

PARENTS INFORMATION

Father's Name: Ti Minh Chau Mother's Name: _____ L/M/F

No. of eligible Children: 04

Address in USA: San Jose CA 95148

Phone: (H) _____ (W) (_____) _____

Status: Refugee: V; Widow: _____ Immigrant: _____

Date of ODP interview: 07-01-95 DD/MM/YY IV#: 373474 HO#: 1438.252

CHILDREN INFORMATION IN VIETNAM

Child name: Ti Thi Ngoc Ha L/M/F DOB: 16-09-68 DD/MM/YY

Address in Vietnam: (Thi Thuc Long An) huy Ba R, P.10, Q.5, TP.10cm mailing address: 229 Mai

Sex: F Marital Status: S Marriage date: _____ DD/MM/YY

Spouse's Name: _____ (L/M/F) DOB: _____ DD/MM/YY

Father IV#: _____ No. Of Children: _____ Exit Permit: _____ LOI: _____

GRANDCHILDREN INFORMATION IN VIETNAM

Grandchild Name: _____ (L/M/F) DOB: _____ DD/MM/YY

Sex: _____ Grandfather IV#: _____

FINAL STATUS INFORMATION

Date of ODP Interview: _____ Date of Arrival: _____

Date of Denial: _____ Date of Appeal: _____

Date: _____ Initial: _____

PARENTS INFORMATION

Father's Name: _____ Mother's Name: _____ L/M/F

No. of eligible Children: _____

Address in USA: _____

Phone: (H) (_____) _____ (W) (_____) _____

Status: Refugee: _____; Widow: _____; Immigrant: _____

Date of ODP interview: _____ DD/MM/YY IV#: _____ HO#: _____

CHILDREN INFORMATION IN VIETNAM

Child name: Thi minh thanh L/M/F DOB: 04/10/69 DD/MM/YY

Address in Vietnam: _____

Sex: M Marital Status: C Marriage date: _____ DD/MM/YY

Spouse's Name: _____ (L/M/F) DOB: _____ DD/MM/YY

Father IV#: _____ No. Of Children: _____ Exit Permit: _____ LOI: _____

GRANDCHILDREN INFORMATION IN VIETNAM

Grandchild Name: _____ (L/M/F) DOB: _____ DD/MM/YY

Sex: _____ Grandfather IV#: _____

FINAL STATUS INFORMATION

Date of ODP Interview: _____ Date of Arrival: _____

Date of Denial: _____ Date of Appeal: _____

Date: _____ Initial: _____

PARENTS INFORMATION

Father's Name: _____ Mother's Name: _____ L/M/F

No. of eligible Children: _____

Address in USA: _____

Phone: (H) (____) _____ (W) (____) _____

Status: Refugee: _____ Widow: _____ Immigrant: _____

Date of ODP interview: _____ DD/MM/YY IV#: _____ HO#: _____

CHILDREN INFORMATION IN VIETNAM

Child name: Tu Thi Ngoc Nga L/M/F DOB: 20.06.72 DD/MM/YY

Address in Vietnam: _____

Sex: F Marital Status: S Marriage date: _____ DD/MM/YY

Spouse's Name: _____ (L/M/F) DOB: _____ DD/MM/YY

Father IV#: _____ No. Of Children: _____ Exit Permit: _____ LOI: _____

GRANDCHILDREN INFORMATION IN VIETNAM

Grandchild Name: _____ (L/M/F) DOB: _____ DD/MM/YY

Sex: _____ Grandfather IV#: _____

FINAL STATUS INFORMATION

