



HỘI GIA-ĐÌNH TÙ NHÂN CHÍNH-TRỊ VIỆT-NAM

FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION

P.O. BOX 5435, ARLINGTON, VA. 22205-0635
Telephone: (703) 580-0058 * Fax: (703) 204-0394

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May 1, 1995

Mr. Eric P. Schwartz
Director, Human Rights,
Refugees and Humanitarian Affairs
National Security Council
Executive Office of the President
The White House
Washington, D.C. 20506

Dear Eric:

Again we would like to bring you up-to-date on developments resulting from the State Department decision to exclude from eligibility the over-21 unmarried sons and daughters from the cases of former re-education center detainees in the Orderly Departure Program (ODP).

You will recall that you were most helpful in facilitating a meeting for me with Ms. Phyllis Coven, Director of the Office of International Affairs at INS. I met with her along with other representatives of the Vietnamese-American community on January 23, 1995. Although she advised us that the decision was not reversible, she did offer the possibility that exceptions could be made for hardship cases.

Last week we received a very responsive letter from Ms. Coven, which is enclosed, along with a copy of the memorandum she sent to Mr. Daniel Solis, INS District Director at the ODP offices in Bangkok. As you can gather from the correspondence, her office reviewed the policy and its implementation in the field. Reports that we have received from families here and in Viet Nam indicate that the ODP has in fact tempered the new policy with an implementation of "generous spirit" that has resulted in the approval of a number of cases. We believe that your interest in this problem was very helpful in leading INS to reconsider the policy's implementation and we would like to thank you for your assistance in this matter.

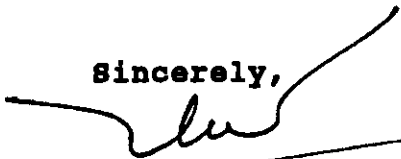
Mr. Eric P. Schwartz
Director, Human Rights, Refugees
and Humanitarian Affairs
May 1, 1995
Page Two

However, we still have the problem of cases that were rejected when the policy change was quickly introduced in the field. The policy change, which supposedly went into effect February 1, 1995 was announced by Mr. Dewey Pendergrass of the State Department to the Vietnamese government in December 1994. Subsequently, a number of cases of the over-21 unmarried sons and daughters were summarily excluded from eligibility for the Orderly Departure Program which their re-education detainee parent was qualified under. We have evidence of these cases being rejected by the INS Field Office in Bangkok.

We believe that those cases that were adversely affected by the premature announcement of the change of policy should be given another interview by the ODP office given the guidance issued by Ms. Coven in her memo to Daniel Solis, INS District Director, Bangkok, Thailand. Some of these may have compelling reasons that might warrant consideration under the rubric of humanitarian exception.

Along with representatives of the Vietnamese-American community and our Association's membership, we would like to thank you for your continuous support of our organization in protecting the interests of the former political prisoners in Viet Nam. Your assistance over the last several years has served to encourage our hearts and lift our spirits as we continue to try to reunite former political prisoners with their families and loved ones.

Sincerely,



(Mrs.) Khuc Minh Tho
President

Attachments

Transmit Confirmation Report

No. : 001
Receiver : 7035342548
Transmitter : KHUC MINH-THO / FVPPA
Date : May 11.95 19:56
Time : 03:54
Mode : Norm
Pages : 06
Result : OK

Transmit Confirmation Report

No. : 002
 Receiver : 102 028 1882
 Transmitter : KHHO MINH-THO : F0000
 Date : May 03, 95 23:03
 Time : 03:54
 Mode : Normal
 Page : 03
 Result : OK



HOI GIA-DINH TU-NHAN CHINH-TRI VIETNAM
FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION

P.O. BOX 5435, Arlington, VA 22205-0635

Tel: (703) 560-0058 - FAX: (703) 204-0394

FAX COVER SHEET

DATE: May 11, 1995

TO : Huynh Thanh Phuong

FAX #: 534-2548

FROM: Families of Vietnamese Political Prisoners Association

NO. OF PAGES include cover sheet: 06

SUBJECT: Tài liệu

"For your information"

Địa chỉ INS ở Bangkok:

Mr. Daniel Solis
District Director, INS
American Embassy
A.P.O. AP. 96546

TB - Các gia đình có con từ 21 tuổi
được phỏng vấn sau Feb. 1, 95
có cho họ biết họ đã được
chấp nhận, không bị phân
biệt. Mỹ bác bỏ họ đang
và báo cho họ biết.



May 2, 1995

95/#6

**RESPONSIBILITY FOR PLACING R & P CUBAN FREE
CASES SHIFTS TO NEW YORK...**

Effective May 1, the responsibility for developing placement opportunities for Cuban free cases under the R & P Program will be transferred to USCC/MRS staff in New York. This was formerly the responsibility of USCC/MRS Miami staff.

This change is intended to achieve greater consistency and operational efficiencies in the placement of all free cases.

**NEW INS POLICY FOR FAMILY MEMBERS OF
DECEASED RE-EDS...**

According to a new INS policy, approved family members of a deceased reeducation camp internee must now be re-interviewed before their approval can be upheld.

ODP will send a request to the Vietnamese authorities to invite the concerned family members for re-interview as soon as possible.

Should the family members' approval be upheld, ODP will request from them their resettlement preference and contact the voluntary agencies for an updated assurance.

VISAS 92/93 PROCESSING PROBLEMS...

The National Visa Center (NVC) has agreed to accept inquiries from the national volags regarding refugee and asylee cases.

Dioceses that encounter overseas processing problems with their Visa-92 or Visa-93 cases should contact their designated case manager in New York.

REGIONAL TRIP TO UGANDA PLANNED...

