



United States Department of State

Washington, D.C. 20520

TALKING POINTS FOR MEETING WITH
FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION

Wednesday, April 20, 1994
3:30pm

I. FORMER RE-EDUCATION CAMP DETAINEE SUB-PROGRAM

- On March 31 the Vietnamese Government presented lists HO-43 and HO-44 to ODP with 2,000 cases and 8,633 names.
- We have notified the Vietnamese Government that these will be the final lists under the HO subprogram.
- In the coming months we intend to implement direct registration of former re-education camp detainees who for some reason have never been registered. This new procedure will preclude the need for any more lists.
- Direct registration will last until September 30, 1994 to ensure a smooth conclusion to this humanitarian program.
- It is our intention to no longer accept new HO applications (as well as refugee applications from former US Government and private company employees) after September 30, 1994.

II. REVISIONS TO FILE CREATION CRITERIA

- Since the start of the HO program in 1989, ODP has proposed for interview (PFI) only the cases of applicants detained for three or more years.
- However, files have been created for persons with only one to three years of re-education, in expectation that they might be considered in the future once the three-plus year re-ed cases were completed.
- Such large-scale Southeast Asian refugee admissions programs are the product of a war which ended nearly 20 years ago and must be brought to closure.
- It will not be possible to propose for interview those cases involving detainees with less than three years detention, due to the enormous increase in the size of the active caseload that would result, and because many of these are unlikely to qualify for refugee status even if presented to INS.

- Effective immediately, ODP will create (open) a file only upon submission by the applicant of any of the following items:
 - * Documentary evidence of at least three years of detention in a re-education camp because of association with U.S. policies and programs prior to 1975, or a spousal relationship to a detainee who died as a result of or during detention;
 - * An approved I-730 refugee relative petition or a visas 93 cable (indicating that INS has approved the I-730);
 - * Documentary evidence of 5 years employment with the USG or U.S. business/foundation; or
 - * A claim of Amerasian ethnicity.

Note: An exception will be made under ODP's "1-plus-1" policy, under which one year of re-ed detention, in combination with either one year of US Government or private U.S. company employment, and/or U.S.-sponsored training will serve as eligibility for interview.

- In order to end the uncertainty for persons with cases which do not meet interview criteria and to allow them to get on with their lives, re-ed cases with less than three years detention are now to be retired.
- A letter, along with any original documents, will be sent to each principal applicant, expressing appreciation for the applicant's interest in ODP, but stating that no further action on their case is anticipated.

III. TRANSITION TO NORMAL IV PROCESSING

- The lifting of the trade embargo allows the Department and ODP to focus on the standardization of immigrant visa processing of Vietnamese. With unlimited remittances from U.S. sponsors to applicants in Vietnam now possible, applicants can now make their own travel arrangements to depart Vietnam.

- As part of its ongoing efforts to standardize its IV operations, ODP intends to implement the following changes in the near to mid-term future:
 - * Collect visa and medical fees directly from the applicants, rather than through IOM as is now the case.
 - * Mail all correspondence directly to the applicant in Vietnam rather than to the U.S. sponsor.
 - * Shift the timing of the medical exam from after the visa interview to beforehand, in accordance with standard immigrant visa practice.
 - * Have approved applicants book their own departures from Vietnam.
 - * Eliminate the list system for all immigrant visa cases.

- These changes will help standardize ODP operations in accordance with normal IV operations used worldwide by the U.S. Government.



Embassy of the United States of America

Su Quan Hoa Ky, Bangkok Thai Lan

**Lời Tuyên Bố Phát Cho Các Háo
Chương Trình Ra Đi Có Trật Tự Của Hoa Kỳ
Tháng năm, 1994**

Tóm Lược

Chương trình ODP của Hoa Kỳ trân trọng thông báo rằng 30 tháng 9 năm 1994 là thời hạn cuối cùng dành cho các đương đơn tị nạn đăng ký trực tiếp với văn phòng ODP tại Bangkok. Chương trình đoàn tụ gia đình không bị ảnh hưởng bởi thời hạn cuối cùng này. Các đương đơn tại Mỹ cũng phải đăng ký trực tiếp với ODP thay vì với các văn phòng địa phương như trước đây.