Date of ODP Interview: _____ Date of Arrival: _____

Date of Denial: _____ Date of Appeal: _____

Date: _____ Initial: _____

PARENTS INFORMATION

Father's Name: _____ Mother's Name: _____ L/M/F

No. of eligible Children: _____

Address in USA: _____

Phone: (H) (____) _____ (W) (____) _____

Status: Refugee: _____ Widow: _____ Immigrant: _____

Date of ODP interview: _____ DD/MM/YY IV#: _____ HO#: _____

CHILDREN INFORMATION IN VIETNAM

Child name: Trần Minh - Đức L/M/F DOB: 16-01-75 DD/MM/YY

Address in Vietnam: _____

Sex: Male Marital Status: S Marriage date: _____ DD/MM/YY

Spouse's Name: _____ (L/M/F) DOB: _____ DD/MM/YY

Father IV#: _____ No. Of Children: _____ Exit Permit: _____ LOI: _____

GRANDCHILDREN INFORMATION IN VIETNAM

Grandchild Name: _____ (L/M/F) DOB: _____ DD/MM/YY

Sex: _____ Grandfather IV#: _____

FINAL STATUS INFORMATION

Date of ODP Interview: _____ Date of Arrival: _____

Date of Denial: _____ Date of Appeal: _____

Date: _____ Initial: _____

21 (1/4/95)

2/6. HỘI GIA ĐÌNH TÙ NHÂN CỦA HỘI VN. (HST)

Chí ơi em trong nước và海外
lòng lòng đất nước hàn vi và duy Hồi
và duy chí Khúc Nhã Chó.

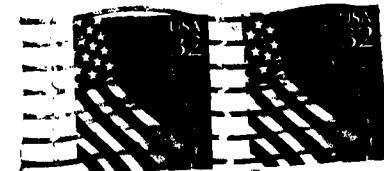
Kiss chúa Ông' em' trời an lành và Thành Đất.
xin gửi thời báo nè' nói gửi và những Ông' Ông
chân thành của ca' dân tôi sau này.

Kiss em,
Chanh Linh

SON 7951
CH. 95.148

FROM: CHANHAN, TM

SAN JOSE CA. 95148



TO: F V P P A ,

FALL CHURCH,

VA. 22043

U.S.A.

FEB 26 1997

C #21 (1/4/95)

22043/2412

Ho #38-252 PV. 01-7-95
S.Tu minh chanh goi cac copies khai sanh
cac con Nga 1972, Duc 1975, Han 1968, Dat 1969.

Fax

Cali - Saigon

To: (Người Nhận) O.D.P./O.P.H./LOP.KIN.S.
 BOX 58. AMERICAN EMBASSY
 APO AP 95546 VIETNAM
 Tel: Fax: 662 287 933

Đại lý:
 Số thứ tự:
 Prepaid:
 Ref. Fax #:

FR: (Người Gửi) CHANH M. TU
 SAN JOSE CA 95148 USA
 Tí ax:

Xin viết bằng mực đen trong khung kẻ sẵn

Ngày: SAN JOSE, CA, 18, 96

Mc CAIN FAMILY VERIFICATION FORM

NAME: CHANH M. TU

DOB: 2.11.64

PHONE:

ADDRESS:

SAN JOSE CA. 95148

V.N. 108830

IVN. 262041

H.38.252

EU# 373.474

Date of Obj in service
JAN. 7. 95

CHILDREN in VN
NAME & DOB.

ADDRESS in VN.

MARITAL STATUS

1 - TU THI NGOC HAN
SEPT 16, 68

THU THIEN LONG AN

SINGLE

2 - TU MINH DAT
OCT 4, 69

THU THIEN LONG AN

S

3 - TU THI NGOC NGA
JAN 20, 72

THU THIEN LONG AN

S

4 - TU MINH DUC
JAN 16, 75

THU THIEN LONG AN

S

VIEETNAM

WORLD RELIEF DOCUMENTS & SPONSOR. VOL. #: USEC SAN JOSE CA, USA
 MAIL ADDRESS in VN.: TU THI NGOC HAN
 229 TRAN HUONG DAY B. P. 10 Q. 5
 HCM CITY VIETNAM.

