

MCCAIN CASES

NAME (Last, First, Middle) PHAM, PHU VAN

IV# 0382034 / R 180 - 028

Date and Birth: 1976

Father's Name: PHAM QUE

Father's IV# (if different) _____

Names and Dates of Birth for Any Brothers and Sisters who are also McCain children:

Spouse's and Children's Names and Dates of Birth:

Date of Parent's Interview: _____

Date of Parent's Admission into the United States: _____

Current Address of Parent in the United States:

_____ Houston Texas

Status of DNA Testing (if applicable):

Computerized
Remarks: From denied letter : interview date : 01-25-99
lack of continuous residence with parents, old picture
of the family.

2/16

✓

April 17, 1999

To: Mrs. KHUC MINH THU

Falls Church, VA – USA

Re: Petitioner: **PHAM, QUE** (yob: 1945)
Social security number :

Address:
Houston, Texas USA
Home tel.:

Applicant: **PHAM, PHU VAN** (son, yob: 1976)
Address: Doi 13, Thon Dong, Xa Ly Hai, Huyen Ly Son, Tinh Quang
Ngai, VIETNAM.
IV- 0382034 / R 180 028

Subject: Request for visa approval re-consideration.
Orderly Departure Program for children of Former Re-
education Camp Prisoner detained by the communist of
the Socialist Republic of Vietnam.

Dear Mrs. Khuc Minh Thu:

As a newly resettled immigrant in Houston, Texas, USA from Vietnam under the Orderly Departure Program (ODP) for Former Re-education Camp Prisoner detained by the communist of the Socialist Republic of Vietnam, I am writing this letter to seek your assistance and intervention in the visa eligibility and approval process for my son referred above under the ODP for children of Former Prisoner of the Vietnamese Communist Re-Education Camp.

As a former re-education camp prisoner detained by the communist of the Socialist Republic of Vietnam, under IV-0382034 of the above subject program, my family members including my wife, my son referred above and myself, we were eligible for visas to emigrate to the United States of America.

We were informed that on 10/14/1998, covered by the McCains Amendment, my son: Phu Van Pham was listed for visa eligibility under IV number 0382034 / interview list R 180025.

At his most recent interview on 01/25/1999, Phu has presented all the required credential asserting his relationship to me including: his Birth Record, his mother's Common Living Record which also listed her five (5) children including himself, our Household's Booklet, Marriage Certificate of Phu's parents, etc.. All the aforementioned documents were established and issued by the Vietnamese local authorities.

Unfortunately after the meeting, the interviewing committee has denied Phu's visa eligibility. The ODP officials requested Phu to present a Household's Record that could prove Phu's continuous residence with me and old pictures of our family as well as new photographs supposedly including the ones taken at the airport with his parents.

Please allow me to take this opportunity to briefly but accurately and truthfully, explain to you our peculiar situation.

After the fall of South Vietnam in April of 1975, my family and I were seeking refuge in the province of Lam Dong. It was plenty of hardship for our family at that time because of the economic situation and the cold climate of the highland area. Because of my wife's pregnancy during that time, she was forced to, with our young children to return to our hometown to seek assistance and support from our relatives.

When I was captured, taken prisoner and sent to prison as a re-education camp detainee for forced labor by the Vietnamese communist, my family and my wife was also, forcefully, sent to the New Economic and Development Area for relocation by the communist authorities.

It was during this time in that new economic area that we have lost one of our daughter who, at 15 years of age, was forced to do hard labor initiated by the communist socialist party,

Unable to support the utmost hardship in the new economic and development area, my family has, at many reprises, try to flee the region and return to our hometown but in vain. Many times, the local communist authorities at our hometown forced my family back to the new economic areas.

It was because of this reason that my family could not establish and provide a record for our continuous residence at our hometown.

From my part, I was interned until 1982 at which time I was released from the communist re-education camp and allowed to return home. Since then, we were all living in fear and insecurity because the local authorities has not approved and issued to us our permanent residence right.

After many years of misfortune and separation, with the support of the local neighbors, my wife did protest to and lament with the communist local authorities for our residence permit. Resulting from that action, in 1987, the local officials recorded our family into the Local Permanent Resident Registry to be considered for monthly food ration allocation. We were told later that this action was done to ease the response of the local population who had acted to support our family.

Annually, the local authorities had to upgrade the Local Permanent Resident

Registry, considering new applicants returning from the New Economic and Development Areas desiring to establish their residence in the localities.

At each time during the update process, my family was rejected and we were not allowed to register our residence. It was only 1993 that our family was officially granted residence and issued the official Certificate of Household by the Vietnamese communist government authorities. (A copy is attached herewith for your perusal and record).

