, Chinese, German, etc.

--- The original document, and copy of it if you wish original returned, should be attached to this summary translation form and certification.

--- Title 8 of the CFR, Part 292.1 (a) (3) forbids private individuals to charge any fees for filling out this form.

Nang The Luu

Chi Thé,
chi có thể giải em.
Làng

To:

Orderly Departure Program
Panjabhum Building, 9th Floor
127 South Sathuru Road
Bangkok 10120 ThailandVan Phong ODP/CO So Ngoai Vu
184 Bis Pasteur Q1 t/p Ho Chi Minh

Jax 9/6-18/97

RE: Appeal the Rejection of My Son's Admission to the U.S.

I, Nang The Luu, have been resettled in the U.S. under the Humanitarian Operation (H.O.) program since February 14, 1996. During the process of applying the visa to enter the U.S. on September 09, 1995, one of my son, Giao T. Luu, had been rejected as "not qualified for over 21 years of age" (see attached paper #1). The remaining members of my family, five (5) persons including myself, were granted the visas and have come to live in U.S. since February 1996. Under the revised McCain Resolution allowing the single child over 21 years of age to join its family in the U.S., my son had been called upon to meet with an Officer of the U.S. Immigration and Naturalization Service (INS) for a visa interview on November 2, 1997 in the INS office in Ho Chi Minh City. This time, my son was rejected because our paternal "relationship [is] not credibly established at this interview" (see attached paper #2). Specifically, his Certificate of Birth was recently issued on August 24, 1995; and he failed to submit an older record showing our paternal relationship.

My son, Giao T. Luu, was born in 1972 and issued a Certificate of Birth in An Giang province, South of Vietnam. However, all of our family records were lost during the collapse of South Vietnam Government in 1975 and my imprisonment period (1975-1980) in the re-education camp. In 1989, having been eligible to resettle whole family in U.S. under the H.O. program, I came to the An Giang Provincial Office of Record to request to certify all the necessary documents including my children's Certificates of Birth and submit them to the U.S. INS team stationed in Bangkok, Thailand at that time. In 1995, having been called upon by U.S. INS team for an visa interview, I again requested the An Giang Provincial Office of Record to certify my children's Certificates of Birth to resubmit them to INS Counsels during the interview. Based on these documents, in 1995, the U.S. INS officers refused to grant my son, Giao T. Luu, a visa to come to U.S. due to his over-21-years of age. Under the revised McCain Resolution, my son was given another

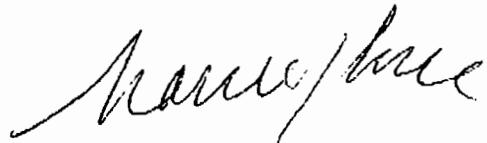
chance in November 1996, but was again rejected under a new ground: his newly issued (1995) Certificate of Birth, which was an evident for his over-21-years of age, now did not credibly establish our paternal relationship.

Please be understood that Vietnam is a third world country with its sloppiness of keeping its citizens records. Furthermore, the father-and-son relationship between I and my son, Giao T. Luu, can be credibly certified under the oath by two (2) of our family friends, Mr. Phu K. Nguyen and Mr. Doan Ngoc An, who have known our family over 25 years in An giang Province.

Please review all the attached documents and grant my son, Giao The Luu, a visa to come to join the family in the United States of America.

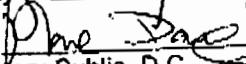
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the understanding that willful false statements and the like so made are punishable by fine, imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any visa issued thereon.

Respectfully submitted,
Sincerely yours,



Nang The Luu

Subscribed and sworn to before me in my presence this day of February, 1997, a Notary Public in and for

Subscribed and Sworn to before me
this 18 day of February 1997.

Notary Public, D.C.
My Commission Expires February 14, 2002

Chi Tho,

Can sun gi thi chi goi em

Long 305-4820