REPUBLIC OF VIETNAM
ENGLISH EXTRACT TRANSLATION FROM VIETNAMESE
MARRIAGE CERTIFICATE

-----*****-----

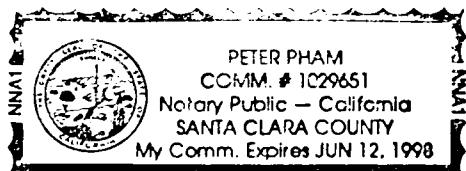
Name of husband	:	TU MINH CHANH
Date of birth	:	February 14, 1944
Occupation	:	Government Official
Date this copy issued	:	June 10, 1967
Place this copy issued	:	Nhi Binh, Vietnam

Name of wife	:	Dang Minh Nguyet
Date of birth	:	August 22, 1943
Occupation	:	Student
Date this copy issued	:	June 10, 1967
Place this copy issued	:	Nhi Binh, Vietnam

I, Hang nguyen, attest to my competency to translate from Vietnamese into English, and I certify that this is a correct English translation of all pertinent informations from the Vietnamese certified copy.

Signature: *Hang Nguyen*....., date.....04-05-96.....
Address: 598 E. Santa Clara Street, Suite 220, San Jose, CA 95112

Subscribed and sworn to before me this 5th of April, 1996.....
at Santa Clara County, California.



Peter K. Pham
Peter K. Pham
Notary Public

ENGLISH EXTRACT TRANSLATION FROM VIETNAMESE DOCUMENT

Secretary of state
Hau Giang Province
No 10

Socialist Republic of Vietnam
Independence - Freedom - Happiness

CERTIFICATE OF RELEASE

By the Decision 316/TTg dated 02-04- 1977, the Ministry of Interior issues this certificate of release to:

Name	: CHANH MINH TU
Position	: Deputy Chief of District
Address	: Chau Thanh, Bac Lieu, Minh Hai

Upon arrival at the domicile, the released must present this certificate to the People's Committee concerning the parole, domicile and other legal aspects of the parole.

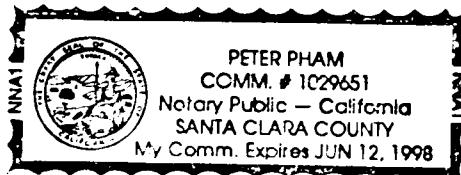
Parole period: 12 months.

Date: July 9, 1981
Vice-president of Hau Giang province
Trang Minh Son
Signed & Sealed

I, Hang Nguyen, attest to my competency to translate from Vietnamese into English, and I certify that this is a correct English of all pertinent informations from the Vietnamese original document.

Signature... *Hang Nguyen*, date 04-05-1996
Address: *1000 N. 1st Street*, San Jose, CA 95112.

Subscribed and sworn to before me this 5th of April, 1996, at Santa Clara County, California.



Peter Pham
Peter Pham
Notary Public

REPUBLIC OF VIETNAM
ENGLISH EXTRACT TRANSLATION OF VIETNAMESE LANGUAGE

BIRTH CERTIFICATE

-----***-----

THE REGISTERED CHILD

Name of the Child : TU THI NGOC NGA
Sex of the Child : Female
Date of birth : June 20, 1972
Place of birth : Nghi Binh, Vietnam

FATHER OF THE CHILD

Name : Tu Minh Chanh
Age : Unknown

MOTHER OF THE CHILD

Name : Dang Thi Nguyet
Age : Unknown
Place of registration : Nghi Binh, Vietnam
Date of registration : March 14, 1973
Place this copy issued : Nghi Binh, Vietnam
Date this copy issued : March 14, 1973

I, Hang Nguyen, attest to my competency to translate from Vietnamese into English, and I certify that this is a correct English translation of all pertinent informations from the Vietnamese original.