Thời Hạn Cuối Cùng Đăng Ký Chương Trình Diện Tị Nạn

Thời hạn cuối cùng chỉ áp dụng cho những người xin định cư ở Hoa Kỳ như những người tị nạn, đó là những cựu tù nhân bị giam giữ trong trung tâm cải tạo, những góa phụ của họ hoặc những cựu nhân viên chính phủ Mỹ hay các công ty tư nhân Mỹ. Chương Trình ODP của Hoa Kỳ trân trọng thông báo thời hạn cuối cùng đăng ký cho tất cả đương đơn tị nạn. 30 tháng 9 năm 1994 là ngày cuối để trình với ODP Bangkok, Thai Lan, tất cả những đơn xin tại định cư tại Hoa Kỳ theo chương trình HO dành cho đương đơn được tha tù cáo trung tâm cải tạo hay cựu nhân viên chính phủ Hoa Kỳ và công ty tư nhân Hoa Kỳ.

Trọng hợp những đương đơn có tên trong danh sách H-01 đến H-44 không phải tại đăng ký và sẽ tiến triển như trước đây. Đương đơn chưa đăng ký trên danh sách H-01 đến H-44 hoặc chưa được ODP liên hệ, phải cần đăng ký theo chỉ dẫn mới. Với hệ thống mới, đương đơn hội đủ tiêu chuẩn sẽ được phỏng vấn theo quy chế đã có. Sau đây là tiêu chuẩn của chương trình tị nạn:

1. Cá nhân học tập tại các trung tâm cải tạo sau ngày 30 tháng 4 năm 1975, vì hậu quả liên hệ chặt chẽ với chương trình và chính sách chính phủ Hoa Kỳ kèm theo điều kiện sau đây:
 - đã học tập ít nhất ba năm ở trung tâm cải tạo, hay là qua phụ của cá nhân qua đời tại trung tâm cải tạo hay qua đời vì hậu quả của sự học tập tại trung tâm cải tạo
 - đã học tập ít nhất một năm ở trung tâm cải tạo, cộng thêm thời gian đào tạo dưới sự bảo trợ của chính phủ Hoa Kỳ, hay đã làm việc với chính phủ Hoa Kỳ hoặc công ty tư nhân Hoa Kỳ.
2. Cá nhân với thời gian làm việc năm năm hay hơn cho chính phủ Hoa Kỳ hoặc công ty tư nhân Hoa Kỳ

Đương đơn mang tiêu chuẩn ghi trên có ý muốn tái định cư tại Hoa Kỳ cần phải gửi thư cho ODP Bangkok. Trong thư, cần ghi, tên họ, ngày và nơi sanh, và địa chỉ hiện tại. Cũng theo, tên họ, ngày và nơi sanh của vợ, con ruột hay con nuôi chính thức. Nếu đương đơn đã có vợ, chồng hay con đã nhập tịch công dân Mỹ, hãy ghi tên họ, ngày sanh, ngày nhập tịch công dân. Nếu trong gia đình có cá nhân là trọng hợp tồn tại chưa giải quyết với ODP, hãy ghi số IV. Tất cả đơn xin cần phải bao gồm tài liệu chứng minh sự thỉnh cầu tư cách Tị Nạn. Những tài liệu có thể bao gồm: một giấy chứng nhận được phong thích từ trung tâm cải tạo ghi chú ngày bắt ngày tha, tài liệu ghi lý do bị giam, chứng chỉ đào tạo ngoài Việt Nam với sự bảo trợ của chính phủ Hoa Kỳ, tặng thưởng do chính phủ Hoa Kỳ và bất cứ tài liệu chứng minh việc làm trước 1975.