In regard to your request for old photographs of our family please allow me to provide the following true and exact explanation. Since we were living in the countryside far from any town or city, the financial situation of our family is pretty precarious and unstable. Because of our rustic lifestyle and our lack of monetary means, we did not have in our possession any camera nor was any photograph present in our region. It was a luxury to have pictures taken, a luxury that our family could not afford at that time.

It was because of that reason that we did not have any photographs of our family together.

At our departure for the United States, our son, Phu Van Pham, the above-referred applicant was present at the airport to say farewell. Unfortunately, we did not have any money at that time to request for a photo of our family. We were not at all concerned about taken pictures of our farewell which we later regret dearly.

The above explanations were all the reasons my son, Phu could not provide the requested information, records and photographs to the interviewing officers at his recent ODP meeting.

Under penalty of perjury, I hereby affirm and confirm that all the aforementioned explanations are true and correct. It would be quite unjust and unfair for our family, especially for my son and I, that the U.S. ODP officials in Vietnam denied visa approval to the above-referred applicant.

As a person who has devoted most of his life to fight for freedom and independence, and was interned for many years, seeing his family continuous sufferance, his children wasting years of their youths, I am appealing to your generosity and kind consideration for an intervention into the above matter.

Myself, prior to 1975, I was a Township Assistant Administrator acting as Village Chief at the Province of Quang Ngai under a government supported strongly by the United States government fighting the communist insurgent forces.

I am presenting all the above facts and circumstances to you with a sincere hope that you could intervene and assist the above referred applicant in obtaining a visa to emigrate to the United States of America to rejoin the rest of his family. Without

your consideration and action, my son Phu Van Pham would be living in despair without any hope.

On behalf of my family, please accept our sincere appreciation and gratitude for your attention and assistance.

Anxiously, we are looking forward to a favorable response from your office.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Que PHAM', is written over a horizontal line.

Que PHAM
H.O. Petitioner

Enclosures (X)



TRANSLATION

International Community Services

3131 W. Alabama, Suite 100 • Houston, TX 77098 • (713) 521-9083

SOCIALIST REPUBLIC OF VIETNAM

Independence-Liberty- Happiness

REQUEST FOR CERTIFICATION OF NON-CONTINUOUS RESIDENCE

Submitted to: - The Public Police of Ly Son District
 - The Public Police of Ly Hai Village

I, the undersigned: Pham Que (aka Pham van Que), born in 1945 at Ly Hai Village, Dao Ly Son District, Quang Ngai Province, residing at Thon Dong, Ly Hai Village, Dao Ly Son District, Quang Ngai Province, personal ID card no. 211973770 issued on 05/20/1992 by the Public Police of Quang Ngai Province, hereby request the certification of the following facts:

In April of 1975, my family and I relocated to Lam Dong Province for farming.

As for myself, in August of 1976, I was captured by the authorities and sent to Qui Nhon for incarceration. Later, I was transferred to Kim Son re-education unit at the Province of Nghia Binh (old name) for force labor for a 6 years and 2 months period because of my active service during the old regime.

Since my capture, my family and my wife have to return to our hometown at Binh Yen Village (now called Ly Hai Village) for support in their daily survival. After a short time, they were sent to the New Economic and Development Area in the highland at Binh An Village, Binh Son District on reasons that our hometown Dao Ly Son was a national defense base and that my wife has a husband serving in the old regime government and who was still interned for re-education in concentration camp.

Because of the hardships in the New Economic and Development Area and because our oldest daughter Pham thi Hue, born in 1967 lost her life while doing force labor initiated by the socialist regime, my family, at many times have tried to flee the area to return to our hometown to survive.

On 09/30/1982, I was released from the re-education camp and I was granted permission to return to my hometown Binh Yen Village (Ly Hai) where I worker as a farmer for a living. I was under the observation of the local authorities and I was not allowed to leave for anywhere else.

It was because of the aforementioned reasons that my family and I could not establish or request for a continuous residence at our hometown.

In 1987 following a reform action initiated by the Vietnamese government granting permission to applicants who have resided more than 6 months at a locality (without consideration to their status), to register their residence at that area. Resulting from that decision, the local authorities at my place of residence have registered our family at the locality, but in reality, we were not issued our official Certificate of Household for Permanent Residence.

In May 1993, it was only after the official creation of the new district, District Dao Ly Son (from Dao Ly Son) that our family was officially granted residence and issued the Certificate of Household for Permanent Residence by the local authorities.

Because of the reasons and circumstances mentioned above, from 1976 until 04/1993, my family did not have as continuous Certificate of Household at our hometown.

With the approval of both the Vietnamese government and the United States of America governments for our resettlement in the United States of America, I am now requesting for your certification on the aforementioned residence status of my family. Your certification record will be issued in the application for exit visa process and also to be presented to the interviewing committee.

Please accept the sincere appreciation from all of our family.