[Signature]

04-05-96

Signature

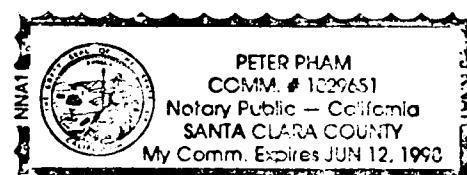
Date

Address: 598 E. Santa Clara St. #220, San Jose,
CA 95112

Date March 5, 1996

Known to me to be the person whose
name is subscribed to the within
instrument and acknowledged to me that
she executed the same.
WITNESS my hand and official seal.

[Signature]
Peter Pham, Notary Public



SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

City Long An

Form HT2/P3

District Thu Thua

Book 04

Ward Nhi Thanh

No 275/8Y

BIRTH CERTIFICATE
(Extraction)

THE REGISTERED CHILD

Name of the Child

: TU MINH DUC

Sex of the Child

: Male

Date of birth

: January 16, 1975

Place of birth

: Thanh Tri, Hau Giang, Vietnam

FATHER OF THE CHILD

Name

: Tu Minh Chanh

Age

: 02-14-44

MOTHER OF THE CHILD

Name

: Dang Thi Nguyet

Age

: 08-22-43

Place of registration

: Nhi Thanh Village, Vietnam

Date of registration

: November 11, 1983

Place this copy issued

: Nhi Thanh Village, Vietnam

Date this copy issued

: November 23, 1983

Name of declarant

: Unknown

I, Hang Nguyen, attest to my competency to translate from Vietnamese into English, and I certify that this is a correct English translation of all pertinent information from the Vietnamese original.

[Signature]
Signature

04-05-96
date

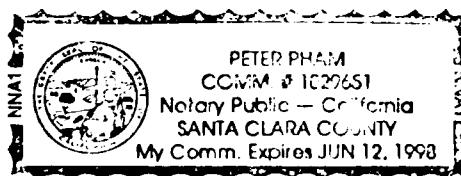
Address: 598 E. Santa Clara St. #220, San Jose,
CA 95112

Date April 5, 1996

Known to me to be the person whose
is subscribed to the within instrument
and acknowledged to me that she executed
the same.

WITNESS my hand and official seal.

[Handwritten Signature]
Peter Pham, Notary Public



SEAL

REPUBLIC OF VIETNAM
ENGLISH EXTRACT TRANSLATION OF VIETNAMESE LANGUAGE

BIRTH CERTIFICATE

----- * * * -----

THE REGISTERED CHILD

Name of the Child : TU THI NGOC HAN
Sex of the Child : Female
Date of birth : September 16, 1968
Place of birth : Saigon, 89 Tran Quang Khai, Vietnam

FATHER OF THE CHILD

Name : Tu Minh Chanh
Age : Unknown

MOTHER OF THE CHILD

Name : Dang Minh Nguyet
Age : Unknown
Place of registration : Saigon, Vietnam
Date of registration : October 6, 1973
Place this copy issued : Saigon, Vietnam
Date this copy issued : October 6, 1973

I, Hang Nguyen, attest to my competency to translate from Vietnamese into English, and I certify that this is a correct English translation of all pertinent informations from the Vietnamese original.

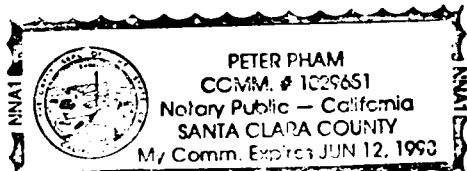
Peter Pham 04-05-96
Signature Date

Address: 598 E. Santa Clara St. #220, San Jose,
CA 95112

Date April 5, 1996

Known to me to be the person whose
name is subscribed to the within
instrument and acknowledged to me that
she executed the same.
WITNESS my hand and official seal.