Không có thời hạn cuối cùng cho chương trình đoàn tụ gia đình.
 Chương trình đoàn tụ gia đình không bị ảnh hưởng bởi thời hạn cuối cùng đăng ký diện tị nạn. Các đương đơn di dân là những người thụ hưởng đơn xin của thân nhân tại Hoa Kỳ sẽ tiếp tục được xử xét như những di dân đến từ bất cứ quốc gia khác. ODP sẽ tiếp tục tiến hành các đương đơn có tên trong danh sách được chuẩn bị bởi tổ công tác ODP của chính phủ Việt Nam hoặc của những người mà ODP đã nhận được đơn xin chiếu khản di dân đã được chấp thuận của Sở Di trú và Nhập tịch Hoa Kỳ.

Tháng 1 năm 1994, ODP đã ngưng xử tiến phong vấn những anh chị em còn độ thân của các công dân Mỹ và con cái của các thường trú nhân hợp pháp Hoa Kỳ. Trước đây, những đương đơn này đã được ban cho diện tạm dung vì công lịch để vào Mỹ. Vào 30 tháng 6 năm 1994, ODP sẽ hoàn tất phán quyết cho những trường hợp này. Hiện tại, các đương đơn sẽ được phong vấn khi đơn xin của họ tới thời hạn, trong sự thỏa thuận với các nguyên tắc chỉ đạo của di trú Hoa Kỳ khắp thế giới.

Con lai hiện đăng ký trực tiếp với ODP

Các đương đơn con lai chưa từng bao giờ đăng ký với ODP hoặc tên chưa bao giờ xuất hiện trên một danh sách "AC" nộp cho tới danh sách AC-51 phải đăng ký trực tiếp với ODP. Các em có thể gửi đến ODP một thẻ với tên của các em, ngày sinh, địa chỉ và tên cũng ngày sinh của vợ/chồng, con gái, mẹ ruột hay cha mẹ nuôi và anh chị em cùng mẹ khác cha dưới 21 tuổi của các em, những người muốn đi theo các em. Thẻ nên cất nghĩa nhưng chứng cứ hiện có chứng tỏ rằng đương đơn là con của một công dân Hoa Kỳ bao gồm một hình chụp sát mặt của trẻ lai Mỹ.

Tất cả các đơn xin cho chương trình trở lại Mỹ và tị nạn của ODP nên được gửi tới:

US Orderly Departure Program
 127 South Sathorn Road
 Yannawa District Bangkok 10120
 THAILAND



Embassy of the United States of America
Bangkok, Thailand

Press Release
US Orderly Departure Program
June 1994

Summary

The US Orderly Departure Program (ODP) has announced a September 30, 1994 deadline for new refugee applicants to register directly with the ODP office in Bangkok. The ODP family reunification sub-program is not affected by this deadline. Amerasian applicants must also register directly with ODP instead of with local government offices as before.

Refugee Registration Deadline

The deadline applies only to persons applying for resettlement as refugees in the U.S. who are former re-education center detainees, their widows, or former employees of the U.S. government or U.S. private companies. Applicants whose names are included on lists H-01 through H-44 must not reapply. Their applications will be processed as before. Applicants who are not registered on Lists H-01 through H-44 or have not received correspondence from ODP regarding their case, must register again under the new guidelines. Qualified applicants who register under the new system will be called to interview according to ODP's established procedures. Only people who meet the following criteria qualify for the refugee program:

1. Persons detained in a re-education center after April 30, 1975 due to close association with programs and policies of the U.S. government, and who:
 - spent at least three years in a re-education center, or are the widow of a former re-education center detainee who died in re-education or as a result of time spent in re-education
 - spent at least one year in a re-education center and received training outside of Vietnam under U.S. government auspices, or were employed by the U.S. government or U.S. private companies.
2. Persons with five or more years of pre-1975 employment with the U.S. government or U.S. private companies.

