



INTERNATIONAL CATHOLIC MIGRATION COMMISSION

JOINT VOLUNTARY AGENCY FOR U.S. ORDERLY DEPARTURE PROGRAM, AMERICAN EMBASSY
127 PANJABHUM BUILDING, SATHORN TAI ROAD, BANGKOK 10120 TEL: 252-5040 EXT. ODP

Date: 08 March 1996	Principal Applicant: Nguyen Thi Thuy Thien
File Number: 427-193	Sponsor/Volag: FVPPA

Ms. Khue Minh Tho

Dear Correspondent:

Your 22 November 1995 inquiry concerning the U.S. Orderly Departure Program (ODP) application of the individuals in the case cited above was received by ODP. Unfortunately, the volume of mail received here precludes individualized responses. We have checked information below which pertains to this case. For more detailed information, please see the attached information sheets.

☐ The referenced applicants are eligible to attend an interview. They should apply for exit permission from the Vietnamese authorities if they have not already done so.

- ☐ The applicants will soon be notified directly of their interview date.
- ☐ According to our records we invited the applicants to the ODP interview site in Ho Chi Minh City but the applicants did not appear. We used the following contact address for the applicants in Vietnam: _____ Please inform ODP if this address is incorrect.
- ☐ The applicants are scheduled for an interview during our _____ through _____ interview session.

☐ The referenced applicants are not eligible to attend a refugee interview because:

- ☐ the principal applicant spent less than the minimum three year requirement in re-education centers due to his association with the U.S. government policies and programs in Vietnam prior to 1975.
- ☐ the principal applicant was employed by the U.S. government or a U.S. private company for less than five years.
- ☐ there is insufficient documentation in the file to verify the applicant's claim of: _____
- ☐ the death of the principal applicant's husband after his release from re-education centers is not conclusively linked to his former incarceration in a re-education center due to pre-1975 activities.
- ☐ the applicants are not eligible as beneficiaries of the Petition for Refugee Relative (I-730) petition filed by the sponsor because _____. The sponsor may file immigrant visa petitions on behalf of the applicants once he/she is eligible to do so. See ODP-B attached.
- ☐ the applicants are over the age of twenty-one and, therefore, are not eligible to derive refugee benefits from _____'s refugee application.

The file has been/will be closed and original documents have been/will be returned to the applicants. The file may be reactivated upon receipt of an approved immediate relative or current preference immigrant visa petition (Form I-130) or _____.

☐ The referenced applicants were interviewed on _____ and:

- ☐ approved for admission as refugees. A voluntary agency is being assigned to assist in the resettlement of the applicants in the U.S. They should be departing Vietnam soon.
- ☐ final adjudication of their case is pending receipt of the following: _____

☒ The referenced applicants were interviewed and denied refugee status because:

- ☐ the principal applicant did not meet the definition of a refugee as defined under §101(a)(42) of the Immigration and Nationality Act.
- ☐ they failed to establish their relationship to _____.
- ☒ they failed to prove they resided continuously in _____'s household.

☒ applicants are over-21

☐ The information you provided is insufficient to locate a file. Please specify the applicant/s and sponsor's full names, dates of birth, and addresses so that we may provide you with the case status.

☐ The applicant departed Vietnam or is scheduled to depart on _____.

☐ The information you sent is already on file. Submitting duplicate copies may delay case processing.

☒ OTHER: This case was presented to a US Immigration and Naturalization Service (INS) officer in light of your request for humanitarian consideration. Unfortunately, such special consideration was not granted.

APPLICANT COPY

Your interest in this case is appreciated.

Xin ap dung
4 a

Ngày:	Đương đơn chính:
Hồ sơ số:	Người bảo trợ:

Thưa Ông/Bà,

Văn Phòng ODP đã nhận được thư hỏi của Ông/Bà về trường hợp của những người có tên trong hồ sơ ghi trên đây. Tuy nhiên, do số lượng thư nhận quá nhiều, chúng tôi không thể trả lời từng trường hợp một được. Chúng tôi đã đánh dấu các thông tin dưới đây có liên quan đến việc Ông/Bà muốn biết. Nếu muốn có thêm chi tiết, xin Ông/Bà xem các bản thông tin đính kèm.

- ☐ Các đương đơn trong hồ sơ nêu trên hội đủ điều kiện để được phỏng vấn. Họ phải xin giấy phép xuất cảnh của nhà cầm quyền Việt Nam nếu chưa xúc tiến việc này.
- ☐ Các đương đơn sẽ được thông báo trực tiếp về ngày giờ phỏng vấn.
 - ☐ Dựa vào hồ sơ hiện có, chúng tôi đã mời các đương đơn đến địa điểm phỏng vấn của ODP tại Thành Phố Hồ Chí Minh nhưng họ đã vắng mặt. Chúng tôi đã dùng địa chỉ dưới đây để liên lạc với các đương đơn tại Việt Nam.