Peter Pham
Peter Pham, Notary Public



REPUBLIC OF VIETNAM
ENGLISH EXTRACT TRANSLATION OF VIETNAMESE LANGUAGE

BIRTH CERTIFICATE

-----***-----

THE REGISTERED CHILD

Name of the Child : TU MINH DAT
Sex of the Child : Male
Date of birth : October 4, 1969
Place of birth : Nhi Binh, Vietnam

FATHER OF THE CHILD

Name : Tu Minh Chanh
Age : Unknown

MOTHER OF THE CHILD

Name : Dang Minh Nguyet
Age : Unknown
Place of registration : Nhi Binh, Vietnam
Date of registration : March 14, 1973
Place this copy issued : Nhi Binh
Date this copy issued : March 14, 1973

I, Hang Nguyen, attest to my competency to translate from Vietnamese into English, and I certify that this is a correct English translation of all pertinent informations from the Vietnamese original.

Hang Nguyen 04-05-96
Signature Date

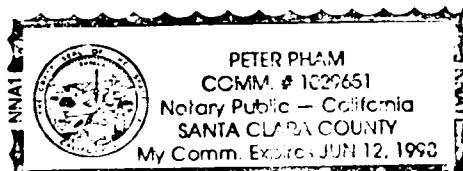
Address: 598 E. Santa Clara St. #220, San Jose
CA 95112

Date April 5, 1996

Known to me to be the person whose
name is subscribed to the within
instrument and acknowledged to me that
she executed the same.

WITNESS my hand and official seal.


Peter Pham, Notary Public



Name: CHANH M. TUS

Address:

SAN JOSE, CA 95148

Telephone:

Date: Feb. 16/95

Mr. Dewey Pendergrass, Director
Orderly Departure Program
Box 58 - American Embassy
APO AP 96546

RE (last, Middle, First): TW MINH CHANH

IV #: 373-474 HO # 38-252

Exit Permit: Yes No

Needs L.O.I: Yes No

Date of ODP Interview: Jan 7/95

Dear Mr. Pendergrass:

I am writing on behalf of my (son, daughters, children) ~~four unmarried sons & daughters~~:
(1) HAN (2) DAT (3) NGA (4) DUC

I believe that (his, her, their) status under the eligibility guidelines of the Orderly Departure Program (ODP) is affected by the McCain Amendment of the 1997 Foreign Operations Act which restores eligibility to the unmarried over-21 sons and daughters of the former Vietnamese political prisoners.

I request that ODP check the case(s) according to case number provided above and confirm for me that the son(s) listed above are eligible and part of the group that ODP is now contacting to invite to interview. If a new letter of introduction has already been sent, I would appreciate knowing the date it was sent and to what address in Vietnam. That will help me ensure it arrives.

I appreciate that your office is busy with many cases, but my family and I are equally anxious to ensure that the cases of our children be reconsidered under the new law before their eligibility expires. On behalf of my family, I thank you for your help in this matter.

Sincerely,

Chanh

cc: FVPPA,
Falls Church, VA 22043
For information and Follow-up

NGUYET DANG
CHANH TU

San Jose, CA 95131
Tel. -----

February 14, 1996

Director of ODP Program
American Embassy
127 Panjabhum Building
Sathorn Tai Road
Bangkok 10120
Thailand

RE: Request to Re Interview Of My Children In Viet Nam For The HO
Program Or The PIPProgram.
HO # 38-252 IV # 373474 (Date Interview : Jan. 7 K95.)

Dear Mrs. Sardinas:

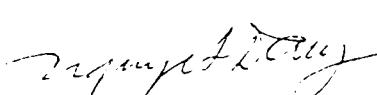
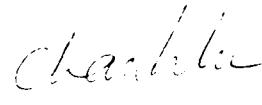
The undersigned are the parents of Tu Thi Ngoc Han, Tu Minh Dat, Tu Thi Ngoc Nga, and Tu Minh Duc. On October 1, 1995 my above-mentioned children were interviewed and their application for refugee resettlement admission to the United States were denied because "they failed to prove they resided continuously in father's household". The reason is that after being a re-education camp detainee for six years, we avoided local authority control in an attempt to escape from Viet Nam. That is why the local authority refused to provide us any document to prove that our children were residing in the same household with their father.