Ly Hai, April 07, 1995

Signed: Pham Que

CERTIFICATION from The PEOPLE'S COMMITTEE of Li Hai Village

Mr. Pham Que (aka Pham van Que), residing at Ly Hai Village in 1975, has his family relocated to Lam Dong Province; In 1976, he was sent to re-education camp. His wife and children who later returned to Binh Yen, were sent to new economic area at Binh An, Binh Son. Because of his status being a re-education detainee and his wife and family, fleeing the new economic area, this family could not secure a Continuous Certificate of Household at the locality of residence. Only until 1993 that they were registered for their residence and issued a Certificate of Household for continuous residence. The above explanations and clarifications are hereby certify true.

Li Hai, April 14, 1995

S/S: Huynh Xuan, Vice Chairman for the Chairman

- Based on the Certificate of Household Registry no. 1252-CN and based on the certification of the authorities of Li Hai Village;
The Public Police of Ly Son District, hereby certify that Mr. Pham Que and his family has a continuous residence at Li Hai Village, Li Son District since 05/19/1993 until the present time. From 1975 until 05/1993, The People's Committee of Li Hai Village certified their residence as above.

This 21 of April 1995

S/S: Nguyen Quang Thao, Public Police of Ly Son District.

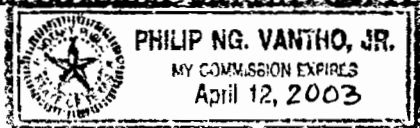
This is to certify that the foregoing translation is, to the best of my knowledge, a true and accurate rendition into English of the document written in Vietnamese.

SWORN TO AND SUBSCRIBED BEFORE ME

This 21st of April, 1999



NOTARY PUBLIC, STATE OF TEXAS
COMMISSIONED UNTIL: 04/12/2003



April 21, 1999

Oanh Nguyen
Oanh Nguyen, Translator

ĐƠN YÊU CẦU XÁC NHẬN KHÔNG CÓ SỐ HỘ KHẨU THƯỜNG TRÚ LIÊN TỤC

Kính Gởi: - Công an huyện Lý Sơn
- Công an xã Lý Hải

Tôi tên: Phạm Quê (tức Phạm Văn Quê), Sinh năm 1945.
Quê quán: Xã Lý Hải, huyện Đảo Lý Sơn, tỉnh Quảng Ngãi.
Nơi thường trú: Chôn Đông, xã Lý Hải, huyện Đảo Lý Sơn, tỉnh Quảng Ngãi.
CMND. Số: 211973770 cấp ngày 20.5.1992 Do Công an tỉnh Quảng Ngãi
Nguyên, tháng 4/1975 gia đình tôi vào làm ruộng sống tại tỉnh
Lâm Đồng.

Tháng 8/1976, bản thân tôi bị chính quyền CM truy bắt đưa
về giam giữ tại Lũn Nhỏ một thời gian, và sau đó đưa đi học tập cải tạo
lao động ở trại Kim Sơn, tỉnh Nghệ An (cũ). Thời gian 6 năm 2 tháng.
Vì lý do tham gia phục vụ chế độ cũ.

Vì tôi đã bị bắt, nên vợ con tôi phải trở về quê cũ xã Bình Yên
(nay là xã Lý Hải) để nương náu làm ăn. Nhưng sau đó một thời gian
lại bị đưa đi ở ở vùng kinh tế mới miền núi (Xã Bình An, huyện Bình
Sơn). Bởi lý do Đảo Lý Sơn là nơi căn cứ quốc phòng. Có chống tham
gia phục vụ chế độ cũ còn đang học tập cải tạo ở Trung Trại.

Vì tôi sống ở vùng kinh tế mới gặp khó khăn; Dẫu con gái đều lớn và
tôi tên Phạm Thị Huệ Sinh năm 1967 đã bị tử nạn vì lý do lao động XHVN.
nên vợ con tôi đã nhiều lần bỏ trốn vùng kinh tế mới trở về địa phương
Lâm An.

Ngày 30-9-1982, tôi được phóng thích ra trại cho về địa phương,
xã Bình Yên (Lý Hải) làm ruộng sinh sống. Chính quyền địa phương quan
liệp không cho đi dân Ca.

Vì những lý do trên, nên gia đình tôi không được chính quyền cho
nhập khẩu thường trú tại địa phương.

Năm 1987, Nhà nước Việt nam có chính sách đổi mới, cho nhập
khẩu tại chỗ những người có đủ thời gian 6 tháng trở lên cư trú tại địa
phương (không phân biệt đ.ri từng). Do đó, gia đình tôi đã được địa
phương giải quyết cho nhập khẩu tại chỗ, nhưng thực tế thì chưa
được cấp phát Sổ hộ khẩu thường trú chính thức.

Đến tháng 5/1993, Sau khi đảo Lý Sơn được thành lập huyện
mới (huyện Đảo Lý Sơn) gia đình tôi mới được chính quyền địa phương
cấp phát Sổ hộ khẩu thường trú.