Xin Ông/Bà thông báo cho ODP biết đây có phải đúng là địa chỉ liên lạc hay không.

- ☐ Các đương đơn hiện đang được sắp xếp để phỏng vấn trong chuyến công tác của chúng tôi từ ngày _____ đến ngày _____.
- ☐ Các đương đơn trong hồ sơ nêu trên không hội đủ điều kiện để được phỏng vấn theo diện tỵ nạn vì các lý do sau đây:
 - ☐ Đương đơn chính không hội đủ điều kiện đã ở trại cải tạo ít nhất là 3 năm vì có liên quan đến các chánh sách và chương trình của Chính Phủ Hoa Kỳ tại Việt Nam trước năm 1975.
 - ☐ Đương đơn chính đã làm việc cho Chính Phủ Hoa Kỳ hoặc các công ty tư nhân Hoa Kỳ dưới 5 năm.
 - ☐ Không có đủ giấy tờ trong hồ sơ để chứng minh đương đơn là:
 - ☐ Cái chết của người chồng của đương đơn chính sau khi được tha khỏi trại cải tạo không được xem là hậu quả của việc bị giam giữ tại trại cải tạo vì các hoạt động trước năm 1975.
 - ☐ Đương đơn không hội đủ tiêu chuẩn dành cho người thụ hưởng theo đơn xin của người bảo trợ là thân nhân thuộc diện tỵ nạn (Mẫu I-730) vì lý do _____.

Người bảo trợ có thể nộp đơn xin thị thực di dân cho các đương đơn khi hội đủ điều kiện này. Xin xem tài liệu hướng dẫn ODP-B đính kèm.

- ☐ Đương đơn đã quá 21 tuổi nên không được hưởng các quyền lợi dành cho đơn xin theo diện di dân. Hồ sơ đã hoặc sẽ được đóng và bản chính các giấy tờ đã nộp đã hoặc sẽ được gửi trả lại cho đương đơn. Hồ sơ có thể mở lại khi chúng tôi nhận được đơn xin đã được chấp thuận của thân nhân trực hệ hoặc đơn xin thị thực di dân dựa trên tiêu chuẩn ưu tiên đã đến hạn (Mẫu I-130) hoặc _____.

- ☐ Các đương đơn trong hồ sơ nêu trên đã được phỏng vấn ngày _____ và
 - ☐ đã được nhận theo diện tỵ nạn. Một cơ quan thiện nguyện hiện được chỉ định để giúp các đương đơn tái định cư tại Hoa Kỳ. Họ sẽ rời Việt Nam trong một ngày gần đây.
 - ☐ Chúng tôi sẽ có quyết định cuối cùng về hồ sơ của các đương đơn sau khi nhận được các giấy tờ chứng minh sau đây: _____.

- ☐ Các đương đơn trong hồ sơ nêu trên đã được phỏng vấn nhưng không được nhận theo diện tỵ nạn vì các lý do sau:
 - ☐ Đương đơn chính không phải là người tỵ nạn theo định nghĩa tại mục 101(a)(42) của Luật Di Trú và Nhập Tịch.
 - ☐ Các đương đơn không chứng minh được liên hệ với _____.
 - ☐ Các đương đơn không chứng minh được là đã cư trú liên tục tại hộ khẩu của _____.

- ☐ Các thông tin do Ông/Bà cung cấp không đủ để giúp chúng tôi truy lục được hồ sơ. Xin Ông/Bà cho biết rõ họ tên đương đơn chính và người bảo trợ, ngày tháng năm sinh, và địa chỉ để chúng tôi có thể thông báo Ông/Bà rõ tình trạng hiện nay của hồ sơ muốn hỏi.

- ☐ Đương đơn đã hoặc đang được sắp xếp để rời Việt Nam vào ngày _____.

- ☐ Những thông tin do Ông/Bà gửi đến đều đã có sẵn trong hồ sơ. Việc cung cấp thêm các giấy tờ chứng minh đã gửi rồi trước đây có thể làm chậm trễ việc cứu xét hồ sơ.

- ☐ Các thông tin khác: _____.