As the parents of the above-children, we, CHANH TU, father, and NGUYET DANG, mother, were admitted into the United States on September 7, 1995 and are currently residing in San Jose, California. We hereby request you to give my children an opportunity to be reinterviewed under the HO program for immediate family members of the former re-education camp detainee. It is our opinion that my children were earlier denied unfairly and discriminately and that the interviewer at our interview promised us to allow the mother to immigrate to the United States to petition for our children. Additionally, if possible, please allow them to resettle in the United States under the Public Interest Program.

We declare under the penalty of perjury the followings: (1) All my children were born before April 30, 1975 (2) they are all single (3) They live in the same household with their parents (enclosed please find certificate of residing in the household by local authority) (4) They shall not be a public charge for the United States and we promise to pay all cost of their transportation and resettlement.

Enclose please find new documentation for your consideration.

Very truly yours,

NGUYET DANG

CHANH TU

DIEP N. NGUYEN
ATTORNEY AT LAW

**111 North Market Street, Suite 312
San Jose, California 95113**

January 10, 1996

Director of ODP Program
American Embassy
127 Panjabhum Building
Sathorn Tai Road
Bangkok 10120
Thailand

RE: Our Clients: Chanh Tu and Nguyet Dang
H# 38-252 I# 373474

Dear Sir/madam;

Please be advised that this office has been retained by the above-captioned individuals with respect to their application for refugee resettlement admission into the United States for their four children. On October 1, 1995 my clients were interviewed with their four children. While my clients' application was approved, their children's application was denied as "they failed to prove they resided continuously in father's household".

My clients felt that the interview was not conducted fairly and request that their children to be reinterviewed in the immediate future. Their children were in fact living in the same household with them all the time. Enclosed please find new documentation proving that their four children were living together with their parents in the same household in Viet Nam. Enclosed also please find a copy of my clients letter explaining their situation for your evaluation. Please review the new document and your file and let me know of your decision at your earliest convenience.

Very truly yours,

DIEP N. NGUYEN

INTERNATIONAL CATHOLIC EMIGRATION COMMISSION
JOINT VOLUNTARY AGENCY FOR U.S. ORDERLY DEPARTURE PROGRAM, AMERICAN EMBASSY
127 PANJABURI BUILDING, SATHORN TAI ROAD, BANGKOK 10120 TEL. 252-5040 EXT. 009

Date: 20 JUN 1995
File Number: H36-850 JV 1995

Principal Applicant: TU MINH CHANH
Sponsor: _____

Dear Correspondent:

We received your LETTER dated 18 APR 95. 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 applicants listed are the beneficiaries of non-current immigrant visa petitions filed in the _____ preference category on _____. Visa availability in this category is presently limited to those whose petitions were filed prior to _____. These petitions are not yet current for processing. You may periodically contact the US Department of State Visa Office at (202) 663-1541 to be advised of current cut-off dates for visa processing in this category. See ODP-A2 attached.

The petition filed on behalf of the applicants is being stored at the National Visa Center (NVC) until the applicants are eligible to attend a visa interview.

The referenced applicants were interviewed and denied under the following section of the Immigration and Nationality Act (INA):

- Section 221(g) which prohibits the issuance of a visa to anyone who is not eligible for a visa or who has failed to present the documents required in connection with the visa application or who has failed to present sufficient credible evidence to support the claimed relationships.
- Section 212(a)(4) which prohibits the issuance of a visa to anyone who is likely to become a public charge.
- Section 212(a)(7)(C)(i). The sponsor may be eligible to apply for a Waiver of Excludability (Form I-601). Please see attached.

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. In the absence of a detailed claim of persecution, it is unlikely the case will be reconsidered.
- they failed to establish their relationship to _____.
- they failed to prove they resided continuously in TU MINH CHANH's household.
- based on the testimony and documents presented at the interview they failed to satisfy the interviewing officer that they met eligibility criteria.