Bởi những lý do trên, nên từ năm 1976 đến tháng 4-1993 gia đình tôi không có Sổ hộ khẩu thường trú liên tục tại địa phương.

Nay gia đình tôi thuộc 2 chính phủ Việt Nam và Hoa Kỳ cho phép thiết lập Hộ Sổ xin xuất cảnh theo diện HO.

Vì vậy, nay tôi viết đơn này yêu cầu các cơ quan xác nhận sự thật tình trạng gia đình tôi. Đề nghị bổ túc hộ Sổ xin xuất cảnh, xuất trình với phái đoàn phỏng vấn.

Gia đình tôi xin chân thành cảm ơn.

UBND Xã Lý Hải
Xác nhận.

Lý Hải, ngày 07-4-1995

Ông Phạm Quốc Tuấn (tên thật) sinh năm 1925.
Thường trú tại xã Lý Hải, năm 1975.
giao trú Căn hộ công tại Triều Cơn, Phạm Quốc
năm 1976. đi học tập cải tạo.
vợ CM. trước về Bình yên. Sau đó.
Tập thể tập trung đưa đi Kì về miền
(Bình an. Bình Sơn.
Đã qua trình trước Đoàn cải tạo
vợ CM. trước Kì về miền. nên
gia đình không có Hộ khẩu thường trú.
Liên tục tại địa phương. mãi đến năm
1993. mới xét giải quyết cho nhập khẩu.
và cấp Sổ hộ, như ông đã trình bày
trên đơn là đúng sự thật.

Lý Hải ngày 14/4. 1995

Căn cứ vào Sổ hộ khẩu gia
đình số 1252-CN và Căn cứ
Xác nhận, của Chính quyền Xã
Lý Hải.



KT/CHỦ TỊCH
PHÓ CHỦ TỊCH
TCH

Huỳnh Xuân

Công an Huyện Lý Sơn xác nhận
lời gia đình ông Phạm Quốc Tuấn không
thường trú tại xã Lý Hải, Huyện Lý Sơn từ
ngày 19/5/1993 đến nay.

Rừng từ năm 1976 đến tháng 3/1993
UBND Xã Lý Hải xác nhận.

Ngày 14/4/1995



Công an Huyện Lý Sơn

Nguyễn Văn Thào



International Community Services

3131 W. Alabama, Suite 100 • Houston, TX 77098 • (713) 521-9083

TRANSLATION

REGISTERED LIST FOR PERMANENT RESIDENCE IN HOUSEHOLD YEAR of 1987

Order No.	Full name	Year of Birth	Occupation	Relation
1.	Ng thi Minh	1944		Head of household
2.	Pham thi Trang	1969		Child.
3.	Pham thi Cuc	1970		"
4.	Pham van Phu	1976		"
5.	Pham Q. Vinh	1984		"
6.	Pham van Que	1945		Husband

This 20th day of March 1987

Signatures of:

Head of Household

Public Police of Village
S: Bao Minh Chanh

This 20th day of March, 1987

For The PEOPLE'S COMMITTEE

S/S: Pham Dang
Chairman

Translator's notes:

- Some Ph spellings on the last name were typed as an F


-This is a translation of a page in the Certificate of Household record's booklet. A complete booklet is not available for a complete translation.


This is to certify that the foregoing translation is, to the best of my knowledge, a true and accurate rendition into English of the document written in Vietnamese.

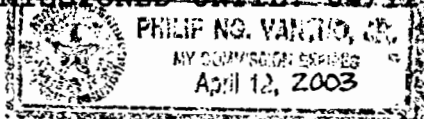
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This 21st of April, 1999

April 21, 1999


Oanh Nguyen, Translator


NOTARY PUBLIC, STATE OF TEXAS
COMMISSIONED UNTIL 04/12/2003



3

— Total IS toll : Nom : _____ Nr : _____

— Dato 16 tabi : Nam : _____ No : _____

— *முத்து*

— Tổng số nhân khẩu : _____ người

— Trộn 15 tablet : Name : _____ No : _____

— Dato 15 juli: Nam: _____ No: _____

—Randy

11

→ Tổng số nhân viên : người

— Total 15 teit : Nam : _____ Nr : _____

- Dwa 15 lat : Nazwisko : _____ Nazwa : _____

अथ

[illegible]

PHẦN NHẬN DẶN BẠN CHO NHÀ NƯỚC

PHAM, QUE

Houston

Texas

1989

F M

17

MAY

HOUS



McCain

Con Phan van Mui
bi từ chối lễ phở và
vì thói quen, họ không
kể tên họ.

4/19/85

TO: MRS. KHUC MINH THU

FALLS CHURCH, VA

USA

MAY 04 1989