Persons who meet this criteria and wish to apply for resettlement in the US must send a letter to ODP in Bangkok. The letter must include the applicant's full name, date and place of birth and current address. Also the name, place and date of birth of the applicant's spouse and any natural or officially adopted children. If the applicant has a spouse or child who is a U.S. citizen, the name, date of birth, date of naturalization and home address of that person should also be provided. If any family member has a pending ODP application, the IV number should be noted. All applications should include documentation to support the refugee claim. Such documentation may include: a copy of any re-education camp release certificates showing arrest and release dates, documentation which shows the reason for incarceration; copies of any certificates of training received outside of Vietnam under US government auspices, awards received from the U.S. government and any documentation to verify pre-1975 employment.

No Deadline for Family Reunification Program

The family reunification program is not affected by the refugee registration deadline. Applicants for immigration who are the beneficiaries of petitions filed by their U.S. relatives will continue to be processed like immigrants from any other country. ODP will continue to process applicants who appear on the lists prepared by the SRV Working Group on ODP, or for whom ODP has received an approved immigrant visa petition from the U.S. Immigration and Naturalization Service.

As of January 3, 1994 ODP stopped scheduling expedited interviews for single brothers and sisters of U.S. citizens and spouses and children of U.S. legal permanent residents. Previously, these and certain other applicants were routinely granted public interest parole for entry to the U.S. By June 30, 1994 ODP will complete adjudication of those cases. Now these applicants will be interviewed when their petitions become current, in accordance with worldwide U.S. immigration guidelines.

Amerasians now register directly with ODP

Amerasian applicants who have never registered for ODP or whose names did not appear on one of the "AC" lists through list 51-AC must now register directly with ODP. They may send ODP a letter with their name, date of birth, address and the names and dates of birth of their spouses, children, natural mother or foster parents and foster siblings under age 21 who they wish to accompany them. The letter should explain what evidence exists that the applicant is the child of an American citizen and include a close-up photo of the Amerasian's face.

All applications for ODP Amerasian and refugee programs should be sent to:

U.S. Orderly Departure Program
127 South Sathorn Road
Yannawa District
Bangkok 10120
THAILAND



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

April 13, 1994

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Mr. Larry Noyes
Program Officer
Refugee Admissions and Processing
Bureau for Refugee Programs
Department of State
Washington, D.C. 20520

Dear Mr. Noyes:

Thank you for taking the time to arrange a meeting between our organization and your office, representatives of other bureaus within the Department of State and officials of the Immigration and Naturalization Service.

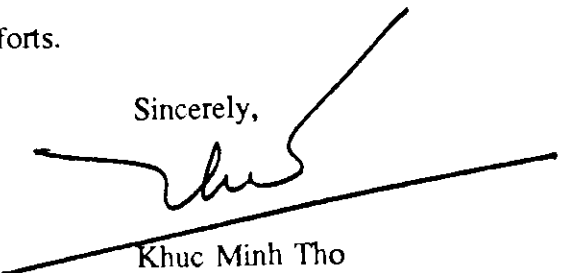
As you are aware, the Orderly Departure Program operates within specific guidelines. These guidelines were created in order to effect the policies of the organization. Thus, procedures were initiated which must be followed in order to achieve the organization's goals. However, our organization has noted certain guidelines and procedures which do not appear to be consistent with U.S. policy as it relates to the issue of human rights in Vietnam. Nor do they address the stated policy of assisting persons who claim to be able to demonstrate "ongoing persecution" due to their association with the U.S., or its pre-1975 Southeast Asian policies.

The attached agenda states our concerns in detail. I would appreciate it if you could distribute this agenda to members of the State Department and INS who will be attending the meeting.

We look forward to Wednesday's meeting and discussing these issues, which are of tantamount importance to the Vietnamese community. We hope to be able to share good news with our community after meeting with you.

Thank you again for your kind efforts.

Sincerely,



Khuc Minh Tho



HỘI GIA-ĐÌNH TÙ NHÂN CHÍNH-TRỊ VIỆT-NAM
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PARTICIPANTS SCHEDULED TO ATTEND MEETING
WITH THE DEPARTMENT OF STATE AND
IMMIGRATION

20
Wednesday, April 13, 1994

3:30 p.m.