JVA/Kenya is planning a regional trip to Uganda in July (7/10-7/21), 1995 primarily to interview Priority One UNHCR referrals. The trip will also include U.S. interest cases in Uganda that are eligible under the following priorities: P1, P2 and P3 for Somalis, Sudanese, and Zairians; P1, P2, P3, P4 for Rwandans; Priority One only for Liberians. The exact dates of the trip have not yet been confirmed.

The anchor relatives for all U.S. interest cases should inform their relatives to report to UNHCR/Kampala by May 15, 1995 in order to be included in the Uganda trip. At Kampala, UNHCR will provide refugees with all the necessary forms and schedule them for the JVA/INS interview.

EDMINSTER APPOINTED NEW DIRECTOR FOR JVA/RIYADH...

Steve Edminster replaced Jeff Chenoweth as the Director of JVA/Riyadh, Saudi Arabia effective last month.

REFUGEE PROCESSING - WEST AFRICA...

JVA/Kenya has requested the voluntary agencies for information regarding AOR's filed for eligible U.S. interest cases in 6 West African countries. The countries are: Benin, Nigeria, Ghana, Guinea, Cote D'Ivoire and Liberia.

Regional trips to Benin and Nigeria have already been confirmed. The other four West African countries have not yet responded indicating their interests in JVA processing. JVA expects a response by May 8, 1995.



U.S. Department of Justice

Immigration and Naturalization Service

425 Eye Street N.W.
Washington, D.C. 20536

CO 100/8.3

APR 11 1995

Mrs. Khuc Minh Tho
Families of Vietnamese Political
Prisoners Association
P.O. Box 5435
Arlington, Virginia 22205-0635

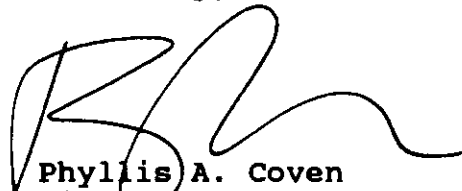
Dear Mrs. Tho:

Thank you for your February 24 letter reporting on your meeting in California with resettled former political prisoners and their family members. I appreciate the ideas you expressed in your letter and during our earlier meeting.

As promised when we met, I am forwarding to you a copy of the guidance we sent to Daniel Solis, our district director in Bangkok regarding humanitarian exceptions for certain adult sons and daughters of former re-education camp detainees. Mr. Solis has assured me that all of the immigration officers involved in the Orderly Departure Program fully understand that there may be some compelling cases and that the guidance will be implemented with a generous spirit.

I understand that Kathleen Thompson of my staff has had several conversations with you on this issue and would be pleased to discuss any thoughts you may have on the guidance. Thank you again for sharing your views.

Sincerely,



Phyllis A. Coven
Director
International Affairs

Enclosure

Memorandum



Subject Humanitarian Exceptions for Sons and Daughters of Former Re-Education Camp Detainees	Date
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To Daniel Solis
District Director
Bangkok, Thailand

From International
Affairs

I recently met with Mrs. Khuc Minh Tho and other representatives of the Vietnamese-American community to hear their concerns about the recent interagency decision regarding eligibility for interview in the Orderly Departure Program (ODP).

As you are well aware, effective February 1, adult sons and daughters of former re-education camp detainees (re-eds) are no longer proposed for interview. The policy change recognized that there may be individual cases in which significant humanitarian reasons warrant including an adult son or daughter in a re-ed case. I wish to encourage generosity in considering such requests.

I appreciate the interests that are served by the policy change--deterring fraud and achieving consistency in refugee processing programs. At the same time, I am sympathetic to Mrs. Tho's arguments that the resettlement of aging former prisoners might be more successful and self-sufficiency might be more quickly achieved if their children were to accompany them to the United States. To balance these two perspectives, I want to ensure that all officers interviewing re-ed cases give careful and sympathetic consideration to requests for humanitarian exception.

Mrs. Tho has been advised that any such requests may be raised by the principal refugee applicant at the time of the INS eligibility interview. The merits of the requests, of course, must be decided on a case-by-case basis. We would anticipate that deserving cases may include, for example, those in which an unmarried adult son or daughter, if not included, would be the only remaining family member in Vietnam, cases in which a family member has a physical or mental disability that could not receive appropriate care if the family were to be divided, and other cases in which unusual hardship would result were an adult son or daughter left behind.

I understand that when the interviewing officer finds an individual case has merit, the adult son or daughter can be "added-on" to the case with the issuance of a Letter of Introduction (LOI) to the Vietnamese authorities and that the son or daughter can be expeditiously invited for interview.

Page 2
Daniel Solis

Please keep me informed of your progress under the new interview eligibility criteria and advise me if additional guidance is needed on considering requests for humanitarian exception.

Phyllis Coven
Director



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P.O. BOX 5435, Arlington, VA 22205-0635
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FAX COVER SHEET

DATE: May 3, 1995

TO : Walter

FAX #: 202-228-2862

FROM: Families of Vietnamese Political Prisoners Association

NO. OF PAGES include cover sheet: 08

SUBJECT: Thank you letter to Senator McCain

Dear Walter:

Please submit these letters to Senator McCain
for me. Thank you very much for your help.

Tho (703)358-5154



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FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION

P.O. BOX 5435, Arlington, VA 22205-0635
Tel: (703) 560-0058 - FAX: (703) 204-0394

FAX COVER SHEET

DATE: May 3, 1995

TO : Eric Schwartz
ATTN: Marcia

FAX #: 202-456-9360

FROM: Families of Vietnamese Political Prisoners Association

NO. OF PAGES include cover sheet: 08

SUBJECT: "Thank you letter"

Dear Marcia:

Please submit these letters to Eric for me.
Thank you very much for your help.

Tho (703)358-5154