ATTACHMENT # 1C

The Case of Dang Van Nguyen
(IV-253834)

Dang Van Nguyen (75 years of age) and his wife Thach Ngoc Vo (73 years of age) request that their three single adult children be allowed to join them in the U.S. The parents are sickly (Mr. Dang Van Nguyen suffers from incurable Parkinson's disease) and they need the care of their children, who are eligible for the H0 subprogram of ODP. The three children were rejected in an ODP interview March 11, 1994.



DANG-VAN-NGUYEN
THACH NGOC VO

Attachment # 1C

June 12, 1995

Washington, D.C.

IV# 253834
H 27/193

Dear Ms. KHUC MINH THO,

By this letter, my wife and I request that you do everything you can to help bring my three children to join us in the United States.

They should have been able to come with us to this country on April 13, 1995 if there was no objection from the American interviewers in Saigon.

My three children are:

NGUYEN THI THUY TIEN (Female) DOB. JAN. 7, 1954

NGUYEN THI ANH DAO (Female) DOB. Jan. 16, 1955

NGUYEN DANG QUANG (Male) DOB. Feb. 3, 1959

Their address in VIETNAM is:

266/DK. ẤP TAN TAO NG, XÃ TAN HY, HUYỆN THANH. HUNG
TỈNH DONG THAP VIET NAM

They are all still single.

Sincerely,

Enclosed is: my July 11, 1994 letter
to O.D.P. in Bangkok - THAILAND
" for your information

DANG VAN NGUYEN (75 years)
Dang Nguyen
THACH NGOC VO (73 years old)
Thach Vo

Attachment 1

400/DR. 144 TRUNG. 177777
THANH HUNG. 98NG 7HAP
VIET NAM
MR. NGUYEN VAN DANG
IV: 253834/H27. 193
11. JULY. 1994

ORDERLY DEPARTURE PROGRAM
Panjabkum Building 9th Floor
127. Southern Bai Road
Bangkok 10120
THAILAND

Request for a favorable decision to my children
accompanying me to the United States of America.

Dear Sirs:

My name is NGUYEN VAN DANG - IV: 253834/H27. 193.
I was interviewed on March 11th 1994. Based on Post Interview
document Request of the Interviewing Officer. I submitted "The
Old Household Book from 1978 to 1988" at the Office of External
Relations/^{Service} 6 Giai Van Hung, G.1. HOCHIMINH City on March 13th 1994.
The U.S. Interview Team said that I must wait for the decision from Bangkok.
Until now, I am still waiting for that decision. I'm looking forward
knowing whether my family consisting five persons can immigrate
to the United States of America. In the meantime, I write to you
to present the particularly difficult circumstances of my family from
20 April 1975.

Before 20 April 1975, my family lived in our own house at
Vinh Long Province, for I was a Deputy of the National Assembly of
the Republic of Vietnam from 1974 to 1975, I was arrested on May
20th 1975 and detained in the reeducation camps in the North Viet Nam.
After that day, all my properties, including land, house, cars... were
confiscated in July 1975. My wife and my children were expelled and
had to move out, they went to dwell temporarily at one of my friend's
house at Vinh Long Province, and after that, they had to change the
dwelling place many times until March 1978. My family's life was
extremely miserable and precarious. In March 1978, my family
had to choose between the coming back to my native village or the
going to "New Economic Zone". Before this situation, my wife and my
children decided to come back to TAN MY, my native village in the
countryside, they lived and worked there as farmers until now.

Nguyen Thin Thuy Tien
Nguyen Thi Anh Dao
Nguyen Tang Luang

Properly speaking about my three children (two daughters and one son)
I have asked you for their entry permit to accompany me to the
United States of America, they were under 21 years old in April 1975.

Attachment 1.

at that time, their study at school was denied, they could not continue to study, they had to leave school, and before the financial difficulty of my family, their mother was very weak and could not work effectively, so they must work to earn their living and to help their mother. Until now, they are still living with their parents in the same thatch house, they are still single and must work hard together in the ricefield to help their parents, because, as you know, my wife and I are old and very weak, we are often ill, we always need the help of my children.

With the facts presented above, we hope that you can kindly consider our case in the humanitarian spirit to accept my request. Your acceptance will be a great favor to my whole family.

I shall be very much obliged to your humanitarian concern for my case. Thank you for your attention and prompt assistance. I remain,

Yours respect fully

NGUYỄN VĂN ĐĂNG

-Enclosures:

1. a copy of "Post Interview Document Request".
2. a copy of "The Old Household Book from 1978 to 1988".
3. a copy of "Confiscation Order of Property".