The information you sent is insufficient for reconsideration by a US consular/INS officer. You may try to overcome the denial listed above by sending the following documents/information:

- An updated, notarized Affidavit of Support (AOS) (Form I-134). Supporting documentation such as copies of recent federal income tax returns, copies of W-2 statements, letters from employers and bank statements should also be attached.
- Secondary evidence to establish the relationship. Such evidence may include old photos, letters showing postmark dates, religious records, birth certificates, copies of telephone bills or school records.
- Further verification of time spent in re-education or your claim to refugee status.

_____ is/are not eligible for further consideration at this time because:

- they were previously considered for Public Interest Parole (PIP). Since PIP is no longer routinely offered to Vietnamese residents, the applicants must wait until their immigrant visa petitions become current.
- the primary refugee applicant already departed Vietnam. Eligible relatives in the US should file an immigrant visa petition on behalf of _____.



UNCLASSIFIED

INCOMING
TELEGRAM

ACTION

Department of State

PAGE 01 BANGKO 04950 150352Z
ACTION HCRE-01

SHB7393

INFO LOG-00 OASY-00 ANHR-01 SRPP-00 EAP-00 OIGO-01 H-01
TEDE-00 ADS-00 FMP-00 PRM-10 /015W
-----1A0CE0 150352Z /38

R 150349Z FEB 96
FM AMEMBASSY BANGKOK
TO SECSTATE WASHDC 0303

UNCLAS BANGKOK 004950

H PASS

E. O. 12958: N/A

TAGS: PREF, CVIS, VM

SUBJECT: (2562A) ORDERLY DEPARTURE PROGRAM CASE: VIETNAMESE
NATIONAL, TU MINH DAT (FILE NUMBER IV-373474/H38-252)

TO: THE HONORABLE BARBARA BOXER
UNITED STATES SENATE
1700 MONTGOMERY STREET
SUITE 240
SAN FRANCISCO, CA 94111
ATTN: EDITH PARTIDA

DEAR SENATOR BOXER:

THANK YOU FOR YOUR LETTER OF JANUARY 30, 1996 CONCERNING
THE REFUGEE APPLICATIONS OF TU MINH DAT AND HIS SIBLINGS,
CHILDREN OF YOUR CONSTITUENT, CHANH TU.

H
P
A
S
S

ODP REFUGEE CASE COMPOSITION IS NOW LIMITED TO THE
PRINCIPAL APPLICANT, SPOUSE, AND UNMARRIED CHILDREN UNDER
THE AGE OF TWENTY-ONE. THEREFORE, CHANH TU'S OVER
TWENTY-ONE YEAR OLD CHILDREN ARE NO LONGER ELIGIBLE FOR
REFUGEE CONSIDERATION.

ONCE YOUR CONSTITUENT AND HIS WIFE BECOME LAWFUL PERMANENT
RESIDENTS (LPR), HE OR SHE WILL BE ELIGIBLE TO FILE SECOND
PREFERENCE IMMIGRANT VISA PETITIONS (FORM I-130) ON BEHALF
OF THEIR UNMARRIED CHILDREN IN VIETNAM. ONCE THEY BECOME
U. S. CITIZENS, HE OR SHE WILL BE ELIGIBLE TO FILE THIRD
PREFERENCE PETITIONS ON BEHALF OF ANY OF THEIR MARRIED
CHILDREN. WE ARE SENDING INFORMATION CONCERNING IMMIGRANT
VISA PROCESSING DIRECTLY TO YOUR CONSTITUENT.

I HOPE THIS INFORMATION WILL BE HELPFUL TO YOU IN
RESPONDING TO YOUR CONSTITUENT.

SINCERELY YOURS,

MARTHA SARDINAS
DIRECTOR OF THE ORDERLY DEPARTURE PROGRAM
U. S. EMBASSY
BANGKOK, THAILAND

ITOH