Le Tho Trung

Former Political Prisoner
(Colonel), 13 years in camp

Tran Kim Dung

Association Advisor

Khuc Minh Tho

Association President



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AGENDA FOR THE MEETING BETWEEN OFFICIALS OF THE DEPARTMENT OF STATE, IMMIGRATION AND REPRESENTATIVES OF THE FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION

Wednesday, April 13, 1994

3:30 p.m.

Introduction

As you may already be aware, the Families of Vietnamese Political Prisoners Association was founded in 1977 by a group of relatives and friends of political prisoners to fight for the rights of Vietnamese political prisoners, their release from re-education camps, and their resettlement in other countries in the free world. Due to the strong support of the government of the United States, especially the Department of State, more than 80,000 former political prisoners and their families have resettled in the country. On behalf of these former political prisoners and their families we would like to express our heartfelt thanks for your steady efforts which have resulted in these meaningful results and hope for your continued support. Once again, thank you.

During our meeting we would like to discuss the following issues:

1. Persons who were captured during military maneuvers or clandestine operations, prior to 1975, are denied the benefit of interview under current guidelines. Although the ODP recognizes incarceration due to "close association with the U.S., or its policies prior to 1975", the ODP does not recognize pre-1975 incarceration as applicable under the former re-education camp detainee program.

These prisoners of war (POW's) were, in fact, incarcerated as a direct result of the pursuance of policies and interests of the U.S. government. Thus, there is no distinguishable difference between incarceration as a POW (pre-1975), and incarceration (post-1975) as a re-education camp detainee. As such, we believe

that incarceration in POW camps and other detention facilities, prior to 1975, should be acceptable in terms of eligibility for interview on the same basis as re-education camp incarceration initiated in 1975.

2. The offspring of deceased re-education camp detainees who died while incarcerated, or died as a result of that imprisonment, should be eligible for interview regardless of the status of the surviving parent. In some instances, the spouse of the former detainee has died, or is unable or unwilling to be interviewed. However, the offspring themselves can present evidence of "ongoing persecution", to include the active denial of benefits which are widely available to peers. Also, they are able to clearly demonstrate that these restrictions and denial of benefits are imposed upon them based solely on the parent's background (close association with the U.S.). As such, the surviving parent's status should not have any bearing on the offspring's eligibility for interview.

Further, we can present cases wherein the offspring of deceased re-education camp detainees have been considered for interview eligibility, yet denied an interview due to an inability to demonstrate any "connection to the United States." Such a connection being relatives in the U.S., or a demonstrated past association with the U.S., or its policies prior to 1975. As stated above these individuals can, in fact, show a connection to the U.S. by virtue of the deceased parent's background, as well as consequential persecution directed against them because of this familial affiliation with the U.S.

3. Under the ODP program, persons who have been incarcerated for illegal boat departure, or other forms of escape, are not eligible for interview. However, in some cases evidence can be presented which would indicate that the attempted escape was "due to a well-founded fear of persecution because of race, religion, ethnicity or political opinion", to include close association with the U.S. government. Thus meeting the 1951 Geneva Convention's criteria for refugee status. As such, these individuals should be provided with a mechanism through which they might present their case for refugee adjudication and afforded the opportunity to present evidence of "ongoing persecution."

4. Individuals who have been convicted and imprisoned for "political crimes" are not being afforded an opportunity for refugee adjudication, after release from prison, under current ODP guidelines. These individuals have been incarcerated for "crimes" ranging from authoring literature which conflicts with the Hanoi government's agenda, to what is vaguely termed "anti-revolutionary activities." The ODP office has indicated an inability to interview them for two basic reasons. Dates of confinement (post-1975) and no close association with the U.S. We, believe that due to the circumstances under which the

individuals have been charged and incarcerated, an opportunity to be interviewed for refugee status is warranted, regardless of non-affiliation with the U.S., or dates of confinement.