ATTACHMENT # 1The Case of Dang Van Nguyen
(IV-253834)

Dang Van Nguyen (75 years of age) and his wife Thach Ngoc Vo (73 years of age) request that their three single adult children be allowed to join them in the U.S. The parents are sickly (Mr. Dang Van Nguyen suffers from incurable Parkinson's disease) and they need the care of their children, who are eligible for the HO subprogram of ODP. The three children were rejected in an ODP interview March 11, 1994.

DANG-VAN-NGUYEN
THACH NGOC VO

Attachment # 1

June 12, 1995

Washington, D.C.

IV# 253834
H 27/193

Dear Ms. KHUC MINH THO,

By this letter, my wife and I request that you do everything you can to help bring my three children to join us in the United States.

They should have been able to come with us to this country on April 13, 1995 if there was no objection from the American interviewer in Saigon.

My three children are:

NGUYEN THI THUY TIEN (Female) DOB. JAN. 7, 1954

NGUYEN THI ANH DAO (Female) DOB. Jan. 16, 1955

NGUYEN DANG QUANG (Male) ~~DOB~~ DOB. Feb. 3, 1959

Their address in VIETNAM is:

266/D.K. ẤP TAN TRUONG, XÃ TAN MY, HUYỆN THANH. HUNG
TỈNH DONG THAP VIET NAM

They are all still single.

Sincerely,

Enclosed is: my July 11, 1994 letter
to D.D.P. in Bangkok - THAILAND
" for your information

DANG VAN NGUYEN (75 years old)
Dang Nguyen
THACH NGOC VO (73 years old)
Thach Vo

Attachment 1

266/DK. TÂN TRUNG. TÂN MỸ
THANH HÙNG. CÔNG THÁP
VIET NAM
MR. NGUYỄN VĂN ĐĂNG

IV: 253834/H27. 193

11. JULY. 1994

ORDERLY DEPARTURE PROGRAM
Panjablum Building 9th Floor
127. Sathorn Sai Road
Bangkok 10120
THAILAND

Request for a favorable decision to my children
accompanying me to the United States of America.

Dear Sirs:

My name is NGUYỄN VĂN ĐĂNG - IV: 253834/H27. 193.
I was interviewed on March 11th 1994. Based on Post Interview
document Request of the Interviewing Officer. I submitted "the
Old Household Book from 1978 to 1988" at the Office of External
Relations^{Service}, 6 Bhai Ven Lung, G.1. HOCHIMINH City on March 13th 1994.
The U.S. Interview Team said that I must wait for the decision from Bangkok.
Until now, I am still waiting for that decision. I'm looking forward
knowing whether my family consisting five persons can immigrate
to the United States of America. In the meantime, I write to you
to present the particularly difficult circumstances of my family from
30 April 1975.

Before 30 April 1975, my family lived in our own house at
Vinh Long Province, for I was a Deputy of the National Assembly of
the Republic of Vietnam from 1971 to 1975, I was arrested on May
24th 1975 and detained in the reeducation camps in the North Vietnam.
After that day, all my properties, including land, house, cars... were
confiscated in July 1975. My wife and my children were expelled and
had to move out, they went to dwell temporarily at one of my friend's
house at Vinh Long province, and after that, they had to change the
dwelling place many times until March 1978. My family's life was
extremely miserable and precarious. In March 1978, my family
had to choose between the coming back to my native village or the
going to "New Economic Zone". Before this situation, my wife and my
children decided to come back to TÂN MỸ, my native village in the
countryside, they lived and worked there as farmers until now.

Nguyễn Thị Thụy Tiên
Nguyễn Thị Anh Đào
Nguyễn Tăng Quang

Properly speaking about my three children (two daughters and one son)
I have asked you for their entry permit to accompany me to the
United States of America, they were under 21 years old in April 1975.

Attachment 1

at that time, their study at school was denied, they could not continue to study, they had to leave school, and before the financial difficulty of my family, their mother was very weak and could not work effectively, so they must work to earn their living and to help their mother. Until now, they are still living with their parents in the same thatch house, they are still single and must work hard together in the ricefield to help their parents, because, as you know, my wife and I are old and very weak, we are often ill, we always need the help of my children.

With the facts presented above, we hope that you can kindly consider our case in the humanitarian spirit to accept my request. Your acceptance will be a great favor to my whole family.

I shall be very much obliged to your humanitarian concern for my case. Thank you for your attention and prompt assistance. I remain,

Yours respectfully

NGUYỄN VĂN ĐĂNG

Enclosures:

1. a copy of "Post Interview Document Request"
2. a copy of "The Old Household Book from 1978 to 1988"
3. a copy of "Confiscation Order of Property"