5. Although U.S. authorities have indicated that the pending caseload of ODP qualified candidates should be interviewed by the end of FY 96, we would like to receive assurances from your good offices that, per the 1979 Memorandum of Understanding/1980 Aide Memoire, all eligible cases will have an opportunity for refugee interviews regardless of the diplomatic relationship between the U.S. and Vietnam, or the ending of the Orderly Departure Program. We would also like to request that a mechanism be made available that would enable candidates to present cases for appeal, or parolee consideration, should they have been previously rejected for refugee status.

6. The issue of how to deal with asylum seekers who still languish in first asylum camps is certainly an item worthy of dialogue. Although the U.S. and other resettlement countries have dealt effectively and decisively with the resettlement of individuals who have been approved by officials of 1st asylum countries as having met refugee criteria, there still remains a number of unapproved individuals who would like to further pursue refugee adjudication. These persons have expressed a clear desire to remain in the 1st asylum camps until they are granted access to officials of the U.S., or other potential resettlement countries. However, as you are aware, persons who have been "screened out" by officials of the 1st asylum government are not allowed access to representatives of resettlement countries. As such, we believe that a mechanism which will allow individuals to further pursue their claims to refugee status and subsequent resettlement, even after repatriating to Vietnam, will be an adequate incentive for voluntary repatriation. Of course, it may be necessary to provide assurances that these persons, should they repatriate, will be provided with adequate safeguards against reprisal or incarceration based solely on charges of illegal departure.

We realize that, with the impending initiation of diplomatic ties between the United States of America and the Socialist Republic of Vietnam, as well as the achievement of ODP's primary goals, the end of the Orderly Departure Program is now on the horizon. However, we are concerned that the issues herein presented have not been fully addressed. Thus, we would like to receive assurances from your good offices that persons who fall under the above stated circumstances will be afforded a mechanism through which they might gain access to refugee adjudication by U.S. officials.

We believe that, in keeping with the U.S. government's stated policy of advancing the issue of Human Rights in Vietnam, it is in the best interest of

the U.S. to implement measures, utilizing specific guidelines and criteria, which will allow individuals an opportunity to present their particular circumstances and receive the benefit of refugee adjudication. We would also like to receive assurances that individuals who seek access to U.S. officials will not be hindered in any form by Vietnamese authorities.

Lastly, we would like to propose that the U.S. government establish an in-country refugee processing mechanism, as with the current U.S. policy regarding Haitian asylum seekers, which can facilitate such goals. We believe that the creation of such a mechanism would adequately address the issues thus far presented, as well as preclude the advent of a second mass exodus of refugees from Vietnam.

Specifically, we propose that the Department of State, in conjunction with the Immigration and Naturalization Service and Human Rights Bureaus, authorize an in-country U.S. representative to mediate human rights issues with the government of Vietnam. Further, this representative should be provided with an adequate support structure, through which the monitoring of Vietnam's human right record and access to U.S. refugee processing officials by potential refugees can be accomplished.

In closing, we would like to point out that this proposal should not be misconstrued as an attempt to extend the Orderly Departure Program. The circumstances presented generally do not fall under the purview of ODP or within its processing guidelines. However, as with the creation of the Orderly Departure Program, and in the spirit of humanitarian endeavors, we petition the Department of State, the Immigration and Naturalization Service, Human Rights Bureaus and all relevant agencies to address these and other Human Rights issues concerning Vietnam.

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ADDENDUM

We would like to further discuss other issues as follows:

a. Former political prisoners were first refused status as refugees but were admitted under Public Interest Parole (PIP). After one year residence in the U.S., will they be allowed to adjust their status to permanent residence? And if they are allowed, what kind of documents that they need to prove with the local INS?

b. Children over 21 years old, single and live separately from their parents who are prisoners should be admitted with their parents so that they are completely reunited after so many years of separation. Most of the prisoners are over 50 years old and have many difficulties to adjust and get decent jobs in this country. They need their children's supports physically and mentally, therefore, if they are admitted, they can take care of their parents.

c. The political prisoners are advised that they can file second preference petition once they become permanent residents for their unmarried and over 21 years old. However, many of them will not be able to overcome the financial requirements, because these prisoners can only get odd jobs and often get laid off. How can they file affidavits of support if they have insufficient income? Thus, we would like to have those children be included with their parents as you have done five years ago. If not, their family will never have a chance to reunite with their loved ones in the United States.

d. About cases of prisoners who were newly married. Their wives are excluded in accompanying their husbands for resettlement. They are told that they must file either refugee and/or second preference petitions when they arrive in the United States. Normally, it takes at least three to four years for them to be reunited. We would like your reconsideration in allowing their wives to depart with them to the United States.



United States Department of State

Washington, D.C. 20520

TALKING POINTS FOR MEETING WITH
FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION

Wednesday, April 20, 1994
3:30pm

I. FORMER RE-EDUCATION CAMP DETAINEE SUB-PROGRAM

- On March 31 the Vietnamese Government presented lists HO-43 and HO-44 to ODP with 2,000 cases and 8,633 names.
- We have notified the Vietnamese Government that these will be the final lists under the HO subprogram.
- In the coming months we intend to implement direct registration of former re-education camp detainees who for some reason have never been registered. This new procedure will preclude the need for any more lists.
- Direct registration will last until September 30, 1994 to ensure a smooth conclusion to this humanitarian program.
- It is our intention to no longer accept new HO applications (as well as refugee applications from former US Government and private company employees) after September 30, 1994.

II. REVISIONS TO FILE CREATION CRITERIA

- Since the start of the HO program in 1989, ODP has proposed for interview (PFI) only the cases of applicants detained for three or more years.
- However, files have been created for persons with only one to three years of re-education, in expectation that they might be considered in the future once the three-plus year re-ed cases were completed.
- Such large-scale Southeast Asian refugee admissions programs are the product of a war which ended nearly 20 years ago and must be brought to closure.
- It will not be possible to propose for interview those cases involving detainees with less than three years detention, due to the enormous increase in the size of the active caseload that would result, and because many of these are unlikely to qualify for refugee status even if presented to INS.

- Effective immediately, ODP will create (open) a file only upon submission by the applicant of any of the following items:
- * Documentary evidence of at least three years of detention in a re-education camp because of association with U.S. policies and programs prior to 1975, or a spousal relationship to a detainee who died as a result of or during detention;
 - * An approved I-730 refugee relative petition or a visas 93 cable (indicating that INS has approved the I-730);
 - * Documentary evidence of 5 years employment with the USG or U.S. business/foundation; or
 - * A claim of Amerasian ethnicity.

Note: An exception will be made under ODP's "1-plus-1" policy, under which one year of re-ed detention, in combination with either one year of US Government or private U.S. company employment, and/or U.S.-sponsored training will serve as eligibility for interview.

- In order to end the uncertainty for persons with cases which do not meet interview criteria and to allow them to get on with their lives, re-ed cases with less than three years detention are now to be retired.
- A letter, along with any original documents, will be sent to each principal applicant, expressing appreciation for the applicant's interest in ODP, but stating that no further action on their case is anticipated.

III. TRANSITION TO NORMAL IV PROCESSING

- The lifting of the trade embargo allows the Department and ODP to focus on the standardization of immigrant visa processing of Vietnamese. With unlimited remittances from U.S. sponsors to applicants in Vietnam now possible, applicants can now make their own travel arrangements to depart Vietnam.

- As part of its ongoing efforts to standardize its IV operations, ODP intends to implement the following changes in the near to mid-term future:
 - * Collect visa and medical fees directly from the applicants, rather than through IOM as is now the case.
 - * Mail all correspondence directly to the applicant in Vietnam rather than to the U.S. sponsor.
 - * Shift the timing of the medical exam from after the visa interview to beforehand, in accordance with standard immigrant visa practice.
 - * Have approved applicants book their own departures from Vietnam.
 - * Eliminate the list system for all immigrant visa cases.

- These changes will help standardize ODP operations in accordance with normal IV operations used worldwide by the U.S. Government.